# National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Tuesday, January 8, 2013, 2pm EDT

Attendees: Colehour Bondera (CBo) (Chair), Jay Feldman (JFe), John Foster (JFo), Mac Stone (MS), Calvin

Walker (CW) (Vice Chair), Barry Flamm (BF), Jennifer Taylor (JT), Harold Austin-sitting in

**Absent:** Nick Maravell (NM), Joe Dickson (JD)

**Staff:** Michelle Arsenault (MA), Jennifer Tucker (JTu)

Project	Point Person	Status	Vote	Target Meeting
Conflict of Interest and Ethics Rules Review Proposal	CW	Subcommittee passed proposal 7/10/12. Withdrawn before fall 2012 NOSB vote. NOP will take next steps – no NOSB action needed at time.		N/A – memo will come from NOP
Public Communication Proposal	TL	Subcommittee is rewriting proposal from fall 2012 for resubmission at spr 2013 meeting.		Spr 2013
Policy and Procedures Manual (PPM) Review and Updates	JFo/CBo	Proposal		Spr 2013
Material initiation policy or (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - <u>JOINT</u> w/Materials. PDS will Lead; Materials will support		Spr 2013
New Member Guide Updates	CW	In progress		Spr 2013
Examine and update petition and TR review process. Includes Threshold (two-stage) TRs, and Convening of technical advisory boards &/or working group policy	MS/JFe (from Materials)	Materials Subcommittee Leading; PDS will support. JFe (Materials)/MS (PDS). MS will write doc and pass it to PDS.		Spr 2013
"Decisive/Indecisive" determination on NOSB votes – NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD

#### Agenda

- Approve Agenda
- Approve December 19 meeting notes
- Public Communications Proposal (JT) discussion/vote
- Material Initiation Discussion Document (JFe) review/next steps
- New Member Guide (CW) update/discussion
- PPM (JFo) update/discussion

#### **Discussion**

- The agenda was approved as is.
- The December 19 meeting notes were approved with no changes.
- Public Communications proposal: JT incorporated the comments from other members and the NOP and recirculated the document. The group discussed minor proofreading edits. JFo noted that the document was much stronger than the first version and added that the last sentence at the end of the background section seemed better suited for the discussion section. "A proposed online mechanism..." should be moved to the discussion section. JFe feels that there is a lack of detail and background, and this section could be reinforced with more support. JT will make the changes and redistribute the document.
- Material Initiation policy (JFe): The group discussed various components of this document, including the optics of using the term "streamlined". The group also discussed adding additional questions that focused on the value added rather than the existing elements that will be avoided by the approach outlined in the document. JFo will write some language and send it to JFe. The members also discussed whether or not they should move forward with this discussion document at all. CBo will circulate an email to poll the members about whether or not this is a topic they would like to pursue.
- New member guide: CW made edits and updates and circulated the document to the members and the NOP for additional comments. The group discussed various changes which will be incorporated and sent to the group again.
- PPM update (JFo): JFo will summarize the PPM edits and send them around in an email about how best to tackle the PPM updates.

#### **Future Scheduled Subcommittee Calls:**

December 19, 2012 2:00 pm EST

Public Communications Docket (JT)

Material initiation policy or (Substance Annotation/Clean-up) (JFe/JT)

January 8, 2013 2:00 pm EST

New Member Guide Updates (CW)
PPM: Group discussion with revisions from NOP
Vote on Public Communications Docket
Material Initiation policy (JFe/JT)

# January 22, 2013 2:00 pm EST

Continue discussing New Member Guide Updates (CW) PPM: Group discussion with revisions from NOP Vote on Public Communications Docket Continue discussing material initiation policy (JFe/JT)

February 12, 2013 2:00 pm EST - proposals due February 26, 2013 2:00 pm EST March 12, 2013 2:00 pm EST March 26, 2013 2:00 pm EST

Spring 2013 Milestones	Target date
NOP – Complete tentative agenda	February 8, 2013
Spring 2013 proposals due to NOP	February 12, 2013
NOP - Post proposals, Publish FRN, Open public comment	February 19, 2013
Subcommittees submit tentative workplans to NOP	March 1, 2013
Discuss workplans on ES call	March 8, 2013
NOP provides written comments on workplans to NOSB	March 11, 2013
Public comment closes	March 19, 2013
NOP - Send compiled public comments to NOSB	March 25, 2013
Workplans finalized on ES call	March 29, 2013
Spring 2013 NOSB Meeting – Portland, OR	April 8-11, 2013

# National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Tuesday, January 22, 2013, 2pm EDT

Attendees: Colehour Bondera (CBo) (Chair), Jay Feldman (JFe), John Foster (JFo), Mac Stone (MS) –

sitting in, Calvin Walker (CW) (Vice Chair), Barry Flamm (BF), Jennifer Taylor (JT)

**Absent:** Nick Maravell (NM), Joe Dickson (JD)

**Staff:** Michelle Arsenault (MA), Jennifer Tucker (JTu)

Project	Point Person	Status	Vote	Target Meeting
Conflict of Interest and Ethics Rules Review Proposal	CW	Subcommittee passed proposal 7/10/12. Withdrawn before fall 2012 NOSB vote. NOP will take next steps – no NOSB action needed at time.		N/A – memo will come from NOP
Public Communication Proposal	JT	Proposal voted on and passed 1/22/2013.	01 22 13	Spr 2013
Policy and Procedures Manual (PPM) Review and Updates	JFo/CBo	Proposal		Spr 2013?
Material initiation policy or (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - <u>JOINT</u> w/Materials. PDS will Lead; Materials will support		Spr 2013
New Member Guide Updates	CW	In progress		Spr 2013
Examine and update petition and TR review process. Includes Threshold (two-stage) TRs, and Convening of technical advisory boards &/or working group policy	MS/JFe (from Materials)	Materials Subcommittee Leading; PDS will support. JFe (Materials)/MS (PDS). MS will write doc and pass it to PDS.		Spr 2013
"Decisive/Indecisive" determination on NOSB votes – NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD

#### **Agenda**

- Approve Agenda
- Approve January 8 meeting notes
- Public Communications Docket Proposal wrap-up/vote Proposal (JT)
- Material Initiation Discussion Document discussion/vote (JFe)
- New Member Guide (CW) update/discussion
- PPM (JFo) initial input and discussion

