

December 18, 2007

Governor Ted Strickland
Governor's Office
Riffe Center, 30th Flr.
77 South High St.
Columbus, OH 43215-6108

Dear Governor Strickland,

We, the undersigned consumers, dairy farmers, farm and agricultural organizations, public health, animal protection and environmental groups, food processors and retailers are writing to urge the state of Ohio not to prohibit farmers from telling consumers that they aren't using artificial hormones on their dairy cows. We urge you not to prohibit labels such as "Our farmers' pledge: no artificial growth hormones," "From cows not treated with the growth hormone rBST," and "free of artificial growth hormones." These labels are not misleading.

We urge you not to prohibit claims about the non-use of hormones for the following reasons:

- Consumers have right-to-know about the foods they eat. Many consumers prefer to buy milk produced by cows not treated with artificial hormones, as evidenced by the success in stores across the country of such milk. Consumers have a basic right to choose about the characteristics of the food they buy.
- Any prohibition would be a serious infringement on the free speech rights of farmers who want to inform the public about their agricultural practices. Some claim that these labels can be misleading because they cannot be verified by a test. However, many label claims, including "locally grown" and "Ohio Proud" cannot be verified by a test. In addition, all required country-of-origin labels cannot be verified with a test; rather, they are verified by simple written statement/declaration.
- In 1994, after the US Food and Drug Administration (FDA) approved use of Monsanto's recombinant bovine growth hormone (rbGH), the FDA also said that the following label statement, in proper context, is acceptable: "from cows not treated with rbST." Earlier this year, Monsanto asked FDA and the Federal Trade Commission (FTC) to declare these labels to be misleading. In late August, the FTC wrote to Monsanto, "The FTC staff agrees with FDA that food companies may inform consumers in advertising, as in labeling, that they do not use rBST." Thus, the action contemplated by ODA contradicts long established federal policy on this matter.
- The use of rbGH remains controversial and was not approved in Canada, Japan, and the European Union because of negative effects of rbGH use on animal health. Codex Alimentarius, the United Nations main food safety body, twice decided that it could not endorse the safety of rbGH for human health.

We urge the state of Ohio not to interfere with the rights of farmers, dairies and consumers.

Milk processors that have signed this letter simply want to be able to respond with truthful labeling to these concerns expressed by consumers and their corresponding desire to buy milk that is from cows not treated with rbGH.

Consumers have a right to know what's in their food and how it's produced. Farmers and dairies have the right to tell them.

Yours,

Mark Retzloff, President and Chief Organic Officer
Aurora Organic Dairy

Rob Michalak, Director of Social Mission and Public Relations
Ben & Jerry's

Marc Zammit, Director, Culinary Support and Development
Bon Appetit Management Co.

Jay and Candice Warmke
Blue Rock Station
Philo, OH

Scott Roy, President
Boulder Ice Cream

Craig Winters, President
The Campaign

Charlie Cray, Director
Center for Corporate Policy

Kevin Golden, Staff Attorney
Center for Food Safety

John Stauber, Executive Director
Center for Media and Democracy

Frank Herd, Executive Director
Citizens for Health

Lynne Genter, Chair of the Board
Clintonville Farmers Market

Rhonda Clark, Executive Director
Community Food Initiatives

Christopher Waldrop, Director
Food Policy Institute
Consumer Federation of America

Charles Margulis
Center for Environmental Health

Mark A. Kastel
Cornucopia Institute

Dan Silver, Executive Director
Endangered Habitats League
Los Angeles

John Peck, Executive Director
Family Farm Defenders

Gene Baur
Farm Sanctuary

Bill Wenzel, National Director
Farmer-to-farmer Campaign on Genetic Engineering

Marty Mesh, Executive Director
Florida Organic Growers and Consumers

Wenonah Hauter, Executive Director
Food and Water Watch

Mark Squire, President
Good Earth Natural Foods
Fairfax, CA

Jacqueline Ostfield
Food and Drug Safety Officer
Government Accountability Project

Carrie Hahn
Hahn Natural Foods
Pittsburgh, PA

Kelly Shea, VP
Government and Industry Relations/Organic Stewardship
Horizon Dairy

Erica Liss
Humane Farming Association

Miyun Park, Vice-President
Farm Animal Welfare
Humane Society of the United States

Sylvia Zimmerman, President of the Board
Innovative Farmers of Ohio

David Wallinga, Director
Food and Health Program
Institute for Agriculture and Trade Policy

William H. Mellor, President and General Counsel
Institute for Justice

Jeffrey Smith, Executive Director
Institute for Responsible Technology

Frederick Kirschenmann, President
Kirschenmann Family Farms
Medina, North Dakota

Michael Jones, Executive Director
Local Matters

Joel Gill, President
Mississippi Livestock Markets Association

Bernadette Unger, President of the Board
MOON Cooperative Services

Annette M. Higby, Policy Committee Coordinator
National Campaign for Sustainable Agriculture

Tom Buis, President
National Farmers Union

Sarah Janssen, Science Fellow
Natural Resources Defense Council

Ed Maltby, Executive Director
Northeast Organic Dairy Producers Alliance

Steve Gilman, Policy Coordinator
Northeast Organic Farming Association representing 7 states (NOFA-VT, NOFA-NH, NOFA-MASS, NOFA-CT, NOFA-NY, NOFA-NJ and NOFA-RI)

Darren Malhame, Owner
Northstar Café
Columbus, OH

Jim Goodman
Northwood Farms
Wonewoc, WI

Sandy Buchanan, Executive Director
Ohio Citizen Action

Karen Hansen, Education and Outreach Consultant
Ohio Conference on Fair Trade

Carol Goland, Executive Director
Ohio Ecological Food and Farming Association

Joe Logan, President
Ohio Farmers Union

Morgan Keenan,
Ohio Public Interest Research Group (PIRG)

Liz Rog
Oneota Community Co-op
Decorah, IA

Tom Gleason, President
Oregon Ice Cream Company

Rick North, Project Director
Campaign for Safe Food
Oregon Physicians for Social Responsibility

Ronnie Cummins, Executive Director
Organic Consumers Association

Mark Lipson, Policy Program Director
Organic Farming Research Foundation

Caren Wilcox, Executive Director and CEO
Organic Trade Association

Brian Snyder, Executive Director
Pennsylvania Association of Sustainable Agriculture (PASA)

Francis Thicke
Radiance Dairy
Fairfield, IA

Jeff Milchen, Founder
Reclaim Democracy

Timothy LaSalle, CEO
Rodale Institute

Ted Schettler, Science Director
Science and Environmental Health Network

Albert Straus, President
Straus Family Creamery
Marshall, CA

Laurel Hopwood, Chair
Agriculture Committee
Ohio Sierra Club

Margaret Mellon, Director
Food and Environment Program
Union of Concerned Scientists

Jill Davies
Western Sustainable Agriculture Working Group
Victor, MT

Andrew Altman, Executive Director
White Dog Community Enterprises
Philadelphia, PA

Patrick Lewis, Regional Buyer
Whole Foods Market
Emeryville, CA

Chuck Deichmann
Willow Creek Farm
Belmont, NY

George Wright
Wright Way Dairy
Hermon, NY

Darwin Kelsey, Executive Director,
Countryside Conservancy

Ellen Mee, Director of Environmental Health Programs,
Ohio Environmental Council

Melissa Hughes, General Counsel
CROPP Co-op/Organic Valley

George Naylor, President
National Family Farm Coalition

Gary Hirshberg, President and CEO
Stonyfield Farm, Inc.