

# Congress of the United States

Washington, DC 20510

September 22, 2021

The Honorable Tom Vilsack  
Secretary  
United States Department of Agriculture  
1400 Independence Avenue S.W.  
Washington, DC 20250

Dear Secretary Vilsack:

We write to you today to request your urgent action to support organic dairy producers in our states that are facing market loss. As you know, Danone, a multinational food company and owner of Horizon Organic, recently notified 89 farmers in Vermont, Maine, New York, and New Hampshire that their milk contracts will be terminated by August 2022, leaving these farmers without buyers and effectively pulling out of New England altogether.

Danone appears to be consolidating their supply to prioritize more concentrated producers for transportation economies and abandoning smaller and more dispersed family farms. We believe this matter further underscores the long overdue need to close existing loopholes in the rules governing how livestock are transitioned to organic and strengthen enforcement of the pasture rule, particularly for large-scale complex dairies. We ask that the U.S. Department of Agriculture (USDA) use whatever funding sources and programs necessary to support organic farmers in our region during this period of market upheaval.

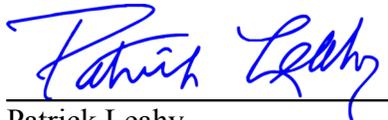
The organic dairy industry is an important economic engine in the Northeast and these farms serve as anchor businesses to many of our local rural economies. For years, however, organic dairy farmers in our region have been put at a significant competitive disadvantage that is now threatening their livelihood and shaking consumer confidence in the organic label. The Origin of Livestock Rule, which you first initiated in 2015, would close a loophole that has allowed large-scale producers in some states to expand herd sizes quickly through continual transition of conventional animals in and out of organic management. The USDA's ongoing delay in finalizing this rule, which continues to enjoy widespread support within the sector, has contributed to the oversupply of organic milk in the market, placed the integrity of the organic label at risk, and kept farmers in our states at a severe financial disadvantage.

After years of inaction by USDA, the Further Consolidated Appropriations Act of 2020, which was signed into law on December 20, 2019, included an explicit congressional directive for USDA to finalize the Origin of Livestock Rule by July 17, 2020, a directive still unmet. On July 12, 2021, for the third time in over six years, a comment period on the proposed rule closed, and we strongly urge you to now issue a final rule that reflects the thousands of comments received since 2015, meets the intent of the Organic Foods Production Act, and fulfills consumer expectations, as soon as possible. This action, combined with increased and consistent enforcement of existing organic regulations like the pasture rule, will help restore the level playing field that farmers in our region require.

In addition to restoring and preserving the integrity of the organic seal, we respectfully request that you use any tools at your disposal and work quickly to support the farmers affected by Danone's decision and work with stakeholders to expand market channels for their products. This includes targeted and increased support through USDA's Pandemic Assistance for Producers program, targeted investments in processing capacity and transportation efficiencies for businesses that can contract with these farmers, as well as temporary price supports to allow these farmers to transition to new markets.

We appreciate your immediate attention to this matter and for your continued support for our dairy farmers. Working landscapes and family farms are foundational to our region, and a healthy, viable organic dairy market is essential to the economic, environmental, and social fabric of our states. We look forward to working with you and with key stakeholders to mobilize all available resources to protect the livelihood of these farm families and the future of the organic dairy sector.

Sincerely,



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Patrick Leahy  
United States Senator



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Peter Welch  
Member of Congress



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Bernard Sanders  
United States Senator



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Chellie Pingree  
Member of Congress



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Kirsten Gillibrand  
United States Senator



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Elise M. Stefanik  
Member of Congress



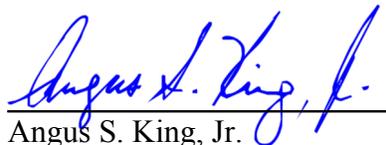
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Charles E. Schumer  
United States Senator



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Ann McLane Kuster  
Member of Congress



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Angus S. King, Jr.  
United States Senator



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Chris Pappas  
Member of Congress



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Margaret Wood Hassan  
United States Senator



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Jared Golden  
Member of Congress



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Susan M. Collins  
United States Senator