

Recap of Public Comments Submitted to the

National Organic Standards Board

Spring 2014 Meeting

April 29 – May 2 San Antonio, Texas

Compiled by the staff of The Cornucopia Institute



CORNUCOPIA
I N S T I T U T E

How to Use This Document

For the benefit of National Organic Standards Board members, and other organic stakeholders, The Cornucopia Institute has endeavored to compile, as accurately and objectively as possible, a recap of all formal written comments pursuant to the Spring 2014 NOSB meeting. This also includes comments made in advance of the cancelled Fall 2013 meeting.

Cornucopia greatly appreciates the work, dedication and enormous time commitment required to serve on the NOSB. Our hope is to provide a valuable resource for the Board better enabling members to understand the scope and sentiment of organic industry participants, including:

- Farmers
- Citizens
- Public Interest Groups
- Food Processors
- Handlers
- Manufacturers
- Distributors
- Retailers
- Trade Associations
- Industry Consultants
- Organic Certifiers

This document is organized by NOSB Subcommittee, in the order presented on the Draft Agenda. Under each agenda item, a table shows the number of comments submitted and the various stakeholder positions on that item. The “Notes” section under each table provides additional explanation.

Thank you for your work on behalf of all organic stakeholders. Please feel free to contact us regarding any of our findings or our methodology.

Will Fantle
Research Director
The Cornucopia Institute

CROPS SUBCOMMITTEE

Streptomycin

Motion: To remove the expiration date of October 21, 2014 for streptomycin and replace that with a new expiration date of October 21, 2017

Petitioned by: Washington State Horticultural Association,
California Pear Advisory Board, U.S. Apple Association, Michigan State Horticultural Society

Purpose: Antibiotic to control *Erwinia amylovora* (fire blight) on apples and pears

	Support (Retain on the List)	Oppose (Allow to Expire in 2014)
Farmers / Citizens		403 (on www.regulations.gov)
Public Interest Groups	None	Beyond Pesticides California Safe Schools Center for Food Safety (CFS) (2) Consumers Union Cornucopia Institute (3) Food & Water Watch (FWW) National Organic Coalition No Spray Zone Organic Consumers Association (OCA)
Citizen Petitions	None	CFS – 30,498 signatures FWW – 12,427 signatures OCA – 39,851 signatures
Food Processors / Handlers	None	Nature’s Path
Distributors / Retailers	UNFI (Melody Meyer) Organic Produce Wholesalers Coalition (OPWC) – Neutral (1)	None
Trade Associations / Consultants / Researchers	Organic Trade Association Organic Tree Fruit Association David Granatstein	Infectious Disease Society of America
Certifiers	California Certified Organic Farmers Pennsylvania Certified Organic WSDA Organic Food Program – Neutral	None

Notes:

- (1) OPWC is neutral but urges the NOSB to “recognize the production challenges.”
- (2) CFS states: “The risks of using Streptomycin are even clearer than those from using tetracycline, which the NOSB voted to allow to sunset at its April 2013 meeting.”
- (3) Cornucopia states: “From an organic perspective, the systems approach should be the first line of defense against fire blight, because a properly designed system will have less disease.”

Magnesium Oxide

Motion: Magnesium oxide (MgO) has been petitioned for use under §205.601

Petitioned by: Mesa Verde Resources

Purpose: To control the viscosity of a clay suspension agent for humates

	Support	Oppose
Farmers / Citizens	None	5
Public Interest Groups	None	Beyond Pesticides (BP) (1) Cornucopia Institute (1) California Safe Schools
Food Processors / Handlers / Manufacturers	CROPP Cooperative	None
Distributors / Retailers	None	None
Trade Associations	None	None
Certifiers	None	None

Note:

- (1) BP and Cornucopia both support the Crops Subcommittee’s following annotation: “Until May 1, 2019 (or 5 years after the date it is first allowed).”

Vinasse

Motion: To classify Vinasse as nonsynthetic.

Motion: To add language to the listing of Vinasse in the Guidance on Materials for Organic Crop Production (NOP 5034-1). Minority opinion is stated below (1).

