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Sound & Sensible Discussion

Members of the ACA Board joined others from the organic community including representatives of the NOP, NOSB, National Organic Coalition, International Organic Inspectors Association, Organic Trade Association and MOSES for a discussion of the *Sound and Sensible Initiative* while attending the NOSB Meeting in Portland, OR.

The NOP has identified the Sound and Sensible Initiative as key to improving the certification process and retaining many small operators in organic production. The overall goal of the Initiative is to have accessible, attainable, and affordable certification.

The Five Principles of Sound and Sensible are:

1. **Efficient Processes:** Eliminate bureaucratic processes that do not contribute to organic integrity.
2. **Streamlined Recordkeeping:** Ensure that required records support organic integrity and are not a barrier for farms and businesses to maintain organic compliance.
3. **Practical Plans:** Support simple Organic System Plans that clearly capture organic practices.
4. **Fair, Focused Enforcement:** Focus enforcement on willful, egregious violators; handle minor violations in a way that leads to compliance; and publicize how enforcement protects the organic market.
5. **Integrity First:** Focus on factors that impact organic integrity the most, building consumer confidence that organic products meet defined standards from farm to market.

Prior to the meeting ACA and IOIA had compiled thoughts on how to revise the certification and accreditation process in order to provide a more user-friendly certification system, while at the same time maintaining the integrity of the system. These documents had been submitted to NOP, and much of the discussion at the meeting focused on the concepts and ideas from these documents. Along with the suggestions from ACA and IOIA, NOP is also moving forward with a recalibration training for the auditors responsible for assessing the compliance of the certification agencies with the National Organic Program requirements.

NOP had also contracted with a firm to provide an assessment to identify key certification barriers for small businesses and identify ways to reduce the burden. Many of the firms' findings and conclusions were in line with suggestions from the organic community in general.

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Sound and Sensible Discussion (cont.)

The group's discussion focused on

1. *Issues with implementing Sound and Sensible* – in particular how lack of consistent implementation would impact the process; how/when to obtain feedback from the broader organic community; what would be the role for the NOSB; and whether the NOP will encourage, support and permit changes in the current certification system;
2. *Organic System Plans* – how these can be encouraged to be a valuable tool to producers; can the OSP update process be more streamlined, rather than just completing another complete OSP; could a common OSP form be utilized (*pros*: this would enable easier, more efficient training; inspection; *cons*: this could stifle innovation; could lead to lowest common denominator forms); development of “best practices” for OSP content from NOP and NOSB; combine the OSP, Initial Review and Inspection into one form (conclusion was that in continuing years this style form would be difficult to manage);
3. *Brand Name Materials* – the lack of a consolidated listing of approved (and not approved) materials is problematic for operations; there is a lack of transparency in the review process; there is liability associated with public lists.

The Action Items from the group are:

1. Organize focus groups to obtain additional input prior to formalizing initiative; perhaps in conjunction with OTA, ACA there could be outreach.
2. Develop ideas regarding revision of current OSP Update forms.
3. Develop concept for a feedback loop. If anonymous there could not be specific follow-up to resolve issues, but the issues would be identified. Current process of formal complaints is not working due to perception of retaliation.
4. Revision of current materials situation dependent upon NOP completion of the MRO accreditation proposals. ACA Working Group on Criteria for Accepting Materials Review Decisions of other ACAs has not completed work as yet, but is in process.
5. NOSB ‘sense of the Board’ letter to the NOP indicating full support for the Sound & Sensible Initiative.
6. Identify a system to allow / support public oversight of the NOP accreditation system from NOP down to operators.
7. Assess the need for a follow-up meeting prior to the Fall NOSB Meeting

Join Us For

ACA Meeting
Louisville, KY

In conjunction with the Fall NOSB Meeting

Additional details coming soon

ACA Meeting in Portland

ACA certification agency members as well as several supporting members gathered for discussion of current ACA activities. Scott Rice, WSDA & ACA Chair, Jake Lewin, CCOF, and Pat Kane provided an update on the Sound and Sensible Initiative meeting. ACA will continue to work on the Sound & Sensible issue by:

1. forming a working group to address the action items from the meeting
2. working with other certifiers to distribute info
3. continuing Criteria for Accepting Materials Review Decisions of other ACAs Working Group to address materials, sharing of products lists, etc.
4. develop an information exchange on a personal contact basis – visit office of other ACAs
5. preparation for Fall Meeting
6. supply NOSB with info that they could adopt; on the Sound & Sensible process
7. solicits comments from other stakeholders & inspectors prior to sending info to NOSB and NOP

A discussion of the *Information contained on Organic Certificates* provided an overview of the difficulties handlers have with the lack of consistent information provided on organic certificates. It was noted that standardized terminology is needed

regarding the types of crops grown and the scope of the operation. ACA will organize a working group to address this issue.

An update on the ACA Working Groups was provided:

Criteria for Accepting Materials Review Determinations of other ACAs is currently active.

The following groups will be initiated:

- Poultry Metrics
- Guidance for Accredited Certifying Agents and Certified Operations Classification of Materials (NOP 5033), Synthetic/Non-Synthetic Decision Tree, Agricultural/Non-Agricultural Decision Tree
- Guidance for Accredited Certifying Agents and Certified Operations Permitted Substances List for Organic Crop Production (NOP 5034), Materials for Organic Crop Production, Prohibited Materials for Organic Crop Production
- NOP 2614: Technical Assistance
- 2014 ACA Training
- Certificate Information



~ Thank You ~ to the following New & Renewing Members

International Organic Inspectors Association
Maryland Department of Agriculture
Montana Department of Agriculture
Oregon Tilth Certified Organic
Pacific Agricultural Laboratory
Pennsylvania Certified Organic
Vermont Organic Farmers

National Organic Program Update

The National Organic Standards Board meeting began with an update from the National Organic Program (NOP) presented by Miles McEvoy, Deputy Administrator. The full presentation is located on the NOP website at:

<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5103640>

The Program Update included:

- an update on the NOP Budget
- NOP Responses to past NOSB Recommendations / Requests including:
 - Nanotechnology
 - Conflict of Interest
 - Public Communications Proposal
 - Aquaculture – proposed rule under development
- New Guidance & Policies
 - The Use of Kelp in Organic Livestock Feed
 - Seeds, Annual Seedlings & Planting Stock
 - Evaluating Allowed Ingredients & Sources of Vitamins & Minerals in Livestock Feed
 - Cell Fusion Techniques used in Seed Production
- Draft Guidance for Comment
 - Classification of Materials
 - Synthetic / Nonsynthetic Decision Tree
 - Agricultural / Nonagricultural Decision Tree
 - Materials for Organic Crop Production
 - Materials List for Organic Crop Production
 - Prohibited Materials for Crop Production
- Focus Areas
 - Sunset 2013 proposed & final rule
 - Sodium Nitrate proposed rule
 - New National List items proposed rule
 - Origin of Livestock Practice Standard
 - Pet Food Practice Standard
 - Aquaculture Practice Standard
 - Apiculture Practice Standard
- Focus Areas (cont.)
 - Guidance Documents
 - Grower Groups
 - Inspector Qualifications
 - Handling unpackaged organic products
 - Biodiversity
 - Organic Livestock Production Materials
 - Verify international trade partnerships
 - Increase international market access
 - Reduce the certification burden on diversified direct marketing operations
- New Instruction Documents
 - Technical Assistance
 - OSPs, updates and notification
 - Performance Evaluation, Program Review
- Documents in Revision
 - Penalty Matrix
 - Five Steps to Certification
 - Organic Certificates
 - Records
- Moving forward with Sound and Sensible Initiative
 - Other Topics discussed included the need for an updated database of certified operations. The database is currently on hold due to lack of funding. NOP will also be providing a week long training for all NOP auditors on the following topics:
 - Organic system plans, updates and notification
 - Adequate records
 - Technical Assistance
 - Five steps to Certification
 - Organic Certificates
 - Grower Groups

