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national farmers union
In Union Is Strength

FOR IMMEDIATE RELEASE

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**ONTARIO MINISTRY OF AGRICULTURE VIOLATING ITS PUBLIC TRUST
NFU ASKS OMBUDSMAN TO INVESTIGATE**

PAISLEY, Ont—The National Farmers Union (NFU) in Ontario filed a complaint this week with the province’s Ombudsman. The NFU is asking the Ombudsman to investigate Ontario’s Ministry of Agriculture, Food, and Rural Affairs (OMAFRA) and associated agencies. OMAFRA is failing to live up to its public trust: not only failing to deliver the food safety, environmental protection, sustainability, and family farm protection outcomes citizens want, but that OMAFRA’s policies are moving our food and agriculture systems in the opposite direction. (Please see the text of the NFU’s letter to the Ombudsman, attached.)

Recently, in an investigation of Ontario Lottery Corporation, Ontario Ombudsman André Marin criticized the agency for failing to protect the public interest and for violating its public trust. The Lottery Corporation had failed to investigate widespread evidence of retailer fraud.

In a similar way, OMAFRA is failing to protect the public’s vital interests in the food and agriculture system. Further, while there is broad consensus among citizens regarding the outcomes to which Ontario food and agriculture policy should be aimed, OMAFRA is ignoring that consensus and proceeding in a different direction.

“The public trust between Ontario citizens and OMAFRA is that the former trusts the latter to manage our food and agriculture systems to deliver health-enhancing food; employment and prosperity; thriving, multigenerational family farms; a clean and flourishing environment; sustainable production; fertile soils; and vibrant rural communities and economies. The ongoing farm crisis, a building rural crisis, the unprecedented expulsion of young farmers, food safety scares, a proliferation of environmental threats, and growing indications that our food production system is unsustainable all highlight the fact that OMAFRA is failing in its public trust,” said Grant Robertson, National Farmers Union Coordinator in Ontario.

The NFU, in its letter today, asked the Ombudsman to launch an immediate investigation of OMAFRA. The NFU will follow up in coming weeks with a detailed report that shows that, on nearly every count, OMAFRA is not just failing Ontario’s farmers and rural/small town communities, but it is failing every citizen of Ontario.

“We all have a stake in an economically, environmentally, and socially sustainable food system and the NFU believes that only outside intervention by the Ombudsman can help us shed light

on what has happened as we prepare to fix the damage done before it is too late and there is no one left to take up the important job of producing Ontario's food," concluded Robertson.

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June 12, 2007

Mr. André Marin
Ombudsman of Ontario
483 Bay Street, 10th Floor, South Tower
Toronto, ON M5G 2C9

VIA FAX: (416) 586-3485

Dear Mr. Marin:

The National Farmers Union (NFU) welcomes your recent comments, with respect to the Ontario Lottery Corporation, that government agencies have a “public trust” to operate in the interests of citizens and to live up to those citizens’ expectations.

Ontario’s Ministry of Agriculture, Food, and Rural Affairs (OMAFRA) is similarly violating its public trust. And, because OMAFRA is charged with protecting our food supply and rural economies, its breach of trust is more alarming than that of the Lottery Corporation.

We formally request that you investigate OMAFRA and make a finding about its conduct with regard to its vital public trust in protecting agriculture, food, health, the environment, and rural communities and economies. Some groups have called for an audit of Agricorp. We support those calls and urge you to do that audit. But an audit of Agricorp will not deal with the larger problems in OMAFRA. The breach of public trust is not merely in the *delivery* of agricultural services, it is in the formulation of the underlying policies and, thus, in securing the health, financial, and environmental outcomes Ontario citizens legitimately expect. We are facing, not only defective means, but misguided ends.

There is broad consensus among Ontario citizens, rural and urban, as to the ends to which our food, agriculture, and rural development policies should be directed. There is also overwhelming evidence of a growing divergence between the ends citizens support and the direction OMAFRA is taking. In diverging wildly from the broadly-held expectations of Ontario citizens, OMAFRA is violating its public trust.

