

NOSB Meeting Fall 2015

Webinar for Oral Comments – October 13, 2015

Approximately 1-3 p.m. (Eastern). This was about three of the four scheduled hours with 15 of 16 registered speakers presenting comments (at least one was a no-show).

Speaker	Affiliation/Position	Comment Topic	Position	Notes/Quotes
Kevin Boise	Undisclosed	Current standards for pathogen kill in organic material – specifically processed manures.	They want their equipment (to process manures using shockwave) listed as an alternative to composting or heat pathogen kill.	His company has equipment that can achieve a pathogen kill in a “non-thermal manner” with an effect that is “far greater than we can achieve with a composting process.”
Jessica Belz	Fiberstar Inc./ Director of Quality Assurance	Non-organically produced agricultural products allowed as ingredients in or on processed products labeled as “organic.” – §205.606 (q) Orange pulp, dried.	Fiberstar is <b>against</b> the removal of dried orange pulp because, though there is a source of organic orange pulp, there is still an availability issue.	Most oranges for juicing (which is where the dried pulp is sourced from) come from Florida. There is not a large enough volume of organic oranges in Florida to efficiently process dried pulp that is organic.
Jessica Green	Citizen commenter	No-show		
Laura Batcha	Organic Trade Association/CEO/ Executive Director	Issue of GMO contamination	<ul style="list-style-type: none"> <li>For natural flavors at §205.605(a) as an allowed non-synthetic: OTA wants a change in the annotation to state something like “use organic products where possible.”</li> <li>They <b>support</b> the removal of lignin sulfonate from the National List.</li> <li>OTA <b>supports</b> relisting of celery while in the meantime an organic alternative is sought.</li> </ul>	On the GMO “contamination prevention strategy”: The source of the seed is the most critical point in the supply chain. Certifiers have to know when they get [GMO contamination] test results they have to understand what is within the control of operator and what is not.

<b>Patty Lavera</b>	Food and Water Watch/Assistant Director	<ul style="list-style-type: none"> <li>GMO contamination</li> <li>Listing of inert ingredients and ash.</li> </ul>	<ul style="list-style-type: none"> <li>Does <b>not support</b> the changed annotation for inert ingredients – responsibility should not be shifted from the NOSB to the EPA.</li> <li>Supports recommendation to remove ash from the list.</li> </ul>	For GMO contamination, speaker urged the NOSB to keep talking about this issue and to understand that the organic community is bearing “very real costs” and an “unfair amount of the burden in trying to coexist [with non-organic producers]”. Supports recommendation to remove ash because it is “propping up” huge intensive livestock operations and that goes against organics.
<b>Ronald Gonzales</b>	DOLE (Costa Rica)/Research Manager	The listing of ethylene gas	<b>Strongly supports</b> the continued use of ethylene gas as an allowed synthetic substance. [§205.601(k)]	Without ethylene gas you cannot plan harvesting and growing pineapples. It is crucial to be able to “program the harvest” because then they generate/design pest control and harvest time around this program – otherwise the plants need to be managed individually. The market would return to conventional pineapple if ethylene gas is removed from the list.
<b>West Mathison</b>	Stemilt Growers/President	General caution to not remove things from the approved listings – including specific items.	<ul style="list-style-type: none"> <li><b>Supports</b> the relisting of multiple items: fish products, pheromones, chlorine (for sanitation), etc.</li> <li>Needs to be more research into methyl bromide alternatives.</li> </ul>	Speaker CAUTIONS the removal of further products because removals have unintended consequences, including unexpected expenses and crop losses due to not having the available “tools.” He also complained that not having some of the synthetic materials would necessitate more hiring labor (and having to build additional housing to accommodate workers).
<b>Rhodes Yepsen</b>	Biodegradable Products Institute	Biodegradable films/mulch covers	<ul style="list-style-type: none"> <li>NOP policy memo 15-1 is problematic.</li> <li>The pertinent regulation should contain a definition of “bio-based material.”</li> </ul>	NOP policy memo 15-1 is problematic. The final approval was not the same as the petition and research – 100% bio-based/plant-based covers are not on the market. The biodegradable mulch films the company produces meet the minimum bio-product requirement.
<b>Amber Pool</b>	CCOF/Senior Farm Specialist	Inerts	<ul style="list-style-type: none"> <li><b>Supports</b> annotation change for inerts.</li> </ul>	Supports annotation change so that only the safest materials are approved for use in organics. It takes a long times for pesticide companies to get things approved by EPA so we need long phase-out so people don’t lose the tools they rely on.
<b>Marni Carlin</b>	Organic Trade Association	<ul style="list-style-type: none"> <li>Alginic acid</li> <li>Reclassifying, in general</li> </ul>	Alginic acid should remain classified as a synthetic.	Speaks of caution when reclassifying so that the NOSB does not get ahead of the NOP.
<b>Allen Wideman</b>	Organic grain farmer in Washington state	Liquid fish (fertilizer)	Asks: Are their limits to reactive molecule/compounds in liquid fish	This farmer would like guidance on the use of a specific liquid fish product that contains recaptured ammonium

