

My name is Mark Kastel. I am the codirector of The Cornucopia Institute.

We have a staff of 12 from Portland, Maine to Portland, Oregon, including attorneys with backgrounds in environmental, animal, and agricultural law; experts in farm policy; and agricultural economics and scientists.

Organics is a values-based industry. Cornucopia's focus is on protecting the foundational ethical precepts that have garnered strong support in the marketplace and made this an economically successful industry. Much of this success is now at risk.

Organic family farmers who milk cows are having their milk checks cut, and some are losing their businesses. Families who produce eggs can't compete with "organic farms" with over one million birds in automated aviary systems in confinement. And in some commodities, like soybeans, 80% or more of the opportunity for families to make a living here, benefiting from the success of organics, has been lost due to imports, many of which are fraudulent.

At this meeting we will discuss whether or not to throw some of those foundational values out the window, continuing the transfer of the economic opportunities, in shifting our diets in this country to healthier organic fare, to the **agro-industrial sector**.

I can remember, back in the 70s and 80s, one of the mantras in the organic movement was "feed the soil, not the plants." The focus was on building organic material, biological activity and nutrients that would create long-term, **truly** sustainable, mediums to grow our food in and better, more nutritious, more flavorful food while protecting the earth.

Now corporate lobbyists in this room are going to tell you that continually feeding plants with a liquid fertilizer solution, in either pure water sprayed through the air or in containers filled with mostly inert ingredients, is "organic."

This is a gross betrayal of the organic movement.

Stare decisis is the legal axiom that guides the United States Supreme Court in not overturning prior rulings after issues have been carefully and thoroughly decided upon.

Just because the major organic industry lobby group and the hydroponic industry now want to apply the term "organic" to hydroponic fruits and vegetables should not justify overturning prior NOSB deliberations and running roughshod over language in both the existing regulations and the enabling legislation (OFPA) that require careful soil stewardship as a prerequisite for organic certification.

There is a higher authority than the USDA, or even the federal courts, that will decide the issues: the organic consumer.

I'd like to close by remembering Dave Engel who just recently passed away. Dave was a pioneer in this movement and attended many NOSB meetings over the years.

Dave was one of the seven founding dairy farmers who launched the CROPP Cooperative that would become Organic Valley and served on its first board of directors. He ran the Wisconsin OCIA chapter and would later be instrumental in founding MOSA and MOSES (which runs the largest organic farming conference in the United States). In more recent years he operated Nature's Certification Services. Blessed be Dave's memory.