

# THE CULTIVATOR

News from The Cornucopia Institute  
Spring 2012

## Organic Watergate

### Cornucopia Seeks Federal Investigation of National Organic Program



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The complaint alleges undue corporate influence and conflicts of interest that, if left unchecked, could change the working definition of the organic seal and degrade its value in the eyes of consumers.

Following the heated meeting of the National Organic Standards Board in Savannah, Georgia in December, The Cornucopia Institute formally requested that the USDA’s Office of Inspector General (OIG) investigate corruption at its National Organic Program. The charge alleges that the Board permitted the use of illegal synthetics in organic food and then allowed powerful corporations to “game the system” for approval “after the fact.”

The controversy surrounds products developed by Martek Biosciences Corporation. Martek, part of a \$12 billion Dutch-based conglomerate, recently petitioned for approval of its genetically mutated algae and soil fungus and as nutritional supplements in organic food.

Martek’s formulated oils are processed with synthetic petrochemical solvents in a blend containing a myriad of other synthetic chemicals. Supplements derived from these

oils, commonly marketed as DHA and ARA, are being added to milk, infant formula and other organic foods by such companies as Dean Foods (Horizon), Abbott Laboratories (Similac), and Nurture, Inc. (Happy Baby).

“This is a long-standing controversy that the USDA seems to think is just going to go away,” said Cornucopia Codirector Mark Kastel.

After a formal legal complaint by Cornucopia, and an investigative story by the *Washington Post*, the USDA announced in April 2010 that it had “inappropriately” allowed Martek oils to be included in organic foods.

The scandal contributed to the removal of the previous director of the National Organic Program (NOP), who overruled her staff’s decision finding Martek supplements were illegal in organics—after she met with a prominent Washington lobbyist, William J. Friedman.

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# The “O-Word”

## Who Can Use the Term *Organic*?

Unlike *natural*, which generally means whatever the marketing manager of a food manufacturer decides it means, on any given day, the word *organic* has a specific legal definition.

Since November 2002 a farmer, manufacturer, or marketer wanting to use *organic* on their label, or to represent their product as organic on their website or at a farmers market or retailer, needs to be certified under the USDA organic program. The only exception to this rule are farmers selling direct with under \$5,000 in annual sales.

It's pretty rare to find companies stating *organic* on their label that are not certified. But we at Cornucopia have occasionally found instances of fraudulent labeling and subsequently filed complaints with the USDA. These actions have resulted in fines

as high as \$5,000 and the forced discontinuation of the illegal practices.

Questions come up about farmers selling directly to consumers, for instance at farmers markets. Can they use the “O-word” on their signage or brochures or verbally represent their products as organic if they are not certified? The answer, legally, is no.

In fact, according to the National Organic Program, “people who sell or label a product ‘organic’ when they know it does not meet USDA standards can be fined up to \$11,000 for each violation.”

That's not to say that some of these farmers don't use organic methods. In fact, some go far beyond the minimums and are truly among the best agricultural producers in the country. So although it would be illegal to use the word *organic* on their signage, it

would be perfectly legal to make a statement like, “I follow all the same procedures and prohibitions as certified organic farmers do (no chemical fertilizers, pesticides, herbicides, fungicides, etc.)”

If a farmer went farther than that—for instance, raising pastured poultry rotated on grass every day—they could even say they were *beyond organic*, as organic standards only require livestock to have “access to the outdoors,” and rotational grazing is truly the gold standard.

Cornucopia always encourages farmers to consider going through the process to be certified. I know I learned a lot in the process when I was farming. Many farmers who think they are following 100% organic procedures are often surprised by some of the nuances.

Granted, the most challenging part of certification is the record-keeping, but there are up to 75% cost share rebates available from the USDA to help. By becoming certified, we support the entire community. ■

—Mark Kastel

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*Special thanks to BJ Birkel, Heidi Blanke, John Houston, Aaron Hraba, Steven McFadden, and Bobbie O'Brien*

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# Judge Backs Biotech ‘Bully’

## Monsanto Wins Dismissal of Landmark Gene-Patent Suit

Causing outrage throughout the organic community, on February 24 Judge Naomi Buchwald dismissed the case of *Organic Seed Growers and Trade Association et al v. Monsanto*. The 81 plaintiffs represent organic farmers, seed growers, and agricultural organizations, including Cornucopia.

Since the mid-1990s, Monsanto has brought lawsuits against 144 farmers for “patent infringement” when GE seed contaminates the farmers’ fields. The biotech giant has sued more than 700 additional farmers who have settled out-of-court rather than face Monsanto’s belligerent, and well-financed, litigious actions.

The plaintiffs brought the pre-emptive suit against the company seeking not monetary compensation but judicial protection from such lawsuits and to challenge the validity of its seed patents.

Lead attorney Daniel Ravicher said of the ruling, “While I have great respect for Judge Buchwald, her decision to deny farmers the right to seek legal protection from one of the world’s foremost patent bullies is gravely disappointing.”

