

Windfall Farms
301 Neelytown Rd
Montgomery, NY 12549

October 20, 2009

Comments in Opposition to Proposed Rules
~~(Docket No. FAA-2009-0677/Airspace Docket No. 09-AGL-17)~~

Introduction

Windfall Farms is a small farm and the proprietary business of Morse Pitts (Farmer in Chief) and a federally defined small business. We are located on approximately 140 acres in Montgomery, NY (Orange County) and grow on about ten to fifteen acres, including greenhouses.

Background and Cultural/Safety Practices

Windfall was founded as a small organic farm in 1981. We are no longer organic in name, but continue with our original agricultural practices (e.g., large produce diversity [over 100 varieties of vegetables, apples and raspberries], cover cropping, no chemical fertilizers, no pesticides, no herbicides and no fungicides). We grow all of our produce and sell 100% of our commercial crop through the New York City Greenmarket, a program through the Council on the Environment for the City of New York (CENYC) and have done so since 1989. We specialize in a large diversity of seasonal leafy green vegetables, which account for approximately 90% of our total revenue.

We are proud of the rich microbial content of our soil and compost. Between the diversity of living organisms in the field and the practice of washing all of our leafy green vegetables three times in deep sinks of our potable, tested water, we have never had a case of anyone falling ill in the almost 30 years we have been growing produce.

Opposition to Agreement

It would appear that this agreement would not adversely affect us, a small farm that exclusively markets directly to our consumers. This is completely false.

Our business has already been hurt once by seemingly innocuous, optional, USDA regulations. The regulating and implementing of the USDA organic certification program led us to abandon certifying, or even using the word "organic" to define what we grow. The certification was overly time-consuming, expensive and the standards so poor as to permit industrial size growers to continue mono-cropping and not significantly altering their originally unsustainable, unhealthy, chemical-dependent practices. We are asked at our farm-stand on a regular basis, "Is this farm organic?" That's no longer an easily answered question. We have undoubtedly lost business to our Union Square neighbors, Whole Foods® and Trader Joe's®, who have capitalized on the marketing term "Certified Organic."

As customers recognize a federal food safety agreement, our farm will fall under similar alienation as the public wonders why the greens they get in stores are safe and the

produce at our farm-stand is not. If the public demands a national requirement be implemented as a result, we may be farming "dead food" (i.e., chlorinated or irradiated, friendly microbe-deficient, enzyme-voided green food-like substances).

The idea of a certification of safely grown is nothing short of Orwellian. Our farm grows extremely healthy greens with the utmost care. It has neither been irradiated nor bleached. If we had to do such things (as is the law for salad-mix growers in California), many of our long-time customers would request a special, illegal mix. This is already occurring in California markets.

Please do not open the door for large scale operations greens operations to regulate us out of existence..