Wisconsin Organic Advisory Council Meeting  
10 am to 3 pm  
Wednesday, December 3, 2008  
UW Arlington Research Station  
Headquarters Building  

MINUTES

Present:
Advisory Council Present: Chris Malek, Rich Lange, Jerry McGeorge, Bob Wills, Christine Mason
Absent due to snowstorm or prior commitments: Tricia Bross, Mike Shulist for Paulette Bradley, Harriet Behar, Margaret Bert-Mittelstadt, Bonnie Wideman, Dave Engel
Interagency Team present: Russ Raeder, Kevin Shelley, Jed Colquhoun, Carla Wright, Irv Possin, Val Adamski, Erin Silva, Laura Paine.
Absent due to snowstorm or prior commitments: Pat Murphy, Molly Jahn, Don Jaworski, Jennifer Heaton-Amrhein, Linda Merriman Hitchman, Perry Brown

The meeting was called to order at 10:15 am.

Agenda review: Jerry McGeorge led the meeting. With the snowstorm and reduced number of OAC members present, we decided to modify the agenda. The Working Lands presentation scheduled for the afternoon was postponed to the next meeting, and the group decided to spend more time on developing comments on the NOP pasture rule.

Minutes approval. This was tabled until the next meeting when we have a quorum.

Review meeting dates for next meetings. Next meetings are January 28 (Feb.4 snow date), March 18 (Mar 25 snow date).

Old Business:
Update on Organic Cost Share program
Laura and Christine updated the meeting on the Organic cost share program. As of December 3rd, the NOP had not sent out the amendments to their contracts with the states, providing for cost sharing for the 2008 crop year. As of the completion of these notes (12/15/08), the amendment has been received and is working its way through the approval process at DATCP. The amendment provides for a two year project running from 10/1/07 through 9/30/09 with two years’ worth of funding at $285,000 per year. The contract requires that the two years be handled separately, and requires quarterly requests for reimbursement from DATCP. We are advised that additional funds will be
made available if our initial allocations are used up. We still plan to announce the program for 2008 reimbursements in January. We’ll probably do a separate announcement for 2009 certification costs later in the year.

**Farm Bill update:** Timeline for public comments on organic provisions
In his last correspondence, Pat had not heard anything on rules for new farm bill programs. No action by the council is needed at this time.

**Discussion on Farm Bill issues:**
Russ: watch for these things: SURE program. Issues to watch for include whether they will use organic prices. They have not in the past. The ten acre minimum rule for farm size is still in place and will disqualify some very small intensive produce growers from eligibility. The NAP insurance program still hasn’t clarified its language on what prices it will use. This is an issue for vegetable growers and organic crop producers. They do not have provisions for using organic prices for field crops or vegetables. For vegetables, they use terminal market prices, which are very low relative to those in local markets, whether they’re organic or conventional.

Val: Summarized the Wisconsin SARE task force meeting that took place on Monday, December 1st. She also suggested that the technical college organic curriculum development project she’s working on could provide training for TSPs for organic transitioning. EQIP now has specifications for technical service providers for organic transitioning. Currently, there aren’t enough people with the proper training to fill this need.

Christine expressed concern that traditional CCAs could qualify to provide Tech assistance under the EQIP program and they would not have the knowledge needed to help farmers transition. This is an example of the kinds of comments we’d need to think about making when the rules are put out for comment.

Irv suggested that USDA could look at companies that offer organic products and services to determine whether these companies are interested in obtaining certification.

Laura suggested that they might want to set up a system similar to what they use for grazing technical assistance providers. That program is run by the NRCS State Grazing Specialist and requires that anyone providing education and technical assistance to NRCS EQIP funding recipients must have a certain baseline level of training and be certified by NRCS.

**Organic Pasture Rule:** listening session and opportunities to give comments.

USDA worked with Organic Valley to sponsor a listening session on December 2nd in LaFarge. About 100 people attended the session, there were lots of concerns, similar to those that have been identified by NODPA, MOSA, etc. Will Hughes from DATCP made
some comments, as did Dave Engel and other prominent organic community members, as well as many farmers.

Jerry said that some speakers voiced concerns about the NOP rule conflicting with other state and federal laws and recommendations, especially such things as nutrient management planning and other natural resource requirements.

Some Wisconsin producers have issues with 365 days a year requirement. Barns need the heat from animals to keep pipes from freezing.

Another farmer said that the requirement for certified organic bedding would be prohibitive; he said he currently spends about $8000 a year on bedding. It would cost him $30,000 if it has to be certified organic.

Carla asked whether other groups are making comments. We know of several who are, including MOSA, and a coalition of Organic Dairy Producer Associations (NODPA, MODPA, and WODPA).