The attorney further deemed the judge’s opinion “flawed on both the facts and the law. Thankfully, the plaintiffs have the right to proceed to the Court of Appeals, which will review the matter without deference to her findings,” Ravicher said. An appeal of the judge’s decision is under consideration by counsel.

### A Farmer Speaks Out

Chuck Noble is an alfalfa grower in Winner, South Dakota. At the hearing, Ravicher referred to him as one example of the plaintiffs who have been harmed by the Monsanto patent. Noble spoke at a public assembly after the hearing and with a number of reporters.

For six years the farmer has worked diligently to challenge Monsanto’s GE alfalfa. In 2007 he attended the USDA-APHIS (Animal and Plant Health Inspection Service) meeting representing hundreds of thousands of growers who opposed the contaminating trends of GE alfalfa. Raised on a South Dakota farm, the grower sells hay for milk and dry dairy cows, beef cattle, sheep, horses, buffalo, goats, llamas, and guineas. His hay and seed market spans both the U.S. and export. Writes Noble:

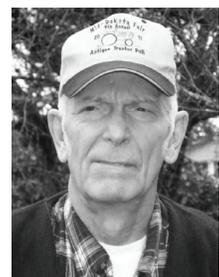
*As someone who “has dirt under my fingernails,” I offered these statements after the hearing:*

1. Independent and privately funded tests need to be done to measure GE seed contamination and the presence of herbicide and other toxins in the GE crops used for feed and food. Also, the presence of these toxins needs to be measured in food, meat, milk

and eggs. Some data exist that identifies a quantity of glyphosate in meat, milk, and eggs. We need to verify this and get more data.

2. We have a fundamental property right not to be trespassed by GE contamination that goes clear back to the Magna Carta, issued in 1215 AD. San Francisco Judge Charles Breyer and several Supreme Court judges acknowledge this issue of fairness and justice.

*“It appears that Monsanto wants to go back to pre-Magna Carta days, when the serfs grew the crops and the kings let them keep only enough to survive.”*



Farmer Chuck Noble

PHOTO BY DEE ST. GEORGE

3. Cattlemen used to free range in the 1800s. They tried to run over people who had fenced, deeded property. They did not prevail. Monsanto is trying to free range the GE genes and they will not prevail.

4. The genie *can* be put back in the bottle. Only 100,000 acres of GE alfalfa out of 23 million acres were planted. Most growers (6) who planted GE in my county got rid of it after I explained what they had signed in the Monsanto technology agreement and that they would harm their neighbors with gene flow.

5. Why is Monsanto doing GE seed? I believe it is greed, corporate power, control (monopoly), and management egos.

6. Discuss GE with your grocery retailers. Example: They are trying to genetically engineer peppers. No one wants them except buyers who want growers on contracts that they can control.

7. The genetic diversity of our gene pools is at stake. The European potato famines between 1850 and 1900 killed millions of people because only four potato varieties were grown and all were susceptible to potato blight. We do not need to repeat this experiment.

8. It appears that Monsanto wants to go back to pre-Magna Carta days when serfs grew the crops and the kings let them keep only enough to survive. They took the rest and the serfs could not own land or crops.

9. We must not let companies monopolize our gene pools and seed.

—The Organic Seed Growers and Trade Association is the lead plaintiff in the suit. For updates visit [www.osgata.org](http://www.osgata.org).

# Raw Almond Challenge Heads Back to Appeals Court

When the USDA and Almond Board of California implemented a pasteurization mandate for raw almonds produced in California in the fall of 2008, Cornucopia began assisting a group of almond growers who were dramatically impacted by the rule. These farmers have been challenging the requirement that they either steam heat their raw almonds or gas them with a toxic fumigant to kill any salmonella bacteria that may be on the nuts before the product can be sold to U.S. consumers.

The rule was proposed following two salmonella contamination events that occurred in 2001 and 2004. Salmonella, a bacteria associated with feces, is very rare in almonds and likely can be prevented by careful harvesting and processing practices. But if the rule were put into place for food safety purposes, why does the treatment mandate exempt imports into the U.S. and

exports outside of North America? California almond growers lost a valuable market as untreated imports now occupy grocery store shelves rather than their home-grown product.

Many raw food enthusiasts and consumers prefer unprocessed almonds. Some believe that the heat treatment destroys valuable nutrients and changes the almond's texture; others alternatively object to the use on their food of a fumigant recognized as a carcinogen by the EPA.

Cornucopia has been helping almond growers challenge the controversial rule in federal court with coordination and development of a legal strategy. Initially, Judge Ellen Huvelle rejected the challenge arguing that farmers had no right of standing to bring the lawsuit. Federal law makes clear that consumers, retailers, and groups like Cornucopia lack standing to challenge

an order put in place through the "market order" mechanisms of the Almond Board. But farmers clearly seemed to have the right to challenge. Twice judges at the federal appeals court level agreed, ultimately sending the case back to Judge Huvelle for full consideration.

On January 18, Judge Huvelle again rejected the almond growers' claims. This too will be appealed. "It's never easy fighting the government," notes attorney John Vetne, who is handling the lawsuit. A three-judge appeals court panel will hear the case, and Vetne believes that oral arguments will be allowed on the core issue of the authority of the government to impose the treatment scheme.