			products?	sulfate. His state organics regulator said this product is not allowed.
<b>Amelie Hayte</b>	GNT USA	Colors (as additives)	<b>Supports</b> the relisting of colors on National List (from beet juice, etc.) because there are problems with the availability of organic alternatives.	Organic vegetable-based colors are only available in limited quantities. Organic fruit and vegetables do not have the same quality as conventional – they are not as concentrated. Organic colors are only available in liquid form, which rules out their uses in some products.
<b>Pamela Saunders</b>	Organic meat company/Organic Prairie	Celery powder	<b>Supports</b> the relisting of celery powder until an organic alternative source for curing meat is developed.	They have been assisting with research to figure out where another vegetable source with curing properties can be found (other than celery).
<b>Hilda Tovar</b>	BerryMex	Does not want multiple items removed from National List	<ul style="list-style-type: none"> <li>• <b>Supports</b> continued allowance of plastic mulch covers.</li> <li>• <b>Supports</b> continued allowance of fish products (for fertilizer).</li> <li>• <b>Supports</b> the relisting of multiple other products, including hydrogen peroxide, copper sulfate, etc.</li> </ul>	Speaking about central Mexico and Baja California producers, they need to have multiple things they can use in rotation because supply of some products can be unpredictable. The plastic mulch covers reduces labor costs and can be recycled.
<b>Katherine DiMatteo</b>	Partner in Wolf DiMatteo + Associates	<ul style="list-style-type: none"> <li>• Inerts</li> <li>• Plastic mulch/bio-degradable film</li> </ul>	<ul style="list-style-type: none"> <li>• For inerts: ensure actual compliance with OFPA.</li> <li>• Urge biodegrade films be allowed for use immediately; the memo 15-1 needs to be changed to match the actual regulations.</li> </ul>	National List – limiting list/making it smaller should not be a long-term goal. The decision that something should be on this list is not a popularity contest and should NOT rely on the number of comments received. Decision should be based only on criteria.
<b>Eileen Hourihan</b>	McCarthy Manufacturing/ registered dietitian in Illinois	Sulfites (lignin sulfate and sulfuric acid?)	Some people are <u>allergic to sulfites</u> – so we should ban these substances from the food supply.	

October 13, 2015 – other individuals present in the “room”:

Jenny Tucker at the NOP – Tech Facilitator

Dr. Paul Lewis – Standards division director

Other NOP staff members were present as well, including their new technology officer.

Jean Richardson, NOSB Board chair, moderated the webinar process.

