



May 13, 2017

TO: The Office of Inspector General

RE: Follow-up on Request for Investigation of the National Organic Program

Dear Ms. Fong –

On December 9, 2016, The Cornucopia Institute sent the Office of Inspector General a six-page letter requesting an investigation into the activities of the USDA's National Organic Program (NOP). It remains the position of The Cornucopia Institute that numerous NOP actions, and inactions, fail to conform to the intent and letter of the Organic Foods Production Act of 1990 (OFPA).

Today we are supplementing our December 9 letter with additional information that supports our request for a comprehensive investigation of the NOP by the Inspector General.

On May 2, a *Washington Post* investigative report exposed a scandal rocking the giant organic Aurora Dairy, the largest organic milk producer in the United States. The [Post's report](#) provides strong evidence that Aurora has been operating illegally. Newspaper investigators visited Aurora Dairy's largest factory farm complex in Weld County, Colorado, finding that almost all of the 15,000 cows were confined to dirt and manure-covered pens rather than grazing out on pasture as organic law requires.

It wasn't just one visit, though, that found this illegal approach to managing their cattle. Repeated observations over eight days (some 10 hours long), supplemented by drone and satellite imagery, revealed that no more than 10% of the dairy herd was out on grass — and many times, significantly less.

The Cornucopia Institute has long asserted that giant industrial dairies are systemically “gaming the organic system,” confining cattle in order to better push cows for high milk production. This approach resembles the standard operating practices on conventional CAFOs (concentrated animal feeding operations).

These gross violations of the law were well-documented in fourteen formal complaints Cornucopia filed with the USDA in 2014 against Aurora operations in Texas and other ‘organic’ CAFOs elsewhere in the U.S. Like the recent *Washington Post* investigation, Cornucopia's complaints to the USDA were accompanied by explicit and detailed aerial photography.

The USDA has not taken investigative action but rather relied on the assurances of certifiers, compensated by the accused operations, that all of the industrial organic livestock facilities were operating in accordance with the law.

Complaints, specifically, regarding the conduct of certifiers have languished for well over a year and one half, without action.

We have again filed a new complaint on the Aurora High Plains dairy in Colorado, based on the evidence compiled by the Washington Post, but remain skeptical about the will of the NOP to fully and thoroughly investigate.

Now the Washington Post has today revealed [another organic scandal](#), the widespread importation of fraudulent grains into the U.S. bearing the organic label and sold to livestock operators around the U.S. The *Post's* investigation is particularly damning given that the dramatic growth in cheaper imports has nailed the door shut to American organic farmers who are unable to sell their legitimate, organically grown grains to domestic buyers. Imports appear to make up the majority of the U.S. organic market.

The NOP has known about allegations of widespread, wholesale fraud in the importation of organic commodities for years but has not taken substantive action. Recently, after public pressure by organic advocates, and knowledge of the impending story by the *Washington Post*, there have been a number of public pronouncements. (In our opinion, much of this has been somewhat cynical, pro forma public relations/damage control.)

Along with the detailed list of concerns we itemized to your office in our December 9 letter, it continues to appear that the NOP, under USDA direction, is a program violating the will of Congress and betraying stakeholders in the organic industry.

We respectfully request that the additional matters noted above supplement our request and your investigation into the activities of the USDA's National Organic Program. Millions of consumers purchase certified organic products expecting that the highest standards and ethics are involved in their production and in the process outlined by Congress to oversee the industry.

Thousands of ethical farmers are involved in organic agriculture and deserve the protection of their businesses and practices from doubt, illegalities, and unfair competition.

Please keep us informed of the status of this request.

Sincerely,

A handwritten signature in black ink that reads "Will Fantle". The signature is written in a cursive, flowing style.

Will Fantle, Codirector