

The Green Scare

Tierra Marie Gray, 2021

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The **Green Scare** takes a bite into the billion-dollar organic industry often fertilized in a soil of dirty lies. Farmers, labels, grocery stores, who can you trust? These scary truths reveal how clean and green is our produce. Grab a spoon and get ready to taste a sample of America's rotten secrets.

All organic, 100%, beautifully labeled jars of creams, lotions and perfectly wrapped bite sized snacks, a pile of freshly misted greens glistens and catches the eyes of happy shoppers strolling down produce. Shiny apples and perfectly cut celery, all packaged and priced \$3.99, \$2.00, \$3.05, so many textures, options and sizes, masked in a bed of deception from the farm to the aisles, a complex journey indeed.

It began in the 1800's when America was originally led by large trusts, corporations that were monopolies and existed to control large industries and dictate prices. Eventually, an uproar from the public grew as these large corporations became richer and action was required by the government. Thereafter President Theodore Roosevelt enforced anti-trust laws to protect consumers, establish a free market, fair and healthy competition. In 1890, the first anti-trust law - the Sherman Act was established. Succeeding was the Federal Trade Commission Act in 1914 initiated to halt "unfair or deceptive acts or practice". The Federal Trade Commission organization was later founded to investigate and stop potentially unlawful practices (ftc.org).

According to the Federal Trade Commission Act FTCA, any advertising that is deceptive or unfair is unlawful. Specifically, section 5, "prohibits 'unfair methods of competition' (UMC), including conduct that violates either the antitrust laws or Section 5 standing alone (ftc.gov). When companies fail to comply with the FTCA laws they can potentially face repercussions or class action lawsuits by the FTC or competition.

Over the years, USDA organic laws, regulations and the inspection processes have wilted. However, recently companies have been burnt as false advertising claims have been brought to broil, simmer and exposed as fraudulent.

Truly organic, a brand selling bath and beauty products promise to be “100% organic”, made with “100% Organic Ingredients,” or “Truly Organic” as their labels describe, but in 2019 were discovered as fraud. The retailer purchased wholesale products and added non organic ingredients. This claim made by the FTC explains, “some Truly Organic products incorporate non-organic ingredients that could be organically sourced, such as non-organic lemon juice. Other Truly Organic products contain non-organic ingredients that the USDA does not even allow in organic handling, such as the chemicals cocamindopropyl betaine and sodium cocosurfactant (ftc.org).” According to the complaint, The Southern District of Florida Court filed a class action lawsuit against defendant Maxx Harley Appleman for participating in deceptive acts or practices in violation of Section 5 of the FTC Act in connection with the advertising, labeling, and offering for sale of personal care and household cleaning products as wholly organic or certified organic (ftc.gov).

Consumers sometimes question the validity of organic produce and while it is more expensive is worth the splurge. According to an October 2020 consumer reports publication, buying some foods organic can protect your health against harmful pesticides. Sometimes referred to as the dirty dozen -strawberries, kale, nectarines, apples, grapes, peaches, cherries, pears, tomatoes, celery and potatoes are best purchased organic (Roberts, Catherine).

As produce scares over the years have swollen over the years, consumers have become more cautious about food. Particularly since the 2020 covid-19 pandemic, consumers are more concerned about health and organic food consumption has increased.

Chile has kept quite chill about their berries that recently became a frenzy. In 2020 they were exposed for their so-called home-grown raspberries at the country's border in route to Canada that were frozen and repackaged with organic labels from China (Sherwood, Dave). Cesar Ramirez, owner of Frutii Basco, a fruit trading company in Chile falsified documents of China grown raspberries that raised flags. Harbin Gaotai Food Co Ltd., a Chinese supplier ships their berries shipped Chile and then Canada were later recalled and connected to hundreds of sicknesses in Quebec. These berries slipped through the backdoor falsely labeled as a Frutti de Basco product reveals the flaws in health and custom's agencies who are now extra cautious of food crossing the border for fear of being contaminated by covid-19.

While organic produce is part of the conversation, poultry products cannot be ignored. Anyone who has consumed chicken or eggs labeled organic in the last ten years were deceived due to the largest organic food fraud in American history that was revealed in late 2019. Headlines from ABC news in August 2019 “Leader of largest US organic food fraud gets 10-year term” revealed that Missouri Farmer Randy Constant was responsible for selling falsely labeled organic corn and soybeans for several years (Foley, Ryan).

CBS Associated Press further explained that Constant and three Nebraska farmers were responsible, and both charged (CBS AP). Constant raised suspicions of nearby farmers because of his exceptionally low prices that were difficult for others to compete. Constant and the farmer’s he worked with purchased partially organic grains as feed to livestock used to produce eggs and meat sold to consumers as organic. The U.S. Department of Agriculture's National Organic Program, established by Congress to provide guidelines for organic products to ensure compliance, requires crops to be grown without the use of fertilizers, sewage sludge and other substances (Foley, Ryan). An article in the New York Post titled, “Farmer kills himself to avoid prison for massive organic food scam” further explains that Constant committed suicide and “During 2016, his crooked sales equaled about 7 percent of all organic corn and about 8 percent of all organic soybeans grown in the US, prosecutors said (Golding, Bruce).” This fraud alone has dramatically impacted the public’s trust in the American health food industry.

America is cold pressed to crack down on laws surrounding the Federal Trade Commission Act, food production and labeling. Inspections could happen at random on farms, providing company advertising documentation might become the norm, international food imports might become stricter as some shipments might not make the cut.

Glancing into the future regarding the legalities and food production and advertising practices might involve farmers and marketers of corporations working closer together to assure proper labeling. Stricter regulations are already underway by the USDA as America has become ripe with cases of fraudulent organic products. The USDA is currently considering modifications to regulations to prevent fraud according to a newly released article in Forbes magazine (Bandoim, Lana). Many of the fraudulent acts for example Missouri Farmer Robert Constant include fabrication motivated by greed and economic gain. The USDA is seeking to incorporate unannounced inspections and improve, “organic certification, import oversight, fraud prevention, trade arrangements and inspector qualifications (Bandoim, Lana).”

New initiatives to provide transparency with poultry food labels and preventing misinformation include the One Health Certified or OHC, administered through the Department of Agriculture, aims to specify animal care practices often labeling products as “Responsible Animal Care”.

Issues with USDA organic food labeling would impact advertising and marketing communications professionals in food industries developing messages and maintaining truthfulness in advertising products or potential claims can be filed and consequences could incur.

Communications professionals, advertisers and marketers in the food production industry might become extra cautious of messaging or spoil completely as society could potentially take food production into their own hands with community and urban farming.

As a wave of the future and growing popularity of urban and community gardens “this trend generated not so much by economics as it is by a desire to be able to be in touch with the earth and living a more simple, sustainable life-style. Going a step beyond buying local or organic, gardeners that grow their own food have complete control of its production and feel a real sense of accomplishment (Jentz, Kathy).” Food production practices and regulations are not always trustworthy and ubiquitous sometimes deceptive food labels should not be taken with a grain of salt. While these truths are scary and difficult to swallow, a greener future may exist for America’s food production industry as the public becomes more aware, and authorities chop down on laws and regulations that could potentially improve and turn over a new leaf.

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