**NOSB Fall 2015 Meeting**

**Webinar for Oral Comments – October 20, 2015**

<b>Speaker</b>	<b>Affiliation/ Position</b>	<b>Comment Topic</b>	<b>Position</b>	<b>Notes/Quotes</b>
<b>Jessica Shay</b>	Director of Science Progress for the Organic Center	Research priorities	2015 research priorities – especially approve of livestock management and development of alternatives are very important.  Suggestions for additions to NOSB research priority: <ul style="list-style-type: none"> <li>• Manure safety</li> <li>• Pollinator health</li> </ul>	Excited about OTA working group – they plan to support it. [Note: The Organic Center was started by the OTA and is housed in the OTA corporate offices.]  Highlight of current projects: <ul style="list-style-type: none"> <li>• Antibiotics/alternatives for fire blight</li> <li>• Organic solutions to control citrus greening disease (Asian citrus cidid)</li> <li>• Soil-building practices</li> </ul>
<b>Paul Browner</b>	Regulatory head/ DSM (nutritional products company)	Fish oil	Fish oil – recommends re-listing without changing annotation. It does not have dire consequences for sustainability.	Sustainability: fish used in fish oils are not overexploited. FAO report – it overgeneralizes the state of the fisheries. Contaminants: highly refined oil – no huge concern of contaminants (health benefits are greater than concerns). Plant derived alternatives: do not contain the same fatty acids as fish oil. Tom Chapman Q: Asks about source/Peruvian fishery. FAO code of conduct – is it used to qualify fisheries?
<b>Robert LaRose</b>	BioSafe Systems	NO SHOW		
<b>Kent Henderson</b>	Veterinarian NW Vermont (dairy herds)	Parasiticides (Fenbendazol)	<ul style="list-style-type: none"> <li>• Reduce current restricted withholding times for beef and dairy.</li> <li>• Consider Ivermectin removal because it hurts dung beetles and beneficial insects.</li> </ul>	<ul style="list-style-type: none"> <li>• Fenbendazol – slides show the medication is not present well before withholding time.</li> <li>• Current standards only allow treatment during emergencies. The 90-day milk withholding is too long.</li> <li>• Internal parasites harm natural immunity.</li> </ul> Francis Thicke Q: How long should withdrawal time be? And Moxidectin? Fenbendazol has to be prescribed to farmer – is that still okay? A: Below 0 in milk, 14 days in beef. Veterinarian does not recommend Moxidectin be used. Dr. Henderson does not think it should need prescription by veterinarian.

<b>Steve Etka</b>	National Organic Coalition/Policy Director	<ul style="list-style-type: none"> <li>• Research priorities</li> <li>• Changing rules/policy</li> </ul>	<p>Add these research topics:</p> <ul style="list-style-type: none"> <li>• Methel bromide alternatives for organic strawberry transplants.</li> <li>• Celery powder</li> </ul> <p>Other topics:</p> <ul style="list-style-type: none"> <li>• Ionizing radiation</li> <li>• Animal welfare standards</li> </ul>	<p>Pleased with research priority into sanitizing alternatives to chlorine.</p> <p>Ionizing radiation – organic rule prohibits it – FDA description is <u>too narrow</u>. UV radiation is not covered and it should be prohibited.</p> <p>Outdoor access to poultry – this should be a priority for animal welfare standards. This should be part of the solution to pathogen problems (avian influenza).</p>
<b>Jeff Nolan</b>	Energy Works Biopower	Prohibition against manure burning	The prohibition needs to be allowed to sunset.	<p>Manure is a huge contributor to water pollution (particularly in Chesapeake Bay).</p> <p>Solution – take manure and use it to generate renewable power to use “excess manure.”</p> <p>There is a lack of consensus as to the reason behind the manure burning prohibition.</p>
<b>Theojary Crisantes</b>	Organic farmer for Wholesum Harvest/ VP of organic production	Hydroponics/ greenhouse agriculture in organics	<p>Their greenhouses meet organic standards.</p> <p>Hydroponics/ aquaponics – do not stunt methods that make organics more accessible to customers.</p>	<p>Technology packages that help to <u>exclude pests</u> and diseases that can’t be controlled by organic methods. This includes things like “shade houses.”</p> <p>Open field is problematic for vegetables sometimes with respect to environment and pest control (they grow tomatoes in containers in greenhouses).</p>
<b>Margaret Scoles</b>	IOIA/ Executive Director	Relisting materials	<p>Keep on the list:</p> <ul style="list-style-type: none"> <li>• Ethylene gas</li> <li>• Liquid fish</li> <li>• Copper</li> <li>• Sulfur</li> <li>• Humic acid</li> </ul>	<p>Do not remove things from list just because there are not a lot of farmers commenting.</p> <p>Materials for crops and livestock farmers is the focus of their comments – because they are less likely to comment (smaller, more surprised when something is suddenly not allowed).</p>

