

United States Senate

WASHINGTON, DC 20510-4502

February 24, 2016

The Honorable Tom Vilsack
Secretary of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Dear Secretary Vilsack:

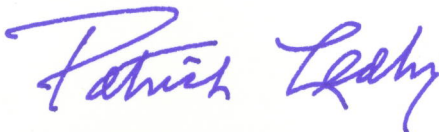
I am writing to strongly request that the U.S. Department of Agriculture (USDA) National Organic Program (NOP) immediately implement a moratorium on issuance of new organic certifications to hydroponic, aquaponics, and other soil-less growing operations. The moratorium should be kept in place until a final rule on soil-less growing operations is issued by the NOP. This is a matter of real and immediate concern to my constituents and farmers in Vermont, and to organic farmers across the country.

Organic farming derives its name from practices that maintain soil integrity with a careful balance of organic matter. Farmers who have advised me since before I wrote the Organic Foods Production Act see soil as fundamental to organics. As it now stands, consumers have no way of knowing that these products are grown in an artificial medium. I am pleased that the USDA has initiated a process to resolve this question. The Hydroponic and Aquaponic Task Force is studying this issue in-depth right now, and will report back this summer to the National Organic Standards Board, which will then make its recommendations to the NOP.

While most USDA-approved organic certifying agents do not consider soil-less growing as organic agriculture, there are a small number of certifiers that continue to provide new organic certifications for soil-less production without objection from the NOP. I am concerned that these extremely large operations that are being certified are displacing soil-grown organic greenhouse products from the marketplace. The rate of certifications seems to be increasing rapidly, presumably as hydroponic operations look to take advantage of any future "grandfathering" provisions in a final NOP rule. For this reason an immediate moratorium on new certifications is needed.

With a moratorium in place, the tasks force process needs to be balanced and transparent and action by the NOP should reflect advice from the NOSB. There can be no further delays and I strongly advise that the final outcome reflect the fundamental concepts framed in the Organic Foods Production Act.

Sincerely,



PATRICK LEAHY
United States Senator

Congress of the United States
Washington, DC 20510

September 15, 2016

The Honorable Tom Vilsack
Secretary of Agriculture
1400 Independence Avenue, SW
Washington, D.C. 20250

Dear Secretary Vilsack:

We are writing to request the United States Department of Agriculture (USDA) National Organic Program (NOP) implement a moratorium on issuing additional organic certifications for new hydroponic and aquaponics operations. Such a moratorium is necessary until NOP promulgates final rules for soil-less growing operations. A moratorium will bring consistency to the certification process that consumers rely on, and that is critical to the livelihood of organic producers in Vermont and across the country.

Congress passed the Organic Foods Production Act to provide farmers with established practices that are consistent throughout the industry and to help consumers make a clear choice in the grocery store. The Organic label is designed to indicate to consumers that farmers used the same high standards in production. Labeling will remain inconsistent and misleading as long as organic certifying agents can decide at their discretion if soilless growing operations should be considered organic. Consumers have a right to know how their food is produced, and the current lack of consistency in the certification process is confusing for consumers.

While most USDA-approved organic certifying agents do not consider soil-less growing as organic agriculture, there are a small number of certifiers that continue to provide new organic certifications for soil-less production without objection from the NOP. We are concerned that these extremely large operations that are being certified are displacing soil-grown greenhouse products from the marketplace. The rate of certifications seems to be increasing rapidly, presumably as hydroponic operations look to take advantage of any future "grandfathering" provisions in a final NOP rule. For this reason an immediate moratorium on new certifications is needed.

We hope that USDA will act quickly implement a moratorium, and NOP will issue regulations regarding certification for hydroponic and aquaponics operations.

Sincerely,



BERNARD SANDERS
United States Senator



PETER WELCH
United States Representative