Consumers Union, policy arm of *Consumer Reports,*  appreciates the opportunity to submit these comments on the petition to extend the use of oxytetracycline beyond 2014.

***We believe there are several reasons to discontinue any and all antibiotic use in organic apple and pear production no later than 2014.*** Consumers have come to expect that organic foods do not contain antibiotics as other segments of the organic market, like organic meat, cheese and milk-- have set and met that level of standard expectation. ***Organic fruit treated with antibiotics simply does not meet consumer expectations.***

**Scientific and Public Health Concerns**

From a medical and public health perspective, the practice is extremely concerning and well laid out by Dr. Robert Lawrence, MD from the Center for a Livable Future at Johns Hopkins who has submitted comments.

WHO has declared the use of streptomycins and tetracyclines as both critically important (tier 1)-- "High frequency of any use of the antimicrobial in human medicine regardless of indication given that usage for any reason may result in pressure for resistance."

Antibiotic use in apples and pears have created "superblight" not unlike a superbug. These organisms also harbor antibiotic resistance genes which can move in the environment, conferring or transferring resistance to other bacteria, that could infect humans. Plasmids from gram negative bacteria (like the one that causes fire blight) can transfer resistance (e.g. to enterobacter, e.coli, mycobacterium, enterococcus), organisms that infect humans.

Unfortunately much (but seemingly not all) of the apple and pear industry is reliant on the use of antibiotics to manage fire blight. This is concerning and consumers should be educated on the brands and varieties of apples and pears that are particularly susceptible to fire blight. But the continued use of antibiotics on apples and pears that bear the organic label should not exceed a 14 year exemption. And the producers who truly don’t use antibiotics on organic apples and pears should be able to differentiate their organic products as meeting what the industry markets and consumers expect from the organic foods they buy.

While antibiotic resistance is a major issue, residues minor issue but consumers would not be ok with possibility. Streptomycin residues were found on some samples treated only once 4-6 months after application (J Antimicrob Chemother 63(5):1076-1077, 2009)

**Concerns About Integrity of Organic Label:**

Consumers Union believes in the importance of organic remaining a credible, commercially viable model of how sustainable agriculture practices can succeed in the market. The goal of the OFPA was to apply consistency to the organic label. The selective use of antibiotics in one segment of the organic market but prohibited use in another (which is the one typically marketed to consumers) is not consistent and consumers have not been adequately informed about these practices—like other practices that go unlabeled, like ammonia in pink slime, the public does not know. We believe the continued exceptional use of antibiotics for one segment of the organic market over another is not in line with the OFPA or market standards and will undermine consumer confidence in the organic label in general.

The honesty and added value that organic conveys is constantly under scrutiny and comparison in the marketplace. As the market grows, so does the scrutiny. When the value is compromised, so is consumer trust.

***The following are examples of the types of media questions we field that highlight a need for better consistency, quality, transparency and meaning of the organic label.***

Q: *What was the purpose of creating an organic law and federal program?*

A: To impart consistency into what organic meant for consumers and farmers to minimize confusion in the marketplace

Q: *Organic foods--is it worth it? What does it mean?*

A: Most organic foods meet certain standards and principles--there are exceptions. Organic foods with the most value are produced without synthetic materials or antibiotics (for example) but others are not OR the standards that apply to most food don't apply to this OR some animals go outside but some may not OR the regulations require it but the standards are weak OR there is inconsistency in the meaning (which was why we went to the trouble of creating a federal program in the first place).

Q: *What is the purpose of the National Organic Standards Board?*

A: To review and approve materials suitable for organic production and to help ensure that the integrity of the organic label is maintained (and sometimes to grow the market at the expense of the standards)

Q: Does the NOSB have enough expertise or resources to conduct adequate material reviews? Is there consistency to their decisions?

*Other common questions from media:*

Q: *High value and high profit for organic--reality or misconception?*

Q: *Which organic products have the most value?*

Q: *Is there an effect of organic being big business? Has it effected the integrity of the standards?*

Complicated answers reveal exceptions to the rule, which can make consumers feel cheated and wronged

**Industry should pledge to stop using organic label by 2014 on apples and pears treated with any antibiotics. 14 year exemption as an allowable synthetic material on the National List of materials should not continue.**

2014 sunset should be absolute last date organic apples and pears should be able to be treated with antibiotics

We are happy to discuss these more with you at the public meeting in Portland.

Sincerely,

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