#### Discussion

- The agenda was approved as is.
- The January 8 meeting notes were approved with no changes.
- Public Communications proposal: The lead person summarized the current version of the document. The NOP supports the proposal in its final form and the group proceeded to a vote:

Motion to adopt the proposal on public communications

Motion by: JFe Seconded by: JT

Yes: 6 No: 0 Absent: 2 Abstain: 0 Recuse: 0

- Material Initiation discussion document (JFe) The goal is to solicit public feedback about the material initiation process. JFe provided background about the paper and noted that it was designed to increase the transparency of material evaluations that are introduced outside the petition process. The goal is to be clear on the processes that will be taken by each participant, such as the NOP and NOSB, in initiating this process. It was noted that the document had originally mentioned a process for a streamlined material initiation process, but this was removed in the most recent version. JTu provided NOP feedback, noting that the document proposes adding procedures that the NOP would follow; this is outside the scope of the PPM, and is not a process that requires public input. The work plan function already included in the PPM adequately covers the integration of new items as they are raised. BF reminded the group that this is a just a discussion document so there is time to mold and reformulate it. The group will continue the discussion on the next call.
- The New Member Guide updates will be discussed on the next call
- The PPM update will be discussed on the next call

#### **Future Scheduled Subcommittee Calls:**

January 22, 2013 2:00 pm EST

Continue discussing New Member Guide Updates (CW) -postponed PPM: Group discussion with revisions from NOP –postponed Vote on Public Communications Docket -completed Continue discussing material initiation policy (JFe/JT)

# January 30, 2013 2:00 pm EST extra call

Discuss New Member Guide Updates (CW)

PPM: Group discussion with revisions from NOP

Continue discussion/vote on material initiation policy? (JFe/JT)

February 12, 2013 2:00 pm EST - proposals due February 26, 2013 2:00 pm EST March 12, 2013 2:00 pm EST March 26, 2013 2:00 pm EST

Spring 2013 Milestones	Target date
NOP – Complete tentative agenda	February 8, 2013
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Public comment closes	March 19, 2013
NOP - Send compiled public comments to NOSB	March 25, 2013
Workplans finalized on ES call	March 29, 2013
Spring 2013 NOSB Meeting – Portland, OR	April 8-11, 2013

# National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Wednesday, January 30, 2013, 2pm EDT

Attendees: Colehour Bondera (CBo) (Chair), Jay Feldman (JFe), John Foster (JFo), Calvin Walker (CW) (Vice

Chair), Jennifer Taylor (JT), Nick Maravell (NM), Mac Stone (MS) - sitting in

**Absent:** none

**Staff:** Michelle Arsenault (MA), Jennifer Tucker (JTu)

Project	Point Person	Status	Vote	Target Meeting
Conflict of Interest and Ethics Rules Review Proposal	CW	Subcommittee passed proposal 7/10/12. Withdrawn before fall 2012 NOSB vote. NOP will take next steps – no NOSB action needed at time.		N/A – memo will come from NOP
Public Communication Proposal	JT	Subcommittee is rewriting proposal from fall 2012 for resubmission at spr 2013 meeting.	01 22 13	Spr 2013
Policy and Procedures Manual (PPM) Review and Updates	JFo/CBo	Proposal		Spr 2013?
Material initiation policy or (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - <u>JOINT</u> w/Materials. PDS will Lead; Materials will support		Spr 2013
New Member Guide Updates	CW	In progress		Spr 2013
Examine and update petition and TR review process. Includes Threshold (two-stage) TRs, and Convening of technical advisory boards &/or working group policy	MS/JFe (from Materials)	Materials Subcommittee Leading; PDS will support. JFe (Materials)/MS (PDS). MS will write doc and pass it to PDS.		Spr 2013
"Decisive/Indecisive" determination on NOSB votes – NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD

#### <u>Agenda</u>

- Approve Agenda
- Review/approve notes from January 22, 2013
- New Member Guide discussion/questions (CW)
- Review of Two Stage Process for Technical Reviews Discussion Document [JOINT with MS]
- Confidential Business Information Recommendation [JOINT with MS]
- Material Initiation Discussion Document wrap up/vote
- PPM overall review/next steps (JFo)
- Next meeting February 4, 2013 4:00 pm EST
- Adjourn

#### **Discussion**

- The agenda was approved with no changes.
- The January 22 meeting notes were approved with no changes.
- New Member Guide discussion/questions The lead reviewer discussed various comments and edits that were incorporated into the document and the group suggested some additional changes. CW will complete the edits and the Subcommittee will vote on this during the next call (Feb 4).
- Joint documents (Two Stage Tech rev/CBI) The Chair asked for feedback about these specific proposals so he could respond to the Materials Subcommittee. The members discussed the CBI document and the feedback will be shared with Materials. Two-stage TR process: JFe briefly walked through the changes that had been made to the paper based on previous comments. The group briefly discussed the process by which something would be brought to the full Board for a vote based on the 1<sup>st</sup> Stage TR. JTu suggested additional language stressing that the questions could be determined on a report-by-report basis. The group also discussed the awkwardness of the joint committee process, recommending that a more formal description of how joint projects be developed and put in place.
- Material Initiation Discussion Document: JFe noted the language on page 25 of the PPM which indicates the collaboration between the NOP and NOSB. All agreed that the phrasing currently included in the PPM covers the need previously discussed and all are comfortable with the language. The group briefly discussed the interpretation of the word "standards," agreeing that materials and the National List in general is considered a subset of the standards. JFe will add a reference to this in the current discussion document. NM asked if a "member of the NOSB" and a "Subcommittee" are synonymous with regard to submitting a petition. The Chair suggested that perhaps they are not synonymous. JFe will make minor revisions to the doc before the subcommittee votes on the next call (Feb 4)
- PPM The group discussed the current draft version and the suggestions for moving forward. The lead reviewer (JFo) urged the group to accept the minor administrative changes to spelling and syntax so they can move forward with the more substantive changes that will eventually be developed into proposals. JFo noted that the current document was color coded so members could review it more easily, noting the three different levels of changes: administrative (green), substantive changes (yellow), and items that are awaiting guidance documents from the NOP (red). If anyone is uncomfortable with any of the changes highlighted in green or yellow, they are asked to send those to JFo in an email, and they will potentially be delayed until the fall 2013 meeting. Items highlighted in red will be delayed until that time. The Chair indicated some confusion about the deletions and will send some additional comments to JFo before any action is taken.

