

# Letter from Washington

## Organic Healing

Let the organic healing begin. This issue of *PAY* contains an *Open Letter To The Organic Community*. Joining with hundreds of our sister organizations, we issue the letter in an effort to both set the record straight on amendments to the *Organic Foods Production Act (OFPA)*, which we reported in the Fall issue of this newsletter, and bridge differences as we move ahead together to strengthen the partnership between consumers, farmers and food processors that will grow the organic marketplace.

### Reality vs. fiction

If healing begins with acceptance of reality, it is our hope that this issue can make a contribution. This issue contains excerpts from a piece written by the man behind the lawsuit against USDA, Maine organic blueberry farmer and processor Arthur Harvey. Mr. Harvey's victory in court set off an Organic Trade Association (OTA) firestorm, which led to the adoption of a Congressional rider on an agriculture appropriations bill that amends OFPA. And now, Mr. Harvey and organizations that supported parts of his lawsuit (including Beyond Pesticides) are under attack. The Organic Consumers Association has called the OTA rider a "sneak attack" because the trade group used methods on Capitol Hill, such as closed door meetings that locked out Democratic staff and a refusal to negotiate a legislative agreement, that are decried as undemocratic. In return, OTA and its supporters criticize Mr. Harvey and his supporters for participating in an undemocratic sneak attack by using the courts to change a policy that was vetted through the rulemaking process.

### Using the democratic process and the courts

Mr. Harvey and numerous groups have put years of statements on the record warning USDA that its regulations were not in compliance with the law. Because he believes deeply in the importance of healthy organic standards, Mr. Harvey at considerable personal expense and time participated in National Organic Standards Board meetings as a member of the public and, when his efforts failed in that arena, he dug deep into his family's savings to file his lawsuit. OTA and USDA chose to ignore these concerns in the public process.

It is simply fiction to suggest, as OTA supporters have, that negotiations broke down between OTA and those supporting Mr. Harvey's lawsuit. One only need ask members of Congress, who tried fruitlessly to facilitate negotiations, whether any talks on the legislation ever got started.

Supporters of the Harvey lawsuit took the approach that the issues could be resolved with all stakeholders and therefore eschewed a public fight, assuming that agreements would be hammered out. When it became clear that OTA had no interest in such a process and was moving against legislative protocol,

the groups had no choice but to air the disagreement and fully engage their constituents.

### Looking to the future

That is all in the past. It remains to be seen how the marketplace will respond to the changes in law. Do consumers want to know what synthetic ingredients are in their food labeled organic? Will companies differentiate their products in the marketplace with labeling that carries a "no synthetics" disclosure? Will the media, which engaged on this issue, and in its editorials called for strong, clear standards, continue to track this issue? Are consumers engaged and seeking to strengthen standards? As *The New York Times* said in its November 4, 2005 editorial on the subject, "Unless consumers can be certain that those standards are strictly upheld, "organic" will become meaningless." The key is what "those" standards are as we now move into USDA rulemaking on the new law. This assumes the law is not repealed by a Congress that is increasingly uncomfortable with an administration and a Congressional leadership that have diminished respect for the legislative process and enforcement of laws.

### Why organic integrity is critical

The rest of this issue of *PAY* expressly illustrates why a strong organic standard with integrity is so important. It must be held up as the solution to the pesticide problem. For example, if the two victims of pesticide poisoning, described in this issue, were living in communities where organic is the norm, they probably would not have been poisoned. Similarly, as the debate over the safety of 2,4-D continues and the regulatory risk assessment and risk management processes continue to be politicized (both the subject of articles), it is clear that the real solution is the widespread adoption of organic practices.

This issue also contains a special focus on pesticides and water, and the widespread failures to protect the nation's waterways from pesticide contamination. As one solution, we launch our campaign to prepare for a Spring campaign to stop the use of hazardous lawn chemicals and introduce a new door hang (*Want a Green Lawn Safe for Children and Pets?*) to warn people about the dangers and the availability of safe practices and products. This is part of a broad campaign, coordinated by the National Coalition for Pesticide-Free Lawns, with groups in over 20 states.

I am optimistic about the possibility for change in the new year as communities adopt policies and practices that protect human health and the environment. *Best wishes for the new year!*

—Jay Feldman is executive director of Beyond Pesticides.