NOSB Meeting Report

The National Organic Standards Board met on April 9 – 11, 2013 in Portland, OR. In addition to the National Organic Program Update and discussion of the proposals for this meeting, there were several other Reports to the Board including:

- The Inerts Working Group Update, by Dr. Lisa Brines, NOP National List Manager
<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5103641>
- Aquaculture Working Group Update, by George Lockwood, Chair (will be included as part of the meeting transcription)
- Vaccines Made with Excluded Methods (VMWEM) Working Group Interim Report by Jean Richardson (NOSB Member) (will be included as part of the meeting transcription)

In addition a Panel Discussion was held regarding the use of antibiotics in tree fruit (apple & pear) production. The panel members were Dr. Kenneth Johnson, tree fruit researcher with Oregon State University; Dr. Virginia Stockwell, bacterial plant disease researcher with Oregon State University; Dr. Glenn Morris, Director, Emerging Pathogens Institute, University of Florida, an infectious disease physician; and Brenda Book, Organic Program Manager Washington State Dept. of Agriculture. The group was questioned extensively by the NOSB members regarding the current research into use of antibiotics in tree fruit, alternatives to the use of antibiotics in tree fruit, and the human health impacts of the use of antibiotics to treat tree fruit disease in particular fire blight.

NOSB Subcommittee Work Plans for Fall 2013

GMO ad hoc Subcommittee

- Seed Purity
- Terminology for Excluded Methods
- Tracing GMOs in Input/Ingredient Chain

Compliance, Accreditation, & Certification

- Revisit the Fall 2009 Retail Certification Guidance
- How certifiers apply §205.206(e) Pest Management Standard (discussion document)
- Sound & Sensible
- Water and Calculating % of organic products

Handling Subcommittee

- Petitioned Substances
- Sunset Materials for 2015

Livestock Subcommittee

- Petitioned Materials – methionine and aquaculture materials
- Omnivore Diet
- Vaccines from Excluded Methods

Materials Subcommittee

- Technical Review Process issues: limited scope technical review and confidential business information
- Definition of Production Aids
- Research Priorities Proposal

Policy Development Subcommittee

- Material Initiation Policy
- Policy & Procedures Manual
- COI Policy Update
- Decisive & Indecisive NOSB Votes

Crops Subcommittee

- Petitioned Substances
- Inerts Update
- Contaminants in Farm Inputs
- Guidance on Biodegradable Mulch

NOSB Actions

| Crops Subcommittee | | |
|---|--|---|
| Topic | Comments | Vote / Action |
| Oxytetracycline | <p>Motion # 1:</p> <p>To amend the expiration date to October 21, 2016. Tetracycline may only be used if the grower has implemented an integrated system of practices and materials to control fire blight. Orchard management systems must demonstrate an annual increase in the extent or number of alternative practices for managing fire blight.</p> <p>The Board also proposed a Resolution that was voted upon:</p> <p>The NOSB is committed to the phase out of tetracycline. In addition, the Board strongly advocates to USDA a high priority for increased support for research into the alternative practices and materials.</p> <p>Upon the failure of Motion #1 to pass the following Motion #2 was proposed by the Crops Subcommittee:</p> <p>Request that the NOP investigate the ability of the Secretary to invoke its authority under the “Emergency Spray Programs” provision of the OFPA 7 U.S.C. 6518(k)(6) and Act 7 C.F.R. section §205.672, to allow the emergency use of oxytetracycline for fire blight during the period of 10.21.2014 to 10.21.2017.</p> <p>The above motion had not been discussed with the NOP prior to the vote, or receive additional public comment.</p> | <p>Motion # 1 Fails – the expiration date of October 21, 2014 will remain</p> <p>2/3 majority (10) is necessary for passage</p> <p>Yes: 9 No: 6</p> <p>Resolution approved unanimously.</p> <p>Motion # 2 – Passed</p> <p>Yes: 14 No: 1</p> |
| Polyoxin D Zinc Salt | <p>The material was classified as synthetic due to the source of the zinc.</p> <p>The Motion is to add Polyoxin D Zinc Salt to the National List at §205.601 as a synthetic substance allowed for use in organic crop production.</p> | <p>Motion Failed; will not be added to the National List.</p> <p>Yes: 9 No: 6</p> |
| Indole-3-butyric acid (IBA) (CAS # 133-32-4) | <p>The material was classified as synthetic.</p> <p>The motion is to add IBA (CAS #133-32-4) as petitioned to the National List at §205.601 for the purpose of plant propagation by dipping.</p> | <p>Motion Failed; will not be added to the National List.</p> <p>Yes: 3 No: 12</p> |