#### **Future Scheduled Subcommittee Calls:**

January 30, 2013 2:00 pm EST extra call

Continue discussion New Member Guide Updates (CW)

PPM: Group discussion with revisions from NOP

Continue discussing material initiation policy (JFe/JT)

Discuss Policy Subcommittee co-docs

# February 4, 2013 4:00 pm EST

- Vote on New Member Guide updates
- Finalize discussion/Vote on Material Initiation Discussion Document
- Continue discussion/vote on PPM update

February 12, 2013 2:00 pm EST - proposals due February 26, 2013 2:00 pm EST March 12, 2013 2:00 pm EST March 26, 2013 2:00 pm EST

Spring 2013 Milestones	Target date
NOP – Complete tentative agenda	February 8, 2013
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Public comment closes	March 19, 2013
NOP - Send compiled public comments to NOSB	March 25, 2013
Workplans finalized on ES call	March 29, 2013
Spring 2013 NOSB Meeting – Portland, OR	April 8-11, 2013

# National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Wednesday, February 4, 2013, 4pm ET

Attendees: Colehour Bondera (CBo) (Chair), Jay Feldman (JFe), John Foster (JFo), Jennifer Taylor (JT), Nick

Maravell (NM), Calvin Walker (CW) (Vice Chair)

Absent: none

**Staff:** Michelle Arsenault (MA), Jennifer Tucker (JTu)

Project	Point Person	Status	Vote	Target Meeting
Public Communication Proposal	TL	Subcommittee is rewriting proposal from fall 2012 for resubmission at spr 2013 meeting.	01 22 13	Spr 2013
Material initiation policy or (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - <u>JOINT</u> w/Materials. PDS will Lead; Materials will support	02 04 13	Spr 2013
New Member Guide Updates	CW	In progress	02 04 13	Spr 2013
Examine and update petition and TR review process. Includes Threshold (two-stage) TRs, and Convening of technical advisory boards &/or working group policy	MS/JFe (from Materials)	Materials Subcommittee Leading; PDS will support. JFe (Materials)/MS (PDS). MS will write doc and pass it to PDS.	MS due to vote 02 12 13	Spr 2013
Policy and Procedures Manual (PPM) Review and Updates	JFo/CBo	Proposal		Fall 2013
"Decisive/Indecisive" determination on NOSB votes – NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD
Conflict of Interest and Ethics Rules Review Proposal	CW	Subcommittee passed proposal 7/10/12. Withdrawn before fall 2012 NOSB vote. NOP will take next steps – no NOSB action needed at time.	On hold	N/A – memo will come from NOP

#### <u>Agenda</u>

- Approve Agenda
- Review/approve notes from January 30, 2013
- Discuss PPM updates
- Material Initiation Discussion Document wrap up/vote
- New Member Guide discussion/questions (CW)
- Adjourn

#### **Discussion**

- The agenda was approved as is
- The January 30 meeting notes were approved with no changes
- PPM updates The group discussed the status of the document with the current suggested changes. JFo presented examples of stylistic changes versus substantive changes to help delineate the difference, with the hope that the stylistic changes could be accepted and the document could move forward. After much discussion, the members chose to delay the vote on this and instead continue to review the suggested edits section by section. MA suggested accepting the current edits and sending the "cleaned up" version to the members so they could more easily compare the original with the marked up version. They could then identify the sections they would like to work on. The consensus from the group was to delay the PPM edits until the fall 2013 meeting. MA will change the table above to reflect this decision.
- Material Initiation Discussion Document wrap up/vote The members discussed minor edits which will be incorporated into the document. The intention is to present the discussion document at the spring 2013 meeting, and then if public feedback indicates the need produce a proposal for the fall 2013 meeting. JTu noted that the original intent was to focus on new processes for substance annotation clean-up; it has since gone in a slightly different direction, largely driven by the rotenone discussion. The annotation clean-up topic is still one worth pursuing in the future. JFo asked about the downside of not voting yes for this proposal; JFe responded that the goal here is to clarify processes that are not currently covered in the PPM, and that voting no would simply sustain that lack of clarity.

#### **Vote on Material Initiation Discussion Document**

Motion to accept Material Initiation Discussion Document and present it for full board discussion at the spring 2013 NOSB meeting

Motion by: JFe Seconded by: NM

Yes: 6 No: 0 Absent: 0 Recuse: 0 Abstain: 0 (Motion passed)

• **New Member Guide discussion/questions**. The group discussed a few minor edits to the document since the last call and moved the document forward for a vote.

#### **Vote on New Member Guide Updates**

Motion to adopt changes to the New Member Guide

Motion by: CW Seconded by: JT

Yes: 6 No: 0 Absent: 0 Recuse: 0 Abstain: 0 (Motion passed)

Note: MA reorganized the table above to reflect the altered status/target dates for several workplan items.

### **Future Scheduled Subcommittee Calls:**

January 30, 2013 2:00 pm EST extra call

Continue discussion New Member Guide Updates (CW)

PPM: Group discussion with revisions from NOP

Continue discussing material initiation policy (JFe/JT)

Discuss Policy Subcommittee co-docs

#### February 4, 2013 4:00 pm EST

- Vote on New Member Guide updates
- Finalize discussion/Vote on Material Initiation Discussion Document
- Continue discussion/vote on PPM update

February 12, 2013 2:00 pm EST - proposals due February 26, 2013 2:00 pm EST March 12, 2013 2:00 pm EST March 26, 2013 2:00 pm EST

Spring 2013 Milestones	Target date
NOP – Complete tentative agenda	February 8, 2013
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Workplans finalized on ES call	March 29, 2013
Spring 2013 NOSB Meeting – Portland, OR	April 8-11, 2013

# National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Wednesday, February 12, 2013, 2pm ET

Attendees: Colehour Bondera (CBo) (Chair), Jay Feldman (JFe), Jennifer Taylor (JT), Calvin Walker (CW)

(Vice Chair)