Petitioned by: BioBizz Worldwide

Purpose: Fertilizer for organic crop production

	Support	Oppose
Farmers / Citizens	None	3
Public Interest Groups	None	Beyond Pesticides (BP) (2) Cornucopia Institute National Organic Coalition (NOC) (3)
Food Processors / Handlers / Manufacturers	None	None
Distributors / Retailers	None	None
Trade Associations	None	None
Certifiers	California Certified Organic Farmers Organic Materials Review Institute Pennsylvania Certified Organic	None

Notes:

- (1) Minority Opinion: Identifying the allowed and prohibited formulations of vinasse through the National List process is the appropriate action for the NOSB. The minority proposes to create a hybrid listing on both 601 and 602, explaining in the recommendation that vinasse is available in both synthetic and nonsynthetic forms.
- (2) BP states: “We urge the NOSB to (i) send the classification question back to the CS for action as described above, (ii) ask the subcommittee to identify the synthetic form of vinasse based on criteria that distinguish synthetic from nonsynthetic vinasse, and (iii) request that the subcommittee complete a review of synthetic vinasse to determine compliance with the checklist criteria under OFPA and propose a 205.601 recommendation.”
- (3) NOC notes: “[T]he main issue ... [is] related to the classification of these substances as synthetic or nonsynthetic. [This] is indicative of the strong need for a clearly defined policy on Classification of Materials.”

Laminarin

Motion: Motion to classify Laminarin as nonsynthetic

Petitioned by: Laboratoires Goëmar SA

Purpose: Pesticide that stimulates plant's natural defense mechanisms

	Support	Oppose	Neutral
Farmers / Citizens	None	3	None
Public Interest Groups	None	Beyond Pesticides (BP) (1) Cornucopia Institute National Organic Coalition (NOC) (2)	None
Food Processors / Handlers / Manufacturers	None	None	None
Distributors / Retailers	None	None	None
Trade Associations	None	None	None
Certifiers	None	None	Organic Materials Review Institute (OMRI) (3) Pennsylvania Certified Organic

Notes:

- (1) BP comments: "Determining as nonsynthetic substances formulated with high levels of sulfuric acid resulting in high levels of sulfate sets a bad precedent for future synthetic-nonsynthetic decisions."
- (2) NOC asserts that "a policy on Classification of Materials is an essential part of the infrastructure of the organic industry. We think a defined policy would benefit all organic stakeholders through more uniform implementation of the synthetic/nonsynthetic definition at each juncture at which materials are used and evaluated."
- (3) OMRI suggests that the sodium sulfate residues left over in the extract should be evaluated as an inert ingredient.

Sulfurous Acid

Discussion: Sunset Review. Comments regarding relisting on §205.601

Purpose: As a plant or soil amendment

	Renew (Retain on List)	Do Not Renew
Farmers / Citizens	Driscoll's Garrett Farms Grimmway Farms/Cal-Organic (GF/CO) (1) Reiter Brothers	194 (all consumers)
Public Interest Groups	None	Beyond Pesticides Cornucopia Institute California Safe Schools
Food Processors / Handlers / Manufacturers	Terry Gong (2)	None
Distributors / Retailers	None	None
Trade Associations	None	None
Certifiers	California Certified Organic Farmers	None

Notes:

- (1) GF/CO's comment states: "Sulfurous Acid is a very specific tool that is very helpful to arid region growers."
- (2) Gong submitted the original petition for Harmon Systems International (HSI), the manufacturer of H₂SO₃ generators.

Sodium Carbonate Peroxyhydrate

Discussion: Sunset Review. Comments regarding relisting on §205.601

Purpose: As an algaecide

	Renew (Retain on List)	Do Not Renew	Neutral/Seeks Clarification
Farmers / Citizens	None	194	None
Public Interest Groups	None	Beyond Pesticides (2) Cornucopia Institute California Safe Schools	None
Food Processors / Handlers / Manufacturers	BioSafe Systems (BSS) (1)	None	None
Distributors / Retailers	None	None	None
Trade Associations	None	None	None
Certifiers	California Certified Organic Farmers	None	Organic Materials Research Institute

Notes:

- (1) BSS states: "CA Rice Commission has approved of the use of sodium carbonate peroxyhydrate in CA Rice and recognizes the need for an alternative to copper based chemistries due to concerns about the continued build up of elemental copper in the Sacramento and San Francisco water sheds."
- (2) BP states: "It has been found by the NOSB in its 2007 recommendation not to meet the OFPA criteria of essentiality, compatibility with organic production, and no impacts on human health and the environment."