			<ul style="list-style-type: none"> <li>Livestock vaccines</li> </ul>	<p>IOIA supports proposal for annotation change for micronutrients.</p> <p>Harold Austin Q: Elaborate on Ethylene gas. And the size of the operation? A: Every operator uses this material.</p>
<b>Val George</b>	CCOF	Synthetic parasiticides	<ul style="list-style-type: none"> <li>Support changes to parasiticides annotation change</li> <li>Relist: hydrogen peroxide, iodine, etc.</li> </ul>	<p>Removal of Ivermectin supported.</p> <p>[Difficult to hear what this speaker was saying due to poor connection]</p>
<b>Barry Flamm</b>	Conservation consultant/ Cornucopia Institute board member/former NOSB Chairman	Policy and Procedure Manual (PPM) & policy changes	<p>Negative effect on organic integrity – return to the Aug 12 PPM and then use the established process to make changes. Restore full authority of NOSB.</p>	<p>Original PPM done with transparent procedures and public input. Disbanded policy development committee – a negative change. Changing policy of sunset procedures – requiring 2/3rds vote to REMOVE rather than 2/3s vote to KEEP material.</p> <p>Response from Tracy Favre: They tried to do a red-line for the PPM and had difficulty with it (being too complicated).</p>
<b>Goldie Caughlan</b>	Cornucopia Institute board member/ former member of NOSB	PPM	<p>Consumers need more transparency (especially with quality of Technical Reviews and inputs in the field)</p>	<p>Disappointment/concern for changes in PPM.</p> <p>Open information exchange with public is important. Someone needs to represent voice of the consumer.</p> <p>There are <u>a lot</u> of concerned and confused ingredients. A great deal of the problem is: huge lag time/difficulty in getting Technical Reviews that the board members need to work with for the materials. The Technical Reviews have huge lag time.</p> <p>Tracy Favre Qs: Speaks to the contentious relationship between the NOP and the NOSB. What are the concerns on the lag time for Technical Reviews? Goldie Caughlan: No full transparency as to who provide the TRs (training and disclosures/conflicts). The NOSB is at the mercy of the quality of the TRs. The TAP reviews – the old board knew who the TAP reviews were coming from.</p>
<b>Steve Sprinkle</b>	Cornucopia/ organic farmer	NO SHOW		

<b>Jackie DeMinter</b>	MOSA/ Certification Policy Manager	Annotation changes	Generally support annotation changes, but some clarification needs to be had and questions answered.	Support EPA List 4 Inerts annotation change – but with some need for clarification (as seen in written comments). Micronutrient annotation – support annotation changes but with some questions. “Professional crop advisors” and agronomists – will you require MOSA to start checking credentials? Please check that the micronutrients are all compatible with the National List. Flavors – support preference for organic flavors. How is commercial availability enforced in general? Ancillary substances – commonly used.
<b>Diane Cole</b>	Applegate (now owned by Hormel Foods)	Celery powder	Relist celery powder	Celery powder is necessary/important for organic meat products and there are no alternatives. More time is needed for research into alternatives. 30% of Applegate’s portfolio is organics but they want to expand. Without the use of celery powder much of the organic growth in Applegate will be stalled. Applegate is continuing to work on availability for organic celery. Additional time is needed to find an acceptable replacement.
<b>Kevin Engelbert</b>	Organic dairy, beef and crop farmer/former NOSB member/ Cornucopia Institute board member	Multiple policy and procedure changes	See details to the right (many topics touched on briefly)	Farmer: Ships milk, majority to Organic Valley but retains some for their own cheese production and marketing. They were the first certified organic dairy in the U.S. <ul style="list-style-type: none"> <li>• Animal welfare standards need to be further developed.</li> <li>• Mechanism for doing annotations is unclear (especially to public) and sunset materials are unclear.</li> <li>• Change in sunset process – this change is negative, makes it difficult to have materials removed.</li> <li>• Only allowing 3 minutes comment at NOSB meetings – meant to discourage participation from public.</li> <li>• Technical Reviews – authors secret from the <u>public</u> (conflicts/competency cannot be evaluated).</li> <li>• NOP trying to get rid of PPM</li> <li>• Lack of respect of NOSB from NOP (and lack of transparency) – hydroponics as an example because the NOP is moving forward with hydroponics.</li> <li>• Lack of enforcement of existing rules – especially access to <u>pasture</u> rule.</li> <li>• Tracy Favre Q: Question about pasture access – what does he mean? Kevin states that many farms do not have proper access to pasture (specifically to poultry) and they are still certified as organic and pastured poultry cannot compete.</li> </ul>