**Absent:** John Foster (JFo), Nick Maravell (NM) **Staff:** Michelle Arsenault (MA), Jennifer Tucker (JTu)

Project	Point Person	Status	Vote	Target Meeting
Public Communication Proposal	JT	Subcommittee is rewriting proposal from fall 2012 for resubmission at spr 2013 meeting.	01 22 13	Spr 2013
Material initiation policy or (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - <u>JOINT</u> w/Materials. PDS will Lead; Materials will support	02 04 13 revoted on edited doc 02 13 13	Spr 2013
New Member Guide Updates	CW	In progress	02 04 13	Spr 2013
Examine and update petition and TR review process. Includes Process for limited scope TRs, and Convening of technical advisory boards &/or working group policy	MS/JFe (from Materials)	Materials Subcommittee Leading; PDS will support. JFe (Materials)/MS (PDS). MS will write doc and pass it to PDS.	MS vote 02 12 13.	Spr 2013
Policy and Procedures Manual (PPM) Review and Updates	JFo/CBo	Proposal		Fall 2013
"Decisive/Indecisive" determination on NOSB votes – NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD
Conflict of Interest and Ethics Rules Review Proposal	CW	Subcommittee passed proposal 7/10/12. Withdrawn before fall 2012 NOSB vote. NOP will take next steps – no NOSB action needed at time.	On hold	N/A – memo will come from NOP

#### <u>Agenda</u>

- Approve Agenda
- Review/approve notes from February 4, 2013
- Material Initiation Discussion Document discussion/vote
- Next semester Work Planning: Topics & Responsibilities
- Wrap up and April 23 meeting input/decision

#### **Discussion**

- Agenda Approved as is
- Notes from February 4, 2013 approved with no changes
- Material Initiation Discussion Document. Although the vote on the Material Initiation Discussion Document was completed February 4, the NOP subsequently sent some final suggested edits to the group. The Chair felt that the group should discuss the suggested changes, then revote to accept the altered document. JTu walked through the NOP's suggested changes, and the group discussed the impact of those changes on the subcommittee's intent with the document. While there were some points of disagreement, the group ultimately reached consensus on the nature of acceptable changes. JFe offered to complete the suggested agreed upon edits and recirculate for a final vote.

#### Vote on Material Initiation Discussion Document via email February 13, 2013:

Motion to accept the Material Initiation Discussion Document as amended on February

13, 2013 Motion by: JFe Seconded by: NM

Yes: 5 No: 0 Absent: 1 Abstain: 0 Recuse: 0

#### **Future Scheduled Subcommittee Calls:**

February 12, 2013 2:00 pm EST - proposals due

February 26, 2013 2:00 pm EST

Next semester Work Planning: Topics & Responsibilities

March 12, 2013 2:00 pm EST March 26, 2013 2:00 pm EST

Spring 2013 Milestones	Target date
NOP – Complete tentative agenda	February 8, 2013
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Subcommittees submit tentative workplans to NOP	March 1, 2013
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Workplans finalized on ES call	March 29, 2013
Spring 2013 NOSB Meeting – Portland, OR	April 8-11, 2013

# National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Wednesday, February 26, 2013, 2pm ET

Attendees: Colehour Bondera (CBo) (Chair), Jay Feldman (JFe), Jennifer Taylor (JT), Calvin Walker (CW)

(Vice Chair), John Foster (JFo), Mac Stone (MS) - sitting in

**Absent:** Nick Maravell (NM)

**Staff:** Michelle Arsenault (MA), Jennifer Tucker (JTu)

Project	Point Person	Status	Vote	Target Meeting
Public Communication Proposal	TT	Subcommittee is rewriting proposal from fall 2012 for resubmission at spr 2013 meeting.	01 22 13	Spr 2013
Material initiation policy or (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - PDS will Lead for discussion document; Materials will take lead if it continues on as a proposal	02 04 13 revoted on edited doc 02 13 13	Spr 2013
New Member Guide Updates	CW	In progress	02 04 13	Spr 2013
Examine and update petition and TR review process. Includes Process for limited scope TRs, and Convening of technical advisory boards &/or working group policy	JFe (from Materials)	Will be reviewed only by the Materials Subcommittee	MS vote 02 12 13.	Spr 2013
Policy and Procedures Manual (PPM) Review and Updates	JFo/CBo	Proposal		Fall 2013
"Decisive/Indecisive" determination on NOSB votes – NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD
Conflict of Interest and Ethics Rules Review Proposal	CW	Subcommittee passed proposal 7/10/12. Withdrawn before fall 2012 NOSB vote. NOP will take next steps – no NOSB action needed at time.	On hold	N/A – memo will come from NOP

#### <u>Agenda</u>

- Finalize Agenda
- Review/approve February 12 meeting notes
- Workplans
- PPM review responsibilities for "division" of review

#### **Discussion**

- The agenda was approved as is.
- Notes from February 12, 2013 call were approved with no changes.
- Workplans: The members discussed workplan items, and in particular, talked about joint workplan items and how to proceed. Currently, the process by which "joint" projects are shared by different subcommittees is not well defined. As discussed during the Materials Subcommittee call, the Executive Subcommittee will need to discuss this further to determine how best to organize this process. Until the joint review process is in place, MS noted that perhaps the Executive Subcommittee could make a recommendation about which Subcommittees should work jointly. In instances where the topic is more complex, the Chair could choose to constitute an ad hoc Subcommittee. A member noted that the formation of a new joint Subcommittee should be considered carefully and done sparingly. JTu noted that any new workplan items will need to have a summary overview prepared for the Executive Subcommittee addressing the problem that is trying to be solved and what the desired outcome is. The Executive Subcommittee will then evaluate what to add to the workplan. A member asked about criteria for determining a workplan item; another noted that that could be helpful in prioritization. Until the joint process is better defined, workplan items that were scheduled to be reviewed jointly will be placed with the Lead Subcommittee only. For example, the item "Examine and update petition and TR review process, etc." will be under the purview of the Materials Subcommittee and will be removed from the PDS workplan for now. JTu noted that NOP recommends that any follow-up on the Material Initiation discussion document should be done in the Materials Subcommittee, given the linkages to the "Update Petition Process" item. (Intended changes are noted in table above, and item will be removed from next set of notes).
- **PPM review:** MA and JFe will meet to go over the current iteration of the PPM, specifically the proofreading and copy editing suggestions. Going forward the group decided to review the PPM section by section and tackle the more substantive issues as a group.

