

Hanna, Capps Bill would protect integrity of USDA organic seal

WASHINGTON, D.C. – U.S. Rep. Richard Hanna (NY-24) and U.S. Rep. Lois Capps (CA-23) this week introduced bipartisan legislation to ensure that products bearing the U.S. Department of Agriculture (USDA) organic seal comply with the Organic Foods Production Act of 1990.

The Organic Standards Protection Act would protect the growing organic farming industry and its expanding consumer base by granting the USDA's National Organic Program (NOP) the legislative authority it needs to more effectively protect the integrity of certified organic products.

According to a report by the Organic Trade Association (OTA), the U.S. organic market in 2011 surpassed \$31 billion for the first time, representing 9.5 percent growth. The organic food industry also generated more than 500,000 American jobs in 2010.

"Organic farming is a growing industry in upstate New York, which is creating jobs and meeting an increasing consumer demand," Hanna said. "This bill takes commonsense steps to make sure USDA has the tools necessary to protect the integrity of the organic seal and safeguard this booming industry from unscrupulous producers."

"This bipartisan legislation is a win-win, for California farmers and businesses who consistently meet the highest standards for organic products and for consumers who deserve to know that all products on grocery store shelves labeled 'USDA organic' adhere to consistently high standards. Failing to weed out imposter products puts our organic industries at a competitive disadvantage and could potentially damage the brand of organic products," Capps said.

The bill would:

- Grant USDA the authority to stop the sale of products fraudulently labeled and sold as certified organic while protecting the rights of producers and handlers during the appeals process

- Streamline recordkeeping requirements by requiring all organic producers and certifiers to maintain and provide records to the USDA to improve its investigative process and enforcement efforts.

"The Organic Trade Association supports the passage of the Organic Standards Protection Act which, if enacted, will give the U.S. Department of Agriculture and National Organic Program additional tools to safeguard the integrity of the USDA Organic seal. Consumers drive the growth in organic food and farming and maintaining their trust is critical to the future of this fast-growing job-creating sector of agriculture," said Christine Bushway, CEO of OTA. "On behalf of the 6,500 certified organic operations nationwide that OTA represents, we applaud the leadership of Congresswoman Capps to position organic to meet consumer expectations into the future," she added.

According to a recent USDA Office of Inspector General report, the absence of investigative authorities has hampered the National Organic Program's ability to protect the integrity of the organic label. Currently, the NOP does not have the authority to stop the representation, labeling or sale of organic products when they have been treated with prohibited substances or when conventional products are being sold as organic. Embargo and stop sale authority would provide the NOP with additional tools to protect the integrity of organic food products.

The Organic Standards Protection Act would provide the USDA with the authority to stop sale of unlawfully represented products, and would enhance the effectiveness of investigations while providing for appeal of the Secretary's actions. The bill would also provide penalties for refusal to obey a conclusive judgment.