

## WESTERN ORGANIC DAIRY PRODUCERS ALLIANCE

2485 Notre Dame Blvd., Suite 370-162, Chico, CA 95928

Ms. Elanor Starmer  
Administrator  
Agricultural Marketing Service  
Room 3071-S, STOP 0201  
Agricultural Marketing Service, USDA  
1400 Independence Avenue, SW  
Washington, D.C. 20250-201

July 8, 2016

Dear Administrator Starmer:

We are writing today to express our opposition to the Organic Trade Association's (OTA) proposed USDA Certified Transitional Program (USDA CTP). OTA submitted their proposal in late May 2016 for USDA implementation.

WODPA is the ONLY organic dairy organization working specifically for organic dairymen in the Western United States. OTA does not speak on behalf of western organic dairy producers.

The Western Organic Dairy Producers Alliance (WODPA) is a nonprofit Mutual Benefit Corporation. Our purpose is to enable organic dairy farmers, situated across an extensive area in the west, to maintain the sustainability of organic dairy farming. We represent over 275 organic dairy farm families throughout the Western United States. Organic dairy production in the western states accounts for over half of the Nation's milking cows and milk production.

WODPA's membership has an official position on transitional certification and a transitional label. We are not supportive.

### **Why we oppose USDA CTP**

1. It violates Section 2106(a)(1)(A) and (B) of the Organic Foods Production Act of 1990 (OFPA) [7 U.S.C. 6505(a)(1)(A) and (B)].

Sec. 2106. [7 U.S.C. 6505] Compliance requirements

(a) Domestic products—

(1) In general—On or after October 1, 1993—

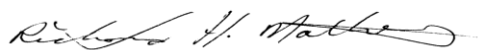
(A) a person may sell or label an agricultural product as organically produced only if such product is produced and handled in accordance with this chapter; and

(B) no person may affix a label to, or provide other market information concerning, an agricultural product if such label or information implies, directly or indirectly, that such product is produced and handled using organic methods, except in accordance with this chapter.

2. To claim the use of organic methods the operation must be certified to the National Organic Program (NOP), except as exempted by § 6505(d) Small farmer exemption.
3. OFPA does not provide for a transitional label or transitional certification.
4. There is no way to educate consumers on what “Certified Transitional” means without using the word “Organic.”
5. Consumers are not asking for transitional products.
6. A transitional label will confuse consumers.
7. This type of label will create a loophole for continuous transition and use of those transitioned products. We anticipate that a legal entity could close its doors to be replaced by another. Thereby circumventing OTA’s attempt at preventing continuous transition.
8. A transitional label will compromise the integrity of the NOP standards and denigrate the organic label.
9. OTA is an industry trade organization that is about growing "the organic category". OTA is not a farmer organization, does not represent the farmer, and should not be leading or creating policy on production based regulations.
10. It's an injustice to those of us who meet and maintain the current standard. As organic producers, we have gone through the 3 year transition period, it is difficult, but we, like thousands of others, made it.

Should you have questions, please call me at 717-457-0100 or email me at [rhmathews51@comcast.net](mailto:rhmathews51@comcast.net).

Sincerely,



Richard H. Mathews  
Executive Director  
Western Organic Dairy Producers Alliance