



The ACA Guidewire

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National Organic Standards Board Meeting Report

The National Organic Standards Board met May 20 - 22, 2008 in Baltimore, MD. Barbara Robinson, Acting National Organic Program Director, gave a brief overview of the Program activities. She indicated:

- The NOP will receive a budget increase of almost 100% to \$2.6 million in program funding.
- There is increased transparency with the website redesign. Ongoing upgrades to the website are being made.
- The reorganization of NOP has allowed them to create some structure; rather than just doing work. NOP plans to add additional staff this year. It is hoped the new compliance person will be hired by summer.
- Equivalence discussions with Canada are ongoing; a third meeting coming up.
- Japan is seeking equivalency.
- The Pasture rule is moving through the process; no time given. Origin of livestock rule is being written. NOP will omit the Advance Notice of Proposed Rulemaking for origin of livestock and go straight to rulemaking.
- Materials dockets are moving through clearance.

New NOSB Board Member Barry Flamm, was welcomed by the community. Barry is the new Chair of the Policy Committee. He serves in one of the environmentalist seats on the Board and has worked in conservation efforts throughout his life. He also formerly farmed, raising organic cherries. He has recently sold his farm.

Once again, it is very apparent the NOSB members put in a great amount of time and effort. Many conference calls to do the initial work, and several long days of meetings and public comment sessions. We thank them for all their work.

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ACA Meetings in Chicago & Baltimore

ACA held meetings at both All Things Organic in Chicago and during the NOSB meeting in Baltimore. Following are notes on these meetings. At the **All Things Organic Meeting**, 17 members and non-members attended. A review of ACA activities was given, and information presented on the new web-based

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ACA Meetings (cont.)

service we will be instituting in June. Robert Simmons and the staff at ICS/FVO developed a database which we will be adding to our website for the listing of client withdrawals, suspensions and revocations. This list will be accessible only to certifier members of ACA, and will be password protected. Certifier members will be able to post this information on the site for other certifiers to view. Additional information will be sent to all ACA certifier members in June. Additional discussion topics included:

- **Thanking NOP** for the training programs offered, the resolution of the materials review question, and the new NOP website. While many agreed that there are still problematic areas, the trainings are beneficial.
- **NOP Website** - problematic areas were discussed; some information from previous site did not seem to make it to new site; certified operations list needs to be searchable, not listed by certifier; comments were made that it is good they are posting only completed accreditation review documents.
- **Client list supplied to NOP** - those present felt that we need to tell NOP that they cannot change the information requirements from year to year as it is too costly to re-work our databases. Also certifiers present felt they should only be providing the scope of the certification, not the complete crop lists.
- **Comments to NOSB** - it was discussed that ACA would submit our previous comments regarding Certification of Multi-site Operations. ACA will also be submitting comments on the Commercial Availability of Seed Recommendation.



ACA members viewing demonstration of the withdrawals, suspension & revocation website. L - R: Jim Pierce, OTCO; Jodie Biergiel & Jake Lewin, CCOF; Bonnie Wideman, MOSA; seated: Robert Simmons, ICS/FVO; kneeling: Amy Griner, NCCIA
Photo by Leslie Zuck.

The **ACA Meeting in Baltimore**, with 15 attendees, was very productive. Once again a review of ACA activities was presented. Other topics discussed were:

- How can ACA be more effective with NOSB and NOP? It was felt that we could use the Materials Working Group (an independent group of interested individuals who are currently working on the various definitions for the national list) model to organize our work. ACA could develop broad based participatory working groups to assist with formalizing ACA work, which will then be given to the NOSB. A list of topics was discussed, and those interested volunteered to work on these groups. Additional information will be sent to ACA members regarding the working groups. See chart on page 9 for list of topics.

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National Organic Standards Board Meeting Report (cont.)

During the Board discussion of materials it was noted that the NOP has indicated that the Board members may conduct the tap reviews for materials to be added to the National List. The Policy Committee will be developing a procedure regarding when an “outside” reviewer will be utilized. Comments on this topic from meeting attendees ranged from “how will they find the time” to “are they qualified to conduct tap reviews” to “isn’t this a conflict - voting on their own work”. During the Public Comments there were many comments indicating the NOP should utilize some of the additional funding for tap reviews. Several commenters advocated for a moratorium on the review of materials until tap reviews could be conducted.

