



- Advertisement -

**Judge panel rules in favor of USDA's certification of organic hydroponic producers**

---

---

September 23, 2022

A three judge panel of the U.S. District Court in San Francisco affirmed the legality of the U.S. Department of Agriculture to have the authority to recognize and certify growers using hydroponic organic production methods in a [ruling issued yesterday](#).

"The court stood up for our efforts to make organics more accessible to consumers and not limit them to only the wealthy," said Lee Frankel, executive director of the Coalition for Sustainable Organics. "Inflation is hitting consumers hard, and innovative and highly productive organic production systems should not be excluded from the market just because a group of growers wants higher profits for themselves."

Frankel was pleased that the court ruling clearly affirmed the legitimacy of hydroponic and container production systems under the Organic Foods Production Act that established the USDA National Organic Program. In addition, the ruling also confirmed that USDA was fully within its rights to reject the petition to ban the certification of operations and correctly followed procedures in its handling of the petition.

"Organic growers must show leadership in continuing to improve the sustainability of our production systems to preserve more habitat that protects the diversity of plants and animals, conserve more water especially considering the extended drought situation in key production regions in the United States, reduce the runoff of nutrients that contaminate the environment like nitrates and phosphates, and further minimize pesticide use," said Frankel.

"The decision by the court preserves historically important supplies of berries, tomatoes, cucumbers, peppers, mushrooms, leafy greens, herbs, sprouts and microgreens that are frequently grown using containers or other hydroponic organic systems," he said. "In addition, the lawsuit threatened the nursery industry that provides many of the seedlings used by organic growers planting both in open fields as well as greenhouses.

"We look forward to the organic industry coming together in the wake of this court decision to help strengthen the organic community, continue to enhance the cycling and recycling natural resources and promote ecological balance," said Frankel. "We are eternally grateful to the teams at USDA and the Department of Justice in effectively defending the work of the National Organic Program."

[Print](#)