Citizens believe that government policies must ensure that:

- Our food supply is safe, nutritious, and health-enhancing;
- Our food is produced in ways that preserve the fertility of our soils for future generations;
- Our food production systems protect nature and our environment and, thus, the human and wildlife communities that rely on those ecosystems;
- Our food processing and distribution systems create living-wage jobs that can underpin stable and thriving rural and urban communities;

- The family farm is the principle unit of food production and that political and economic policies safeguard and strengthen those family farms and provide positive financial returns for this important work by farmers;
- Young people can enter farming, thus ensuring the continuation of our intergenerational family farm tradition; and
- Our farms, fields, towns, and economies are sustainable—that food production and its attendant processing is sustainable for many, many generations into the future.

There is near universal agreement that the preceding are the proper and legitimate goals of agricultural policy and that the public has a right to expect these outcomes from government. There is broad consensus on what OMAFRA should be doing, and citizens trust that OMAFRA is guided by that consensus. The NFU asserts that OMAFRA is *not* guided by that consensus, thus it violates its public trust.

The NFU is preparing a detailed report that shows that, on nearly every count, OMAFRA is not only failing to deliver the outcomes that citizens want, but that its policies are moving our food and agriculture systems in the *opposite* direction. We look forward to presenting you with that detailed report and the overwhelming evidence it contains. In the interim, we have included the following information that begins to illuminate the divergence between what citizens want and what OMAFRA intends to deliver.

Citizens want food produced by family farmers who are financially secure on intergenerational farms. Further, citizens believe that the ability of young farmers to make sustainable livings in agriculture is key to the long-term sustainability of our food system.

In contrast, young farmers are being pushed out at an unprecedented rate; the intergenerational family farm that has been the basis of food production in Ontario for over 250 years is disintegrating. The 1991 Census of Agriculture recorded 18,440 farmers in Ontario under the age of 35. The 2006 Census recorded only 7,070—a drop of 62%!

This rate of decline among young farmers, if left unremedied, will lead Ontario family farms over a demographic cliff; if there are no young farmers, the inescapable outcome is a precipitous drop in the number of farms within a generation. That OMAFRA policies should have driven tens-of-thousands of young farmers off their families' farms is perhaps the most telling, and damning, indicator of the vast divergence between the Ministry's policies and the expectations of Ontario citizens.

That young people should be leaving agriculture is not surprising given the financial chaos and hardship that OMAFRA and federal policies have created on our family farms. The five worst years for Ontario farm families, in terms of net incomes, have been the most recent five. On the average farm, Realized Net Incomes from the markets are now below 1930s' levels (adjusted for inflation). Only through off-farm income, increased debt, erosion of equity, and taxpayer-funded support programs have Ontario farmers been able to cling to their land.

As another example of OMAFRA's policy misdirection: Ontario citizens believe that our food production system should be sustainable for many generations into the future—we care not only about ourselves, but for our grandchildren and their grandchildren. All indications are, however, that Ontario's food production system is vastly unsustainable. Further, OMAFRA's policies of seamlessly integrating the Ontario food supply into the global food supply (trade

agreements, export maximization, deregulation) virtually guarantee that unsustainability elsewhere and the erosion of food security abroad will quickly telegraph back to Ontario tables.

Increasingly, the global food supply is made from fossil fuels. Nitrogen fertilizer, key to Ontario food production, is made directly from natural gas. But natural gas—the feedstock for our foodstuffs—is rapidly depleting. North America has already reached its peak of gas production—production has been declining since 2001. Already, major fertilizer and chemical producers are reacting by relocating production facilities to Russia, the Persian Gulf, and North Africa where, for now, gas is plentiful and cheap. We are becoming increasingly dependant on imported soil fertility, imported from some of the least stable places in the world.

As we move to add another 3 billion people to the planet, as we invest massively in ethanol projects to turn food into car fuel, as we build ever-larger barns to turn food grains into meat, we should ask: What does it mean that the main feedstock for our soil fertility and our food production system comes from a non-renewable and possibly soon-to-be-contracting source? Rising populations and livestock- and ethanol-driven demand increases may soon run smack into the disciplining factor of declining energy and fertilizer availability. And as those energy supplies contract, so too will our grandchildren's energy-dependant food supply. There is no evidence that OMAFRA has the information or the inclination to head off this threat to our food security. This failure to investigate and act parallels the failure at Ontario Lottery Corporation, but is much more serious.