Adds Vetne: "This case may well decide whether any type of raw, unprocessed horticultural product will be available to consumers in the future; whether the choice should be made by Big Brother or the family grocery shopper." ■

—Will Fantle

## Decision Appealed in GE Alfalfa Case

Plaintiffs, including Cornucopia, will appeal the grant of summary judgment last December of the legal challenge to the USDA's approval of Monsanto's genetically engineered alfalfa. "We were disappointed by the decision but not all that surprised," says George Kimbrell, attorney for the Center for Food Safety and counsel for the plaintiffs.

The alfalfa lawsuit is based on aspects of the federal Plant Protection Act, the National Environmental Policy Act, and the Endangered Species Act. "There were a number of critical errors that the judge made," adds Kimbrell.

A perennial crop, alfalfa is open-pollinated by bees and other insects—with a pollination radius of at least five miles. Monsanto's controversial GE alfalfa threatens to contaminate



Bangs, a five-year-old Texas longhorn at Erin Ranch in Kerrville, TX feeds on alfalfa, the "queen of forages."

both conventional and organic agriculture year after year with the drift and spread of its novel DNA. In fact, the case record documented that contamination has already occurred.

Alfalfa is the fourth most widely grown crop in the U.S. and a key feedstock for livestock farmers, who know it as the "queen of forages." The latest USDA data show that less than 10 percent of alfalfa acres are sprayed with any herbicide.

Consequently, GE alfalfa will dramatically increase the use of such chemicals across the country, with all of their attendant hazards to wildlife, plants, groundwater, and humans.

"We need the courts to protect farmers and consumers from genetic trespass and pollution of our food chain," states Cornucopia's Mark Kastel. "Winning this lawsuit is critical to the future of the vibrant \$30 billion organic sector." ■

—Will Fantle

In the beginning it was easy to count. The year was 1986, and there were only two Community Supported Agriculture (CSA) initiatives in the U.S.: Indian Line Farm in western Massachusetts and the Temple-Wilton Community Farm in southern New Hampshire. But not long after that, as the CSA concept spread across America and around the world, the number of farms became a bit of an enigma.

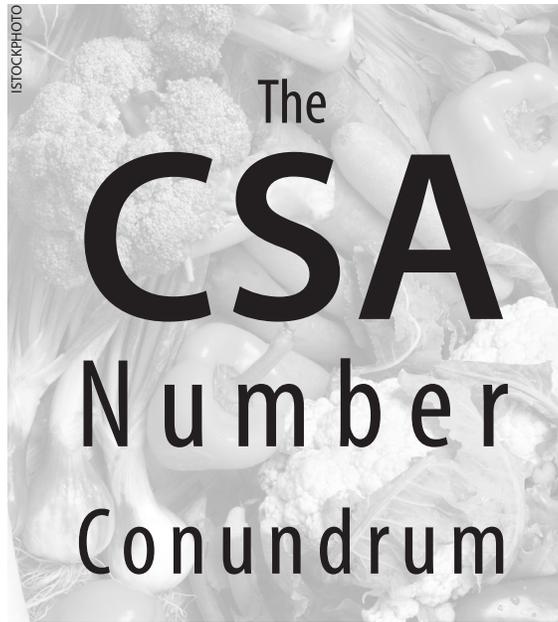
No one was ever quite sure how many CSAs there were. The federal government didn't track the number; at the same time, for a variety of reasons, many CSAs wanted little to do with government or larger systems.

Now, however, it's possible to gain a fair idea, thanks to several sources. Estimating conservatively, there are currently over 6,000 CSAs in the U.S., possibly as many as 6,500. Meanwhile, the trend of growth continues onward and upward.

CSA farms and the networks they establish are in so many ways a positive, creative response to the swift and fundamental changes taking place in the world, in our food, and in the way the land is held and treated. CSAs are becoming a significant alternative to the industrial agrifood system.

An estimated 60 CSAs had come into being in the U.S. by 1990. That's the year the Biodynamic Farming and Gardening Association (BDA) published the first book on the subject, *Farms of Tomorrow: Community Supported Farms, Farm Supported Communities* by Trauger Groh and this writer. The activity of the BDA, the book, and the advocacy of Robyn Van En, helped spur growth through the 1990s so that by the year 2000 the number of CSAs in the U.S. was about 1,000.

In the latter part of the 1990s and the first decade of the new millennium, the impetus from the developing local food movement and from economic uncertain-



ties helped grow the number further. Two other factors played an important role: the publication of *Sharing the Harvest* in 1998 and the establishment of LocalHarvest.com, a website hub for local food.

*Sharing the Harvest: A Guide to Community Supported Agriculture* by Elizabeth Henderson and Robyn Van En brought the story of CSA to a diverse audience, and inspired many to take a step in a new direction economically, environmentally, and socially. For an increasing number of households, CSA was being recognized as an effective response to the globalization of the food supply.

Shortly thereafter the website LocalHarvest went online, in 2000, to become a key resource for the buy local movement. The website is a searchable directory of CSAs, farmers markets, and other local food sources.