Bob asked what the organic consumers organization’s position is on this pasture rule? No one knew. After the meeting, Laura looked it up on their website. The website has a letter template that consumers can sign and send off to NOP. Here is the letter:

Dear Mr. Mathews–

I am formally commenting on the National Organic Program draft rule [Docket No. AMS–TM–06–0198; TM–05–14].

I ask that you craft the final rule in such a way as to eliminate abuses on giant factory farms, milking thousands of cows, representing their milk as “organic.”

The current draft rule would not only constrain the industrial-scale dairies but unfortunately could cause hardship to a significant number of the nation’s organic livestock producers. I ask that you take the following into consideration while making needed changes and revisions:

1. No matter how long it takes to enact this new rulemaking it is clear that the current regulations are perfectly enforceable based on past violations found by the USDA and your statements in the Federal Register October, 24 2008. I request that the NOP immediately take actions to bring large livestock operations into compliance and continue this diligence until a new rule is enacted.

2. I support the requirement for ruminants to be on pasture for the entire grazing season (but not less than 120 days) and to consume a minimum of 30% of their dry feed from pasture. Organic livestock should have daily outdoor access whenever conditions permit.

3. I support the alternative rule proposal forwarded by groups representing organic producers including the farm groups and The Cornucopia Institute with the following alterations.
a. When agricultural products are used for bedding they should be certified organic, based on commercial availability. Non-organic hay, or other feed likely to be consumed in more than a negligible quantity, should never be allowed. Do not create a loophole.

b. The continuous transition of conventional animals onto organic dairies should be prohibited. We encourage the adoption of the NOSB recommendation requiring all cattle brought onto organic farms to be managed organically from the last third of gestation.

c. Due to the diversity in views within the organic farming community, rules need to be revised to permit grain finishing of beef slaughter stock, such that these animals may be exempt from the 30% pasture DMI requirement during the finishing period, not to exceed 120 days, but must not be denied access to pasture during that period.

And finally, please extend the comment period by another 30 days, allowing for a public comment period of 90 days (and ending on January 23, 2009) rather than the 60 day comment period as noticed in the Federal Register announcement of the rule proposal. As a farmer, consumer, and/or retailer I believe a longer public comment period is necessary for these reasons:

- The USDA’s proposed rule is an extensive rewrite of numerous portions of the federal organic livestock regulations. It requires careful reading to understand and digest its full impact.
- The proposed pasture rule includes numerous changes to the federal organic regulations that extend beyond the pasture provision as it pertains to dairy, a rule proposal that many in the organic community have been waiting years for. These new additions must be carefully assessed.
- The timing of this rule’s release, encompassing the harvest season for many farmers, the recent high-profile election and covering much of our nation’s holiday season, is difficult for reviewers and slows mail delivery. An extension of the comment period to January 23, 2009 will greatly help consumers and members of the farm community provide better review and comments.

Thank you for the consideration of my comments and those of many other concerned members of the organic community.

Sincerely,

Laura led the council through a summary of the major proposed changes in the NOP Pasture standard and council members and agency team participants suggested comments that would support our Wisconsin organic farmers.

One of the primary comments was that knowing the objectives of the proposed changes would be helpful. NOP staff have asked that we suggest alternatives for what they’re proposing if we disagree with it, but it’s difficult to provide alternatives if it’s not clear what the purpose of a particular provision of the rule is supposed to be. Unfortunately, it is unlikely that NOP will provide such guidance.

Following are general comments from the group:

Provision requiring that 30% of an animal’s intake be from pasture during the growing season. The group thought this was ok and that this benchmark has become a general
consensus within the organic community over the years that it's been discussed. There were concerns express regarding the amount of paperwork the documentation process would require and also concerns about the arbitrary 3% of body weight value to be used to calculate the amount of dry matter intake needed by livestock. There were suggestions that we recommend: 1) they allow certifiers to develop their own method of documenting pasture intake, and 2) if they require producers to follow their method of documenting pasture intake, that they provide for different intake percentages for different classes of animals (e.g. lactating dairy cows really need about 4%, not the 3% currently mandated in the new provisions). Note: the final recommendation from the council was in line with #1 above, encouraging them to allow certifiers to work out how to document pasture intake. For that reason, we didn’t include #2 in our comments.

Pasture access requirement: the group generally supported the provision that the producer must not prevent ruminant animals from grazing during the growing season.

Year-round access to the outdoors: the group thought that this section was worded to allow exceptions due to inclement weather and other conditions. One person commented that strict enforcement of the pasture requirement would make this section unnecessary. The group felt that the feedlot/dry lot prohibition should be moved to the feeding section, not living conditions where it currently is.

