



**Paula Goodman Maccabee, Esq.**

*Just Change Consulting/Public Interest Law*

1961 Selby Ave., St. Paul, Minnesota 55104, pmaccabee@visi.com

Ph: 651-646-8890, Fax: 651-646-5754, Cell 651-775-7128

<http://www.justchangeconsulting.com>

**FOR IMMEDIATE RELEASE**

MEDIA CONTACT: Paula Maccabee

o: 651-646-8890 c: 651-775-7128

**STATE FARM SERVICE AGENCY OVERTURNS PENALTY FOR MINNESOTA  
ORGANIC SOYBEAN FARMER**

***Organic Weed Control Practices Upheld***

**Saint Paul, MN, November 14, 2011:** This month, Minnesota's State Committee of the U.S. Department of Agriculture Farm Service Agency (FSA) overturned a local county decision that would have penalized a long-term certified organic soybean farmer for having "uncontrolled" weeds. In the case of Vance Norgaard, a certified organic farmer and participant in the federal crop support Direct and Counter-Cyclical Program (DCP) since 1996, the State FSA Committee found that the organic farming practices followed by Norgaard provided an appropriate and effective method of weed control. The State Committee emphasized that Norgaard's farm had produced an above-average crop and that organic farming experts concurred that weed control had been effective.

Paula Maccabee, St. Paul-based counsel for Norgaard, stated, "Minnesota's State FSA Committee recognized that management practices for organic farms are valid farming practices and that farmers who control their weeds through organic practices should not be penalized for following national organic rules. This is an important decision for any organic farmer who chooses to participate in the DCP or other federal programs."

"We showed the State FSA that in the 16 years I've farmed as a certified organic farmer, we had never received any complaints from county weed inspectors," added Norgaard. "The Committee were seasoned farmers and they understood that, with an organic farm, we can't just spray herbicides to eliminate weeds and it doesn't do anyone any good to disc up and destroy a value-added organic crop." Norgaard farms a total of approximately 240 acres in Rice, Clearwater, Pennington and Polk counties in Minnesota. All of his farms

*more*

are certified organic.

Norgaard used the practice of planting soybeans in winter rye as a weed suppressant. His neighbors signed statements that there were no impacts from weeds to their adjacent conventional farms and three organic farming experts provided opinions that Norgaard's weed control practices were effective and followed national organic standards. The State FSA Committee specifically found that the practices on Norgaard's organic farm were appropriate and sufficient to control weeds:

"The weeds were controlled according to the standards in place by Organic Industry. Documents were provided that the organic certifier and two organic farming experts reviewed the record and determined that the weeds were controlled."

"The yield for your farm was above average for soybeans compared to other organic farms in the state and documentation was provided that showed this. If the weeds were an issue; this yield should have been below the organic industry average for soybeans."

Expert opinions on organic practices and standards were provided by Jeremy Dobson, the IOIA Accredited Organic Inspector for Mr. Norgaard's farm; Cindy Elder, Director of Certification for Organic Crop Improvement Association (OCIA); and Joyce Ford, an organic inspector and auditor with Organic Independents LLP.

\* \* \*

*Paula Maccabee, **Just Change Law Offices**, specializes in environmental, energy and agricultural law and has also represented organic farmers in cases involving energy infrastructure and pesticide overspray. Email: [pmaccabee@justchangelaw.com](mailto:pmaccabee@justchangelaw.com), url: [www.justchangelaw.com](http://www.justchangelaw.com).*