

THE CULTIVATOR

NEWS FROM THE CORNUCOPIA INSTITUTE

WINTER 2015

Scrambled Eggs?

Updated Organic Egg Report and Scorecard Look Inside the Henhouse

Increasingly, people are interested in knowing *the story behind their food*. The tremendous growth in organics over the past 20 years has been fueled in large part by consumer desire for an alternative to “factory farm” production that treats food animals as units of production, rather than as living beings, and favors economic efficiency over respect for the environment, family farmers, and the larger community.

The USDA organic label is commonly viewed as providing an alternative to the industrialized food system, yet paths are clearly diverging in the organic egg industry.

For most consumers and producers, “organic farming” means respecting the underlying principles of the movement, focusing on soil fertility, ecological balance, biodiversity, minimal off-farm inputs, and allowing livestock to display naturally instinctive behaviors.

For others, especially large-scale producers, “organic” appears to be nothing more than a profitable marketing term to apply to the industrial production model, simply substituting organic feed (often imported from China or elsewhere) for conventional and eliminating prohibited synthetic inputs, such as pesticides and antibiotics.

Cornucopia’s 2010 Egg Report and Scorecard looked inside the nation’s organic henhouses. Our stricter, sec-

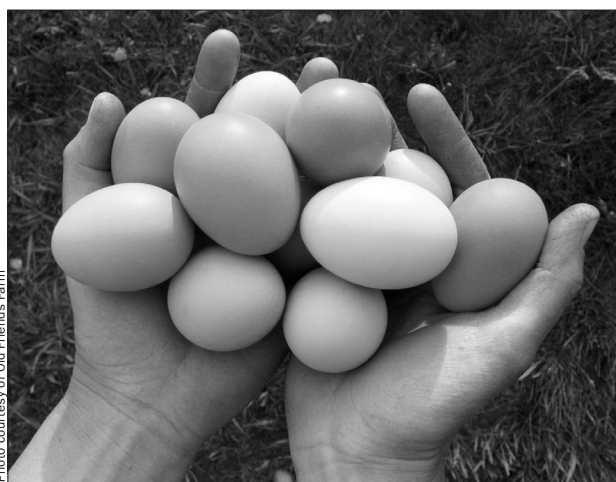


Photo courtesy of Old Friends Farm

ond edition re-ranks brands based on their current practices and describes the different production models common in the organic egg industry today.

The updated Organic Egg Scorecard, now mobile friendly, rates 50 certified organic brands based on criteria that are important to organic consumers, such as meaningful pasture and/or outdoor access, humane animal care, and adherence to organic principles like farm diversity and nutrient cycling.

Ratings are based on the producers’ answers to a comprehensive questionnaire about production practices, unannounced site inspections, aerial photography, satellite imagery, and extensive industry interviews.

Brands are ranked from the highest (5 eggs) to the lowest (1 egg):

All organic egg producers, with approval from their certifiers, claim to be “organic,” but production practices vary widely.

Cornucopia’s updated scorecard helps shoppers select the true hero brands in this growing sector.

5 eggs: “Exemplary”

Pasture producers in the top tier are “beyond organic.” They manage diverse, small- to medium-scale family farms, raising their hens in mobile housing on well-managed and ample fields. Most sell locally or regionally

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NOP Leader Subject of Ethics Investigation

Cornucopia Refiles Complaints Against 13 “Organic” Factory Farms

BY MARK KASTEL

After a request to the USDA’s Office of Inspector General (OIG), sworn law enforcement agents from the agency’s Agricultural Marketing Service (AMS) began an ethics investigation into the conduct of the head bureaucrat at USDA’s National Organic Program (NOP).

Miles McEvoy, AMS Deputy Administrator, has been under scrutiny for allegedly failing to enforce federal organic standards, giving favorable treatment to corporate agribusiness interests, and undermining the integrity of the National Organic Standards Board (NOSB), an advisory body authorized by Congress to help oversee the organic industry.

An AMS law enforcement officer flew to Wisconsin earlier this year to interview Cornucopia’s two codirectors, Will Fantle and myself, and take

sworn statements. I also met with the investigator in Staunton, Virginia.

This process began with a formal letter to the OIG alleging that McEvoy was making inappropriate, agribusiness-favorable decisions in closing formal legal complaints Cornucopia had filed. Now, it has expanded based on serious concerns about ethical lapses in carrying out his job overseeing the NOSB under the Federal Advisory Committee Act (FACA).

The original complaints Cornucopia filed, which McEvoy closed without an investigation, contained hundreds of aerial photographs of 13 industrial-scale livestock facilities, documenting illegal confinement practices for thousands of dairy cattle and hundreds of thousands of laying hens.

The USDA also was looking into McEvoy’s activities in carrying out his responsibility to administer the

No one has accused National Organic Program director Miles McEvoy of criminal misconduct, but Cornucopia and others have questioned whether he is orchestrating violations of the Organic Foods Production Act.