#### **Future Scheduled Subcommittee Calls:**

February 26, 2013 2:00 pm EST

Work Planning: Topics & Responsibilities

March 12, 2013 2:00 pm EST March 26, 2013 2:00 pm EST

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NOP – Complete tentative agenda	February 8, 2013
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Spring 2013 NOSB Meeting – Portland, OR	April 8-11, 2013

# National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Wednesday, March 12, 2013, 2pm ET

Attendees: Colehour Bondera (CBo) (Chair), Jay Feldman (JFe), Calvin Walker (CW) (Vice Chair), John

Foster (JFo), Mac Stone (MS) - sitting in

**Absent:** Jennifer Taylor (JT), Nick Maravell (NM) **Staff:** Michelle Arsenault (MA), Jennifer Tucker (JTu)

Project	Point Person	Status	Vote	Target Meeting
Public Communication Proposal	JT	Proposal being voted on at Spring 2013 meeting	01 22 13	Spr 2013
Material initiation policy or (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - PDS will Lead for discussion document; NOP has proposed that Materials should take lead if it continues on as a proposal – ES will decide.	02 04 13 revoted on edited doc 02 13 13	Spr 2013
New Member Guide Updates	CW	In progress	02 04 13	Spr 2013
Examine and update petition and TR review process. Includes Process for limited scope TRs, and Convening of technical advisory boards &/or working group policy	JFe (from Materials)	Will be reviewed by the Materials Subcommittee	MS vote 02 12 13	Spr 2013
Policy and Procedures Manual (PPM) Review and Updates	JFo/CBo	Proposal		Fall 2013
"Decisive/Indecisive" determination on NOSB votes – NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD
Conflict of Interest and Ethics Rules Review Proposal	CW	Subcommittee passed proposal 7/10/12. Withdrawn before fall 2012 NOSB vote. NOP will take next steps – no NOSB action needed at time.	On hold	N/A – memo will come from NOP

#### **Agenda**

- Finalize Agenda
- Review/approve February 26 meeting notes
- Review Public Communication (Jennifer), New Member Guide (Calvin) and Material Initiation (Jay)
- PPM review & divisions
- March 26 call planning

#### Discussion

- Agenda was approved as is
- February 26 meeting notes approved with no changes
- Comments for Public Communication (JT). The Chair noted that there were no comments about this proposal and that the NOP continues to support it. The group discussed the potential that a member or members may change their votes between Subcommittee and the full Board meeting, as happened before the last meeting. A few members noted that for transparency sake, members who change their minds should disclose their thought process and the reason for the change, preferably before the meeting. A member noted that sometimes a member chooses to vote for something in Subcommittee that he or she doesn't strongly support to allow the work to move forward, but then chooses to vote against it at the meeting when it is officially voted on by the full Board. It was noted that if someone votes for something in Subcommittee but doesn't agree with it, they should be sure that the group knows why so that they can consider addressing the concern. Another suggestion is that this could be rectified in Subcommittee by issuing a minority opinion.
- New Member Guide (Calvin) no comments have come in yet about this proposal.
- Material Initiation (Jay) only one comment has been received so far
- PPM review & divisions MA and JFe met and agreed upon minor edits, which MA will make and forward. The members discussed parsing out the more substantive sections for editing and review.
- March 26 call planning –JFo will be out of country and not on call. CBo may not be on call.

#### **Future Scheduled Subcommittee Calls:**

March 12, 2013 2:00 pm ET March 26, 2013 2:00 pm ET

Prioritize PPM work projects

Spring 2013 Milestones	Target date
NOP – Complete tentative agenda	February 8, 2013
Spring 2013 proposals due to NOP	February 12, 2013
NOP - Post proposals, Publish FRN, Open public comment	February 19, 2013
Subcommittees submit tentative workplans to NOP	March 1, 2013
Discuss workplans on ES call	March 8, 2013

NOP provides written comments on workplans to NOSB	March 11, 2013
Public comment closes	March 19, 2013
NOP - Send compiled public comments to NOSB	March 25, 2013
Workplans finalized on ES call	March 29, 2013
Spring 2013 NOSB Meeting – Portland, OR	April 8-11, 2013

# National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Wednesday, March 26, 2013 2pm ET

Attendees: Colehour Bondera (CBo) (Chair), Calvin Walker (CW) (Vice Chair), Mac Stone (MS) - sitting in

Absent: John Foster (JFo), Jay Feldman (JFe), Jennifer Taylor (JT), Nick Maravell (NM)

**Staff:** Michelle Arsenault (MA), Jennifer Tucker (JTu)

Project	Point Person	Status	Vote	Target Meeting
Public Communication Proposal	JT	Proposal being voted on at Spring 2013 meeting	01 22 13	Spr 2013
Material initiation policy or (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - PDS will Lead for discussion document; NOP has proposed that Materials should take lead if it continues on as a proposal – ES will decide.	02 04 13 revoted on edited doc 02 13 13	Spr 2013
New Member Guide Updates	CW	In progress	02 04 13	Spr 2013
Examine and update petition and TR review process. Includes Process for limited scope TRs, and Convening of technical advisory boards &/or working group policy	JFe (from Materials)	Will be reviewed by the Materials Subcommittee	MS vote 02 12 13	Spr 2013
Policy and Procedures Manual (PPM) Review and Updates	JFo/CBo	Proposal		Fall 2013
"Decisive/Indecisive" determination on NOSB votes – NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD
Conflict of Interest and Ethics Rules Review Proposal	CW	Subcommittee passed proposal 7/10/12. Withdrawn before fall 2012 NOSB vote. NOP will take next steps – no NOSB action needed at time.	On hold	N/A – memo will come from NOP

#### **Agenda**

- Finalize Agenda
- Review/approve March 12 Meeting Notes
- Leader review of public written testimony & discussion of pre-meeting review
  - o Public Communication (Jennifer)
  - o New Member Guide (Calvin)
  - o Material Initiation (Jay)
- Workplan (see the beginning of the Notes to review) updates/considerations
- PPM review responsibilities/timing for "division" of review

### **Discussion**

- Agenda was approved as is
- March 12 meeting notes not approved due to lack of quorum.
- New Member Guide (Calvin) There were no public comments to review.
- There were some negative public comments related to Material Initiation; we should hold discussion on this until more members are present.
- Members discussed some of the comments that mentioned conflicts of interest.
- PPM review The Chair would like to gather input from the members about dividing up the sections/topics in the PPM for review and potential proposal development for the fall 2013 meeting. This will be discussed further on the next Executive call.

