



CORNUCOPIA
I N S T I T U T E

June 23, 2015

Miles McEvoy
Deputy Administrator, National Organic Program
U.S. Department of Agriculture
1400 Independence Avenue, SW
Room 2642-South, Stop 0268
Washington, D.C. 20250-0268

Dear Mr. McEvoy:

The Cornucopia Institute, a food and agriculture policy group with approximately 10,000 members, including a sizable percentage of the certified organic farmers in the U.S., is writing to request that NOP investigate Whole Foods Market headquartered in Austin, Texas, a certified organic retailer.

As you may know, Whole Foods launched a new produce rating program in late 2014, called "Responsibly Grown" (<http://www.wholefoodsmarket.com/responsibly-grown>). It has recently come to our attention that this program has systemic problems with managerial oversight, resulting in widespread consumer fraud and mislabeling of products.

Whole Foods' CEO John Mackey recently acknowledged problems with the integrity of the program in a personal blog post on Whole Foods' website (please see photos and text about half-way down the page: <http://www.wholefoodsmarket.com/blog/clarifying-tenets-responsibly-grown>). In addition to the mislabeling of asparagus referenced in Mr. Mackey's post, The Cornucopia Institute has documented other instances of mislabeling and has filed a complaint with the Federal Trade Commission calling for an investigation pursuant to potential consumer fraud charges.

The consumer fraud and mislabeling that appear to be endemic in this program indicate to us a general lack of management control at Whole Foods. If they cannot manage a rating system they themselves devised, it is reasonable to question whether they are adhering to the organic standards in terms of labeling and merchandising of produce in their stores.

We believe an investigation, including candid interviews with produce department personnel and unannounced inspections, is warranted in this case.

If you have any questions regarding this matter, I can be contacted via email at cole@cornucopia.org or by phone at 608-625-2000. Thank you for your consideration of this matter

Sincerely,

A handwritten signature in black ink that reads "Jason Cole". The signature is written in a cursive style with a large initial 'J' and a long, sweeping underline.

Jason Cole
Researcher
The Cornucopia Institute