USDA’s responsibility to oversee the activity of the nation’s independent organic certifiers, working as agents on behalf of the USDA.

In order to hold onto his position, and after enduring months of criticism and lawsuits by organic stakeholders, McEvoy reportedly solicited letters of support from several individuals and organizations within

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the organic industry. Some of the requests made were allegedly to individuals with affiliations in organic certification, an area over which he and the USDA are directly charged with oversight. This could potentially be viewed as coercion of those in subordinate positions.

The regulations governing the conduct of FACA panels, such as the NOSB, are explicitly designed to insulate them from undue influence by agency personnel, assuring their independence.

At the spring 2014 meeting of the NOSB in San Antonio, Texas, McEvoy abruptly interrupted the proceedings, in the middle of a vote on a parliamentary issue challenging his authority, and declared a recess.

McEvoy then approached an NOSB member and threatened that if he did not withdraw his motion, McEvoy would shut down the semiannual meeting and send everyone home. The board member relented in response to the intimidation and threat.

Under McEvoy, the NOP has also systematically appropriated the NOSB's authority to set its own agendas and work plans, and to control the rules governing their meetings.

"The National Organic Program has overstepped its statutory authority by usurping NOSB responsibility over its procedures, work plans, board meeting management, and public input into changes in policy," said Jay Feldman, executive director of Beyond Pesticides and former member of the National Organic Standards Board.

In addition, the NOP has disrespected the work of the NOSB, favoring corporate interests, by ignoring NOSB recommendations to ban nanotechnology and hydroponics (see photo) from organic certification.

In a related matter, Cornucopia refiled formal legal complaints in October against the USDA-accredited certifiers of 13 giant, industrial-scale



Farmers held a protest at the fall NOSB meeting to "keep the soil in organic." They object to the National Organic Program overruling the NOSB in allowing hydroponics, a soil-less agricultural system, for organic certification. Not happy with the NOSB's recommended prohibition, the NOP has formed a task force to study the issue.

livestock facilities. These were the same factory farms that McEvoy's NOP dismissed prior complaints about in late 2014 without investigation.

This was the second time the department had cleared giant organic dairy and egg-laying operations, each confining thousands of animals. According to Freedom of Information Act records, McEvoy personally visited some of the operations that Cornucopia accused of serious violations. He stated they were "in compliance," but his investigative staff never thoroughly audited the factory farms.

The USDA ignored the evidence we presented, and refused to interview expert witnesses with first-hand knowledge. These violations were so flagrant in nature that Cornucopia decided to invest thousands of dollars into hiring professional aerial photography crews around the country. After all, one picture is worth a thousand words.

When assuming his position at the organic program, McEvoy declared that this is "the age of enforcement." Yet the NOP, under this direction, closed Cornucopia's complaints without ever opening an investigation. Instead, the department simply confirmed with their respective certifiers that all the operations were in "good standing."

Some of the certifiers McEvoy is deferring to could very well be co-conspirators. Depending solely on them when questions of impropriety of this magnitude come forward is inappropriate and naïve.

Cornucopia is collecting proxy letters from certified organic farmers, business operators, and other organic stakeholders asking USDA Secretary Tom Vilsack to remove McEvoy from his position of authority. Please click on "Action Alerts" at cornucopia.org to download your copy.

The Truth about Pet Food

New Report Helps You Choose the Best Brands for Your Four-legged Friends

Did you know your pet's food may include dangerous ingredients and harmful chemical compounds? Some of the most expensive brands, labeled "premium," "natural," "prescription diet," or even sometimes "organic," are often made from adulterated ingredients or contain carcinogenic and inflammatory additives. High prices do not necessarily imply high quality. Illusive labels and deceptive marketing are used by many companies to disguise substandard food.

Cornucopia's newly released report, *Decoding Pet Food: Adulteration, Toxic Ingredients, and the Best Choices for Your Companion Animals*, reveals how the pet food industry is regulated, details specific ingredients to avoid, and explains how to keep your pet healthy by choosing wisely at the pet food store and/or preparing their meals at home. Also included with this publication is an online shopper's guide to help consumers differentiate between high quality, safe pet foods and their more risky alternatives.

Loose regulatory standards often protect the interests of companies that use lower quality ingredients, and legislation and regulatory oversight for pet food is aimed at the feed industry. Current regulations allow for the use of animals "which have died otherwise than by slaughter" in pet foods. And, individual state regulations often allow for road kill, restaurant grease, and spoiled meat to enter rendering facilities. These admissions pose significant risks to our pets, failing to ensure the quality and nutrient balance of their diets.