There were many public comments given regarding the Certification, Accreditation & Compliance Committee & Crops Committee joint recommendation regarding the Commercial Availability of Organic Seed. The majority of commenters noted that the requirement farmers provide lists of seeds to seed companies, and then provide the list to certification agents, who would then submit the list to a “recognized organic seed trade association” was burdensome. Commenters expressed that the use of organic seed had been increasing. It was also noted that if there is a complaint regarding whether a certifier is enforcing this rule section, then this could be addressed during the NOP accreditation process. It was also noted that there is no requirement currently to review how a certifying agent handles this process, as the auditing checklist does not contain a requirement to review this.

Bea James, NOSB Member, did not attend the meeting, due to personal reasons. The Board held several votes on recommendations and also voted on materials additions to the National List. A summary of the votes is below.

Policy Development Committee			
Recommendation	Comments	Vote	Outcome
1. Recommendations for revisions to the Board Policy Manual, including inclusion of a procedure for handling withdrawal of materials petitions		Yes 14 No 0 Absent 1	Passed
2. Recommendations for revisions to the New Member Guide, pertaining to creating links to the NOSB Recommendations, and creating a list of technical resources used by the committee for review of materials petitions.		Yes 14 No 0 Absent 1	Passed
Joint Crops & Compliance, Accreditation, and Certification Committees			
Commercial Availability Guidance regarding the sourcing of organic seed §205.204 – <i>Recommendation</i>	Committee will develop new recommendation; calculate the redistribution of the burden.		Deferred to Fall 2008 Meeting

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National Organic Standards Board Meeting Report (cont.)

Committee Votes Continued.

Crops Committee			
Recommendation	Comments	Vote	Outcome
1. Microcrystalline cheese wax (CAS#'s 64742-42-3, 8009-03-08, and 8002-74-2)" (paraffin wax) as a production aid in log grown mushroom culture made without either ethylene-propylene co-polymer or synthetic colors		Yes 12 No 0 Abstain 1 Recuse 1 Absent 1	To be added to National List section §205.601(o)
2. Oxytetracycline hydrochloride	The petitioner requested that the use of this material on peaches and nectarines be dropped. It would be available for use on apples & pears. Board discussed revising current National List listing of oxytetracycline, which would effectively add this material. Oxytetracycline is scheduled to sunset in 2012. It was felt additional information was needed. Currently, oxytetracycline calcium complex is on the National List.		Deferred to Fall 2008 Meeting
3. Dextrin as a binder in seed coatings with placement on the National List § 205.601(n) as seed preparations		Yes No 14 Absent 1	Will not be added to National List
4. Reaffirm addition of Sunset Materials from Nov. 2007 Meeting §205.601(a)(3) Copper sulfate §205.601(a)(5) Ozone gas §205.601(a)(6) Peracetic acid §205.601(m)(2) EPA List 3 inerts- for use in passive pheromone dispensers §205.602(c) Calcium chloride	As additional comments were received after the November, 2007 meeting, the Board reviewed their vote in light of the comments received. There was no change in the vote, other than to reaffirm. B. Flamm abstained as he was not on Board in Nov. 07.	Yes 13 No 0 Abstain 1 Absent 1	Will remain on National List
Joint Crops & Livestock Committees			
Aquatic Plants <i>Recommendation</i>	Section B 1. Amended to read: b) to the extent that aquatic plants may be grown in open water organic systems (1) manure or composted manure from terrestrial animals, in any form, may not be used to fertilize open water aquatic plants.	Yes 14 No Absent 1	Passed

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National Organic Standards Board Meeting Report (cont.)

Committee Votes Continued.

