

Summer/Fall 2024

In April 2024, the National Organic Standards Board (NOSB) convened their biannual Spring meeting in Milwaukee, WI. As the newly appointed Chair, it was my first time presiding over the meeting, and also the first in-person public comment session since the COVID-19 pandemic. The meeting proved highly successful, providing valuable opportunities for engagement and deliberation amongst board members and with the stakeholders in attendance.

Wisconsin Secretary of Agriculture Randy Rominsk welcomed attendees with opening remarks highlighting the importance of organic agriculture in the state.

During the NOP Update, Standards Director Erin Healy outlined the recently released Online Retail Toolkit, an educational resource aimed at helping consumers understand the organic label and USDA's role in protecting its integrity.

Deputy Administrator Dr. Jennifer Tucker provided a comprehensive program update, building upon the pre-recorded materials available through the NOP's Organic Integrity Learning Center. A key focus was the Strengthening Organic Enforcement (SOE) rule, fully implemented on March 19th. Dr. Tucker shared insights from the initial month, including:

- 5,322 NOP Import certificates have been issued as of April 24. Electronic import certificates are now required on all incoming organic products.
- Customs brokers are playing a critical role in the verification process of imported products, with some brokers denying entry to organic labeled products in the absence of valid certification documentation.
- While there have been some technical challenges identified as the industry adjusts to SOE, most indications point to initial success. NOP encouraged the Board and community to exercise optimism and faith, and to give SOE a chance to protect us as we see its impact unfold.

Dr. Tucker outlined next steps, such as rapid follow up on import issues, reviewing certifiers' control updates, and taking enforcement action where needed in the supply chain and with noncompliant certifiers.

An update was also provided by the Transition to Organic Partnership Program (TOPP) Midwest regional lead and project partners highlighting successes like 63 matched mentorship pairs, 44 events, and various resources produced. The national TOPP website has further details on the programs across the nation.

The board deliberated and voted on several agenda items; the outcomes of which are summarized in the below table. Additionally, the board considered six discussion documents:

- 2026 Sunset Materials - Each subcommittee reviewed the 2026 Sunset materials, which will be voted on during the Fall 2024 meeting.
- Research Priorities 2024 (MATERIALS) – This document considers the annual ranking of research priorities and requests public input. The Board discussed ways to hear more regularly from the research community to better understand the status of various topic areas, as well as ways to hear from the organic community on which topic areas are most pressing. The Board discussed receiving an update from the National Institute of Food and Agriculture (NIFA) at the fall meeting.
- Inert Ingredients in Pesticide Products (MATERIALS) – This document continues the Board’s ongoing consideration of the various options put forth for replacing the outdated reference to the EPA’s List 3 and List 4 categorical listings, which are no longer maintained by EPA. A vote on the option—or options—the Board believes most viable to move forward to rulemaking is expected at the fall meeting.
- Compost Production for Organic Agriculture (CROPS) – This document outlines the current state of organic compost production, presents some initial thoughts on updating the regulations and addressing issues raised by a petition made directly to USDA from the Biodegradable Product Institute (BPI), which requests a change to the definition of compost and to add a definition of “compost feedstock” to the USDA organic regulations. The Board heard from an expert panel composed of compost producers, a USDA microbiologist, and a material review organization. The panel delved into the complex nature of waste collection, segregation, compost production and the potential inclusion of biodegradable synthetic materials in the production of compost intended for use in organic production.
- Residue Testing for a Global Supply Chain (COMPLIANCE, ACCREDITATION, AND CERTIFICATION) – This document continues the larger discussion on oversight to deter fraud in the supply chain, by considering updates to related foundational guidance and instruction documents with the goal of consistency in testing and responding to positive residues. The Board recognizes that while organic is a process-based system, testing plays a role as a deterrent to fraud and a monitoring and compliance tool. The Board’s next steps on this issue include proposing specific updates to guidance, considering other areas of testing such as detection of fraud in input materials, and the potential for oversight/accreditation of material review organizations.
- Climate Induced Farming Risk and Crop Insurance (COMPLIANCE, ACCREDITATION, AND CERTIFICATION) – This document continues the discussion on how to improve crop insurance available to organic producers, specifically looking at T-yields (the assigned yields when a producer doesn’t have production history) in organic production.

The Board received good public feedback on how T-yields can be improved and will be looking to the fall to bring robust action items to make crop insurance coverage more equitable for organic producers.