Cornucopia's research into the pet food industry reveals that many products stray from the natural, wild diets of cats and dogs. Protein, fat, and carbohydrate ratios may differ sig-



Even "premium" brands may contain dangerous additives and adulterated ingredients. Read labels carefully to avoid ingredients that can cause disease and shorten your companion animal's life.

nificantly from the nutritional needs of your pet. The majority of both dog and cat food product formulations contain too many grains and starches. Though grains need not be avoided completely in pet food, cats and dogs are carnivorous and should have diets based primarily on meat.

This report outlines reasons to avoid brands listing ingredients such as corn, wheat, corn gluten meal, soybean meal, and brewer's rice. Consuming moldy grains is arguably the most detrimental health hazard in pet food ingredients due to the mycotoxins produced by the molds. In addition to grains, many products contain other questionable and/or unnecessary ingredients.

When shopping for your pet's food, there are specific ingredients you should learn to avoid. Carrageenan, synthetic preservatives, meat and bone meal (MBM), bisphenol A (BPA), and forage fish are a few of the main culprits.

Food-grade carrageenan, a thickening agent often found in "wet" pet food, contains poligeenan (low-molecular-weight carrageenan), a known carcinogen. Multiple studies

show food-grade carrageenan causes intestinal inflammation in laboratory animals, with the potential to lead to cancer, even in small doses. Even some of the most expensive, "premium" brands of pet food, including, ironically, those prescribed to pets suffering from gastrointestinal disease, contain carrageenan.

Animal fat and animal meat and bone meal (MBM) contain potentially harmful ingredients, including expired grocery store meat and animals that died of unknown causes on the farm. These ingredients are also associated with the presence of sodium pentobarbital, the compound used to euthanize animals. The FDA has found sodium pentobarbital in at least 30 different pet food brands, all of which contain products of rendering that are not species specific.

Other harmful additives include synthetic preservatives like BHA, BHT, ethoxyquin, and propylene glycol. When looking at pet food labels, look for natural antioxidants such as tocopherols, vitamin C, and flavonoids. These are a better choice over synthetic preservatives.

Unlike humans, who likely vary

their diets with each meal, dogs and cats are typically fed the same food on a continuous basis—meal after meal, every day for a lifetime. Cumulative exposure to controversial substances may be a contributing factor to the most common causes of death for both cats and dogs: obesity, cardiovascular disease, GI diseases, and cancer.

Low quality ingredients are often chosen by manufacturers over their healthier counterparts. The desire to maximize profit margins drives money into advertising and packaging rather than high quality ingredients. Ingredient labeling can be confusing. Monopolization of the market has resulted in a few multinational corporations owning almost all of the brands; nearly identical food is merely packaged differently.

So how does a consumer go about choosing a superior pet food? When it comes to feeding your four-legged friend the healthiest commercial food available, undoubtedly the best choice is a certified organic product. While the National Organic Program (NOP)

The new report is dedicated to Codirector Mark Kastel's cat, Moe, who likely died of diet-related causes.



announced in 2002 that pet food could be certified organic, and organic options do exist, there are currently no *exclusively* organic brands, and many companies use deceptive labeling to disguise their non-organic formulas.

This report is a helpful catalyst to ensure a healthy diet for your companion, depicting what to watch for when companies get creative with marketing ploys and deceptive labeling. When it comes to cheap substitutes and false health claims, the pet food industry is no different than leading marketers of processed human food. Regarding our own health, many of us choose to look for the USDA organic seal to ensure acceptable quality and safety. Organic products offer a superior choice for our companion animals, too.

Take matters into your own hands by reading labels and choosing high quality ingredients. Also consider preparing your pet's food at home from fresh, whole organic ingredients. Many chronic problems such as allergies, vomiting, and skin issues can be solved with homemade pet food.

Making your own pet food allows you to control the quality of ingredients, and often saves money. Fresh, real ingredients ensure that your pets' food is lower in artificial or toxic additives. Dogs and cats have different nutritional requirements, and the best diets for your pets are based on an understanding of the diets of wild relatives of cats and dogs.

The author of the pet food report is Cornucopia staff scientist Linley Dixon, Ph.D. Communications staffer Rachel Zegerius prepared this summary.

Welcome to New Policy Staffer



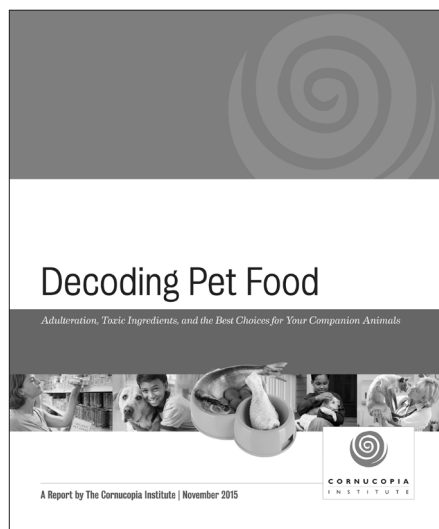
Marie Burcham is a livestock specialist

Cornucopia welcomes Marie Burcham, J.D. to the team as a farm and food policy analyst specializing in livestock.

