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Almond Growers Sue USDA to Halt Mandatory Chemical Fumigation of Raw Almonds

by Mike Adams ([see all articles by this author](#))

(NaturalNews) After having their organic almond businesses devastated by the USDA's bizarre decision requiring mandatory chemical fumigation of almonds, the almond industry is fighting back. Fifteen American almond growers have filed a lawsuit against the USDA in an attempt to repeal the requirements that all almonds grown in California be fumigated or pasteurized. (Virtually all almonds sold in the United States are grown in California.)

Since the USDA's ruling in 2007, organic almond growers in California have been economically devastated by the mandatory fumigation of [almonds](#). Because USDA rules don't apply to almonds being imported from other countries, however, the industry has seen a huge shift away from U.S. growers and towards almond growers in Spain and other countries. Some American almond [farmers](#) have even called the USDA's decision "a plan to destroy the U.S. almond industry and put small organic farmers out of business."

The USDA's plot to deceive consumers over "raw"

The mandatory almond fumigation requirement is seen by health-conscious consumers as not merely bizarre, but downright fraudulent. That's because the USDA's regulations allow fumigated and pasteurized almonds to be labeled "raw," thereby intentionally deceiving the consuming public and instantly destroying consumer trust in the labeling of all almonds.

By any honest measure, the people making these decisions at [the USDA](#) can only be described as either idiotic or criminal. To enforce regulations requiring the intentional mislabeling of [raw food](#) seems more like the actions of a criminal racket than a government agency. While online pharmacies selling mislabeled [pharmaceuticals](#) are routinely raided and shut down by U.S. authorities, when the government itself engages in similar deceptions, it declares itself above the law and immune to prosecution.

This lawsuit by U.S. almonds growers aims to overturn the USDA's deception. These fraudulent actions on the part of the [USDA](#) have generated an enormous amount of criticism from the raw [food](#) community, whose members depend on almonds to make raw almond milk, raw almond "burgers" and other [raw foods](#) preparations. As leaders of the raw foods movement rightly insist, fumigating or pasteurizing [nuts](#) destroys as much as 90 percent of their original nutritional value, altering proteins and destroying disease-fighting phytonutrients. The USDA, however, remains remarkably illiterate on this topic, have never made a single statement acknowledging any qualitative difference between cooked foods and raw foods.

Is the USDA actually trying to destroy consumer health?

As the editor of NaturalNews.com, I find the USDA's ignorance on fundamental matters of [nutrition](#) to be

nothing short of astonishing. As it is the U.S. government department responsible for much of the [food supply](#), it should be on the leading edge of nutritional knowledge, not stuck in the 1950's, before scientists knew about plant enzymes and disease-fighting phytochemicals that are easily destroyed by heat or [chemicals](#).

Notably, the USDA has also supported the FDA's plot to irradiate the U.S. food supply while intentionally misleading consumers over the fact that their foods have been irradiated. See my article, "FDA Plots to Mislead Consumers Over Irradiated Foods" at <http://www.naturalnews.com/023956.html>

My only explanation for the USDA's insistence that the U.S. food supply should be fumigated, irradiated and cooked to the point of nutrient destruction is that **the USDA is pursuing a campaign of intentional nutrient depletion** for the U.S. population. With Big Pharma now deciding key regulatory decisions of the U.S. government, the USDA's actions seemed designed to create a nation of health degenerates who will demand unprecedented levels of pharmaceutical "treatments" that enrich the drug companies.

If that sounds a little too conspiratorial, rest assured that U.S. corporations engage in conspiracies all the time: Conspiracies to hide negative drug studies, conspiracies to influence the USDA's Food Guide Pyramid to avoid saying things like "eat less meat," and conspiracies to ensnare consumers in an endless cycle of consumption, disease and debt.

In fact, most of what happens between government and private industry today is founded on conspiracy -- which simply means two people sitting in a room, plotting how to bilk consumers for the most profits.

Whether the USDA is openly conspiring to destroy the U.S. food supply -- or is merely run by bumbling idiots who are nutritionally illiterate -- is debatable. But the results of its actions are not. By destroying the healing qualities of [fresh produce](#) and nuts, the USDA is denying consumers access to the very plant-based nutrients that are just barely keeping people from developing full-blown cancer, diabetes and other serious medical conditions. As more and more fresh foods are destroyed by USDA regulations, our population will spiral downward into a state of degenerative disease and misery.

Why the USDA is more dangerous than terrorists

In doing so, the USDA will have accomplished what all the terrorists in the world could not do: Destroying the U.S. food supply and leaving its population to rot.

It is unimaginable to think that this could be happening accidentally. For government agencies like the USDA and FDA to put such policies into place, **somebody at the top must be calling the shots**. In other words, somebody wants to deny consumers access to raw food. They want everything to be dead, processed, fumigated, homogenized, pasteurized, irradiated or otherwise destroyed. This is most likely being pursued solely for corporate profits (a diseased population is not only easier to control, it also spends a lot more money on pharmaceuticals and medical services).

I've said it before, but it's worth repeating: **No nation that destroys the nutritive value of its food supply has any real future**. If such policies are allowed to continue, you can kiss the [United States](#) of America goodbye. It will never survive the disease, death and financial bankruptcy that's sure to follow such assaults on its food supply.

That's why this lawsuit by California almond growers is so important: It may allow us to free almonds from the destructive designs of the USDA, restoring the integrity of this important source of nutrients.

Of course, suing the USDA is hardly the correct response to such terrorism assaults on our national food supply. If we actually lived in a country that sought to protect its population, the Pentagon would send a team of Navy Seals into the offices of the USDA (and the Almond Board of California) with flashbangs and assault rifles, and they'd arrest these criminals for their attempts to threaten the U.S. food supply. After sentencing,

they could be shackled and lined up in a California park where consumers could throw -- what else? -- irradiated rotten tomatoes at them.