- Organic Food System Capacity and Constraints (COMPLIANCE, ACCREDITATION, AND CERTIFICATION) – This document considers organic market factors, gaps in supply chain infrastructure, and market-related risk management tools as a means to ensure transitioning and existing producers have continued opportunities. The Board recognizes the interconnectedness with the other Subcommittee documents and encourages the community to further the conversation that it hopes leads to meaningful recommendations.

Save the Date for the Fall 2024 meeting, to be held in Portland, OR from October 22-24, 2024. Oral comments will be heard the week before on October 15 and 17, 2024 and in person in Portland. Visit the webpage at <https://www.ams.usda.gov/event/national-organic-standards-board-nosb-meeting-portland-or> for additional information as it becomes available, including the agenda and when and how to submit written comments and register for oral comments.

VOTING CHART:

Subcommittee	Proposal and Vote	Outcome
CACS	Motion to accept the proposal on Opportunities in Organic – Improving Support for Organic Transition: 14 Yes, 0 No, 1 Absent.	PROPOSAL PASSED: Recommendation is referred to USDA.
Materials	Motion to accept the proposal to update the TR Templates: 14 Yes, 0 No, 1 Absent.	PROPOSAL PASSED: Recommendation is referred to USDA.
Policy Development	Motion to accept the proposal to revise the Policy and Procedures Manual (PPM): 14 Yes, 0 No, 1 Absent.	PROPOSAL PASSED: Recommendation is referred to USDA.
Crops	Motion to return carbon dioxide petitioned for use as a plant or soil amendment back to subcommittee: 14 Yes, 0 No, 1 Absent.	PROPOSAL PASSED: Returns to subcommittee for further work.

Handling	Motion to add Magnesium carbonate and Magnesium carbonate hydroxide at §205.605(b) of the National List as anti-caking agents in organic chicory production: 0 Yes, 14 No, 1 Absent.	PROPOSAL FAILED: Remains prohibited for this use.
Handling	Motion to add Rye Pollen Extracts to §205.606 for use as a vegan sweetener: 0 Yes, 14 No, 1 Absent.	PROPOSAL FAILED: Remains prohibited for this use.

Winter 2022/2023

In October 2022, the National Organic Standards Board (NOSB) held their Fall bi-annual meeting in Sacramento, CA. It was the first meeting in two years and my first meeting as a board member held in an in-person setting. Due to the COVID pandemic, meetings in 2020 and 2021 were held virtually. It was beyond joyful to meet my fellow board members and engage with the stakeholder community in attendance to watch as we deliberated and voted on the topics before the board. Jenny Lester Moffitt, United States Under Secretary of Agriculture for Marketing and Regulatory Programs, and Karen Ross, Secretary of the California Department of Food and Agriculture, kicked the meeting off with remarks from leadership with USDA and CDFA.

The board deliberated and voted on several agenda items; below is a table for the motions and outcomes of all items voted on at the meeting. In addition to the items listed in the table, the board also considered 3 discussion documents at the Fall 2022 meeting:

- Climate Smart Agriculture: articulating why organic farming is “climate-smart” agriculture
- Ion Exchange Filtration-Resins: whether resins used in ion exchange filtration need to be listed on the National List
- Minimum Reporting Requirements: exploring need for universal auditing documents (mass-balance and traceback templates)

The Fall meeting also always includes officer elections. NOSB re-elected Nate Powell-Palm as Chair and Mindee Jeffery as Vice Chair. Amy Bruch was elected as Secretary. Outgoing NOSB member Rick Greenwood received recognition for his time and contributions to the board.

Lastly the board considered the following items as other business:

- Excluded Methods: The Materials Subcommittee acknowledges NOP’s response to recommendations from last meeting on cell and protoplast fusion
- Organic Farming Research Foundation presented findings from the 2022 National Organic Research Agenda
- Former NOSB Members that didn’t have a final in-person meeting shared reflections on the board service (Steve Ela, Jesse Buie, Asa Bradman, Scott Rice)

Save the Date for the Spring 2023 meeting, to be held in Atlanta, GA from April 25-27, 2023. Oral comments will be heard the week before on April 18 and 20, 2023. Visit the webpage at <https://www.ams.usda.gov/event/national-organic-standards-board-nosb-meeting-atlanta-ga> for additional information as it becomes available, including the agenda and when and how to submit written comments and register for oral comments.