Eventually, in 2007, the federal government took a crack at a national count of CSAs through a question on the Agricultural Census. They came up with the number of 12,549. That stunned most observers. It was more than three times greater than anyone had imagined.

Ryan Galt, Assistant Professor of Agricultural Sustainability and Society at the University of California, Davis, was among those surprised by the USDA estimate. He noted a wide discrepancy between counts by LocalHarvest, the Internet hub with the most comprehensive CSA listing (2,932 at the time), and the wildly high ag census number.

He set out to study the matter using a critical cartography/GIS approach and multiple CSA data sets. Galt observed that the overcounting by the 2007 census likely occurred due to ambiguity in the relevant question. The ag census, as read by many, seemed to be asking how many farms are, to one extent or another, involved with CSA, rather than how many farms are in fact actual CSAs.

After applying his analytical tools, Galt arrived at an estimate of 3,637 CSAs nationally for the year 2009. While he reckoned this was a more reliable estimate, he noted the number was based on extrapolating from California to the nation. This could be problematic, he cautioned, because of differences in land rent, structure, political orientations, and other factors.

By now of course it's 2012, not 2009. By all accounts, CSA has continued to proliferate. The growth has been spurred by a deepening crisis of confidence in Big Ag, Big Food and Big Chem, by a sharper sense of economic and environmental uncertainty, and as always by ideals, including a deeply rooted desire to eat clean and healthy food, and to do something positive for the earth.

According to director Erin Barnett, as of January 2012 LocalHarvest had 4,571 active CSAs listed in their directory. With ten years of experience observing the scene, Barnett estimates that the LocalHarvest listings include 65-70% of all the CSAs in the U.S. She and her colleagues also believe that the directory's growth rate over the years has tended to mirror that of CSAs in general. By

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# Watergate

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The former NOP director's decision was reversed in April 2010. But instead of immediately ordering the removal of these unapproved synthetics from organic food, the Obama/Vilsack administration at the USDA delayed enforcement by 18 months.

"It is unacceptable that these materials are still in organic food and that corporations think they can manipulate the system and get away with it," said Kastel.

Last December, the National Organic Standards Board (NOSB), the expert panel set up by Congress to advise the USDA Secretary on organic matters, narrowly approved the Martek petitions for their versions of DHA and ARA. "All hell broke loose at the meeting in Savannah as the controversy grew extremely heated," Kastel noted.

Cornucopia's complaint to the OIG alleges that Martek misrepresented their novel, synthetic products and manipulated the vote by the NOSB.

"Martek oils, marketed under the Life'sDHA™ brand and included in organic infant formula, milk, and baby food, are processed with petrochemical solvents like hexane or isopropyl alcohol, both of which are explicitly banned in organic production," explains Charlotte Vallaeys, Cornucopia's Director of Farm and Food Policy.

Although Martek told the board that they would discontinue the use of the controversial neurotoxic solvent n-hexane for DHA/ARA processing, they did not disclose what other synthetic solvents would be substituted. Federal organic standards prohibit the use of all synthetic/petrochemical solvents, including isopropyl alcohol, which is cur-

rently used to extract DHA algal oil for use in products such as Horizon milk.

Martek again brought in William J. Friedman, with the powerful Washington law firm of Covington and Burling, to lead their approval process. Friedman appeared to deliberately mislead NOSB members into believing that the powdered form of Martek's DHA oil was not covered in the



Legions of paid lobbyists, scientists, and lawyers were in attendance at December's NOSB meeting. "The dog and pony show put on by Martek and their largest customer, Dean Foods, was without precedent in the organic industry," said Alexis Baden-Mayer of the Organic Consumers Association.

petition, when he said, "That's not the petitioned material." This particular product formulation includes a number of additional synthetic materials that have never been reviewed or approved for use in organics.

"Mr. Friedman's statement thus appears patently false in an apparent attempt to intentionally mislead the NOSB," Cornucopia's Kastel said. "This apparent subterfuge led, in turn, to the NOSB's failure to review other aspects of these materials which would have disqualified them, under law, for inclusion in organic food."

In addition to the letter to the OIG, Cornucopia has requested that the D.C. Bar

conduct a formal ethics investigation of Mr. Friedman's conduct.

"The dog and pony show put on by Martek and their largest customer, Dean Foods, was without precedent in the organic industry," said Alexis Baden-Mayer, Political Director of the Organic Consumers Association, who was present in Savannah.

The only scientists who testified at the meeting on the DHA issue were all on Martek's payroll, and focused on research showing benefits of consuming naturally occurring omega-3 fatty acids (such as those found in fish and breast milk), while ignoring the preponderance of published peer-reviewed research that shows that these health benefits are not gained from consuming Martek's novel, manufactured DHA additive.

Dean Foods, Martek's largest customer, brought in a well-known web-pediatrician, Dr. Alan Greene, who has acted as a public relations agent endorsing Horizon brand organic milk with the added Martek DHA oils.