Marie lives in Portland, Oregon, and enjoys visiting her parents' organic urban farm in Southern California. She has a background in animal science and English from the University of California, Davis. Marie also has experience as an animal technician in both research and industry settings, and has worked with different types of livestock.

Marie holds a J.D. with a certificate in Environmental and Natural Resource Law from Lewis and Clark Law School. After completing law school and passing the Oregon Bar exam, she practiced in the area of animal and agricultural law for a few years before seeking out a position where she could pursue her passion for agricultural policy change. She's always interested in learning about our food system and she likes connecting with farmers.

Marie enjoys exploring the outdoors through hiking, photography, and horseback riding. She owns a dynamic chestnut Arabian cross mare named Deli.



Cornucopia's new pet food report and shopper's guide are available at cornucopia.org.



California Dream Faces Stark Reality

What Does Record Drought in the Golden State Mean for Organic Food in the U.S.?

BY WILL FANTLE

The most severe drought in California's recorded history is raising questions about its impact upon the nation's food supply and production. Water reservoirs, built to replenish from winter snow and precipitation, have been failing to recharge. Groundwater levels are falling as irrigation substitutes for precipitation. Questions, too, are swirling about water rights and upstream allocations from the heavily used and relied upon Colorado River.

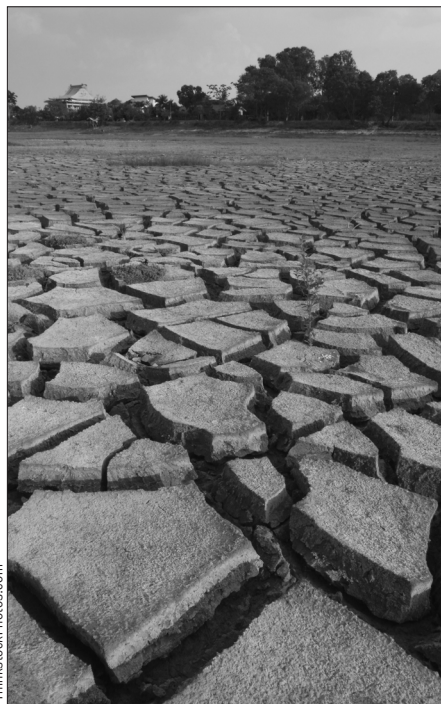
Earlier this year, California officials responded to the growing emergency with a package of water use restrictions affecting both urban and rural users. Statewide, about three-quarters of California's water use is consumed by agriculture. The shortages have become so dire that some agricultural water users are turning to questionable "processed" wastewater from the fracking industry for supplies (see box below).

From an organic perspective, the state's certified organic farmers cast a huge footprint. Together, they account for more than 20% of the nation's total organic production and nearly 40% of the nation's organic commodity sales.

A core foundational principle of organics is sustainability. Can these farmers weather the historic drought that's gripping California?

"The whole nation has become dependent on California for food," observes longtime organic farmer and Cornucopia Policy Advisor Tom Willey. Since the 1980s, Willey and his family have been farming organically near Madera, in the state's highly productive Central Valley—known as the world's "Salad Bowl."

When interviewed in October, Willey said his farm was in the middle



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Over 92% of California is currently under severe, extreme, or exceptional drought, according to the U.S. Drought Portal.

of transitioning to their winter crops. "We are planting right now," he says, and notes that the winter crops require less irrigation, perhaps once per week, depending on precipitation. The summer crops, during the year's drier months, need irrigation three times a week. "Everything on our farm is drip irrigated," and that conserves water, he adds.

An integral part of T & D Willey Organic Farm has been building soil fertility. "We've been applying copious amounts of compost for the past 20 years, and it's been pretty beneficial," Willey says. He explains that the more robust soil retains water better, particularly in the root zone, and is more resistant to drought pressures. His cover cropping practices also improve water filtration into the soil.

Yet even the best practices can only carry you so far. "I'm not too bullish on agriculture in central California now," he states. The surface canals carrying water for irrigation have not had a drop in them for two years. "We've lost our snowpack, our water storage."

The substitute, says Willey, is pumping groundwater for irrigation. "I am pumping 100% of the time now," he notes. And the underground water table is also going down. "It has dropped 80 feet in the last 20 years," Willey says. Additionally, the quality of that water has changed, becoming less desirable with more saline and chlorides.

"I wouldn't be surprised to see 25% less agriculture in the valley within a decade," Willey offers. The character of the valley's farming is already shifting. Intensive land users—particularly those involved with what Willey calls the "nut craze" (pistachios, almonds, and walnuts)—are moving in and paying more for land used for grazing and livestock. Many conventional livestock farmers are, in a sense, importing water from the Midwest in the form of animal feed they can no longer grow.