Aqueous Potassium Silicate

Discussion: Sunset Review. Comments regarding relisting on §205.601

Purpose: As an insecticide

	Renew (Retain on List)	Do Not Renew
Farmers / Citizens	1	196
Public Interest Groups	None	Beyond Pesticides (BP) (1) Cornucopia Institute California Safe Schools
Food Processors / Handlers / Manufacturers	None	None
Distributors / Retailers	None	None
Trade Associations	None	None
Certifiers	California Certified Organic Farmers	None

Note:

(1) BP states: "It has been found by the NOSB not to meet the OFPA criteria of essentiality and compatibility with organic production."

LIVESTOCK SUBCOMMITTEE

Synthetic Methionine in Organic Poultry Feed

Motion: To revise the current listing of synthetic methionine (MET) on the National List §205.603 to read: “for use only in organic poultry production at the following maximum average pounds per ton of 100% synthetic methionine in the diet *over the life of the flock*: Laying and broiler chickens – 2 pounds; Turkeys and all other poultry – 3 pounds.

Petitioned by: Livestock Subcommittee **Purpose:** Essential amino acid for poultry

	Support	Oppose
Farmers / Citizens	1	3
Public Interest Groups	Cornucopia Institute (1)	Beyond Pesticides Center for Food Safety Consumers Union Food & Water Watch National Organic Coalition California Safe Schools No Spray Zone
Food Processors / Handlers / Manufacturers	California Natural Products Cashton Farm Supply Farmers Henhouse CROPP Cooperative Country Egg Hen Farm Kreher’s Sunrise Farm Coleman Natural Foods BC Natural Chicken	None
Distributors / Retailers	UNFI	None
Trade Associations	Methionine Task Force (MTF) (2) Organic Egg Farmers of America Organic Trade Association United Egg Producers California Farm Bureau Federation	None
Certifiers	Washington State Dept. of Agriculture Midwest Organic Services Association Pennsylvania Certified Organic Oregon Tilth	None

Notes:

- (1) Cornucopia supports the language revision but also wants the NOSB to commit to aggressive research into alternative management and feed supplements as well as a commitment to Sunset synthetic methionine in 2019.
- (2) The MTF proposes a slight increase in methionine for layer and broiler chickens to 2.5 lbs. per ton because they feel the step-down was too drastic for chickens and is causing some serious health problems.
- (3)

Acidified Sodium Chlorite

Motion: To list Acidified Sodium Chlorite at §205.603(a) and §205.603(b) of the National List annotated as follows: “Acidified Sodium Chlorite, allowed for use on organic livestock as a pre and post teat dip treatment, acidified with lactic acid or other GRAS acid.” Livestock Subcommittee voted to deny this motion.

Petitioned by: Ecolab, Inc.

Purpose: Disinfect cow teats

	Support	Oppose
Farmers / Citizens	Daniel Giacomini (1)	3
Public Interest Groups	None	Beyond Pesticides Cornucopia Institute California Safe Schools
Food Processors / Handlers/ Manufacturers	Select Sire Power, Inc.	None
Distributors / Retailers	None	None
Trade Associations	None	None
Certifiers	None	None

Note:

- (1) Giacomini, an animal nutritionist and former NOSB member, believes that Acidified Sodium Chlorite is a better product than the alternatives.