Livestock Committee			
Recommendation	Comments	Vote	Outcome
<p>1. Fenbendazole – <i>Recommendation with the following annotation.</i></p> <p>Only to be used upon written diagnosis of clinical infestation by a veterinarian; prohibited in slaughter stock, allowed in emergency treatment for dairy and breeder stock when organic system plan-approved preventive management does not prevent infestation. Milk or milk products from a treated animal cannot be labeled as provided for in subpart D of this part for 90 days following treatment. In breeder stock, treatment cannot occur during the last third of gestation if the progeny will be sold as organic and must not be used during the lactation period for breeding stock.</p>	<p>NOP suggested the annotation be moved to header for this list section; NOSB did not recommend this. Recommends complete annotation be added.</p>	<p>Yes 14 No Absent 1</p>	<p>Will Be added to National List Section §205.603.a.18 parasiticides, with complete annotation</p>
<p>2. Methionine #1 - to remove annotation date of 10.2008 from section §205.603</p>		<p>Yes No 14 Absent 1</p>	<p>Motion Failed; annotation remains</p>
<p>3. Methionine # 2 – to recommend the expiration date for synthetic Methionine be October 1, 2010</p>	<p>An attempt to amend this date to October 1, 2011 failed.</p>	<p>Yes 14 No Absent 1</p>	<p>Motion Passed Methionine will remain on the National List until October 1, 2010; §205.603</p>
<p>4. Fish Feed – recommendation</p>	<p>There were many concerns expressed regarding establishing equivalency with a foreign certification program, prior to establishing the NOP Standards. Board is wrestling with a way to proceed. Will revise recommendation.</p>		<p>Deferred</p>

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National Organic Standards Board Meeting Report (cont.)

Committee Votes Continued.

Handling Committee			
Recommendation	Comments	Vote	Outcome
1. Calcium, derived from Seaweed			Deferred
2. Sodium Chlorite, acidified – deferred, TAP not complete	Tap Review not complete		Deferred
3. Alcohol, Cooking Wine: Marsala		Yes 14 No Absent 1	Will be added to §205.606
1. Alcohol, Cooking Wine: Sherry		Yes 14 No Absent 1	Will be added to §205.606
5. Algae, Chlorella			Deferred
6. Algae, Dumontiaceae			Deferred
7. Black Pepper Extract			Deferred
8. Buck Hull Powder			Deferred
9. Camu Camu Extract Powder		Yes 3 No 11 Absent 1	Motion Failed; will not be added
10. Caramel Color		Yes 0 No 14 Absent 1	Motion Failed; will not be added
11. Chinese Thistle Daisy Extract		Yes 0 No 14 Absent 1	Motion Failed; will not be added
12. Condonopsis Root Extract		Yes 0 No 14 Absent 1	Motion Failed; will not be added
13. Ginger Root Extract		Yes 0 No 14 Absent 1	Motion Failed; will not be added
14. Jujube Fruit Extract		Yes 0 No 14 Absent 1	Motion Failed; will not be added
15. Ligusticum Root Extract		Yes 0 No 14 Absent 1	Motion Failed; will not be added
16. Oat Bran Concentrate			Petition Withdrawn
17. Okra, IQF	Petition was amended to identify the material as Okra, IQF, rather than Okra.	Yes 3 No 9 Recuse 2 Absent 1	Motion Failed; will not be added

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National Organic Standards Board Meeting Report (cont.)

Committee Votes Continued.

Handling Committee			
Recommendation	Comments	Vote	Outcome
18. Pectin, Low methoxy, non-amidated	Additional information is needed.		Deferred
19. Peony Root Extract		Yes 0 No 14 Absent 1	Motion Failed; will not be added
20. Polygala Root Extract		Yes 0 No 14 Absent 1	Motion Failed; will not be added
21. Polygonum Root Extract		Yes 0 No 14 Absent 1	Motion Failed; will not be added
22. Poria Fungus Extract		Yes 0 No 14 Absent 1	Motion Failed; will not be added
23. Rehmannia Root Extract		Yes 0 No 14 Absent 1	Motion Failed; will not be added
24. Seaweed, Kombu Pacific Kombu Seaweed (<i>Laminaria japonica</i> , <i>Laminaria japonica</i> var. <i>ochotensis</i> , <i>Laminaria angustata</i> , <i>Laminaria angustata</i> var. <i>longissima</i>)	The name was amended as noted in first column.	Yes 14 No 0 Absent 1	Will be added to §205.606
25. Tangerine Peel Extract		Yes 0 No 14 Absent 1	Motion Failed; will not be added
26. Tragacanth Gum, water extracted		Yes 14 No 0 Absent 1	Will be added to §205.606
27. Reaffirm addition of Sunset Materials from Nov. 2007 Meeting Agar- Agar Animal Enzymes Calcium Sulfate Carrageenan Glucono Delta Lactone Tartaric Acid	As additional comments were received after the November, 2007 meeting, the Board reviewed their vote in light of these comments. There was no change in the vote. B. Flamm abstained as he was not on Board in Nov. 07	Yes 13 No 0 Abstain 1 Absent 1	Will be re-listed on 205.605(a)
28. Reaffirm addition of Sunset Materials from Nov. 2007 Meeting Cellulose Tartaric Acid	See above	Yes 13 No 0 Abstain 1 Absent 1	Will be re-listed on 205.605(b)

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National Organic Standards Board Meeting Report (cont.)

