



# The ACA Guidewire

Volume 4, Issue 3

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## ACA / NASOP Professional Development Training, 2009

The ACA / NASOP Professional Development Training will be held on **January 19 & 20, 2009**. Once again, ACA will partner with the National Association of State Organic Programs (NASOP) to present an in-depth, timely training program for certification agency staff.

Our 2009 Training will be held at the **Asilomar Conference Center** ([www.visitasilomar.com](http://www.visitasilomar.com)) in Pacific Grove, CA, on the Monterey Peninsula. The ACA / NASOP Program will precede the EcoFarm Conference which runs from January 21 - 24.

The Asilomar Conference Center is nestled in the pine woods along the

Pacific Ocean and is an ideal setting for good discussion and great scenery.

Training presentation topics include: certification program administration; quality systems management; compliance issues; Canadian Standards Update, verifying product ingredient specifications; standard issues, and others.

The Asilomar Conference Center offers lodging, which includes meals. There are also local motels outside of the conference center for lodging. There is an airport in Monterey, which is close to the conference center, and taxi or bus transportation is available.

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## National Organic Standards Board Meeting

The National Organic Standards Board met November 17 - 19, 2008, in Washington, DC. After introductions Barbara Robinson, Acting Director of the National Organic Program provided an update of NOP activities including:

- the hiring of 6 staff since May
- materials rulemaking
- redrafting final rule for §205.606
- continuing to address Canadian equivalency.

In addition Barbara discussed the

program's intent to develop a web based training program for certifiers. This will also be available to the general public. NOP has contracted with the AMS Training Institute to develop the training model. An initial module will be developed and tested. Each module will be based upon a rule section.

When asked about the NOP process for addressing NOSB recommendations, she indicated the following priority (continued on page 3)

## ACA / NASOP Training (cont.)

San Jose airport offers air porter services and of course rental cars. Information on ground transportation will be in the registration information. A reminder - for those planning on attending the EcoFarm conference, lodging usually sells out before Christmas. Full information on the EcoFarm Conference is available at:

[www.eco-farm.org](http://www.eco-farm.org)

Deadline for registration for the ACA/NASOP training will be **December 19, 2008**. Note: do not register directly with the Asilomar Conference Center. Registration for the ACA/NASOP training will be managed by the EcoFarm folks.

For registration information, check our website:

[www.accreditedcertifiers.org](http://www.accreditedcertifiers.org)

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## ACA Annual Membership Meeting

ACA will hold its annual membership meeting **January 19, 2009**, in conjunction with our training at Asilomar. The Annual Meeting will begin at 7:45 pm, in the Heather Meeting Room.

Discussion will include a recap of this years activities, financial report, Board election and discussion will take place regarding

what the ACA's priorities should be for the coming year.

For this year we have decided to forgo an ACA Dinner, since meals are included in the lodging fee at Asilomar, and the food is generally excellent! Agenda information will be sent prior to the meeting.

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## OTA & NOC Pasture Discussion

The Organic Trade Association Access to Pasture Task Force and the National Organic Coalition (NOC) invited those interested in discussing the Access to Pasture Proposed Rule to a gathering on Monday evening, November 17, while in Washington.

Approximately 35 attendees, representing OTA, NOC, NODPA, ACA and other groups identified areas of the rule where there appears to be alignment in comment. There was a great amount of agreement on many of the issues.

With the proposed rule specifically prohibiting dry lots there is great concern about the

continued ability to grain finish beef cattle. A lengthy discussion was held about this topic.

Another topic of discussion is whether to request an extension of the comment period. It was noted that some organizations and state and private certification programs have already submitted a request for a 30 day extension.

Additional meetings are scheduled for many of the participants. It was hoped that similar comments would be submitted by the groups present, in order to provide NOP with the sentiment of the organic community on this rule.

## National Organic Standards Board Meeting Report (cont.)



**National Organic Standards Board Members**

**Standing (L - R):** Dan Giacomini, 2009 Vice Chair; Barry Flamm; Hue Karreman; Kevin Engelbert; Valerie Frances, NOSB Executive Director; Rigoberto Delgado, outgoing Chair; Steve DeMuri, Gerald Davis, Bea James

**Seated (L - R):** Tina Ellor; Richard Matthews, NOP; Jeff Moyer, 2009 Chair; Julie Weisman, 2009 Secretary; Joe Smillie, Tracy Miedema      Absent: Jennifer Hall and Katrina Heinz

- Materials recommendations are 1st priority;
- Recommendations NOP has asked for take 2nd priority; then it must be determined if topic is suitable for guidance or if rule-making is required;
- If it is a recommendation that NOP has not asked for, it depends upon the level of NOP interest whether it moves forward. If it moves forward the determination of whether guidance applicable or if rule-making is required is done.