NOSB Actions

| GMO ad hoc Subcommittee | | |
|--|--|--|
| Topic | Comments | Vote / Action |
| GMO Seed Purity | Discussion Document Only. There is no vote. | Added to the Fall 2013 Work Plan as a potential proposal. |
| Terminology for Excluded Methods | Discussion Document Only. There is no vote. | Added to the Fall 2013 Work Plan as a potential proposal. |
| Handling Subcommittee | | |
| Other Ingredients Proposal | <p>The name of the document was changed to: Ancillary Ingredients.</p> <p>The Proposal did not advocate for adding the reviewed “other ingredients” to the National List. These will be reviewed as part of the sunset review of materials or as new petitions are addressed. The review of the “other ingredients” will be documented.</p> <p>There were several minor revisions to the document as posted, but just before the vote an additional revision was made to the 2nd sentence in the Introduction section:</p> <p>Sine OFPA requires that each non-agricultural ingredient be specifically listed, and because the National List does not specifically list “other ingredients” commonly found in formulated products, the NOP identified the need for clarity and requested that the NOSB develop a policy that specifies whether these “other ingredients” are allowed that all allowed non-organic constituents of organic foods be on the list in some form.</p> <p>This revision appears to change the proposal. There was no public comment on the change.</p> | <p>Motion passed.</p> <p>Yes: 15 No: 0</p> |
| Sulfuric Acid | <p>This material was classified as synthetic.</p> <p>The motion is to list sulfuric acid on the National List at §205.605(b) for use as a synthetic processing aid in the production of seaweed extract.</p> | <p>Motion Failed; will not be added to the National List.</p> <p>Yes: 0 No: 15</p> |
| 1,3-Dibromo-5,5-dimethylhydantoin (DBDMH) | <p>This material is classified as synthetic.</p> <p>The motion is to list 1,3-Dibromo-5-5-dimethylhydantoin as petitioned as a synthetic on §205.605 (b) of the National List as an antimicrobial treatment for beef carcasses and parts.</p> | <p>Motion Failed; will not be added to the National List.</p> <p>Yes: 0 No: 15</p> |

NOSB Actions (cont.)

| Handling Subcommittee (cont.) | | |
|---|--|--|
| Topic | Comments | Vote / Action |
| Beta Barley Fiber | The material was classified as an agricultural substance. The Motion is to list Beta Barley Fiber as an allowed non-organic agricultural ingredient (when commercially unavailable in organic form) to §205.606 of the National List. | Motion Failed; will not be added to the National List. Yes: 0 No: 15 |
| Sugar Beet Fiber | The material was classified as an agricultural substance. The Motion is to list Sugar Beet Fiber as an allowed non-organic agricultural ingredient (when commercially unavailable in organic form) to §205.606 of the National List. | Motion Failed; will not be added to the National List. Yes: 0 No: 15 |
| Livestock Subcommittee | | |
| Amino Acids for Pet Foods | Thirteen amino acids were petitioned for use in pet foods. The Subcommittee concluded that only Taurine for cats only was deemed necessary. Taurine (CAS 107-35-7) is classified as synthetic. The motion is to add Taurine (CAS 107-35-7) to §205.603(d)(4) of the National List, as a feed additive for use in cat food only. | Motion passed; will be added to the National List. Yes: 12 No: 2 Abstain: 1 |
| Policy Development Subcommittee | | |
| Public Communications | The Policy Development Subcommittee proposed that a mechanism to accept public communication year round instead of just at the time of the biannual meetings and the public comment process be developed. NOP is very supportive of this concept and has indicated they will research means to do this. | Motion passed; section will be included in the Board Procedures Manual. Yes: 15 No: 0 |
| New Member Guide Update | The Policy Development Subcommittee presented the revised New Member Guide. The motion was to accept the revised Guide. | Motion passed; New Member Guide accepted. Yes: 15 No: 0 |
| Initiation of Materials Review – Discussion Document | The Policy Development Subcommittee Discussion document brought forth a discussion of the process by which material review requests may be initiated. This process may be distinct from the normal public petition process. Examples of situations in which this process may arise are when the NOSB or NOP is notified that: (1) a nonsynthetic material appears not to meet the criteria of the Organic Foods Production Act (OFPA), resulting in confusion by growers; (2) there has been a reevaluation of a substance's classification by a review organization, calling into question its existing use; and, (3) new information that requires prompt revisiting of a recent decision. | Added to the Fall 2013 Work Plan. |