Aquaculture: Animals

All Materials Summary

Motion: To add the following items to the National List §205.611 for aquatic animal production:

Chlorine, Tocopherols, Minerals, Vitamins, and Vaccines

Petitioned by: Aquaculture Working Group

Purpose: Inputs to support animal aquaculture

	Support	Oppose
Farmers / Citizens / Fishermen	None	230 (2)
Public Interest Groups	None	Beyond Pesticides Center for Food Safety Consumers Union Cornucopia Institute Food & Water Watch (FWW) National Organic Coalition No Spray Zone
Citizen Petitions	None	11,880 signatures gathered by FWW
Food Processors / Handlers / Manufacturers	None	None
Distributors / Retailers	None	PCC Natural Markets
Trade Associations	Aquaculture Working Group	Organic Trade Association (OTA) (3)
Certifiers	Oregon Tilth (OT) (1)	Maine Organic Farmers & Gardeners Association

Notes:

- (1) OT recommends approving aquaculture materials because they are already certifying some aquaculture operations. They state in their comments, “Certifiers, Accreditors, and Organic Growers appreciate consistency wherever possible; especially when a material is permitted in multiple sections of the National List.”
- (2) Much of the consumer opposition registered the same sentiment as this comment: **“Organic should mean something incorruptible about the quality of our food.** Farmed fish feedlots damage marine ecosystems and harm wild fish populations. Disease, parasites, pollution, escapees all threaten wild fish that live in proximity even briefly to industrial fish pens. The aquaculture industry’s efforts to address

these problems with vaccines, antibiotics, synthetic feed, chlorine, **will invite mockery of the term 'organic' if it labels farmed fish.**"

- (3) OTA suggests that the Livestock Subcommittee table the recommendations on materials petitioned for use in organic aquaculture until a proposed rule has been released by NOP. All the other public interest groups have taken a similar stance.

Aquaculture: Crops

All Materials Summary

Motion: To add the following items to the National List §205.609 for aquatic crop production:
Micronutrients, Carbon Dioxide, Chlorine, Lignin Sulfonate, and Vitamins B1, B12, and H

Petitioned by: Aquaculture Working Group

Purpose: Inputs to support crop aquaculture

	Support	Oppose
Farmers / Citizens / Fishermen	None	230
Public Interest Groups	None	Beyond Pesticides Cornucopia Institute Food & Water Watch National Organic Coalition
Food Processors / Handlers / Manufacturers	None	None
Distributors / Retailers	None	None
Trade Associations	Aquaculture Working Group	Organic Trade Association (OTA) (2)
Certifiers	Oregon Tilth (OT) (1)	None

Notes:

- (1) OT recommends approving crop aquaculture materials (with the exception of Carbon Dioxide) because they are already certifying some aquaculture operations. They state in their comments, "Certifiers, Accreditors, and Organic Growers appreciate consistency wherever possible; especially when a material is permitted in multiple sections of the National List."
- (2) OTA suggests that the Livestock Subcommittee table the recommendations on materials petitioned for use in organic aquaculture until a proposed rule has been released by NOP. All the other public interest groups have taken a similar stance.

HANDLING SUBCOMMITTEE

Ammonium Hydroxide

Motion: To add to the National List §205.605

Petitioned by: Richard Theurer

Purpose: Boiler additive to prevent corrosion

	Support	Oppose
Farmers / Citizens	None	60 (2)
Public Interest Groups	Cornucopia Institute (4)	Beyond Pesticides (BP) (3) Consumers Union (CU) (3) National Organic Coalition (NOC) (3)
Food Processors / Handlers	None	None
Ingredient Suppliers / Material Manufacturers	None	None
Distributors / Retailers	None	None
Trade Associations / Industry Consultants	Richard Theurer (1) Wolf, DiMatteo and Associates	None
Certifiers	None	None

Notes:

- (1) Theurer states: “The Handling Subcommittee fails to distinguish between the manageable hazard of ammonium hydroxide added to a boiler in a factory and the absence of any risk created by consumption of a food product containing a few parts per million of ammonium carbonate contributed by condensate water. Currently ammonia is permitted in the treatment of water that becomes part of processed food labeled as “organic” under 7 U.S.C. 6510 (a)(7).”
- (2) The public comments state ammonium hydroxide is “toxic to the environment and humans.”
- (3) BP, CU and NOC state that the substance is a “severe irritant” and presents a “serious toxicological concern.”
- (4) Cornucopia cites the GRAS status of Ammonium Hydroxide as a food ingredient and its appearance to be a less potentially toxic material than other boiler treatments already on the List. Based on survey work we are in the process of completing, the large majority of boiler operators claim that boiler additives are essential for proper maintenance.