In Southern California, organic farmer Steve Sprinkel has been closely following the epic drought. In addition to running Gozo Farm, Sprinkel also operates The Farmer and Cook Restaurant with his wife,

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Oppose the use of frack and sewage wastewater for growing organic food! Visit "Action Alerts" at cornucopia.org to sign the petition to ban this practice.



Olivia Chase, drawing heavily from their farm's bounty. A former board president, he too serves as a policy advisor to Cornucopia.

Describing himself as a bit of a "weather wonk," Sprinkel mentions that annual precipitation levels for his area, near Ojai, have been slowly declining for the past 20 to 30 years, from an average of 18 inches to the 12 inches received last year.

Sprinkel points to the inadequacy of the state's vast water-collection infrastructure. "All the impoundment dams in Southern California are engineered for snow," he says. But the warming weather is producing more winter rain. "You can't catch all of the water in a rainfall," Sprinkel adds.

There's been no grazing in his area for the past two to three years. Citrus, orchards, and vineyards are predicated on not having to irrigate for five months—something that is increasingly challenging. Other life in the area is similarly desperate for water. Sprinkel sees holes chewed in irrigation lines—by thirsty coyotes—that then require expensive repairs.

Oddly, prices paid to farmers for

California's Central Valley, the world's "Salad Bowl," supplies such organic staples as lettuce, strawberries, avocados, garlic, broccoli, and almonds. "I wouldn't be surprised to see 25% less agriculture in the valley within a decade," says veteran organic farmer Tom Willey.

their drought-challenged organic commodities have been down. "At the height of the drought drumbeat last spring, I had never seen prices so low," Sprinkel recalls, adding, "It's counter-intuitive." At the same time, he hasn't seen a corresponding drop at the retail level to benefit consumers. For the retailers, Sprinkel says it has been like "printing money."

Complicating the demand for the region's water is residential growth, which continues unabated in his region, seemingly indifferent to the water crunch. Given the constant presence of water scarcity in the desert southwest, Sprinkel asks, "Will there

be enough long-term resource? Will anyone recognize limits to growth?"

For the moment, Sprinkel and others are closely watching the potential for this winter's El Niño, the periodic tropical Pacific Ocean weather pattern known to produce significant and sometimes traumatic precipitation. "Everybody is banking that this El Niño is going to kick in," he says. Road signs have been erected at appropriate points along highways connecting Ojai that say "Be Prepared," as heavy rainfalls can suddenly wash susceptible hillsides onto flatter surfaces.

Yet, offers Sprinkel, even a wet respite from El Niño is, he believes, only a short-term fix. "Be nervous," he says. "The drought is not going away."

Tom Willey sees another side to California's drought. He suggests that the state's water shortages may "open up an opportunity for growing fruits and vegetables," in wetter portions of the U.S. He also thinks the organic farming community is better positioned to do that. "For other regions," he concludes, "that's a positive lining."

Organic California in a Nutshell

California is the top agricultural-producing state in the U.S. It also leads the nation in the highest number of organic farms, land in organic production, and organic sales. In fact, the Golden State accounts for more than 20% of all organic production in the country. As of 2012, there were 589,235 acres of land in organic production in California, managed by 2,693 growers. By 2011, California's \$1.39 billion in sales of organically produced commodities accounted for nearly 40% of the national total.

By any measure, California is the nation's organic powerhouse, and one of the leading agricultural producers on the planet. Yet over 92% of the state is currently plagued by severe, extreme, or exceptional drought.

To get a sense of the implications of this crisis for the organic sector overall, consider that California produces:

- nearly 100% of organic nut crops grown in the U.S., such as almonds and walnuts



Almonds, a water-guzzling crop, are one of many agricultural commodities of which California grows over 90% of the national total.

- over 90% of key organic vegetable and fruit crops, including lettuce, grapes, celery, strawberries, broccoli, cauliflower, plums, prunes, lemons, figs, artichokes, avocados, and dates
- about 85% of organic spinach and sweet potatoes
- about 70% of organic berries
- about 50% of organic herbs
- about 66% of organic broiler chickens and 30% of turkeys
- about 20% of organic milk, eggs, and wool

EGGS

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under their farm's brand name, primarily through farmers markets, food co-ops, independent grocery stores, and, sometimes, larger chains like Whole Foods. Often they raise their own replacement birds, or pullets, from chicks and begin to offer them outdoor access around 6 to 10 weeks of age, once they have fully feathered.

4 eggs: "Excellent"

This group provides "enhanced outdoor access" and makes an effort to encourage their birds to go outside. They provide expanded outdoor environments, often either rotated pasture or well-managed outdoor runs, with an adequate number of popholes (doors accessing outside). Flock sizes are typically larger, and hens live inside fixed barns during the night and inclement weather.

