



May 2, 2017

TO: Sonny Perdue, U.S. Secretary of Agriculture

RE: Removal of National Organic Program Deputy Administrator Miles McEvoy

Dear Secretary Perdue:

The Cornucopia Institute, a national nonprofit farm research organization, is requesting that you take action to correct chronic failings with enforcement and integrity issues with the management of the USDA's National Organic Program (NOP). In particular, we are calling for you to replace the program's current management led by USDA Deputy Administrator Miles McEvoy.

We do not make this request lightly. In fact, it is made with reluctance. We were among many in the organic community that sincerely welcomed the appointment of Mr. McEvoy to his position in 2009.

But that bright promise has dimmed. We have been severely disappointed by the direction taken by NOP management in the past several years. Cornucopia's research and watchdog work provides evidence that deep fissures now undermine the public/private partnership in the organic sector that Congress envisioned with passage of the Organic Foods Production Act (OFPA) twenty-seven years ago.

Cornucopia's concerns are heightened by today's front-page article in the *Washington Post* (***Why Your 'Organic' Milk May Not Be Organic***). We have previously filed two formal, evidence-backed complaints with the NOP regarding the suspect organic management practices of the dairy enterprise profiled in the *Washington Post* story. The first complaint, which included extensive aerial photography of their facilities in Texas and was filed in December 2014, was dismissed without any investigation by the NOP. The second, filed in October 2015, sought an investigation of the certifiers involved with the certification of the suspect operations, including Aurora. We have received no indication that this complaint is even being pursued.

Today we filed additional complaints against Aurora concerning their facility in Colorado, profiled by the *Post*, and against their certifier, the Colorado Department of Agriculture.

These are not isolated incidents. The pattern of mismanagement at the NOP includes:

- The usurpation of National Organic Standards Board (NOSB) governance and authority by NOP staff.
- The unilateral imposition of dramatic changes to the OFPA mandated Sunset review process for synthetic and non-organic materials intended for temporary use in organics (a matter on which the USDA is currently involved in litigation with Cornucopia and other stakeholders).
- The appointment of unqualified individuals to the NOSB (per requirements delineated in OFPA) that are now also part of a judicial challenge.
- The rejection and dismissal of well-reasoned concerns raised by the NOSB, and overwriting their recommendations or inventing entirely new issues without board input or public debate, disregarding serious deliberations and stakeholder input, on hydroponics, animal welfare, nanotechnology, and other issues.
- The squandering of hundreds of thousands of taxpayer dollars in FOIA costs due to the NOP's reluctance to operate with transparency, instead withholding documents from the public that have led to multiple lawsuits.
- Slowness in addressing the questionable authenticity of the flood of imports into this country of suspect organic grains from Eastern Europe, central Asia and China that have effectively closed-off markets for U.S. farmers for organic grains to domestic buyers.

In addition, AMS Deputy Administrator Miles McAvoy has allegedly engaged in unethical personal behavior which we are told is still under investigation by the Agricultural Marketing Service.

Cornucopia is bringing all of this to your attention because you have the ability to make the needed changes—to make a clean break from the record of corruption during the Obama administration regarding NOP oversight and management. We encourage you to do so. Our staff stands ready to brief you on the current problems at the National Organic Program.

Lastly, on February 8 we shipped to the USDA Secretary's office – to the attention of Mr. Michael Young – more than 5000 individually signed letters gathered from organic stakeholders that called for the replacement of Deputy Administrator Miles McEvoy. We believe this further indicates the depth of organic farmers' and consumers' concerns with the current management of the NOP.

Sincerely,



Will Fantle, Codirector
608-625-2000