Glycerin

Motion: To remove glycerin from the National List as an allowed non-agricultural synthetic §205.605(b)

Petitioned by: Draco Natural Products

Purpose: Food additive

	Support (Remove from List)	Oppose (Retain on List)
Farmers / Citizens	6 citizens	None
Public Interest Groups	Beyond Pesticides (BP) (1) Consumers Union Cornucopia Institute National Organic Coalition (NOC)	None
Food Processors / Handlers	Elan, Inc. Draco Natural Products Marroquin Organic International, Inc.	None
Ingredient Suppliers / Material Manufacturers	None	California Natural Products Vantage Oleochemicals Vitusa Products, Inc. Flavor and Extract Manufacturers Association of the United States
Distributors / Retailers	None	None
Trade Associations /Consultants	None	Organic Trade Association (OTA) (2) Environment Health Sustainability
Certifiers	Oregon Tilth	QAI

Notes:

- (1) BP notes that glycerin is also listed on §205.603 as a teat dip and asks if it is possible to also remove glycerin from §205.603.
- (2) OTA raises three concerns: 1. The supply of organic glycerin may not be adequate at this time; 2. It must be made clear that the removal of **nonagricultural synthetic** glycerin from the National List on §205.605(b) does not preclude the allowance of nonorganic (**non-synthetic**) **agricultural** forms in NOP certified “made with” products, or in NOP compliant ingredients such as natural flavors; and 3. the NOSB is advised to retain glycerin on § 205.605(b) (non-agricultural synthetic) with an annotation requiring organic forms in organic products unless commercially unavailable, and add glycerin to § 205.606 (non-organic agricultural ingredients allowed in organic products when organic forms are unavailable) of the National List. This would recognize agricultural forms of glycerin and accordingly allow for the use of non-organic agricultural glycerin in “made with products.”

Polyalkylene Glycol Monobutyl Ether (PGME)

Discussion Document: To determine if it is necessary to petition PGME for addition to §205.605 (b).
To determine whether PGME is used in direct contact with organic products.

Petitioned by: Pellet Products, Inc.

Purpose: Boiler additive

	Support (Allow without Petition)	Oppose (Needs to be Petitioned)
Farmers / Citizens	None	4
Public Interest Groups	None	Beyond Pesticides (BP) (1) Cornucopia Institute (1) Consumers Union (CU) (1) (2) (3)
Food Processors / Handlers	Pellet Products, Inc.	None
Ingredient Suppliers / Material Manufacturers	None	None
Distributors / Retailers	None	None
Trade Associations	None	None
Certifiers	Pennsylvania Certified Organic	None

Notes:

- (1) BP, CU and Cornucopia state that PGME needs to be petitioned, reviewed and approved before it can be allowed in organic feed production.
- (2) CU writes that organic certification is systems based, and all synthetic inputs used in the process, from field to fork, regardless of “contact with organic products” or residues in the final product, must be approved for use.
- (3) CU states that the petitioner should be instructed to petition PGME for §205.603 – “Synthetic substances allowed for use in organic livestock production,” rather than §205.605.

Gellan Gum

Discussion: Sunset Review. Comments regarding relisting of High-Acyl Gellan Gum on §205.605(a)

Petitioned by: Nordic Sugar

Purpose: Food additive

	Support	Oppose
Farmers / Citizens	None	6
Public Interest Groups	None	Beyond Pesticides Consumers Union (CU) (3) (4) Cornucopia Institute National Organic Coalition
Food Processors / Handlers	CROPP Cooperative (1) Hain Celestial Group (HCG) (2) Stonyfield	None
Ingredient Suppliers / Material Manufacturers	CP Kelco	None
Distributors / Retailers	None	None
Trade Associations	Juice Products Association Association for Dressings and Sauces International Food Additives Council	None
Certifiers	QAI	None