Valerie Frances, NOSB ED, is developing a database of all recommendations from the NOSB. It has taken time to go back and locate some of the older documents, but work is progressing on this.

### Public Comment

As usual, there is ample opportunity for public comment at the NOSB meetings. Interested participants may sign up in advance and each is given 5 minutes to speak to the Board. At the end of that time, Board members may ask for clarification or additional information from the commenter. On the first day of public comment, the Board listened to public commenters from 10:45 am until 8:15 pm, before retiring to dinner and additional committee work. Even veteran attendees of NOSB meetings are in awe of the time and effort the NOSB members put into their positions. One item of public comment that is interesting for the

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## National Organic Standards Board Meeting Report (cont.)

organic community was presented by Jo Kraemer of the USDA Monitoring Program Office of Pesticide Data Program (PDP). This agency collects, analyzes, and reports on pesticide residues found during sampling procedures. The primary data is used by EPA for risk assessment. The PDP collects samples of all types of vegetables, grains, meats, poultry mainly from terminal markets. The sampling of organic products has been a small part of the program in the past, but in January 2009, they will be sampling of only organic products on a test basis. Lettuce will be the initial product sampled, due to its wide availability throughout the country. Information on the

PDP can be found at:

[www.ams.usda.gov/pdp](http://www.ams.usda.gov/pdp)

The next meeting of the National Organic Standards Board will be in the spring of 2009. A location has not been determined.

### New NOSB Officers Elected

The following were elected as officers for 2009:

Jeff Moyer, Chair

Dan Giacomini, Vice Chair

Julie Weisman, Secretary

The following tables summarize the Board actions pertaining to the posted recommendations.

### National Organic Standards Board Votes

Policy Development Committee			
Recommendation	Comments	Board Vote	Outcome
Board Policy and Procedure Manual Recommendations for: <ul style="list-style-type: none"> <li>• Presenting technical corrections in newly published regulation &amp; guidance</li> <li>• Procedures for handling public comment at NOSB meetings</li> <li>• Clarification on election procedures for NOSB Officers</li> <li>• Development of committee work plans</li> <li>• Clarification on sunset procedures</li> <li>• Guidance for developing new NOSB recommendations</li> </ul>	These items were voted upon in a single vote.	Yes 14 No 0 Absent 1	Passed
Revision to Member Guide pertaining to defining training needs for new NOSB members		Yes 14 No 0 Absent 1	Passed

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# National Organic Standards Board Meeting Report (cont.)

## Board Votes (cont.)

Joint Crops & Policy Development Committees			
Recommendation	Comments	Board Vote	Outcome
Board Policy and Procedure Manual Recommendations to Handle Technical Reviews	This recommendation describes procedures for conducting the technical review, including the allowance for a subcommittee of NOSB to review materials in lieu of a technical advisory panel. There were many commenters that expressed their reservations regarding this, as it was felt this was a conflict of interest. After public comment the definition of Technical Advisory Panel was revised by: 1. Changing “convened by Program” to “convened by Board”, as the NOSB is responsible for convening a TAP review. 2. Removing the sentence: A subcommittee of the NOSB may comprise a TAP.	Yes 14 No 0 Absent 1	The revised recommendation was passed.
Materials Committee			
Recommendation to “Take from the Table” previous petitioned substances to the National List that have not had action taken by NOSB.	This recommendation provides a process for the Board to bring back tabled materials for further action.	Yes 14 No 0 Absent 1	Final Recommendation
Compliance, Accreditation & Certification Committee			
Certifying Operations with Multiple Production Units, Sites, and Facilities under the National Organic Program	There was much public comment and Board discussion about this recommendation. The focus of the majority of the discussion was the inspection of grower producing over \$5,000 in sales. The recommendation was amended to: a) require inspection of new entrants the first year; b) include - any sub-unit grossing over \$5,000 in US organic sales - in the Inspection Sampling and Risk Analysis section as an additional risk factor .	Yes 12 No 2 Absent 1	Final Recommendation
100% Labeling Claim	Based upon public comments received, this recommendation was withdrawn for further consideration.		Withdrawn
Joint Crops & Compliance, Accreditation & Certification Committee			
Commercial Availability Guidance regarding the sourcing of organic seed §205.204 – Recommendation	A revision in wording was made to # 2 on page 5 from “buyer” to “buyers / processor” in all instances.	Yes 14 No 0 Absent 1	Final Recommendation

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## National Organic Standards Board Meeting Report (cont.)

