



Florida Certified Organic Growers & Consumers, Inc.

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Comment on Farm Program Payment Limitation Rule,  
Federal Register, Vol. 74, No. 23, February 5, 2009

Dan McGlynn  
Farm Service Agency, USDA  
Stop 0517, Room 4754  
1400 Independence Avenue SW  
Washington, DC 20250-0517

April 6, 2009

Dear Mr. Dan McGlynn,

Florida Organic Growers and Consumers, Inc. (FOG) submits the following comments on the Farm Program Payment Limitation Rule. Our concern is based on the farm subsidy loophole.

FOG is a 501(c)(3) not-for-profit corporation committed to promoting organic and sustainable agriculture and just food systems through educational outreach and collaboration with producers and consumers, schools and community stakeholders, universities, allied non-profits, government agencies and policymakers.

FOG's staff conducts, coordinates, and participates in educational events in a diversity of areas relating to organic agriculture at local, state, regional, national, and international venues. FOG staff members administer a wide range of programs including public policy analysis and development, local food systems development, organic and sustainable agriculture educational outreach, agricultural social justice, and an organic certification program. To meet the demands of the rapidly growing organic industry, FOG operates Quality Certification Services (QCS), one of the country's leading organic certification programs that provides verification of the organic integrity of organic farming and processing systems, providing agricultural operators a valuable means for differentiating their products in the marketplace.

For an administration, especially a new one, to gain and maintain the confidence of the public, it must work transparently, fairly and diligently. Past administrations overlooked the wasteful, unfair awards of farm subsidies. The loophole allowing subsidies based on poor definitions of "partners" who are "actively engaged in farming" has caused millions of taxpayers' dollars to go to sham partnerships whose 'active' participation in the farm amounted to a couple conference calls a year. This loophole must be closed and this Administration must be more diligent.

The loophole exists in the alternative management test. Under this test, people who have no tangible connection to a farm can qualify for a subsidy. FOG supports the initiative to revise the regulation with regards

to payment eligibility, income limits and maximum benefit amounts. These subsidies should not only be limited to those who are actually actively engaged in farming, but also should be followed to insure that they are used for the purpose intended. For example, allowing a subsidy to be used by a large producer to outbid smaller producers for land is basically allowing the government to fund the demise of the small producers, squelch the economic viability of rural communities and close the door for future farmers to enter. If a subsidy is the best or only solution, then providing it is only half of the government's job. The other half is requiring from recipients, and providing to taxpayers, assurances that the subsidy will be and is used appropriately.

The best time to obtain this assurance is before the subsidy is awarded. The alternative management test should be revised to require substantial involvement. If the purpose of the test is in recognition of the fact that, today, running a farm can require more than physical labor, then eligibility for a subsidy towards that should reflect the extra contribution that supported the alternative test in the first place. FOG supports the initiative for new regulations to require a person to contribute at least half of the total management required to maintain a farm. Also, if a person qualifies based on contribution of at least half the management required in proportion to his/her share in the operation, the subsidy award should also be in proportion to the share owned.

While small steps have recently been made towards closing this alternative management test loophole, it is time for good government to step in and take the responsible move to close it completely. American agriculture is changing. Continuing to allow abuse of subsidies would reverse efforts to create the balance between human health, economic viability and environmental responsibility. This is a cost taxpayers do not want to pay and a cost America cannot afford.

FOG thanks you for the opportunity to comment. As we continue our efforts towards safe, responsible and sustainable agriculture, we look forward to working with an administration that is as interested in change as we are.

Sincerely,

Marty Mesh  
Executive Director  
Florida Organic Growers and Consumers, Inc.