Although Dr. Greene represented himself as a "consultant," simply answering questions for Dean Foods, and stated he had previously worked for two other organic companies, he failed to disclose his multiple conflicts of interest in commenting on the benefits of Martek's manufactured DHA supplements.

According to Cornucopia's research, Greene has also accepted compensation from Mead Johnson, the largest conventional infant formula manufacturer, to promote Martek's DHA oil in their products, and even has his own product line of nutritional supplements that include Martek DHA, marketed by Twinlabs with his name and photograph on the product package.

Said Lisa Graves, Executive Director of the Center for Media and Democracy/PRWatch, "It is unconscionable that a physician, who accepted money from a big

drug company to promote synthetic DHA—which many believe promotes the use of baby formula at the expense of the nutrients in breast feeding—failed to disclose such a gross conflict of interest when he testified before the governmental body on certified ‘organic’ standards.” Graves’ organization helps expose corporate PR tactics.

Although the FDA has dismissed complaints about the safety of Martek products in infant formula, reports persist from parents and healthcare providers of infants experiencing serious gastrointestinal symptoms from consuming Martek’s DHA and ARA oils.

After this controversy became prominent in the media, a number of companies removed the controversial ingredients from their organic products. These brands include ZenSoy organic soymilk, Plum Organics baby foods, and NuGo nutrition bars.

The Cornucopia Institute has sent a formal briefing paper on these matters to all members of the National Organic Standards Board. “We are asking the NOSB to reopen their deliberations and consider rescinding their approval of Martek nutritional oils,” Kastel explained. “If the board fails to act now, protecting the integrity of organics, it risks changing the working definition of the organic seal and degrading its value in the eyes of consumers.” ■

Access an ACTION ALERT at [www.cornucopia.org](http://www.cornucopia.org) if you wish to urge the National Organic Standards Board to reevaluate its approval of the Martek materials. Cornucopia’s new ONLINE GUIDE lists foods, including infant formula, that contain Martek’s DHA. See the website under Scorecards.

# Designer Organics

## Holism Not High-Tech Should Guide Policy

For decades, agrochemical companies selling synthetic fertilizers have embraced a reductionist view of the natural world that fails to recognize the complexity of a farm’s biological systems. These corporations profiting from the sale of synthetic fertilizers view the soil not as if it were alive, but as a machine—just fill it up with petrochemical nutrients and watch the plants grow.

Rejecting this simplistic worldview, of course, is nothing new to organic farmers. Organic farmers are working *with* complex natural processes rather than attempting foolhardily to conquer them with technological fixes. This perspective is so ingrained in the organic community that the federal organic standards prohibit all petrochemical fertilizers and all but a handful of synthetic ones.

Yet, at the most recent meeting of the USDA’s National Organic Standards Board, the debate around synthetic, manufactured nutrients added to organic processed foods never even considered whether this policy should be guided by the same holistic values that led the organic community to reject synthetic nutrients for the soil.

If the same principles that guide organic farmers in feeding their soil were to guide organic food processors, Martek Biosciences Corporation’s petitions to allow DHA and ARA oils (fermented from algae and fungus) as added nutrients for

organic foods would have been squarely, soundly, and resolutely rejected. Instead, 10 out of 15 NOSB members voted in favor—one more than was needed to keep the synthetic nutrients off the National List of Approved Substances.

***Martek’s genetically mutated oils are poster children for what Michael Pollan calls “edible food-like substances.”***

In 1943, Sir Albert Howard, one of the founding fathers of the organic movement, wrote that “the approach to the problems of farming must be made from the field, not from the laboratory.” Today, Martek’s hired scientists and celebrity physicians suggest that the only way to save our nation from declining consumption of healthy omega-3 fats is by inserting their manufactured nutrients, developed in a laboratory and manufactured in a factory, using synthetic chemicals.

Martek, and its largest organic customer, Dean Foods, used the same tactics exploited decades ago by chemical companies peddling synthetic nutrients for the soil.

First, they framed the debate in terms of reductionist science. Rather than viewing the human body as a complex interconnected biological system, they view it in the same mechanistic way that a chemical company views the soil.

Second, Martek framed the science around the simplistic notion that our bodies are lacking one particular nutrient. Then

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# Designer Organics



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its scientists set about convincing people that their corporation provides the solution. Martek's scientists told the NOSB that if people who eat lots of fish or babies who drink breastmilk are healthier, and fish and breastmilk contain DHA, then its manufactured and isolated DHA added to fishless diets or infant formula must be just as beneficial as the real thing.

Fertilizer companies perfected this tactic decades ago, when they managed to convince the majority of our nation's farmers to ignore the complexity of the soil and hone in on just a handful of isolated nutrients. When the goal is selling a manufactured nutrient, whether for the soil or the human body, it is necessary to ignore interconnectedness and pretend that simply adding a manufactured solution can restore health.

Next, Martek aimed to create a sense of dependence—as if their algal oils are the only source of omega-3s—in much the same way that chemical companies say they “saved” farmers from low yield and unhealthy soil. While good for profits, this dependence on corporations for the health of our soil and our bodies is anything but sensible or sustainable.

