



June 18, 2024

Ms. Phyllis K. Fong  
USDA, Office of Inspector General  
Room 117-W Jamie Whitten Bldg  
1400 Independence Avenue SW  
Washington, DC 20250

**RE: Request for Investigation of the National Organic Program**

Dear Ms. Fong,

OrganicEye, a tax-exempt public interest group acting as an organic industry watchdog, requests that the Office of Inspector General initiate an investigation into the activities of the USDA's National Organic Program (NOP). It is the position of OrganicEye that numerous NOP actions – and inactions – indicate the NOP is failing to enforce the intent and the letter of the Organic Foods Production Act of 1990 (OFPA) requiring all food represented in the market as “organic” originate from farms that are certified and inspected annually by certifiers that are qualified and accredited by the NOP.

There is nothing in OFPA that prohibits the importation of organic food. On the contrary, there are provisions in the statute that facilitate it. However, there is nothing codified in law that gives exporters the right to collaborate with their certifiers to sidestep any legal requirements and, thus, create a double standard that places US producers at a competitive disadvantage.

Specifically:

OFPA requires a USDA accredited, third-party certifying agent to conduct an annual, on-site inspection of every farm that is certified “organic.” 7 U.S.C. § 6506(a)(5) (the “OFPA inspection statute”).

**§6506. General requirements**

**(a) In general**

A program established under this chapter shall—

(5) provide for annual on-site inspection by the certifying agent of each farm and handling operation that has been certified under this chapter;

We invite you and your staff to visit the OrganicEye website ([www.organiceye.org/organic-eye-news/](http://www.organiceye.org/organic-eye-news/)) to review our research findings related to the legal imports of hazelnuts and turmeric, as well as quotes from farmers who are either under financial stress or have already been forced out of the market due to this issue.

We respectfully submit that the matters detailed above provide the basis for a broad investigation into the activities of the USDA's National Organic Program and its failure to enforce federal regulations put into place to harmonize certification practices, globally, and create level, competitive playing fields to protect domestic agricultural producers and to protect US consumers from potentially being defrauded when they pay premium prices for organic food.

It should also be emphasized that preliminary research indicates that the same double standard, in terms of exempting international growers from the certification/inspection requirements specified under the law, is being applied by numerous other NOP accredited certifiers, both based in the US and overseas, to many different agricultural commodities.

Thousands of US organic farmers expecting the highest standards and ethics from the USDA and their accredited certifiers deserve the protection of their businesses and practices from doubt, illegalities, and unfair competition, all of which may impact their ability to continue farming while employing the practices they believe in, as outlined by the Organic Food Production Act that codified this movement into law.

Even more importantly, the interests of consumers, who are paying a premium for organic food in the marketplace, must be protected. That was the intent of Congress.

Please keep us informed of the status of this request.

Sincerely,

Mark Kastel  
Executive Director

OrganicEye

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