What follows is yesterday's press release on this issue from the Cornucopia Institute:

Almond Growers and Handlers File Federal Lawsuit - Seeking to End "Adulteration" of Raw Nuts

Lawsuit Would Halt Treatment of Almonds with Toxic Fumigant or Steam Heat

WASHINGTON, D.C. – A group of fifteen American almond growers and wholesale nut handlers filed a lawsuit in the Washington, D.C. federal court on Tuesday, September 9 seeking to repeal a controversial USDA-mandated treatment program for California-grown [raw almonds](#).

The almond farmers and handlers contend that their businesses have been seriously damaged and their futures jeopardized by a requirement that raw almonds be treated with propylene oxide (a toxic fumigant recognized as a carcinogen by the EPA) or steam-heated before they can be sold to American consumers. Foreign-grown almonds are exempt from the treatment scheme and are rapidly displacing raw domestic nuts in the marketplace.

Tens of thousands of angry consumers have contacted the USDA to protest the compulsory almond treatment since the agency's new regulation went into effect one year ago. Some have expressed outrage that even though the nuts have been processed with a fumigant, or heat, they will still be labeled as "raw."

"The USDA's raw almond treatment mandate has been economically devastating to many family-scale and organic almond farmers in California," said Will Fantle, the research director for the Wisconsin-based Cornucopia Institute. Cornucopia has been working with almond farmers and handlers to address the negative impacts of the USDA rule, including the loss of markets to foreign nuts.

The USDA, in consultation with the Almond Board of California, invoked its treatment plan on September 1, 2007 alleging that it was a necessary food safety requirement. Salmonella-tainted almonds twice this decade caused outbreaks of food related illnesses. USDA investigators were never able to determine how [salmonella](#) bacteria somehow contaminated the raw almonds that caused the food illnesses but they were able to trace back one of the contaminations, in part, to the country's largest "factory farm," growing almonds and pistachios on over 9000 acres.

Instead of insisting that giant growers reduce risky practices, the USDA invoked a rule that requires the gassing or steam-heating of California raw almonds in a way that many consumers have found unacceptable.

"For those of us who are interested in eating fresh and wholesome food the USDA's plan, to protect the largest corporate agribusinesses against liability, amounts to the adulteration of our food supply," said Jill Richardson, a consumer activist and blogger at: www.lavidalocavore.org

"This ruling is a financial disaster and has closed a major customer group that we have built up over the years," said Dan Hyman, an almond grower and owner of D&S Ranches in Selma, CA. His almond business relies on direct sales to consumers over the internet. Hyman notes that his customers were never consulted by the USDA or the Almond Board before they were denied "a healthy whole natural raw food that they have eaten with confidence, enjoyment and benefit for decades."

The lawsuit contends that the USDA exceeded its authority, which is narrowly limited to regulating quality concerns in almonds such as dirt, appearance and mold. And even if the USDA sought to regulate bacterial contamination, the questionable expansion of its authority demanded a full evidentiary hearing and a producer referendum, to garner public input – neither of which were undertaken by the USDA.

"The fact that almond growers were not permitted to fully participate in developing and approving this rule undermines its legitimacy," said Ryan Miltner, the attorney representing the almond growers. "Rather than raising the level of income for farmers and providing handlers with orderly marketing conditions," added Miltner, "this particular regulation creates classes of economic winners and losers. That type of discriminatory economic segregation is anathema to the intended purpose of the federal marketing order system. "

Retailers of raw almonds have also been expressing their unhappiness, based on feedback from their customers, with the raw almond treatment rule. "We've been distributing almonds grown by family farmers in California for over 30 years and we regard them as the common heritage of the American people," said Dr. Jesse Schwartz, President of Living Tree Community Foods in Berkeley, CA. "We can think of no reply more fitting than to affirm our faith that ultimately the wisdom and good sense of the American people will prevail in this lawsuit."

Barth Anderson, Research & Development Coordinator for The Wedge, a Minneapolis-based grocery cooperative, noted that their mission has always been to support family farmers. "We weren't surprised when Wedge shoppers and members wrote nearly 500 individual letters expressing disapproval of the USDA's mandatory fumigation law for domestic almonds," Anderson said. "Our members especially did not like the idea that fumigated almonds could be called 'raw.'"

According to the USDA, there is no requirement for retailers to alert consumers to the toxic, propylene oxide fumigation or steam treatment applied to raw almonds from California.

"This rule is killing the California Organic Almond business," said Steve Koretoff, a plaintiff in the lawsuit and owner of Purity Organics located in Kerman, CA. "Because foreign almonds do not have to be pasteurized their price is going up while our price is going down because of the rule. It makes no sense." Koretoff added.

Two groups of consumers that have been particularly vocal in their opposition to the almond treatment rule are raw food enthusiasts and vegans. These consumers may obtain as much as 30% of their daily protein intake from raw almonds, after grinding them for flour and other uses. Studies exploring nutritional impacts following fumigant and steam treatment have yet to be publicly released. A Cornucopia Institute freedom of information request for the documents is awaiting a response from the USDA.

"We raw vegans believe raw foods, from non-animal sources, contains valuable nutrients – some not yet well-understood by scientists," stated Joan Levin, a retired attorney living in Chicago. "These nutrients can be destroyed by heat, radiation and toxic chemicals. We support the continued availability of fresh produce free of industrial age tampering," explained Levin.

Cornucopia's Fantle noted that the Washington, D.C. federal district court has already assigned the almond lawsuit a case number, beginning its move through the judicial system. "We believe this is a strong legal case and hope for a favorable decision in time to protect this year's almond harvest," Fantle said.

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