Finally, like agrochemical companies, Martek greenwashes its products. By repeating over and over that its oils are “sustainable,” people at the NOSB meeting apparently started believing it. Yes, the Martek scientists admit petrochemical solvents are needed to produce the oils. But nobody seemed to question the sustainability of a “food” that will no longer be available when we run out of petrochemicals.

In reality, like the soil on our farms, what the human body needs for optimal health is more complex than Martek would have us believe.

According to leading omega-3 expert Artemis Simopoulos, the root of the problem is that our food supply “is greatly out of whack.” Omega-3s in our diet originate in the chloroplasts of plants and algae, so green foods are a good source of omega-3s, or a good starting point for animal products. When animals feed on greens, like salmon on algae, cows on pasture, or chickens on greens, the food products these animals give us also have a much higher level of omega-3s and a better balance of omega-3s to omega-6s.

As a nation, our diets are deficient in omega-3s because our agricultural policies and food processing techniques encourage the use of seeds, especially corn, as the basis of so much of our food supply.

With fast foods and processed foods based almost exclusively on seed crops like corn and wheat, and the vast majority of animals in factory farms eating seed crops as well, our nation's omega-3 deficiency is indeed a serious public health problem.

In his role as a Dean Foods corporate spokesperson, Dr. Alan Greene, a media celebrity, told the Board in his testimony that “we are living in a time of nutritional crisis for our children. The way we have been feeding them is not working.” He is right about that. But he then suggested to the Board that allowing corporations to add

Martek's oils to organic foods could help solve it. About that, he couldn't be more wrong.

Susan Allport, who documented the story of omega-3s in her book *The Queen of Fats*, has the following advice to bring the level of omega-3s back in balance in our diets: eat lots of fruits and vegetables; consume oils that have a healthy ratio of omega-3s and omega-6s (like olive and coconut); avoid hydrogenated oils; eat a wide variety of fish; choose grass-fed meat and milk; eat omega-3 enriched eggs.

This advice honors the “Food Rules” identified by best-selling author Michael Pollan, whose first sensible guidance is to “eat food” rather than rely on “highly processed concoctions designed by food scientists.” Martek's oils are poster children for what Pollan calls “edible food-like substances.”

Allport also points out that the advice to eat more fish is popular with food corporations because it lets them off the hook for changing the food system away from monocultured grains that are the basis of everything from beef to eggs (livestock feed) to processed foods (oils and sweeteners), and back to diverse farming, grass-based animal husbandry, and real food.

Our nutritional crisis will not be solved by throwing in select designer, manufactured nutrients in our current food supply any more than dousing the soil on a monoculture farm with synthetic fertilizers will solve crises of soil health. It will take a change in the way we farm and eat, much like an organic farmer changes the entire system of farming to restore true soil health.

Organic farmers have rejected the high-tech, quick fix approaches to agriculture. Martek Biosciences Corporation is the epitome of the high-tech, quick fix approach to nutrition. Yet 10 NOSB members have said, “Welcome to organics, Martek.” ■

—Charlotte Vallaey



PHOTO COURTESY OF RADIANCE DAIRY

Cornucopia policy advisor Francis Thicke and his wife, Susan, own and operate an 80-cow grass-based organic dairy in Iowa.

The 2012 Midwest Organic and Sustainable Education Service (MOSES) Organic Farmer of the Year honorees are Francis and Susan Thicke, owners and operators of Radiance Dairy in Fairfield, Iowa.

The award was given during the 23<sup>rd</sup> annual MOSES Organic Farming Conference in La Crosse, Wis. Held at the end of February, it is the largest organic farming conference in the country, with over 3,000 attendees. Since 2003, the annual MOSES Organic Farmer of the Year Award has

# MOSES Honors Iowa Dairy

## Thickes Named Farmers of the Year

been presented to an organic farmer or farm family whose practices exemplify outstanding land stewardship, innovation, and outreach.

The Thickes serve as the “community dairy” of this southeastern Iowa college town, marketing 100% of the production of their Jersey herd within four miles of the farm. They process their milk on the farm and sell bottled milk, cheese, and yogurt through local grocery stores and restaurants.

Francis, who has a Ph.D. in soil fertility, has served in many leadership positions, including on the Iowa Environmental Protection Commission, the Iowa Food Policy Council, and the Organic Farming Research Foundation Board. He joined Cornucopia’s formal policy advisory panel in 2010.

The dairyman also has received many awards, including the Spencer Award for Sustainable Agriculture from the Leopold Center, the Sustainable Agriculture Achievement Award from the Practical Farmers of Iowa, and the Steward of the Land Award from the Iowa Sierra Club.

Francis has been a Fellow of the Kellogg Food and Society Fellows program (2002–2004) and a 2010 candidate for Iowa Secretary of Agriculture.

The Thickes join Cornucopia board member Dave Minar, who, with wife Florence, also was named MOSES Farmer of the Year, in 2007, along with Cornucopia policy advisors Tony Azevedo and Tom Willey, both California farmers, who have received similar recognition at the annual EcoFarm Conference. ■

—Mark Kastel

## CSA

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this calculation, there could be well over 6,500 active CSAs in the U.S.