Another comment was that this part of the rule doesn’t really support the overall objective of the rule changes, which is to require pasture access and pasture intake. During the non-growing/grazing season, pasture access is not an issue.

Allowed temporary limitations to pasture access: the council thought that the two sections for non-ruminants and ruminants should be combined and the exception for inclement weather be expanded to all animals, not just goats.

Sacrificial pasture: the group did not think this requirement was workable or needed.

Restricting access to natural water sources: the group did not think this was necessary, that good management would protect soil and water resources. They suggested referencing USDA NRCS standards and other existing research. Laura will incorporate the comments made into a letter to NOP and send it back out for all council members and agency participants to respond to. She will have a final draft reviewed by Jerry and Harriet, as well as Secretary Nilsetuen’s office prior to sending the comments to NOP.

Committee reports

Government Affairs. Christine reviewed activities of the Government Affairs committee and provided notes from their recent meetings and teleconferences. The group is
prepared to review Farm Bill rules associated with organic programs and provisions as they come out, but to date, no rules have been released for comments.

**Education committee:** hasn’t met for awhile. Kevin and Erin reminded the group of their activities: sponsoring the organic field days, applying for CEUs for the organic farming conference, the farm bill conference call they set up to educate Council members on organic provisions. Erin said that they will start planning next summer’s field day in the next few months and will ask the council for input.

**Biennial Report Committee:** Erin stated that it is not too early to begin planning for the next biennial report. It will be on the agenda for the next meeting.

**NOP Relations committee.** No report, this committee hasn’t actually gotten organized or met yet. It was pointed out that this group should be responsible for developing comments on NOP proposed rule changes.

**Market/Supply Chain Infrastructure committee.** Laura reported on the first teleconference meeting of the Market committee. The group reviewed the current market situation for organic products and identified barriers and challenges that hinder market growth. Two issues that the group felt we could work on right away are helping growers of raw product connect with processors and helping identify processors that are willing to do contract work for startup organic food businesses. One tool we have to help address these two related issues is the organic directory project. With listings of organic farms and what products they produce, it will be a means of making the connections between producers and processors. We are hoping to have the directory completed by the Organic Farming Conference in February. We’ll have an on-line version and hard copies. Additional meetings will be scheduled to brainstorm other efforts we want to pursue.

**Agency reports**

**Technical colleges:** Val reported that the Cultivating Sustainable agriculture conference in late October was very good—15 four year colleges, and several technical colleges attended.

**Extension/CALS:** Kevin reported that there are a number of conferences and workshops over the winter. Lots of nutrient management planning workshops.

**DNR:** Carla shared that budget issues are consuming a lot of their time—looking at big cuts of programs. Deer hunt went well, good harvest.

**DOC:** Irv stated that his agency, along with other state agencies are looking at a 12% budget cut. His department is discussing whether they want to cut the Milk Volume Production program which provides low interest loans for adding dairy cows to a herd, because dairy cow numbers have stabilized. This is one of Irv’s primary programs. He is
countering this suggestion by pointing out that we will continue to need to bring new dairy farms on line because a high percentage of farmers are nearing retirement, and many farms continue to go out of business. So, while the numbers may be stable right now, it will be an ongoing struggle to maintain those numbers in the face of retirements. New farmers will be coming on line and we can have new farms get established here or they can go to other states.

FSA: Russ told the group that the Livestock indemnity program, which provides disaster support for livestock producers, is currently having a sign up.

Other comments:
Bob Wills shared that the UW Program on Agricultural Technology Studies is starting a research project on organic dairy farming and processing capacity. They'll be surveying processors on their involvement in and interest in processing organic products.

Bob also mentioned that the University has created a position on dairy policy and are working on filling it. UW has had little expertise on dairy policy over the last ten years (Bob Cropp and Ed Jesse were the faculty who worked in this area. Both retired and neither position was filled. It's Bob’s understanding that the position is frozen pending budget decisions.

Jed said that the chancellors and deans are considering this and other positions as of early December. There isn’t a total freeze and, with a number of pending retirements, they will be strategically filling some positions.

Several council members agreed that a dairy policy position should be a priority for the University and it would be good to focus this dairy policy position on an organic/sustainability focus. Jed will talk to Molly to see where this position is on their priority list and let her know that the council is in support of this. He’ll get back to us and we may want to write a letter or something.

Note: Upon investigation after the meeting, Jed learned from the Dean’s office that the dairy policy position did not rank very high when positions were prioritized. It is his understanding that it will not be one of the positions that will be filled in the near future.

Due to the snowstorm, the meeting adjourned early at 2:30 pm.