VOTING CHART:

Subcommittee	Proposal and Vote	Outcome
CACS	Motion to accept the proposal on the NOP Risk Mitigation Table review: 15 Yes, 0 No.	PROPOSAL PASSED: Recommendation is referred to USDA.
CACS	Motion to accept the proposal on Human Capital Management: NOSB Technical Support: 15 Yes, 0 No.	PROPOSAL PASSED: Recommendation is referred to USDA.
CACS	Motion to accept the proposal on Acreage Reporting (Oversight improvements to deter fraud: Modernization of organic supply chain traceability): 15 Yes, 0 No.	PROPOSAL PASSED: Recommendation is referred to USDA.
Materials	Motion to accept the proposal on NOSB 2022 Research Priorities: 15 Yes, 0 No.	PROPOSAL PASSED: Recommendation is referred to USDA.

Crops	Already on the NL and classified as synthetic. Motion to add carbon dioxide at §205.601(a) algicide, disinfectants, and sanitizer, including irrigation system cleaning systems: 15 Yes, 0 No.	PROPOSAL PASSED: Recommendation is referred to USDA for addition to the National List.
Crops	Already on the NL and classified as synthetic. Motion to add potassium hydroxide to the National List as a processing aid at 205.601: 0 Yes, 15 No.	PROPOSAL FAILED: Remains prohibited for this use.
Handling	Motion to add peroxylactic acid (PoLA) for use as an antimicrobial agent in process water, ice, or brine used in the production, processing, and preparation of meat and poultry products, at § 205.605(b) of the National List: 0 Yes, 15 No.	PROPOSAL FAILED: Remains prohibited for this use.
Handling	Motion to amend the annotation of phosphoric acid to (underlined verbiage is the proposed addition) "cleaning of food-contact surfaces and equipment, and as an acidifier to adjust pH of an extraction solvent to extract antioxidants or other target molecules from lamiaceae plants, provided the amount of acid used shall not exceed the minimum needed to lower pH to 2.5." at 205.605(b): 0 Yes, 15 No.	PROPOSAL FAILED: Remains prohibited for this use.
Handling	Motion to approve the recommendation that recharge materials used in the ion exchange filtration process must be listed on the National List: 15 Yes, 0 No.	PROPOSAL PASSED: Recommendation is referred to USDA.

Subcommittee	Proposal and Vote	Outcome
Crops	Motion to remove Herbicides, soap-based 1 Yes, 14 No. Motion fails.	RELIST: Remains on National List.
Crops	Motion to remove Biodegradable biobased mulch film 9 Yes, 6 No. Motion fails.	RELIST: Remains on National List.

Crops	Motion to remove Boric acid 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Crops	Motion to remove Sticky traps/barriers 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Crops	Motion to remove Elemental sulfur 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Crops	Motion to remove Coppers, fixed 2 Yes, 13 No. Motion fails.	RELIST: Remains on National List.
Crops	Motion to remove Copper sulfate 2 Yes, 13 No. Motion fails.	RELIST: Remains on National List.
Crops	Motion to remove Polyoxin D zinc salt 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Crops	Motion to remove Humic acids 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Crops	Motion to remove Micronutrients: Soluble boron products 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Crops	Motion to remove Micronutrients: Sulfates, carbonates, oxides, or silicates of zinc, copper, iron, manganese, molybdenum, selenium, and cobalt 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Crops	Motion to remove Vitamins C and E 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Crops	Motion to remove Squid byproducts 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Crops	Motion to remove Lead salts 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Crops	Motion to remove Tobacco dust (nicotine sulfate) 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Livestock	Motion to remove Chlorhexidine from the NL 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Livestock	Motion to remove Tolazoline 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Livestock	Motion to remove Copper sulfate 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.

Livestock	Motion to remove Elemental sulfur 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Livestock	Motion to remove Lidocaine 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Livestock	Motion to remove Glucose 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Handling	Motion to remove Attapulgite 1 Yes, 14 No. Motion fails.	RELIST: Remains on National List.
Handling	Motion to remove Bentonite 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Handling	Motion to remove Diatomaceous earth 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Handling	Motion to remove Magnesium chloride 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Handling	Motion to remove Nitrogen 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Handling	Motion to remove Sodium carbonate 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Handling	Motion to remove Acidified sodium chlorite 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Handling	Motion to remove Carbon dioxide 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Handling	Motion to remove Sodium phosphates 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Handling	Motion to remove Casings 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Handling	Motion to remove Pectin 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.
Handling	Motion to remove Potassium acid tartrate 0 Yes, 15 No. Motion fails.	RELIST: Remains on National List.