<b>Victoria Alvarez Saavedra</b>	FEMA-US (flavor extract company)/Leader for FEMA organic passport	Flavors	<ul style="list-style-type: none"> <li>• Support re-listing of flavors</li> <li>• Support annotation change</li> </ul>	Support annotation change– with note that the supply of organic flavors is not sufficient to sunset any flavors. If an organic form is available that would meet the needs of the user (because some do not have right qualities to satisfy current demands) then they support using the organic flavors. Flavors are essential to the processed organic food sector.
<b>Aishwarya Balasubramanian</b>	AgroFresh	Apple growers – postharvest quality	Smartfresh product – speaking in support of the product.	Smartfresh/MCP1 – 1/50 gas molecule (stabilized) to help preserve apples after picking. Includes ethylene (which causes ripening but also spoilage). Smartfresh slows down the natural process of ethylene. Doubles the shelf life and non-toxic. Smartfresh could reduce water and increase marketing season. Currently organic growers put apples in cold room. Harold Austin Q (as an apple grower): What does this actually do? A: It doubles the window of storage and prevents storage scald and overly fast ripening (when apple is removed from storage). Agrofresh is planning to submit a petition for pre- and post-harvest.
<b>Bob Blue</b>	Fetzer Vineyards/ Director of Winemaking	Sunset materials comments	Supports relisting of: <ul style="list-style-type: none"> <li>• SO<sub>2</sub>/Sulfur dioxide</li> <li>• CO<sub>2</sub></li> <li>• Ascorbic acid</li> <li>• Ozone</li> <li>• Cream of tartar</li> </ul>	Bonterra is Fetzer Vineyards organic brand. SO <sub>2</sub> is necessary for winemaking. Chills bacteria that compete with the yeast and neutralizes oxidative enzymes. SO <sub>2</sub> is also used to stabilize wine. There is no alternative – “made with” category. Without it is also difficult to make wine with barrels.
<b>Greg Gunsolp</b>	Farmer	Livestock Issues	NO SHOW	
<b>Jane Parker</b>	Botanical Food Company/ Gourmet Garden	Sodium lactate	Support of petition Sodium lactate (should be put on National List)	Sodium lactate approved for use in herbs and spices in their products. Helps to preserve them – diverse functionality that provides safety (antimicrobial – increases shelf-life), water-binding properties, and functionality. No alternative that can take its place. Harold Austin Q: Lactic acid does not provide functionality? A: Tried it and it did not work – gives some cover but not enough. Sodium lactate is a better pH buffer and that helps the foodborne illness problems.



**October 20, 2015 – other people present in the “room”:**

Jenny Tucker at the NOP – Technology Facilitator

Dr. Paul Lewis – Standards division director – Welcomes the group at beginning.

Betsy Rakola – Gives comments. Read brief statement from USDA regarding The Cornucopia Institute filing a complaint against Deputy Administrator Miles McEvoy.

Jean Richardson – Board chair. Moderates the webinar process – gives statement after Betsy Rakola welcomes everyone.

**NOSB members on the call/webinar (11 of 14):**

It was impossible to completely verify the attendance by NOSB members but it appears that the full board was not present on either webinar call.

Ashley Swaffar

Calvin Walker

Carmella Beck

Colehour Bondera

Jean Richards

Tom Chapman

Harold Austin

Francis Thicke

Lisa de Lima

Tracy Favre

Zea Sonnabend

**NOSB chair Jean Richardson's closing comments:**

Brief comment regarding Kevin’s concerns about 3 minutes to comment given for the public (that that is not enough time): they are trying to avoid 14 hour days that used to be the case. Hope to expand time to 4 minutes for public speaking in the Spring when tremendous volume of materials are not being commented on.