Notes:

- (1) CROPP states: “We have removed carrageenan from our products, replacing it with gellan gum for its properties as a stabilizer that suspends particles and acts as a thickening agent. Gellan gum provides a comparable alternative in body and flavor to current consumer expectations of product performance.”
- (2) HCG notes that gellan gum “can be used at a significant lower concentration than many other gums.”
- (3) CU states that it is concerned about the possible use of excluded methods and “other ingredients” to manufacture gellan gum.
- (4) CU states that gellan gum is synthetic and should have been considered for listing on §205.605(b).

Tragacanth Gum

Discussion: Sunset Review. Comments regarding relisting of Tragacanth Gum on §205.606

	Support (Retain on List)	Oppose (Remove from List)	Neutral
Farmers / Citizens	None	4 (1)	None
Public Interest Groups	None	Beyond Pesticides (BP) (2) Cornucopia Institute (2) (3) Consumers Union (CU) (3) National Organic Coalition Center for Science in the Public Interest	None
Food Processors / Handlers	None	None	None
Ingredient Suppliers / Material Manufacturers	None	None	None
Distributors / Retailers	None	None	None
Trade Associations	Association for Dressings and Sauces (ADS)	None	None
Certifiers	None	None	QAI (4)

Notes:

- (1) A consumer comment states: “This additive has caused severe allergic reactions.”
- (2) BP and CI request that a 5-year expiration date be added as an annotation to the listing. Both groups also state that a new TR is needed.
- (3) Cornucopia and CU note that tragacanth gum and gum arabic are nearly identical and that an organic version of gum arabic is available.
- (4) QAI is neutral but asks the NOSB to consider the impact of delisting to certified operations.

Marsala/Sherry

Discussion: Sunset Review. Comments regarding relisting Marsala and Sherry on §205.606

	Support (Retain on List)	Oppose (Remove from List)	Neutral
Farmers / Citizens	None	5	None
Public Interest Groups	None	Beyond Pesticides (BP) (1) Cornucopia Institute (1) (2) California Safe Schools	None
Food Processors / Handlers	None	None	None
Ingredient Suppliers / Material Manufacturers	None	None	None
Distributors / Retailers	None	None	None
Trade Associations	None	None	None
Certifiers	None	None	QAI (3)

Notes:

- (1) BP and Cornucopia state that non-organic grape production involves the use of many toxic chemicals. There is no evidence of essentiality.
- (2) Cornucopia requests a new TR.
- (3) QAI states: "We have clients for sherry, but not marsala. Just make sure there are organic alternatives if they are delisted."

MATERIALS SUBCOMMITTEE

Confidential Business Information (CBI)

Motion: Recommendation #1 - Confidential business information is not allowed in petitions

	Support (Do Not Allow CBI)	Oppose (Allow CBI)
Farmers / Citizens	2 (1)	None
Public Interest Groups	Beyond Pesticides Center for Food Safety Consumers Union Cornucopia Institute (2) National Organic Coalition (NOC) (3)	None
Food Processors / Handlers	None	None
Ingredient Suppliers / Manufacturers	None	California Natural Products (CNP) (4) Hain Celestial Group (HCG) (5)
Distributors / Retailers	None	None
Trade Associations /Consultants	None	Organic Trade Association Wolf, DiMatteo and Associates
Certifiers	None	None

Notes:

- (1) A consumer comment states: “CBI can be used as a mask for deflecting public scrutiny. Truly sensitive information can be achieved by NOP, NOSB and petitioners in concert.”
- (2) Cornucopia states: “We do not support the modified version of this recommendation—to allow back-up research and references to be submitted as CBI to assist the TR development.”
- (3) NOC states: “If the material’s manufacturers have not released the needed information to the technical reviewer, then the sunset review of the material cannot continue, as per CBI policy.”
- (4) CNP states: “Frankly, trade secrets, CBI is just a given in the modern world. Organics will just be ignored by large segments of the food world without CBI.”
- (5) HCG states: “It is already extremely difficult to get any petition approved to add a material to the National List. Please don’t deter manufacturers from even trying.”