Energy supplies to produce fertilizer and food are just one factor. There are other indicators that our globalized food production, processing, and distribution systems are unsustainable. These include irrigation water shortages worldwide, ocean fisheries in an advanced state of collapse, climate change, impoverished biodiversity leading to increased plant disease susceptibility, intensive livestock production and its links to the creation of antibiotic-resistant bacteria and pandemics, threats from the increasing concentration of livestock wastes, and loss of irreplaceable productive soils to erosion and urban sprawl.

The core and essence of OMAFRA's public trust is to ensure that we have food, but even more critically, that our children and grandchildren have food. OMAFRA is failing in that trust. Just as the Ontario Lottery Corporation failed in its public trust when it neglected to energetically investigate growing evidence of retailer fraud, OMAFRA is failing in its public trust as it fails to investigate mounting evidence of the economic, environmental, social, and physical unsustainability of our farm and food systems.

As we noted, the NFU is preparing a detailed analysis of the growing gulf between the expectations of citizens and OMAFRA's willingness to deliver on those expectations. We will present that report to you in the coming weeks. In the interim, we urge you to immediately launch an investigation of OMAFRA's failure to properly fulfill its public trust.

Sincerely,

Grant Robertson
Ontario Co-ordinator
National Farmers Union

Attachments: Addendum on jurisdiction

Addendum to the NFU's June 12, 2007 letter to the Ombudsman
A note on jurisdiction and admissibility

The NFU firmly believes that it is within the jurisdiction of the Ontario Ombudsman, under the *Ombudsman Act*, to initiate the investigation we request. In addition to the *Act*, the Ombudsman's Special Ombudsman Response Team (SORT) lists the following criteria for considering an investigation:

- it is a serious and sensitive issue having a high public interest component;
- there are broad systemic implications;
- the facts of the complaint are complex and/or not agreed upon and;
- there is no likelihood of an informal resolution to the complaint.

The request that the NFU has put before the Ombudsman meet all these criteria. Specifically:

- Food is a serious and sensitive issue having a high public interest component—almost no issue could be more serious or have a greater public interest;
- The food system and its attendant economy touch nearly every aspect of society;
- The facts of the complaint are complex, encompassing aspects of energy supplies, trade flows, etc. and there is some disagreement on some facts; and
- There is no likelihood that OMAFRA will voluntarily re-align its priorities with public expectations without an investigation: strong corrective action and firm leadership is needed.

In making its request to the Ombudsman for this investigation, the NFU represents thousands of farm family members across Ontario and hundreds of non-farmer supporters in rural and urban communities. In Ontario, the NFU has members ranging from the Quebec border to the Manitoba border and represents farmers with diverse operations. The NFU is unique in that non-farmers can support the aims of the family farmer run organization by becoming Associate Members, and those members also come from all over the province. These supporters recognize that the NFU retains its independence and receives no funding from government or agri-business. The NFU makes the request for a comprehensive review and audit as a broad-based organization representing citizens of Ontario from many walks of life and from regions right across the province.

Farmers have attempted to resolve the problems at OMAFRA through every policy and democratic channel. Farmers have tried information campaigns, including media and marketing campaigns to highlight their concerns and to offer potential solutions. Farmers and their organizations have intervened directly in the political process hosting all-candidates meetings at election time and lobbying government and politicians on a regular basis. Pushed to intense frustration due to the lack of progress at OMAFRA, some farmers have taken to the streets and highways in protest. Farmers have exhausted all avenues to resolve these issues. Citizens support farmers on these issues; Government, lead by OMAFRA has in fact lagged far behind the wishes of citizens and has in fact pursued policies that have deliberately and/or obviously undermined the public's needs and desires. OMAFRA has so far resisted every initiative by farmers and other citizens to redirect its efforts. A full investigation by the Ombudsman is critical.

In making its request to the Ombudsman, the NFU firmly believes that all necessary criteria have been met and that the Ombudsman has jurisdiction to do what we request.