### Board Votes (cont.)

Crops Committee			
Recommendation	Comments	Vote	Outcome
Tetracycline hydrochloride	This petition was to amend the National List to permit the use of Tetracycline hydrochloride in addition to the oxytetracycline calcium complex product already on the National List for use in fire blight control. On the initial vote, the motion failed. A motion was brought back to reconsider the voting. This motion passed. A new motion was presented: move to amend the motion on the list of tetracycline to change the listing and annotation to: Tetracycline for use only for fire blight control until 10/21/2012. The motion would allow the use of any tetracycline listed for fire blight control, but only to 2012. With the date included in the annotation, it is not included in the sunset process. The listing will expire in 2012. Will need to be re-petitioned to remain on list.	Yes 13 No 0 Abstain 1 Absent 1	Will be added to 205.606(i)
Sorbitol Octanoate	Motion to add to 205.601 (e)	Yes 6 No 7 Absent 1	Motion Failed Will not be added
Pelargonic acid	Motion to add to 205. 601 (b)(1). This is the second petition of this material. The committee vote is not to list, due to a lack of information. The petitioner did not address the specific committee request for a determination of whether this material is a soap. The petitioner decided to request withdrawal. The Board decided to go forward with a vote.	Yes 0 No 14 Absent 1	Motion Failed Will not be added
Ammonium salts of fatty acids	Motion to add to 205.601 (b)(1) for use in crop production, not just farmstead maintenance.	Yes 1 No 13 Absent 1	Motion Failed Will not be added

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# National Organic Standards Board Meeting Report (cont.)

## Board Votes (cont.)

Livestock Committee			
Recommendation	Comments	Vote	Outcome
Fish Feed Recommendation as a part of the Aquaculture Standards	There was concern that the allowance of non-organic feed would not be accepted by consumers.	Yes 13 No 1 Absent 1	Final Recommendation
Net Pen Recommendation as a part of the Aquaculture Standards	The original recommendation was revised based upon public comment. Several members of the Board had reservations regarding the biological consequences of net pens.	Yes 10 No 4 Absent 1	Final Recommendation
Handling Committee			
Calcium from seaweed	Currently allowed on §205.605 (b) Nutrient Minerals, so this is not to be allowed separately. Motion was to not consider.	Yes 14 No 0 Absent 1	Motion Passed; will not be added separately
Sodium chlorite, acidified	Technical review could not be completed		deferred
Propionic acid	Technical review could not be completed		deferred
Ethylene	Motion: Proposal to amend current listing to include post harvest ripening of pears.	Yes 8 No 5 Absent 1	Motion Failed 2/3 majority needed; 2/3 of 14 = 10
Algae – chlorella	Petition did not address existence of organic chlorella; Motion is to recommend listing to §205.605/205.606.	Yes 0 No 14 Absent 1	Motion Failed; will not be listed
Algae – dumontiaceae	Petition lacked specific information regarding organic availability. Motion is to recommend listing to §205.605/205.606.	Yes 0 No 14 Absent 1	Motion Failed; will not be listed
Buck hull powder	Used to add color to certified organic buckwheat noodles. Certified organic buckwheat noodles are available. Poor explanation of necessity to use conventional. Motion: add buck hull powder to §205.606	Yes 0 No 14 Absent 1	Motion Failed; will not be listed

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## National Organic Standards Board Meeting Report (cont.)

### Board Votes (cont.)

Handling Committee			
Recommendation	Comments	Vote	Outcome
Black pepper extract	Petitioner did not provide sufficient information regarding lack of organic availability; search was not exhaustive; did not demonstrate why they could not use current availability of organic black pepper that is further processed; Motion is to add to §205.606.	Yes 0 No 14 Absent 1	Motion Failed; will not be added
Orange pulp, Dried	Committee originally voted no, as organic oranges are available. Additional information presented during public comment indicates that the volume of organic pulp is not sufficient to conduct the drying process. Motion is to list on §205.606.	Yes 13 No 1 Absent 1	Motion passed; will be added
Pet Food Standards	Original recommendation was revised to state that any slaughter byproducts used would need to be listed on §205.606, and organic pet food may not be fed to livestock.	Yes 13 No 0 Absent 2	Final Recommendation

### NOSB Committee Work Plans

The following topics are listed on the various committee work plans:

<b>Livestock</b>	<ul style="list-style-type: none"> <li>Bivalves, mollusks; Origin of aquatic animals</li> <li>Poultry – natural behavior and outdoor access</li> </ul>	<ul style="list-style-type: none"> <li>Animal husbandry (not welfare)</li> <li>Sunset Materials</li> </ul>
<b>Handling</b>	<ul style="list-style-type: none"> <li>National List Definitions with Materials Working Group - ag/nonag; synthetic/nonsynthetic</li> <li>Refine 606 procedures &amp; sunset review procedures</li> <li>Flavor guidance</li> </ul>	<ul style="list-style-type: none"> <li>Petitioned &amp; Deferred Materials</li> <li>Fortification of Food Issues</li> <li>Food Contact Substances</li> <li>Material Removal Procedures</li> </ul>
<b>Materials</b>	<ul style="list-style-type: none"> <li>Ongoing petitioned materials</li> <li>Reviewing of old petitions</li> <li>Improving tracking system</li> </ul>	<ul style="list-style-type: none"> <li>Monitoring Sunset process to stay on track</li> <li>National List Definitions</li> </ul>
<b>Crops</b>	<ul style="list-style-type: none"> <li>Petitioned &amp; deferred materials</li> <li>Biodiversity</li> <li>List 4 inerts</li> </ul>	<ul style="list-style-type: none"> <li>Mushroom Standards</li> <li>Soilless growing system</li> </ul>
<b>Compliance Accreditation Certification</b>	<ul style="list-style-type: none"> <li>100% Label</li> <li>Biodiversity</li> </ul>	<ul style="list-style-type: none"> <li>Peer Review Panel</li> <li>Criteria for Retail Certification</li> </ul>
<b>Policy Development</b>	<ul style="list-style-type: none"> <li>Clarify petition process</li> <li>Determine if Evaluation criteria address biodiversity issues.</li> </ul>	<ul style="list-style-type: none"> <li>Glossary of acronyms for New Member Guide</li> <li>Policy Manual Refinement</li> </ul>

## ~ Thank You ~ To the Following Renewing Members

Agricultural Services Certified Organic  
 Baystate Organic Certifiers  
 BCS Oeko Garantie GmbH  
 California Organic Farmers Association  
 Center for Systems Integration  
 Clemson University  
 Georgia Crop Improvement Association  
 Global Culture  
 Hawaii Organic Farmers  
 Indiana Certified Organic  
 Maryland Department of Agriculture  
 Midwest Organic Services Association  
 Minnesota Crop Improvement Association  
 MOFGA Certification Services  
 Natural Food Certifiers  
 Nature's International Certification Services  
 New Hampshire Department of Agriculture  
 New Jersey Department of Agriculture  
 New Mexico Organic Commodity Commission

NOFA-NY Certified Organic  
 North Carolina Crop Improvement Assoc.  
 North East Organic Dairy Producers Alliance  
 OEFFA Organic Certification  
 OneCert, Inc.  
 Oregon Tilth  
 Organic Agsystems Consulting  
 Organic Certifiers, Inc.  
 Organic Independents  
 Organic Materials Review Institute  
 Organic National & International Certifiers  
 Organic Trade Association  
 Organic Valley  
 Pennsylvania Certified Organic  
 Rhode Island Department of Environmental Cons.  
 Quality Certification Services  
 QMI Organic, Inc.  
 Vermont Organic Farmers



Complete Membership List available at:  
[www.accreditedcertifiers.org](http://www.accreditedcertifiers.org)

## ACA Board Conference Call Summaries

### May, 2008

- NOSB member Joe Smillie participated in the call; problematic issues identified were: commercial availability of seed; 100% label; private labels; prohibition on using affidavits for flavor ingredients.
- There was discussion of technical issues with the Certification Actions Database.
- ACA will provide public comment at the upcoming NOSB meeting in May.

### June, 2008

- The update from Joe Smillie, NOSB member, noted that the Compliance, Accreditation & Certification Committee was working on the commercial availability of seed recommendation. The committee feels that everyone needs to step up and enforce this requirement. Biodiversity is also being worked on.
- The Board expressed concern regarding the impact additional biodiversity requirements

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## ACA Board Conference Call Summaries (cont.)

### June, 2008 (cont.)

would have on producers. It was also noted that some of the biodiversity requirements conflict with food safety issues.

- Planning for the 2009 ACA/NASOP training is continuing.
- The Executive Committee completed the evaluation of Pat Kane, ACA Coordinator. The summary will be sent to the Board.
- It was noted that the concept of Working Groups has been well accepted by the membership. The Board discussed some guidelines for the working groups noting that all participants in the working groups must be members of the ACA, with the majority of each group comprised of certifier members. Additional guidelines will be discussed.