However, in recent years not all of the initiatives claiming the name “CSA” are actually entwined with a real community. Many are aggregators, who secure food from near and far, and then distribute to households, establishing only the bare semblance of community involvement with a farm or the farmers, and likewise little direct farm involvement with a community.

Longtime CSA farmer Allan Balliett of Sheperdstown, West Virginia has even started a Facebook page on this theme, provocatively titled “If you don’t know your

*“Community farming is about the necessary renewal of agriculture through the healthy linkage with the human community.”*

farmer, you are not in a CSA.” In an interview Balliett told me, “Sure, fake CSAs offer greater flexibility in food choices, but all the other benefits of CSAs are tossed out.”

Still, CSA, however it is implemented, continues to grow. Notes Barnett, “Whether it’s the economy or the availability of oil, how crops are grown and where, or whatever, people will very likely be turning to their neighbors for a network of support. That’s where CSA stands right now as a wise response.”

In the overall context of 2012, of the burgeoning Occupy movement, and of the ongoing emergence of CSA, some words that Trauger Groh and I wrote back in 1990 still resonate:

“CSA is not just another clever, new approach to marketing for farmers. Rather, community farming is about the necessary renewal of agriculture through its healthy linkage with the human community that depends upon farming for survival. From experience we also see the potential of community farming as the basis for a renewal of the human relationship with the earth.” ■

—Steven McFadden co-authored the first book on CSA in the U.S., *Farms of Tomorrow*, with Trauger Groh. More recently, he is the author of *The Call of the Land: An Agrarian Primer for the 21st Century* ([www.thecalloftheland.com](http://www.thecalloftheland.com)).

# NOSB Report

## Board Rules on Animal Welfare, Wine Sulfites

At its annual meeting in December, the National Organic Standards Board (NOSB) rejected the petition to allow synthetic preservatives (sulfur dioxide) in organic wine. Cornucopia's policy team hailed the decision as a victory for the organic community and especially for organic wine-makers, who have been producing award-winning organic wine for decades. Cornucopia worked with a strong contingent of wine-makers who illustrated the lack of a need for preservatives by hosting a wine reception for

the Board with products lauded for their quality.

The Board also voted on recommendations for animal welfare standards. Covered porches for poultry will no longer count as "outdoor access," as required by organic law. Should this recommendation be adopted by the USDA, industrial-scale producers like the Country Hen, Kreher's, and Herbruck's that offer their hens no access to the outdoors/soil/vegetation will have difficulty qualifying as "organic."

The Board also adopted **outdoor** space requirements for organic chickens, recommending 2 to 5 square feet for laying hens and as little as 1 square foot for broilers.



PHOTO COURTESY OF FREY VINEYARDS; WWW.FREYVINE.COM

Frey Vineyards, the first organic winery in the U.S., uses no sulfites in its wine. Here, Andy Power harvests grapes at the Mendocino County, California ranch.

"The minimum of 2 square feet is not enough to protect the land, ensure adequate vegetation in the outdoor run, and conform to consumer expectation and the legal requirement that organic livestock be allowed to exhibit their natural instinctive behaviors," said Cornucopia's Charlotte Vallaeys, Director of Food and Farm Policy.

The minimum **indoor** space requirement in the NOSB's final recommendation is 2 square feet for laying hens.

The NOSB also recommended that pullets do not have to go outside until they are at least 16 weeks old. After being moved to the laying house, the birds can then be confined for up to 5 weeks to get used to "nesting," meaning that most birds will probably not have outdoor access until 21 weeks of age. Many hens remain in production for only one year.

In a positive move, the Board recommended that mature swine must be on pasture during the "grazing" season, with a pasture that consists of at least 25% vegetative cover.

The Board announced it would continue its work on animal welfare at the next NOSB meeting, to be held May 21–24 in Albuquerque, New Mexico. ■

—Will Fantle

## Groups Oppose "Ag-Gag" Rule

Twenty-seven national groups representing a wide spectrum of public interests have signed on to a statement opposing proposed "ag-gag" legislation that is being considered in states around the country. The bills seek to criminalize investigations that reveal animal abuse and could suppress critical information about the production of animal products on agricultural facilities.

The Cornucopia Institute, an ardent supporter of livestock agriculture, is among the organizations that signed on to the statement. The groups represent animal protection, civil liberties, environmental, health, food safety, and workers' concerns.

The statement is being provided to lawmakers who are currently reviewing ag-gag legislation, now under consideration in Illinois, Indiana, Iowa, Minnesota, Missouri, Nebraska, New York, and Utah. In addition to industrial farms, these bills have the potential to shield slaughter plants and puppy mills from legitimate investigations.

Undercover farm investigations have led to the disclosure of crucial health and welfare information and many groundbreaking reforms, including a ban on cruel confinement systems in California, the closure of a massive slaughterhouse that was shipping meat from sick animals to public schools, and the development of humane slaughter protocols. ■



Cornucopia took this photo of an "organic" aviary system in Wisconsin.