NOSB Actions (cont.)

| Compliance, Accreditation & Certification Subcommittee | | |
|--|---|--|
| Topic | Comments | Vote / Action |
| <p>Calculating Organic Percentages</p> | <p>There were some minor changes to the Proposal: Section V. Recommendation</p> <p># 2 Self-Calculating Forms</p> <p><u>One standard NOP generated form is not required</u> was added to the end of the section.</p> <p># 3 Salt Excluded</p> <p>The following statement (from the Discussion Section) was added:</p> <p><u>Standard practice is to require any additives, such as anti-caking agents, added to the salt to be on the National List at 205.605 or 205.606. If salt containing an additive on the National List is added to a certified product the additive cannot be excluded. Therefore the product may not be labeled as 100% organic.</u></p> <p># 6 For Multi-ingredient Products</p> <p>The proposed paragraph was deleted and replaced with:</p> <p>Formulated multi-ingredient NOP certified products contain organic ingredients that are either single ingredients or multi-ingredients. For multi-ingredient products added to the formula of another product, such as chocolate chips where as much as 5% of the ingredients may be non-organic, the actual organic content must be obtained if the contributing content is above 70% organic or 95% organic. Otherwise the ingredients should be calculated at either 95% organic or 70% organic depending on how the product is classified on the certificate.</p> <p>Handlers must provide certifiers with supporting documentation that substantiates the organic content claim of a multi-ingredient product used in a production formulation submitted for approval.</p> | <p>The Proposal passed.</p> <p>Yes: 15 No: 0</p> |

NOSB Actions (cont.)

| Materials Subcommittee | | |
|--|--|-----------------------------------|
| Topic | Comments | Vote / Action |
| Confidential Business Information (CBI) Discussion Document | Commenters agreed that CBI is necessary at times, however the impact on human health should not be considered CBI. Work will continue on this issue. | Added to the Fall 2013 Work Plan. |
| Definition of Production Aids Discussion Document | The Subcommittee asked for feedback regarding whether the term “production aid” needed further clarification. Commenters suggested that additional clarification was need. Work will continue on this issue. | Added to the Fall 2013 Work Plan. |
| Process for Limited Scope Technical Reviews (TRs) Proposal | This Proposal was withdrawn and will be brought back. | Added to the Fall 2013 Work Plan. |

ACA Board Activities

At the April ACA Board Meeting the Board unanimously approved the continuation of the current officers in their positions. Scott Rice, Chair; Robin Allan Foster, Vice-Chair; and Jackie Townsend, Secretary – Treasurer will serve one year terms.

The Board approved the ACA Budget for the coming year and continues to work on the Strategic Plan. In addition, due to the increased number of issues being addressed by the Board, the length of time for the Board Conference Calls has been increased to 1.5 hours monthly. The Board Call dates have also been changed from the 2nd Wednesday of each month to the 3rd Wednesday of each month