#### **Future Scheduled Subcommittee Calls:**

March 12, 2013 2:00 pm ET

March 26, 2013 2:00 pm ET

Prioritize PPM work projects

April 23, 2013 pm ET

Spring 2013 Milestones	Target date
NOP – Complete tentative agenda	February 8, 2013
Spring 2013 proposals due to NOP	February 12, 2013
NOP - Post proposals, Publish FRN, Open public comment	February 19, 2013
Subcommittees submit tentative workplans to NOP	March 1, 2013
Discuss workplans on ES call	March 8, 2013
NOP provides written comments on workplans to NOSB	March 11, 2013
Public comment closes	March 19, 2013
NOP - Send compiled public comments to NOSB	March 25, 2013
Workplans finalized on ES call	March 29, 2013
Spring 2013 NOSB Meeting – Portland, OR	April 8-11, 2013

# National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Wednesday, April 23, 2013 2pm ET

Attendees: Colehour Bondera (CBo) (Chair), Calvin Walker (CW) (Vice Chair), John Foster (JFo), Jay

Feldman (JFe)

**Absent:** Jennifer Taylor (JT), Nick Maravell (NM) **Staff:** Michelle Arsenault (MA), Jennifer Tucker (JTu)

#### Workplan

Project	Contact	Status	Vote	Target Meeting
Material initiation policy or (Substance Annotation/Clean-up)	JFe/JT	Group discussed readdressing within PPM updates process.		Fall 2013
Policy and Procedures Manual (PPM) Review and Updates	JFo/CBo	Proposal		Fall 2013
Use of Joint Subcomm or ad hoc Subcommittees				TBD
"Decisive/Indecisive" determination on NOSB votes – NOP has proposed that this be renamed	JFe	Discussion document; in progress.  NOP will provide a memo to the Board on this topic.		TBD
Conflict of Interest and Ethics Rules Review Proposal	CW	Memo from NOP released April 2013.		TBD

#### <u>Agenda</u>

- Finalize Agenda
- Review/approve March 12 and 26 notes
- Thanks for the work that we managed with our leaders on:
  - o Public Communication (JT)
  - New Member Guide (CW)
- Review of public testimony & discussion doc
  - Material Initiation (JFe)
- PPM review responsibilities/timing for "division" of review
- Workplan updates/considerations

#### **Discussion**

- Agenda was approved as is
- March 12 and March 26 notes approved with no changes.
- The Chair thanked the members for their effort prior to and at the spring NOSB meeting

- Public Communications Since the Board recommended the NOP institute a Public
  Communications forum, JTu will now take the lead, and will discuss possible implementation
  scenarios with a USDA contact. JTu noted that a pilot will be very important to the success of this
  project, and that she will work closely with PDS to review the proposed pilot approach before
  moving forward. A reasonable goal would be to report on the pilot and be able to launch a
  broader roll-out at the next NOSB meeting.
- Material Initiation proposal. Since there was no industry support, and little public support, the
  group discussed whether or not there was a need to continue with this. The NOP asked that if the
  PDS is going to continue with this workplan item, they should submit a proposal indicating the
  desired outcomes. JFo and JFe feel it would be procedural and could be appropriate for the PPM
  and not the Materials Subcommittee.
- PPM review responsibilities/timing for "division" of review. MA will make the changes that were
  agreed upon and send that version to the group for review by May 3. MA will also compile a list
  of the substantive issues for which the Subcommittee will have to write proposals so the
  workload can be dispersed among members.
- Workplan updates/considerations- The group discussed the COI document and how to move forward. The lead reviewer highlighted the differences among the various versions that have been proposed by the NOSB and the NOP/Office of Ethics memo. Members discussed including a reference to the memo in the PPM, since varying from the procedures outlined in the memo that has already been vetted by OGC and the Office of Ethics could create problems.

### **Future Scheduled Subcommittee Calls:**

April 23, 2013 2:00 pm ET May 14, 2013 2:00 pm ET

May 28, 2013 2:00 pm ET

June 11, 2013 2:00 pm ET

June 25, 2013 2:00 pm ET

July 9, 2013 2:00 pm ET

July 23, 2013 2:00 pm ET August 13, 2013 2:00 pm ET

Fall 2013 Milestones

Public comment closes

August 27, 2013 2:00 pm ET

September 10, 2013 2:00 pm ET September 24, 2013 2:00 pm ET

NOP – Complete tentative agenda

Fall 2013 proposals due to NOP

August 27, 2013

NOP - Post proposals, Publish FRN, Open public comment

September 3, 2013

Subcommittees submit tentative workplans to NOP

Discuss workplans on ES call

NOP provides written comments on workplans to NOSB

**Target date** 

October 1, 2013

NOP - Send compiled public comments to NOSB	~October 7, 2013
Workplans finalized on ES call	October 11, 2013
Fall 2013 NOSB Meeting – Louisville, KY	October 21-24, 2013

# National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Wednesday, May 14, 2013 2pm ET

Attendees: Colehour Bondera (CBo) (Chair), Jay Feldman (JFe), Jennifer Taylor (JT), Calvin Walker (CW)

(Vice Chair)

Absent: Michelle Arsenault (MA), Nick Maravell (NM), John Foster (JFo)

**Staff:** Jennifer Tucker (JTu)

#### Workplan

Project	Contact	Status	Vote	Target Meeting
Material initiation policy or (Substance Annotation/Clean-up)	JFe/JT	Group discussed readdressing within PPM		Fall 2013
		updates process.		
Policy and Procedures Manual	JFo/CBo	Proposal		Fall 2013
(PPM) Review and Updates				
Use of Joint Subcomm or ad hoc				TBD
Subcommittees				
"Decisive/Indecisive"	JFe	Discussion document; in		TBD
determination on NOSB votes –		progress. NOP will provide a		
NOP has proposed that this be		memo to the Board on this		
renamed		topic.		
Conflict of Interest and Ethics	CW	Memo from NOP released		TBD
Rules Review Proposal		April 2013.		