3-eggs: "Good to Very Good"

These brands meet at least the minimums to qualify for legal organic status. Eggs from brands in this category either come from family-scale farms that provide outdoor runs for their chickens, or from larger-scale farms where outdoor space is provided. All producers in this category appear committed to meeting organic standards for minimum outdoor space for laying hens. Even though there is still no numerical space requirement, all of these producers provide at least 2 square feet of space per hen. (The EU standard is 43 square feet.) The percentage of birds that actually venture outside in this category varies wildly.

2 eggs: "Fair"

These are either industrial-scale operations or other producers whose practices raise questions concerning compliance with USDA organic standards. One of the primary features that distinguishes these organizations from the ethically challenged,

1-egg brands below is their willingness to transparently share with their customers (and Cornucopia researchers) information on how their chickens are cared for and how their eggs are actually produced. These producers filled out Cornucopia's voluntary survey and opened up their operations to our scrutiny.

1 egg: "Industrial Organics" and/or "Lacks Transparency"

Brands with a 1-egg rating are generally produced on industrial-scale egg operations that grant no meaningful outdoor access and/or those that chose not to respond to Cornucopia's survey.

"Outdoor access" on these operations generally means an enclosed concrete porch that is barely accessible to the chickens. Means of egress from the buildings are, many times, intentionally small to discourage birds from going out, and make it possible for only a small fraction of birds to have "access" to the outdoors.

No producers in this category were willing to participate in Cornucopia's egg project. This is disturbing to many organic consumers, as transparency has always been a hallmark of the organic food movement.

Families and wholesale buyers can use the newly updated Organic Egg Scorecard to guide their purchasing decisions in the marketplace, choosing ethically produced, highly rated brands over those with a low rating. As a result, informed consumers will vote with their dollars in the marketplace, driving wholesale and retail business towards genuine, family-scale farmers, while putting economic pressure on the scofflaws in this industry.

This article is adapted from the forthcoming second edition of **Scrambled Eggs: Separating Factory Farm Production from Authentic Organic Agriculture**. The updated report and scorecard will be available in December at cornucopia.org.



Photos by The Cornucopia Institute

Above: **Herbruck's** operation, in Sarnac, MI, is licensed to expand toward 2 million birds. These two-story houses reportedly contain 200,000 laying hens each. This operation earned a 1-egg rating on Cornucopia's scorecard.



Above: A mobile chicken house at 5-egg-rated **Common Good Farm**, in Raymond, NE. The coop is on wheels and can easily be moved. The birds are regularly rotated to new sections of pasture.



Above: Egg producers who scored 5, 4, or 3 eggs on Cornucopia's scorecard can now promote their high rating with new marketing decals (actual size: 1/2" diameter). Write to cultivate@cornucopia.org to request the artwork or order adhesive decals for your package labeling.

Legal Update

Federal Lawsuit Challenging USDA Power Grab Dismissed/Refiled

BY WILL FANTLE

The legal maneuverings continue on the challenge to the unilateral changes implemented by the USDA to the process used to approve synthetic and non-organic materials allowed for *temporary* use in organics. Cornucopia and 13 other stakeholders contend that the changes to the “Sunset” process were consequential, arbitrary, and failed to provide an opportunity for essential public input.

On September 24, federal judge Haywood Gilliam, serving the northern district of California, brought the parties to the court for a dialogue. Gilliam had one question for the plaintiffs concerning an issue of legal “standing” and the harm being experienced by Cornucopia and the other plaintiffs. The attorneys from the Center for Food Safety responded to Gilliam’s concerns. In just nine minutes, the proceeding was over.

On October 9, Judge Gilliam dismissed the court challenge. In issuing his ruling, Judge Gilliam wrote: “Plaintiffs must identify an *application* of the sunset review procedures that threatens a concrete, particularized, injury in fact.”

The judge’s ruling did, however, leave the door open to a reworking of the complaint and its refiling. In legal terms, he dismissed the case “without prejudice.” This allowed the attorneys representing Cornucopia and the other plaintiffs to file an amended complaint, which was done on October 30.

Our attorneys documented at least one material remaining in use in organics, rather than prohibited from use, due to the USDA’s changes to the review process. This substance was cited in the initial complaint.

Now that the National Organic

In late 2013, the USDA National Organic Program unilaterally changed the “Sunset” process by which non-organic materials are removed from the National List. At the last National Organic Standards Board meeting, over 20 materials that would have been removed from organic usage remained on the List. These include potentially harmful additives.



Organics should be a safe haven: Xanthan gum would have been removed from organics under the former Sunset process. A thickener and stabilizer, it is commonly used in baked goods, yogurt, ice cream, salad dressings, jams, sauces, and other foods. Xanthan gum has been linked to necrotizing enterocolitis in infants and gastrointestinal distress in sensitive individuals.

