

FOOD Farmers

Federation Of Organic Dairy Farmers

For Immediate Release

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Organic Dairy Farmers Support Consumers Right for Organic Dairy Products that meet all of the Organic Regulations

DEERFIELD, Mass. (October 22, 2007) – The Federation Of Organic Farmers (FOOD Farmers) today announced their support for consumers who have filed a class action lawsuit against Aurora Organic Dairy that alleges the company misled them by selling milk under a USDA Organic Seal while not following the required farm practices. The lawsuit is based on the result of a two year investigation by the USDA that Aurora allegedly violated 14 provisions of the Organic Food Production Act. The validity of the violations was never legally confirmed as the USDA and Aurora Organic reached a consent agreement that directed Aurora to stop organic production at one facility and make numerous changes in its operations but allowed them to continue selling organically certified dairy products. FOOD Farmers shares the frustration of consumers that this issue was not satisfactorily resolved by the USDA and leaves a situation that is open to many interpretations by producers, consumers and certifiers, further aggravating controversy and disillusionment with the National Organic Program (NOP).

“We need the USDA and their accredited certifiers to enforce the rules equally and consistently”, said Darlene Coehoorn, Wisconsin farmer and President of MODPA. “The USDA should always act decisively to enforce the organic regulations and protect the many family farms and businesses that rely on the USDA Organic seal for their livelihood not leave it to consumers to file lawsuits.”

The continued health and growth of organic farming, handling, processing, and retailing rests upon the credibility of the NOP system. The Consent Agreement between USDA and Aurora Organic Dairy has no transparency and the “Q and A” posted on the NOP website compounds the confusion and lack of logic rather than explaining the reasons for reaching the agreement. Consumer confidence in the Organic seal and the financial sustainability of family farms rely on the ability of the NOP to enforce the organic standards universally and unequivocally. The Consent Agreement does not do that.

While this case shows that the current NOP regulations do require pasture for ruminants and do have standards for dairy replacement animals, now, more than ever, it is important for the USDA to swiftly move forward and publish rulemaking that will clarify the access to pasture rule and provide a technical correction to the rule governing organic dairy herd replacements.

“The USDA has delayed too long in publishing a proposed rule to clarify what is meant by “access to pasture” and define one easily understood and enforced standard for organic dairy replacements. The minimum mandated standard should require that milking dairy cows graze pasture that provides an average 30% of dry matter for 120 days,” said Steve Morrison, a Maine farmer and president of NODPA, “This position was reaffirmed at our annual conference in East Canaan, CT in August 2007.”

California organic dairy producer and WODPA President Tony Azevedo echoed similar sentiments, “At our recent conference in Corvallis, Oregon, we unanimously passed resolutions supporting the FOOD Farmers position on access to pasture and dairy herd replacements. The rulemaking is long overdue, and producers and processors need the clarity in the rule to plan for the future and to continue ensuring the integrity of organic certification for the consumer.”

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Federation Of Organic Dairy Producers (FOOD Farmers)

The Federation Of Organic Dairy Producers is an umbrella group for the three regional organic dairy farmer organizations: Northeast Organic Dairy Producers Alliance (NODPA), Midwest Organic Dairy Producers Association (MODPA), and Western Organic Dairy Producers Alliance (WODPA) and represent over 800 organic dairy farmers across the country.

FOOD Farmers have repeatedly asked the USDA NOP to adopt the following recommendations as part of their proposed rulemaking.

Clarification of the access to Pasture standards

1. *Organic dairy livestock over 6 months of age must graze on pasture during the months of the year when pasture can provide edible forage.*
2. *The grazed feed must provide significant intake for all milking-age organic dairy cows. At a minimum, an average of 30% of the dry matter intake each year must come from grazed pasture during the region's growing season, which will be no less than 120 days per year.*
3. *Temporary exemption from pasture may be allowed because of:*
 - i. *Conditions under which the health, safety, or well-being of the animal could be jeopardized, including to restore the health of an individual animal or to prevent the spread of disease from an infected animal to other animals.*
 - ii. *Short term inclement weather.*
 - iii. *Temporary conditions which pose a risk to soil and water quality.*
 - iv. *In no case will temporary confinement and exemption from this pasture standard be allowed as a continuous production system.*

The measurement of the consumption of dry matter from grazed pasture will be calculated based on the daily dry matter intake from grazing averaged over the total time period grazed per year.

Organic Dairy Herd replacements

Once an operation has been certified for organic dairy production, all dairy replacement animals, including all young stock whether subsequently born on or brought onto the operation, shall be under organic management from the last third of gestation prior to the animal's birth.

Northeast Organic Dairy Producers Alliance (NODPA) mission is to **enable organic dairy family farmers, situated across an extensive area, to have informed discussion about matters critical to the well being of the organic dairy industry as a whole** with particular emphasis on:

1. Establishing a fair and sustainable price for their product at the wholesale level.
2. Promoting ethical, ecological and economically sustainable farming practices.
3. Developing networks with producers and processors of other organic commodities to strengthen the infrastructure within the industry.
4. Establishing open dialogue with organic dairy processors and retailers in order to better influence producer pay price and to contribute to marketing efforts.

Midwest Organic Dairy Producers Association (MODPA) mission is to promote communication and networking for the betterment of all Midwest dairy producers and enhance a sustainable farmgate price.

Western Organic Dairy Producers Alliance (WODPA) mission is to preserve, protect and ensure the sustainability and integrity of organic dairy farming across the west.