### <u>Agenda</u>

- Review/approval of Agenda
- Review/approval of April 23, 2013 Meeting Notes
- Material Initiation update (Jay)
- COI update (Calvin)
- PPM "substantive" updates brainstorm

### **Discussion**

- Review/approval of Agenda Agenda was approved as is.
- Review/approval of April 23, 2013 Meeting Notes Accepted by the group.
- Material Initiation update (JFe) On the last call the group discussed the fact that there was not a lot of support from industry for this proposal; there was interest from the public interest side to make sure that whatever the process is, it needs to be clear and documented. JFe proposed that we may be able to use the "NOP-NOSB Collaboration" language in the PPM may serve as a possible template or model for laying out how the Board initiates materials. JFe also noted that there is already language in the PPM about how Board members can raise issues in representing the organic community's perspectives during the workplan process, based on external communication. The existing authority

and spirit of the Material Initiation proposal is already in the PPM and may simply need to be amplified during the PPM update process (Section 8, page 33).

- COI Update (CW) CW was delayed in joining the call, so this topic was deferred.
- **PPM "substantive" updates brainstorm** CBo noted that it was appropriate that JFo is leading this effort given his role as Vice Chair that his role is consistent with driving this project. CBo reminded the group that past practice has been that <u>all</u> changes to the PPM are disclosed to the public and voted upon, even those that some may consider non-substantive.
  - The key challenge at this point is to determine how to proceed through the sections given the volume of edits that have been proposed to date. Are there areas of the PPM that need particular review or updates that people are interested in leading? (Examples: Material initiation, Conflict of Interest) Are there brand new areas that need to be added?
  - JT noted that she would like to see the introductory material about the Board and its
    functions remain there and the same people need that context and foundation and it should
    not go away or replaced with simplified bullets (e.g., fiduciary responsibilities).
  - o JFe noted that there is a lot of history in this document, and the editing process needs to be done in a way that does not lose that richness of historical context. The best example is in the rewrites of the Advisory Board Specialist there may be a difference in how the role is being implemented now, versus what the Board's intention may have been for the position in the past. JFe noted that as you go through the document, there is a very fine line between clerical and substantive a clerical change may erase historical context.
  - The group continued to discuss the Advisory Board Specialist's role as an example of the kinds of changes that are being considered in these edits. JTu noted that it is important to balance practice with concept the person in that role plays a critical role as a liaison between the Board and the program, but it can also be very difficult to serve two masters. The group discussed this a bit further.
  - O CW noted that the PPM has always been seen as a "Bible," and it may be difficult for the Board to feel comfortable voting positively on a document that has been too significantly changed may want to think about how the rest of the Board would respond to a significantly modified document. He does agree with changing the location of content if it helps the document flow better, and agreed with making simple typographic changes.
  - o CBo returned the group to the question of owners for different topics in the PPM. JFe noted the importance of updating certain sections, such as annotations as sunset. This is addressed in the PPM, but doesn't address the mechanics of how this is achieved. Classification of materials is another example, as the policy is a little different than what the program has developed. The Board and program need to continue to communicate to determine how to proceed when the Board and program have different views on policies e.g., if the program issues a policy that appears to conflict with the existing PPM.

## **Future Scheduled Subcommittee Calls:**

May 14, 2013 2:00 pm ET

May 28, 2013 2:00 pm ET

June 11, 2013 2:00 pm ET

June 25, 2013 2:00 pm ET

July 9, 2013 2:00 pm ET

July 23, 2013 2:00 pm ET

August 13, 2013 2:00 pm ET

August 27, 2013 2:00 pm ET

September 10, 2013 2:00 pm ET

# September 24, 2013 2:00 pm ET

Fall 2013 Milestones	Target date
NOP – Complete tentative agenda	August 9, 2013
Fall 2013 proposals due to NOP	August 27, 2013
NOP - Post proposals, Publish FRN, Open public comment	September 3, 2013
Subcommittees submit tentative workplans to NOP	
Discuss workplans on ES call	
NOP provides written comments on workplans to NOSB	
Public comment closes	October 1, 2013
NOP - Send compiled public comments to NOSB	~October 7, 2013
Workplans finalized on ES call	October 11, 2013
Fall 2013 NOSB Meeting – Louisville, KY	October 21-24, 2013

# National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Wednesday, May 28, 2013 2pm ET

Attendees: Colehour Bondera (CBo) (Chair), John Foster (JFo) (Vice Chair), Jay Feldman (JFe), Jennifer

Taylor (JT), Calvin Walker (CW), Mac Stone (MS) - sitting in

Absent: Nick Maravell (NM)

**Staff:** Jennifer Tucker (JTu), Michelle Arsenault (MA)

#### Workplan

Project	Contact	Status	Vote	Target Meeting
Material initiation policy or (Substance Annotation/Clean-up)	JFe/JT	May become integrated within PPM edits.		Fall 2013
Policy and Procedures Manual (PPM) Review and Updates	JFo/CBo	Proposal		Fall 2013
Use of Joint Subcomm or ad hoc Subcommittees				TBD
"Decisive/Indecisive" determination on NOSB votes – NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD
Conflict of Interest and Ethics Rules Review Proposal	CW	Memo from NOP released April 2013.		TBD

#### **Agenda**

- Finalize Agenda
- Review/approval of May 14, 2013 Meeting Notes
- Review/Status of COI
- "Administrative" updates to PPM
- Next round of PPM updates define and assign (including call schedules and work planning)

#### Discussion

- Review/approval of Agenda Agenda was approved as is.
- Review/approval of May 14, 2013 Meeting Notes Notes were approved as is
- Review/Status of Conflict of Interest (COI) The group discussed how to move forward with the COI project now that the NOP released its memo with guidelines from the USDA Ethics Office. CW, who shepherded the previous COI proposal, suggested writing a new proposal incorporating aspects of both (the memo and previous proposal), as members felt that both documents have their merits. As for the NOP memo, the group discussed putting it forth for public comment and based on the outcome, including it in the PPM. The NOP discouraged this approach, as the memo is USDA/NOP policy; and public comment has already been received and considered on this matter through the previous proposals. The NOP noted that there are and will be occasional policy changes to the PPM that do not require voting or public comment because they are defined by entities outside the Board.

