

THE CULTIVATOR

December 2008

News From [The Cornucopia Institute](#)

Dear
{first_name_merged_here},

Here is the latest news from The
Cornucopia Institute.

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Last Minute Rulemaking by Bush USDA Threatens Organic Family Farmers

Comments deadline Tuesday, December 23

As a reader of this E-newsletter, you should have received (or will shortly) a packet of materials from The Cornucopia Institute, in your regular mail, discussing the [USDA's proposed pasture/livestock rule](#).

The draft pasture and livestock rule that the USDA proposed represents the broadest rewrite of federal organic regulations in the \$20 billion industry's relatively short history. But the new rule, if enacted as written, could put out of business the majority of ethical organic livestock family farmers.

It is incredibly important that you contact the USDA with your comments no later than December 23. At this late date, you will probably need to use the USDA webpage to comment.

Click on <http://www.regulations.gov/search/index.jsp> and enter the term "organic pasture" in the search documents box to go to the page you can comment from.

We need to send a loud and clear message to the USDA about changes needed in this rule proposal. Without this, the bureaucrats and political appointees at the USDA will have free rein to decide "what is best" for the organic livestock industry. The future for organic family livestock farmers and consumer access to authentic organic food is in jeopardy. Please act today.



Organic?



Organic!

Almond Pasteurization Lawsuit Moving Forward

The legal effort seeking to restore access to truly raw California almonds is moving ahead. The lawsuit filed in the Washington, D.C. federal district court in September would throw out the USDA pasteurization mandate. Three additional growers have signed-on as legal parties, increasing the number of almond farmer and wholesale almond handler plaintiffs to 18.

Reports from several of the farmers and handlers indicate that their raw almond markets are greatly suffering as domestic retailers and consumers

shun treated product. Some have placed recently harvested and untreated raw almonds in cold storage while hopefully awaiting a favorable ruling on the lawsuit. Ryan Miltner, lead attorney on the lawsuit, is seeking an expedited decision.

Federal law bars consumers, retailers and groups like Cornucopia from formally joining the lawsuit. But Cornucopia is helping coordinate legal strategy and is committed to underwriting the legal costs associated with the repeal of the almond pasteurization mandate. If you are in a position to support this effort, please send your donation with a note indicating that it is for the almond lawsuit.

Cornucopia has also filed a Freedom of Information Act request with the USDA and the Almond Board of California over its failure to provide background studies and public documents that allegedly prove the effectiveness of almond pasteurization and the comparative nutrition, quality, and safety of pasteurized almonds and raw untreated almonds.

“If they have completed these studies, why won’t they share this research?” notes Eli Penberthy, a Cornucopia policy analyst. Penberthy had made numerous requests to asking for studies and research documents. One explanation may be that these studies are still incomplete. Cornucopia has learned that at least some of the studies were still being conducted nearly a year after the raw almond treatment mandate was implemented on September 1, 2007.

And at the November meeting of the National Organic Standards Board in Washington, D.C., Cornucopia’s Will Fantle asked staff at the National Organic Program why they had failed to assess the negative impact of the pasteurization mandate on organic almonds. He noted that a number of new food safety measures are under consideration by the USDA and the FDA and urged policy makers to engage the food safety issue and defend organic’s interests.

To stay on top of updates and news on the almond issue, check [The Authentic Almond Project](#) on Cornucopia’s web page.



DHA-Infant Formula Update

By Charlotte Vallaeyes

Parents have written to us to share their stories and tell us how grateful they are for our report on DHA in infant formula. They told us how their babies’ symptoms (diarrhea, vomiting) disappeared practically overnight after switching to the only organic formula on market shelves that does not contain these algal and fungal “designer oils.” We are continuing to investigate the problem, and have filed a new Freedom of Information (FOIA) request with the FDA to determine the number of adverse reactions reported.

Through another FOIA request, we discovered that USDA enforcement officers were ordered by the head of the National Organic Program to intentionally misinterpret the organic standards, allowing manufacturers to keep these additives in organic foods.

NOP staff members researched these oils and were ready to send out an enforcement letter rejecting them from organic foods. At the last minute, Barbara Robinson, the NOP's acting administrator, received a telephone call from an attorney representing one of the formula manufacturers. While the call was not recorded, we learned from the obtained documents that Robinson told the attorney that the client could continue adding DHA to its organic infant formula, and immediately ordered her staff to trash the enforcement letter and write a new one.

If it's true that the organic label represents safety from toxic additives, nowhere is this more important than in the case of infant formula. Cornucopia will continue to pressure the USDA to ensure that organic infant formula is free of chemically processed additives.

Soy Lecithin – Organic Version Arriving

By Charlotte Vallaeys

Soy lecithin—an ingredient that most of us have never heard of—is the focus of a precedent-setting vote for the spring National Organic Standards Board (NOSB) meeting. For the first time, the NOSB will decide whether to remove a substance—lecithin—from the list of non-organic ingredients allowed in small amounts (less than 5%) in organic foods.

When the National List of Approved and Prohibited Substances was compiled in 1995, lecithin was included as an allowed conventional ingredient because an organic version had not been developed. Given its presence on the National List, this means that food manufacturers could use conventional lecithin as long as an organic version is not commercially available. Through significant investment, Clarkson Grain has created an organic version of lecithin, and also ensured that there is enough available for every organic food manufacturer.

Despite this commercial availability, some certifiers like QAI continue to allow manufacturers to use conventional, hexane-extracted lecithin. Therefore, the only way to ensure that all organic foods contain organic lecithin is to remove conventional lecithin as an approved substance on the National List.

There is more at stake than simply the type of lecithin found in your organic foods. This vote will set a precedent with regard to the NOSB's willingness to remove ingredients from the National List when organic alternatives become available. If the regulations do not change when companies develop new organic ingredients, why should anyone bother investing in the research and development of new organic ingredients?



The Save Raw Almonds Store

There is now an online store, set up by The Cornucopia Institute, to promote awareness and raise funds for the lawsuit to save raw almonds from pasteurization.

Cafepress.com is the host of the store that has several items boasting Almy the Almond's slogan "Don't Cut Off Our Nuts" - including an organic cotton tee, a tote bag, and a bumper sticker, among others.

A percentage of the profits is given to the Cornucopia Institute, all of which is contributed towards the financial costs of the campaign.

To purchase these "Save Raw Almonds" collectibles, visit the online store at: www.cafepress.com/CornucopiaInst.

Genetically Modified Maize Lowers Fertility in Mice, Study Finds

Vienna - Feeding mice with genetically engineered maize developed by the US-based Monsanto corporation led to lower fertility and body weight, according to a study conducted by the University of Veterinary Medicine in Vienna presented Tuesday.

In the study, mice fed with the NK603 x MON810 sweetcorn variety over a period of 20 weeks showed a smaller litter size and lighter offspring than mice fed with non-engineered maize.

The differences "were statistically significant in the third and fourth litters," according to an abstract of the study led by Professor Juergen Zentek and commissioned by Austria's Environment Ministry.

Source: *Earth Times*, <http://www.earthtimes.org/articles/show/241141.genetically-modified-maize-lowers-fertility-in-mice-study-finds.html>

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