Additional Materials Notes

Many of the materials petitioned, especially the extracts and powders, were not approved due to a lack of information regarding potential organic sources. During the review of these materials it was discovered that there were organic sources for some of these materials. The petitioner was notified of the outcome of the review, but did not respond with additional information.

It was noted during the review of the tartaric acid that at some point the original annotations for these materials were not included on the National List. According to NOSB policy, there can be no changes to annotations during the sunset review process. The Board did make a separate recommendation to the NOP:

That as a technical correction the NOP restore the annotations included in the original listing of tartaric acid on 605 (a) & 605 (b)

§205.605 (a) Tartaric acid “made from grape wine”

§205.605 (b) Tartaric acid “made from malic acid”

Vote: 13 yes: 1 abstention - 1 absent

Committee Work Plans

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

Livestock	Aquaculture - Fishmeal, Fish oil, Net pens, Bivalves, mollusks	Animal husbandry (not welfare) Poultry – natural behavior and outdoor access
Handling	National List Definitions with Materials Working Group Refine 606 procedures and sunset review procedures Flavor guidance	Pet Food Standards Petitioned & Deferred Materials Fortification of Food Issues Food Contact Substances
Materials	Ongoing petitioned materials; Work with NOP to determine if there are deferred materials reviews to be completed	Monitoring Sunset process to stay on track National List Definitions
Crops	Petitioned & deferred materials Commercial availability of Seed recommendation Study the biodiversity assessment information	Mushroom Standards Soilless growing system
Certification Accreditation Compliance	Continuing work on multisite certification – recommendation for Nov. meeting Work with crops committee on the commercial availability of seed recommendation	Look at the biodiversity issue – enforcement 100% label claim
Policy Development	Procedures for handling public comments Clarify the sunset procedures in policy manual New member guidance refinements & training Technical correction procedures and priorities	Review the tap procedures Structure of a recommendation Committee work plan development Election procedures for NOSB office

ACA Meetings (cont.)

- **ACA Interaction with IFOAM** - There are 26 candidates running for the IFOAM Board, three from North America - Jim Riddle, Sam Welsch and Katherine DiMatteo. As ACA is an IFOAM member, it was felt that ACA should be voting on the board seats and the various motions proposed. Leslie Zuck will be attending IFOAM and representing ACA, and several additional ACA members will also be attending. The National Organic Coalition is planning to organize a conference call of all those planning on attending.

Below is the list of Working Groups. If you are interested in participating in one or more of these groups, please contact Pat Kane at patriciakane@accreditedcertifiers.org

Topic	Participants	
Grower Group Certification (will revert to this name rather than Multi-Site Certification)	Sam Welsch Katherine DiMatteo CCOF Representative Plan to update NOSB 2002 Recommendation with information from the OTA Comments	
Origin of Dairy Livestock	Leslie Zuck Nicole Dehne	Lisa Engelbert Bonnie Wideman
Poultry Outside Access	Leslie Zuck MOSA Representative	Reuven Flamer
NOP Q & A's	Jim Riddle	Emily Brown Rosen
Materials focus will be primarily on old materials petitions that had been deferred	Zea Sonnabend Eric Sideman	Gwendolyn Wyard Emily Brown Rosen
Animal Welfare Issues	Nicole Dehne QAI Representative	NOFA-NY Representative
Hydroponics	Sue Baird	Pat Kane will focus on providing answers to NOSB questions
Private Labels	Jodie Biergiel NOFA-NY Representative	Sam Welsch
Apiculture Standards	Sam Welsch, CCOF Representative	PCO Representative Harriet Behar
Mushrooms Standards	PCO Representative	VOF Representative
Greenhouse Standards	No volunteers at this time	