POLICY DEVELOPMENT SUBCOMMITTEE

Note: The agenda for the Fall 2013 NOSB Meeting included proposals by the Policy Development Subcommittee to update the NOSB’s Policy and Procedures Manual (PPM). The agenda included an opportunity for the NOSB to explain those changes in a public forum, to summarize comments written by the public, to hear oral testimony from the public during the meeting, and, finally, to vote on whether the changes should be accepted. Those items were removed from the Spring 2014 meeting agenda. Instead, the NOP made changes without public or Board involvement. We present these summaries to inform the Board about the concerns of the organic community.

Conflict of Interest (COI)

Motion: Accept NOP memo of March 29, 2013, stating that COI is determined by the NOP in a closed process.

Add language to the Policy and Procedures Manual (PPM) in support of the NOP memo.

This table is based on comments from the Fall 2013 meeting. Some organizations submitted comments both Fall and Spring.

	Support (NOP Determines COI)	Oppose
Farmers / Citizens	None	3 (Fall)
Public Interest Groups	None	Beyond Pesticides * Center for Food Safety Consumers Union (CU) (1) * Cornucopia Institute * National Organic Coalition
Food Processors / Handlers	None	None
Distributors / Retailers	None	None
Trade Associations	Organic Trade Association	None
Certifiers	None	None

Note from the Spring 2014 comments:

(1) CU states: “We are very concerned with the direction that the USDA appears to be moving in regarding the NOSB’s conflict of interest policy. We submitted a comprehensive comment on this topic in October 2013, yet it appears that the USDA has not considered the concerns we raised and is moving ahead with a

different approach from the one we proposed. ... We believe that a set of criteria for determining recusals due to a conflict of interest must be developed in a transparent manner, involving both the NOSB and the public.”

**Submitted comments for both Fall and Spring meetings*

New Sunset Policy

Note: The NOP requested that the NOSB update the Policy and Procedures Manual so that it reflects the Sunset Process published in the Federal Register on September 16, 2013. The new NOP-written Sunset Process allows synthetic materials to be relisted without a vote by the full NOSB. The revised procedure was written entirely by the NOP; it was not a discussion item or motion at any NOSB meeting.

This table is based on comments from the Fall 2013 meeting. Some organizations submitted comments both Fall and Spring.

	Support New Sunset Policy	Oppose
Farmers / Citizens	1	37 (Fall)
Public Interest Groups	None	Beyond Pesticides (BP) (1) * Center for Food Safety * Consumers Union (CU) (2) * Cornucopia Institute (3) * Food & Water Watch * Midwest Pesticide Action Center ** National Organic Coalition * No Spray Zone NOFA Interstate Council (Northeast Organic Farming Association) ** Wild Farm Alliance
Food Processors / Handlers	None	None
Distributors / Retailers	Stonyfield Farms UNFI (Melody Meyer)	PCC Natural Markets (PCC) (4) *
Trade Associations	None	None
Certifiers	California Certified Organic Farmers	None

Notes from the Spring 2014 comments:

- (1) BP states: “The NOP’s decisions with regard to the PPM’s implementation, and its decisions to ignore the previously agreed-upon policies, constitute arbitrary and capricious behavior.”
- (2) CU states: “No public comment period was provided for the changes to this policy, which had been in place since 2005. We object to both the process and the substance of the policy change. ... We believe the USDA must reverse course and we intend to mount a fierce campaign to hold the agency accountable to the millions of Americans who expect more from the government—and the organic label.”
- (3) Cornucopia states: “In order to retain materials on the National List, a vote of two-thirds of the members present has been required. This policy should remain in effect.”
- (4) PCC states: “NOP’s announcement—without warning and without stakeholder input— ... is not acceptable. ... This new policy will erode trust in the organic program and diminish the value of the seal. What is most troubling about this recent action by NOP is it is rule-making from the ‘top-down’ — rather than the fully democratic process provided by OFPA.”

**Submitted comments for both Fall and Spring meetings*

*** Submitted comments only for Spring*