# Community (Bio)Dynamics

Stephen and Gloria Decater have tilled their Mendocino County, California land according to biodynamic farming practices for nearly 40 years. “We want to meet the needs of all the players,” Stephen states, “earth, farmer, and eater.” Sons Alexander, Christopher, and Nicholas are actively involved in the 40-acre, diversified farm.

While many people may be familiar with the concept of holistic healing, fewer are aware that the same model can be applied to land and farming through the biodynamic practices first described by philosopher Rudolf Steiner in 1924. The Decaters’ concern for soil and environmental health has led them to eschew fossil-fueled machinery for the renewable power of solar electricity and draft horses. And they also encourage their community to more intimately understand the connection between farming and sustainable living. The name Live Power Community Farm stems from that commitment.

Biodynamic farming—“*bio* meaning life and *dynamic* meaning force,” Stephen explains—rests on three pillars.

First, “the farmer looks at the farm as a living organism,” he says. “That means it has to have all its parts and it has to be in balance, so you don’t have a farm that’s just animals or just plants.”

Next, the farmer considers the “cosmic environment,” not just the terrestrial one, taking into consideration all celestial bodies and “working in the most harmonious” way towards plant development. (Historically, many have farmed and fished according to lunar and solar cycles.)

Finally, the biodynamic field sprays and compost preparations, “while using materials from nature, can only be made through



Stephen Decater plows a field with draft horses Laura and Pete. Live Power Community Farm is a solar-powered, biodynamic farm, certified by the Demeter Association, located near Covelo, California.

conscious human activity and intent to bring healing to the natural world.” All three concepts work towards “a more beneficial and complete nutrition and ripening process in the food.”

Biodynamic farms don’t have to be non-mechanized. The Decaters cite thousand-acre farms where the biodynamic preparations may be spread by airplane. “In Europe you can find biodynamic-certified produce in the stores, but in this country it’s not very prevalent yet. It’s become more known in this country in the wine industry,” Stephen says.

Stephen began his association with biodynamic farming in 1967 as a freshman at the University of California–Santa Cruz, where he worked on what was then known as the Garden Project. Later, the Decaters were early adopters of Community Supported Agriculture (CSA), starting their CSA in 1988, shortly after the concept’s introduction in the U.S.

While the term “CSA” has since gone mainstream, it was a new and exciting idea when the Decaters collected their first 15 member families. Unlike many of today’s CSAs, their members “share the cost of the farming and all food is distributed to those members,” maintaining “an interface between the grower and the consumer,” the farmers explain. In the mid-1980s, Stephen helped

start the Northern California Biodynamic Farming Association, which still meets quarterly.

Live Power is unique in that it is “a 100% community-based farm,” Gloria says. “We don’t sell in farmers markets or wholesale or retail. We have 200 households we feed and those folks partner with us to operate the farm, so they are kind of co-producers with us.” The couple feels strongly about “creating a cooperative economic paradigm rather than one oriented primarily toward individual gain.”

Live Power, Demeter certified since 1987, is protected as a permanent farm through an Equity Trust conservation easement, of which the Decaters are extremely proud. Stipulated in that easement is that the land be maintained as an actively producing organic or biodynamic farm and that its future sale be kept permanently affordable for farming.

The Decaters have been steadfast in their farm’s focus to serve as a community building and educating resource. To that end, the farm offers a yearly apprenticeship and hosts hands-on visits for school children.

For Gloria, the past few decades have been ones of ever growing relationships. She looks forward to Tuesdays, when she delivers farm produce and visits with members, some now second generation. She “sees their joy with the food” and, without a doubt, she, Stephen, and their family will continue to make that joy possible. ■

—Heidi Griminger Blanke, Ph.D., is a freelance writer in La Crosse, Wisconsin.

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# Monsanto Madness



A federal judge has dismissed a landmark case seeking protection for farmers against suit by Monsanto for “patent infringement” when drifting GE seed contaminates their fields. “Family farmers deserve our day in court,” said Jim Gerritsen, president of the Organic Seed Growers and Trade Association, the lead plaintiff. “This flawed ruling will not deter us from continuing to seek justice.” See story on page 3.

## Avoiding Martek’s DHA: New Online Guide

The founding principles of organics—regenerative agriculture, economic justice for family farmers, pure and wholesome food unadulterated by heavily processed and synthetic ingredients—are increasingly under attack by powerful agribusiness corporations that want their slice of the organic profit pie.

At the most recent meeting of the National Organic Standards Board, the majority of members voted in favor of corporate interests to allow the unnecessary but highly profitable Martek Biosciences’ DHA algal oil and ARA fungal oil in organic foods. (See story on page 1.)

Since consumers must now look more closely at the organic seal, The Cornucopia Institute has developed an online guide to help consumers avoid organic products with Martek’s DHA algal oil. The guide is available at [www.cornucopia.org](http://www.cornucopia.org), under Scorecards. ■



Martek Biosciences’ synthetic DHA, made from mutated algal oils and processed with petroleum solvents, is commonly found in infant formula. Cornucopia’s research found the additive is linked to serious gastrointestinal illness in some infants.

—Charlotte Vallaey