

United States Senate

WASHINGTON, DC 20510

June 26, 2017

The Honorable Sonny Perdue
Secretary
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, D.C. 20250

Dear Secretary Perdue:

As we begin consideration of the next Farm Bill, we request that you provide us an update on what steps the U.S. Department of Agriculture (USDA) is taking to address the problem of non-organic products being imported and fraudulently sold to American consumers as USDA-certified organic.

While we support USDA's use of accredited certifying agents and "equivalency arrangements" to facilitate the growing trade in organic products, recent press reports detailing cases where non-organic products, particularly corn and other grains, were exported to the United States and illegally sold as organic are very troubling. Organic farmers in the United States cannot be expected to compete against fraudulent organic imports, and American consumers have the right to expect that products sold as organic meet the criteria for use of the organic label as required by law. Such fraud undermines the National Organic Program's (NOP) continued success and hurts American farmers who have worked hard to adopt organic practices.

We request that the Office of the Inspector General play a constructive role in examining these issues with NOP enforcement for imports and identify corrective actions, as needed. Specifically, we ask that you report on the following:

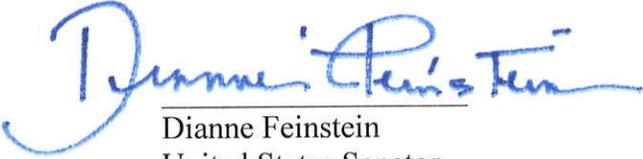
1. To what extent do existing NOP equivalency arrangements or related protocols facilitate timely reporting of bad actors, including certifying agents, between USDA and relevant foreign agencies?
2. If applicable, how is USDA working to incorporate better information-sharing protocols and enforcement cooperation in current or future NOP equivalency arrangements? How is USDA address incoming complaints and communicating with industry?
3. Does USDA have sufficient authority, tools, shared information, data, and real-time updates to take measures against suspected fraud, including suspending NOP imports from bad actors in countries with poor governance, inadequate supply chain transparency, or lack of proper in-country oversight?

4. Are current USDA resources and staffing levels sufficient to investigate and enforce NOP criteria for imported products, including investigating alleged misconduct by accredited-certifying agents?

We ask that you keep us apprised of your work on these matters, and look forward to your response to this letter. In addition, we ask that USDA engage organic industry stakeholders for additional recommendations to improve NOP enforcement, accountability, and trade.

Please don't hesitate to contact us if you have any questions. You may contact Katie Naessens, on the minority staff of the Senate Committee on Agriculture, Nutrition, and Forestry, at 202-224-2035. Thank you for your attention to our request and recommendations.

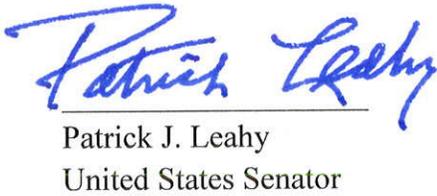
Sincerely,



Dianne Feinstein
United States Senator



Debbie Stabenow
United States Senator



Patrick J. Leahy
United States Senator