Standards Board (NOSB) fall meeting has concluded, a large group of additional synthetic and non-organic substances are part of the amended complaint. At the latest NOSB meeting, over 20 materials would have sunsetted from organic usage had the previous Sunset review process still been in use. Yet, under the new USDA format, these materials will remain in use, at least for another five years.

Many of these substances that would have failed reapproval are ingredients used in the processing of organic food, substances such as xanthan gum, mono- and diglycerides, non-organic konjac flour, and a number of food colorings made from pigments extracted from conventional fruits and vegetables. A few non-organic or synthetic substances used in crop and livestock practices also would have been removed from use, including aquatic plant extracts, algicide soaps, and ivermectin, a powerful, synthetic wormer for livestock. Cornucopia’s formal public comments to the NOSB outline our analysis and concerns regarding many of these substances.

The amended federal lawsuit asserts that the new Sunset process is a substantive rule change that injures organic consumers, farmers, and producers by weakening the integrity of the organic standards and degrading the quality of organically labeled food.

“We are extremely interested in pursuing this case to the fullest extent,” says Cornucopia Codirector Mark Kastel. “The arbitrary and capricious changes made to the approval process by the USDA for continued use of questionable synthetic materials—including many that were initially approved for use without a thorough and unbiased review—cuts to the core of integrity in organic food and agriculture.”

Cornucopia’s formal comments to the NOSB and 190-page summary of public comments to the NOSB are available at cornucopia.org under the “Projects” tab.



Choices for Charitable Giving

5 Ways to Support Your Trusty Organic Protector

BY ELIZABETH WOLF

A good watchdog is well fed and cared for, spending its time protecting the premises rather than thinking about its next meal,” say Cornucopia members Carol and Anthony Boutard, of Ayers Creek Farm in Gaston, Oregon. “This simple truth applies to watchdog groups such as Cornucopia, as well as the canine sort.”

The generous support of members like you ensures that Cornucopia can continue its mission of protecting organic integrity and economic justice for family farmers and their customers alike.

Like most nonprofits, The Cornucopia Institute receives the largest share of its annual revenue during the *giving season*. For that reason, now is an ideal time to consider the many choices you have for supporting your trusty organic watchdog.

1. Your employer is a good place to start. Investigate whether or not your company has a **workplace charitable donation program**. Some businesses match their employees’ gifts dollar for dollar. Even if you donate only a modest amount, you will double your impact.

Other workplaces hold weekly or monthly fundraisers where employees get to name the beneficiary. Member Andrea T., for example, nominated Cornucopia to receive her employer’s monthly “Dress Down Day” donations—an anticipated \$500 gift. Thank you, Andrea!

2. As another option, if you realize a gain on appreciated assets, consider **contributing the stock or other asset** directly to a tax-exempt charity. Several Cornucopia members have



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contributed appreciated stock directly to our organization. There is no tax liability on the capital gain as a result. Check with your tax advisor or contact us if you have questions.

3. A third option is to set up a donor-advised fund through your local community foundation. This is one of the fastest-growing charitable giving vehicles in the U.S. and offers many benefits. A **donor-advised fund** allows you to direct grant dollars to the charities of your choice, ensures anonymity, if desired, and offers certain tax advantages. What’s more, it’s easy to set up, inexpensive to maintain, and requires much less paperwork than a private family foundation.

4. A fourth option is to name Cornucopia as a beneficiary of your estate. Making a **charitable bequest** is simple, requiring just one or two sentences in your will or living trust stating that you are leaving a gift to The Cornucopia Institute. The gift can be in several forms: a specified sum of money, a gift of stock, a percentage of your estate, or a specific item, such as land, an automobile, or other asset. Making a charitable bequest also entitles your estate to a federal estate tax

charitable deduction under Internal Revenue Code section 2522(a)(2).

5. Finally, many members choose to make a **monthly donation** that is charged to their credit card. This provides Cornucopia with a steady, reliable financial foundation to fulfill our mission. For \$5, \$10, or more per month, you help Cornucopia publish empowering tools such as our brand reports and scorecards, and advocate on behalf of the food movement with Washington regulators. It’s easy to make secure one-time or monthly donations online (click “Donate” on cornucopia.org) or by mail.

Many nonprofits rely on foundation or corporate grants for the majority of their income. In happy contrast, the largest part of Cornucopia’s support comes from individual members like you. In fact, over the past two years, members have contributed over 50% of our annual budget.

Your gift—large or small, one-time or monthly—helps keep The Cornucopia Institute strong and independent. This organic “truth squad” depends on it. Your gift this season will protect the *good food movement* in 2016 and beyond. Thank you!



THE CORNUCOPIA FARMER PROFILE

Singing the Song of a Start-up

BY RACHEL ZEGERIUS

Nestled in the forests of North Central Florida, just 15 miles east of Gainesville, Amy Van Scoik and John Bitter are part of a burgeoning national network of young farmers adaptably supporting themselves while building resilient and healthy regional food systems. The product of their passion, Frog Song Organic Farm, is a premier example of mindful environmental entrepreneurs learning by doing the economic and social components of a triple-bottom-line sustainable business.

