

# Reps. Titus & Mace Applauded by Agriculture & Animal Welfare Leaders for Introducing OFF Act to Reform USDA Checkoffs

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Today, the Organization for Competitive Markets (OCM), Animal Wellness Action (AWA), Animal Wellness Foundation (AWF), and National Dairy Producers Organization (NDPO) applauded U.S. Reps. Dina Titus, D-Nev., and Nancy Mace, R-S.C. for introducing the Opportunities for Fairness in Farming (OFF) Act, designed to reform and bring accountability and transparency to reform the USDA's Commodity Checkoff Programs that

have long been plagued by scandal after scandal for misappropriation of funds, lack of transparency, and misusing farmer and rancher tax dollars against the best interests of the producers to further the agenda of industrial agriculture.



Reps. Nancy Mace (R-SC) and Dina Titus (D-NV)

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*U.S. Rep. Nancy Mace (R-SC)*

“This legislation will bring much-needed accountability and transparency to USDA's checkoff programs which have operated without sufficient oversight for far too long,” said Rep. Dina Titus, D-Nev. “Family farmers should not be forced to pay into organizations that sometimes lobby against their interests and threaten animal welfare.”

“The USDA's Checkoff Program was supposed to ensure American farmers of all sizes could promote their products

across the nation and across the globe,” said Rep. Nancy Mace, R-S.C. “For years now, small farmers have seen their hard-earned money used to fund the lobbying efforts of massive, multi-billion-dollar agriculture conglomerates. This program has devolved from producing ‘Got milk?’ ads to creating taxpayer-funded lobbying firms, and it needs to stop.”

"USDA's runaway checkoff programs must be held accountable, and family farmers have a right to know where their hard-earned tax dollars are being spent," said Marty Irby, executive director at Animal Wellness Action, and a member of the board of directors at the Organization for Competitive Markets. "The checkoffs remain under fire because of their lack of transparency, misuse of funds, and damaging anti-competitive practices that have bankrupted millions of American farmers, and harmed billions of animals."

"The checkoff is an example of how farmers lost their voice," said Mike Eby, executive director at the Organization for Competitive Markets and chairman of the National Dairy Producers Organization. "We are disappointed that historically, the USDA and Congress appear to have little regard for the millions of farmer dollars that are being used for purposes that are not being made public."

"OCM stands firmly in support of putting more farmers back on the land and reigning in the egregious and illegal activities National Cattlemen's Beef Association continues to engage in," said Vaughn Meyer, president of the Organization for Competitive Markets and a lifelong cattle producer from Reva, South Dakota. "The OFF Act is proudly supported by more than 250,000 farmers nationwide and the U.S. House should swiftly hold a hearing to address checkoff reform."

Background:



Animal Wellness Action Executive Director Marty Irby



Mike Eby

The OFF Act would amend the authorizing checkoff laws to ensure the programs cannot contract with organizations that engage in lobbying, conflicts of interest, or anticompetitive activities that harm other commodities. It would also require that they publish all budgets and disbursements of funds for the purposes of public inspection and submit to periodic audits by the USDA Inspector General. The measure is supported by more than 250,000 farmers and ranchers across America in an unlikely coalition of allies that include OCM, AWA, AWF, NDPO, the American Grass-fed Association, the National Taxpayers Union, and the National Farmers Union to name a few.

Commodity checkoff programs ("checkoff programs") were established to serve as mechanisms by which agricultural industries pool money for common commodity-specific promotional and research purposes. Fees are mandatory, from the smallest local farmer to the largest factory operation. Checkoff dollars go to federal, industry-specific boards, which are required by law to use these funds for mutually beneficial advertising campaigns and research.

Under federal law, farmers of certain commodities (including pork, eggs, beef, and corn) are required to pay a portion of their sales into checkoff programs. These mandatory fees are intended to be used by the U.S. government to research and market those commodities. Well-known examples of past checkoff-funded advertising campaigns are "Got Milk," "Pork. The Other White Meat," "The Incredible, Edible Egg," and "Beef. It's What's for Dinner." Checkoff programs collect over \$850 million from America's farmers and ranchers every year. In 2005, the U.S. Supreme Court declared that checkoff activities and speech are those of the federal government.

Despite the limited purpose of the checkoffs, checkoff programs have repeatedly acted beyond the scope of their statutory mandate. Lax oversight by the USDA has resulted in collusive and illegal relationships between checkoff boards and lobbying organizations, both of which have repeatedly used checkoff funds to influence legislation and government action despite a broad statutory prohibition. Such advocacy efforts have an anticompetitive effect and are forcing traditional family farmers to pay into a system that actively works against them.

The OFF Act was first introduced in the 115th Congress by Rep. Titus and former Rep. Dave Brat, R-Virg., in the U.S. House and Senators Mike Lee, R-Utah, and Cory Booker, D-N.J. in the U.S. Senate and a 2018 Farm Bill amendment that mirrored the OFF Act was one of only three amendments afforded a vote in the U.S. Senate, but the measure was not included in the final farm bill signed into law. Lee and Booker have since been joined by Sens. Rand Paul, R-Ky., and Elizabeth Warren, D-Mass. in the effort for checkoff reform and the Senators plan to reintroduce the measure in the Senate in 2021.

[A copy of the legislation can be found here.](#)

Organization for Competitive Markets (OCM) is a membership-based research and advocacy organization working to expose and break the stranglehold of corporate consolidation in our

food and agricultural economy. Headquartered in Lincoln, Nebraska, OCM was founded in 1998 by farmers, ranchers, attorneys, agricultural economists, rural sociologists and state legislators to challenge the growing income power disparities between agricultural producers and agribusinesses in the food system. OCM was founded on the premise that independent farmers and ranchers must ultimately survive and prosper by receiving fair and adequate compensation for their products through the marketplace.

National Dairy Producers Organization (NDPO): "We Dairy Farmers pledge to thoroughly and immediately review and study each of the issues that impact the price of milk paid to producers in order to determine and facilitate needed changes that may be required to reach our stated purpose of producer profitability, for now and in the future."

Animal Wellness Action (Action) is a Washington, D.C.-based 501(c)(4) organization with a mission of helping animals by promoting legal standards forbidding cruelty. We champion causes that alleviate the suffering of companion animals, farm animals, and wildlife. We advocate for policies to stop dogfighting and cockfighting and other forms of malicious cruelty and to confront factory farming and other systemic forms of animal exploitation. To prevent cruelty, we promote enacting good public policies, and we work to enforce those policies. To enact good laws, we must elect good lawmakers, and that's why we remind voters which candidates care about our issues and which ones don't. We believe helping animals helps us all.

The Animal Wellness Foundation (Foundation) is a Los Angeles-based private charitable organization with a mission of helping animals by making veterinary care available to everyone with a pet, regardless of economic ability. We organize rescue efforts and medical services for dogs and cats in need and help homeless pets find a loving caregiver. We are advocates for getting veterinarians to the front lines of the animal welfare movement; promoting responsible pet ownership; and vaccinating animals against infectious diseases such as distemper. We also support policies that prevent animal cruelty and that alleviate suffering. We believe helping animals helps us all.

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