The Organic Farmer and Consumer Protection Act (H.R. 3871)

Beth Leuin & Ryan Smith
Bill History

● Sponsor: Rep. John Faso (R - NY - 19)
● Introduced: September 28th, 2017
  ○ Referred to House Committee on Agriculture
  ○ No action since
● Cosponsors: Bipartisan support
  ○ Now: 30 Democrats and 5 Republicans
● Supporting organizations:
  ○ National Organic Coalition, Organic Trade Association
New York’s 19th Congressional District

- Lots of organic farms, especially dairies
- Home to Maple Hill Creamery – a nationally-distributed organic producer of milk, yogurt, kefir, and cheese (look for them at the Berkeley Bowl next time).
  - Source milk from 150 grass-fed organic farms in NY - most of which are in Faso’s district
  - Headquartered in Faso’s hometown of Kinderhook
- Organic Valley also sources a lot of their milk from this region
Proposed Legislation

- Proposes several amendments to the Organic Foods Production Act of 1990
  - Authorizes and increases appropriations for the National Organic Program (NOP) through fiscal year 2023
  - Modernizes and improves international trade tracking and data collection systems of the NOP
  - Provides access to cross-border documentation systems administered across other federal agencies and departments
  - Requires certifying agents in foreign countries to be reauthorized annually
  - Requires the NOP to issue an annual compliance report to Congress
“As an organic farmer, integrity in organics is fundamentally important to my livelihood — people buy organic because it means something and they trust it. Any fraud in organics cannot be tolerated, whether domestic or international. The Organic Farmer and Consumer Protection Act gives USDA more tools to demand accountability and execute enforcement. Organic agriculture is an economic engine for rural America. It has made a difference for family and for my community, but we all must remain vigilant in protecting the integrity that organic signifies in the marketplace.”

— Organic dairy farmer Shirley Hudyncia of Fort Plain, New York.
Problems Addressed

- Closes loopholes in current law to stem the influx of "fake organics" from overseas
- Safeguards integrity of the organic label and ensures consumer trust
- Protects domestic producers from products that artificially drive down price of "real" organics

Faso: “Fraudulent ‘organic’ grain and feed originating overseas is not only deceptive to consumers, but it artificially drives down the price of real organics, hurting legitimate organic farmers in Upstate New York and across the country.”
Remaining Questions

● Who’s the opposition?
● Likelihood of passing? How bipartisan is it, really?
● What does “modernizing” international trade tracking mean, exactly?
● How will implementation balance traceability with trade?
  ○ “Ensure full traceability without unduly hindering trade”
● How much of the proposed legislation, if passed, would bring true change as opposed to adding additional bureaucracy/paperwork?
  ○ Expected level of enforcement?
Sen. Debbie Stabenow (D - Michigan)

- Michigan’s first female U.S. Senator
  - In her 3rd term
  - Up for re-election this year
- Senate Committee Assignments:
  - Chair of Senate Democratic Policy Committee
  - Ranking member on Agriculture, Nutrition and Forestry
  - Budget
  - Energy and Natural Resources
  - Finance
- Served as Chair of Senate Agriculture Committee from 2011 to 2015.
  - Influential in writing and building bipartisan support for 2014 Farm Bill
Her constituents

- Typically a “Blue” state. However...

- ...2016 Presidential Election
  - Donald Trump: 47.50%
  - Hillary Clinton: 47.27%

- Large rural contingent of conservative voters
Current platform

- Bringing manufacturing jobs back to Michigan/America
- Investing in job skill training
- Decreasing student debt
- Protecting the Great Lakes
- Supporting Michigan agriculture
- Lowering healthcare costs for small businesses and families
Ratings from different Advocacy Orgs:
- Planned Parenthood: 100%
- ACLU: 88%
- League of Conservation Voters: 88%
- NRA: 7%
- Americans for Prosperity: 5%

Source: govtrack.us. Based on bills sponsored/co-sponsored

<table>
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<tr>
<th>Trump score</th>
<th>Trump margin</th>
<th>Predicted score</th>
<th>Trump plus-minus</th>
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Michigan Agriculture

- Food and Agriculture is second largest industry in state, behind manufacturing
  - $101.2 billion annually
  - Employs approx. 923,000 people
  - Approx. 10 million acres of farmland and 52,194 farms.
  - In 2015, $2.8 billion in food and agricultural products exported.

- Michigan grows one of the most diverse variety of crops (second only to California):
  - Cherries
  - Apples
  - Blueberries
  - Asparagus
  - Dried beans
  - Cucumbers
  - Squash
  - Christmas trees

- Major commodities:
  - Dairy
  - Corn
  - Soybeans
Key Agricultural Issues/Positions

- Strengthening crop insurance for specialty crop growers
- Farmland conservation to protect Great Lakes
- Improving access to affordable and nutritious food in low-income communities
- Increasing support for local and organic foods
- Supporting beginning farmers, including returning veterans
- Improving infrastructure of rural communities and growing the rural economy
Past controversies

- Has accepted campaign contributions from Monsanto, Dow Chemical, and Kellogg’s
- Supported passage of the “DARK” Act in 2016 (The Safe and Accurate Food Labeling Act of 2015 - H.R. 1599), which gave food companies the option to include QR codes or 1-800 numbers on packages to denote use of GMOs, instead of clear labeling.
Stabenow Leads Effort to Provide Relief for Michigan Dairy Farmers

Thursday, February 08, 2018

U.S. Senator Debbie Stabenow (D-Mich.), Ranking Member of the U.S. Senate Committee on Agriculture, Nutrition and Forestry, today announced the U.S. Senate has reached a deal to provide immediate support for Michigan dairy farmers.

“As Michigan’s number one commodity, dairy is critically important to Michigan’s food economy,” said Senator Stabenow. “The Michigan dairy industry has been struggling because of market instability. Today’s bipartisan solution is the relief Michigan’s dairy farmers have been waiting for, providing certainty and strengthening this important part of Michigan’s economy.”
Sen. John Boozman (R-Arkansas)

- First elected in 2010
- Optometrist and small business owner
- 5 Senate Committees:
  - Agriculture, Nutrition, and Forestry
    - Chairman of Commodities, Risk Management, and Trade Subcommittee
  - Appropriations
  - Budget
  - Environment and Public Works
  - Veterans’ Affairs
Arkansas

- Population: 3 million
- 2016 election: 60.6% Trump
Arkansas Agriculture

- **Arkansas’ #1 Industry**
  - One quarter of Arkansas’ economic activity at $16 billion annually
  - One in every six jobs
  - 49,346 farms with 16% accounting for 92% production

- **Major Crops**
  - Rice (1st in nation)
  - Cotton (7% U.S. production)
  - Soybeans, poultry, feed grains

- **Home to Walmart, Tyson Foods, and Riceland Foods**
"I've been very opposed to medical marijuana," says Sen. John Boozman (R-AR).

The Tax Cuts and Jobs Act is Working in Arkansas

Despite what you may have heard from those who opposed the Tax Cuts and Jobs Act, it is working in Arkansas.

Another one of my priorities is to combat the opioid epidemic in Arkansas."
Advocacy Org Rankings:
- NumbersUSA: 98%
- Americans for Prosperity: 84%
- ACLU: 11%
- Planned Parenthood Action Fund: 0%