### July, 2008

- The Executive Committee is currently reviewing the summary of Pat's evaluation. The Committee is recommending continuing to contract with Pat Kane as Coordinator of ACA.
- There was a brief recap of activities from the IFOAM World Congress.
- ACA & NASOP will jointly request NOP participation in our January training.

### August, 2008

- Joe Smillie updated the Board on the progress of the CAC committee with recommendations for the NOSB meeting.
- Membership renewal progress was discussed. It was noted that all members have renewed to date.
- Origin of Livestock Working Group was nearing completion of their document. It will be sent to the membership to review.

- The Board approved sending a response to the Organic Consumers Association regarding their comments pertaining to the posting of the NOP accreditation audit reports.

### September, 2008

- The first listings for the Certification Actions Database will be posted soon. Members will be reminded to submit their lists.
- ACA was asked to permit a non-USDA accredited certifier, that is accredited to EU and JAS Standards to join ACA. If permitted, this would require a change in our by-laws. The Board believed that we should remain focused on NOP accredited certifiers.
- The membership will be sent a notice soliciting candidates for the Board. Three seats will be available for 2009. The terms of Bonnie Wideman, Kristy Korb and Don Franczyk expire in 2009. Each has indicated a willingness to run for another two year term.

### October, 2008

- Since the NOP has decided they will not participate in our training, the Board discussed whether to have a two-day training. It was decided we would proceed in planning a two-day training.
- ACA will begin to develop a list of topics for discussion with NOP.
- Based upon the responses received to the Origin of Livestock document, the working group will develop a document focused on the objectives to be reached by a change in §205.236, rather than suggest specific wording at this time.

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## ACA Board Conference Call Summaries (cont.)

### November, 2008

- Joe Smillie reported that the CAC committee had received many comments on their recommendations. Joe also noted that the pasture rule is not on the NOSB agenda, so there will not be a discussion about this by the NOSB.
- The ACA Origin of Livestock revised draft document was sent to the NOP.
- ACA comments regarding Commercial Availability of Seed have been posted on Regulations.gov.
- The Access to Pasture Working Group is beginning work on analyzing the proposed pasture rule. The group has 13 members. Once comments have been submitted, additional working groups will be initiated.
- The Board reviewed the 2009 Draft budget. This contained a proposal for an increase in our membership dues, and a raise for the coordinator. In addition, it has been suggested that ACA organize a group subscription to *The Organic Standard* for our members. Additional details on this are still needed. While there was a quorum of the Board on the call, it was decided to postpone final action on the budget until additional comment was received from other board members.
- Pat indicated she had scheduled a meeting with Barbara Robinson during the NOSB

meeting to determine how we can proceed with establishing a regular communication process.

### December, 2008

- Joe Smillie reported that the membership of the CAC committee is remaining the same, however, Bea James is no longer vice chair. Tracy Miedema is now vice chair, as Bea will be chairing the Policy Development Committee. CAC will be working on revising the 100% Label Use recommendation; moving forward with the Biodiversity discussion paper; beginning work on Peer Review. Other topics on the work plan are Retail Standards and Personal Care Standards.
- There are three board members up for election in 2009. No additional candidates volunteered for the Board. The election will take place at the Annual Meeting. The candidates are: Kristy Korb, OTCO; Bonnie Wideman, MOSA; Don Franczyk, Baystate Organic Certifiers.
- The Board approved the 2009 budget, which included an increase in ACA membership dues, and a raise for the coordinator.
- Barbara Robinson has indicated she would like to participate in the ACA Board conference calls. The Board will ask Barbara to join our February conference call.

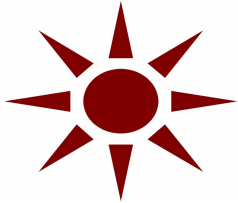
## Revised ACA Membership Dues Schedule

The ACA Board approved an increase in ACA membership dues, effective for member expiration dates beginning in February, 2009. ACA membership dues are based upon income from certification activities. The new rates are:

\$0 - \$200,000 - \$2.50 per certified party (75 or less certified parties) or minimum of	\$ 190.00
\$200,001 - 400,000	\$ 875.00
\$400,001 - 600,000	\$ 975.00
\$600,001 - 999,000	\$ 1,075.00
> \$1,000,000	\$ 1,375.00
Supporting Members	\$ 100.00

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