Frog Song's story provides insight and encouragement regarding one of the foundational challenges experienced by new farmers today: access to quality farmland affordable for purchase. Their journey into land ownership began in 2010, as they researched properties and their soil profiles throughout Florida.

This process of exploration was informed by the farmers' academic backgrounds. Skills and knowledge of GIS mapping made possible an analysis of digitally available soil data and real estate records. It was a full year before Amy and John set their sights on a six-acre piece of land in foreclosure with "class 2 ag soil," a more productive designation than many other plots in the region.

Taking out a traditional mortgage on the six-acre parcel proved possible as first-time homebuyers, as opposed to a farmland purchase. "It is nearly impossible to get a commercial loan



Above: Farmer John Bitter. Frog Song Organics direct markets produce at the Alachua County farmers market.

on raw land for farming without first putting down 30% to 40%," John notes, "and the USDA Farm Service Agency (FSA) is not likely to consider a loan without commercial lender involvement."

The FSA, a USDA program created under FDR's New Deal, was originally mandated to provide low-interest, long-term loans to tenant farmers to help them purchase land. And, while the current mission of the FSA is to "equitably serve all farmers," some might argue that the agency has some work to do to catch up with the evolving trend of highly diversified small farms, serving specialty products to mixed direct markets.

After farming their original six acres for two years, Frog Song had developed a strong CSA program, as well as local restaurant, wholesale, and commercial customers—all the while maintaining detailed records. Through time, Amy and John built knowledge, relationships, and community stature. And, when they were ready to expand, their neigh-

bors were willing to consider a formal lease contract on 15 acres of their land abutting the farm.

In June of this year, Frog Song Organic Farm underwent another major expansion. John and Amy were able, with assistance through Farm Credit Network and FSA programs, to purchase not only the 15 acres they had been farming under the lease agreement, but another 42 contiguous farmable acres as well. As Farm Credit evolves to include local food producers, entrepreneurs, and unconventional CSA farmers, this network of banks can be a valuable tool to provide credit to young farmers in need of co-sponsors for their loans.

While Frog Song welcomes this expansion with enthusiasm, it comes with increased responsibility and risk. The next year is crucial for the farm's success. "I love seeing a seedling sprout, and harvesting veggies. But, honestly, I spend more time running a business than thinking about how plants grow at the moment," Amy explains. "We find ourselves struggling to meet production goals due to a shortage of reliable and skilled local labor. And I have to consider the people who rely on the farm to generate income for themselves and their families."

Amy and John are growing over 80 varieties of organic vegetables and feeding thousands of people each year, providing hope that a healthy future for food and farming is possible. They are just one example of the deeply passionate young farmers finding satisfaction in agricultural stewardship, building place-based knowledge, and learning about the complexities of land ownership. With 70% of agricultural lands predicted to change hands in the next 20 years, the ways in which we decide to transition the wealth of our nation are pivotal to responsible, productive farming.



FROG SONG ORGANICS
Alachua County, Florida
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C O R N U C O P I A
I N S T I T U T E

You Fuel Our Fire



“Cornucopia stands like a wall of protection that deserves the support of anyone interested in the integrity and ultimate survival of a transparent and honest food system. Long may their torch burn,” says noted farmer-author Joel Salatin, of Polyface Farm. All of us at The Cornucopia Institute deeply value all of the farmers, friends, food advocates, grocers, and elders of our greater community. **At this time of thanksgiving, we want to thank you for the time, talent, and treasure you have given to keep the *good food movement* alive and the work of Cornucopia burning bright.**

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FDA Rolls Out Food Safety Rules



The FDA has released the first section of its final rules that are part of the Food Safety Management Act. This rule covers practices at facilities that sell human food. The rule, which focuses on businesses that manufacture, process, pack, hold, or store food, has several important pieces impacting farmers, and includes some victories.

One such gain clearly defines farm activities and clarifies the meaning of harvesting and packing. The cleaning and bagging of produce is defined as part of normal farm activities—not food manufacturing—something that’s very important to CSA farms and those selling directly to consumers. Another key definition, according to Judith McGeary of the Farm and Ranch Freedom Alliance, and a Cornucopia ally, allows multiple farm owners and multiple locations. This, she notes, reflects the reality of modern farming.

Businesses covered by the rule will have to develop a written food safety plan. Small businesses annually grossing less than \$1 million will be allowed to provide a much simpler plan or prove that they already are complying with state and/or local laws.

The FDA has also just released (at press time) the final Produce Safety Rule, a rule with major implications for farm practices. Earlier drafts of this rule were very controversial. Cornucopia will be looking closely at this new rule.

—WILL FANTLE