For example, the PPM includes the policy that the Board holds two meetings a year. While this is in the PPM, this policy is prescribed in the Board charter, and therefore is not subject to the voting process. JFo offered the following options: The PDS could move to adopt the NOP COI memo as an appendix, the PDS could present a new proposal, or the NOP could clarify the portions of the NOP COI memo that the NOSB is not comfortable with. A member asked if two of the scenarios (adoption of the NOP memo and request for clarification) could be combined into one proposal. The NOP suggested separating the two, so that the program can answer any questions ahead of time to prevent unnecessary work. The NOP reiterated a point one of the Board members made earlier: it is inherently difficult to write a prescribed business process for something that is situational like COI.

- "Administrative" updates to PPM (JFo). There are several policies and procedures in the PPM that need to be updated: Confidential Business Information (CBI), board meeting process, transition procedure for Chairs, Vice Chairs and members, workplan development and approval procedure, materials review procedure, and submission process for recommendations to NOP. There is also a list of miscellaneous items that need to be addressed including Advisory Board Specialist (ABS) job duties, election of officers and why two consecutive terms are not recommended, the use of the terms Chair and Vice Chair as opposed to Co-chairs, task force appointments, procedures for completing Subcommittee proposals, and Section VII-misc procedures, which contains various comments that may need to be addressed. JFo delineated the policies from the procedures and noted that the challenge lies in the fact that this distinction hasn't been made until now, even though policies and procedures are typically not combined in one document as they are in the PPM. JFo proposed a path forward for the group and suggested that members volunteer to tackle individual items and that the miscellaneous items are addressed as a single project. The Chair asked if the group had any additional items. He added that the subject area of Material Initiation Policy be added as a workplan project, and also the NOP-NOSB collaboration procedures (Section V). JFo asked that CBo clarify the aspects of the NOP-NOSB collaboration section that need updating. A member asked about the sunset review process which the NOP is currently proposing to update, and a member added that this probably falls under the materials review section. Another member asked about the annotation section, which the group felt was appropriate for addition to the PPM. The members asked that the NOP provide them with better guidance on completing the recommendations so they are more uniform. The Chair asked that members identify topics they might like to work on and email him so they can be parsed out on the next call.
- The meeting was adjourned

#### **Future Scheduled Subcommittee Calls:**

May 28, 2013 2:00 pm ET
June 11, 2013 2:00 pm ET
June 25, 2013 2:00 pm ET
July 9, 2013 2:00 pm ET
July 23, 2013 2:00 pm ET
August 13, 2013 2:00 pm ET
August 27, 2013 2:00 pm ET
September 10, 2013 2:00 pm ET
September 24, 2013 2:00 pm ET

Fall 2013 Milestones	Target date
NOP – Complete tentative agenda	August 9, 2013

Fall 2013 proposals due to NOP	August 27, 2013
NOP - Post proposals, Publish FRN, Open public comment	September 3, 2013
Subcommittees submit tentative workplans to NOP	
Discuss workplans on ES call	
NOP provides written comments on workplans to NOSB	
Public comment closes	October 1, 2013
NOP - Send compiled public comments to NOSB	~October 7, 2013
Workplans finalized on ES call	October 11, 2013
Fall 2013 NOSB Meeting – Louisville, KY	October 21-24, 2013

# National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Wednesday, June 11, 2013 2pm ET

Attendees: Colehour Bondera (CBo) (Chair), John Foster (JFo) Jay Feldman (JFe), Calvin Walker (CW) (Vice

Chair), Jennifer Taylor (JT) **Absent:** Nick Maravell (NM)

Staff: Jennifer Tucker (JTu), Michelle Arsenault (MA)

### Workplan

Project	Contact	Status	Vote	Target
				Meeting
Policy and Procedures Manual (PPM) Review and Updates	CW	COI		Fall 2013
	TF	CBI- Working on this within the Materials Subcomm		Fall 2013
	JFo?	Board Meeting process-not assigned-JFo?		TBD
	СВо	Section V: Transition of Subcomm Chairs, VCs and members/NOSB-NOP collaboration		Fall 2013
	JT/NM	Work Plans		TBD
	JFo	Material Review Procedure		TBD
	JFe/JT	Material Initiation - was listed as a separate workplan item		TBD
	NM/(JFo)	Recommendation submission procedure		TBD
	JFo	Misc changes		Fall 2013
Use of Joint or ad hoc Subcommittees	3			TBD
"Decisive/Indecisive" determination on NOSB votes - NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD

### <u>Agenda</u>

- Approve Agenda
- Approve meeting notes from May 28, 2013
- Administrative updates to PPM
- COI (CW)

- PPM topic chart division/leads/timing (All)
- Other business

#### **Discussion**

- Review/approval of Agenda Agenda was accepted as is
- Review/approval of May 28, 2013 meeting notes Notes were approved with no changes
- Administrative updates to PPM The members discussed the various administrative updates that
  were made to the PPM and will review examples that were distributed and provide feedback. JFo
  asked that the group consider accepting all the administrative changes as presented and identify any
  specific issues that they would like to discuss further.
- Review/Status of Conflict of Interest (COI) CW circulated a preliminary document to the group and
  asked for feedback. The Vice Chair suggested that it would be wise to insert the NOP COI memo in the
  appendix of the PPM as a reference. The group discussed the possibility of developing its own
  statement on COI that does not conflict with NOP's, but that shares the Board's perspective, if
  consensus on that can be reached. CW will speak with JFe and together they may write some new
  language to propose to the group.
- **PPM topic chart division/leads/timing.** Members volunteered to review various PPM sections/topics identified as needing revision. Details for each of these items were added to table above.
  - 1. COI-CW
  - CBI-TF is working on this within the Materials Subcommittee and it does not need to be a separate item within the PDS. Once the document is completed and approved, it will be incorporated as part of the PPM
  - 3. Board Meeting process-align with current process-not assigned
  - 4. Transition of Subcommittees Chairs, Vice Chairs and members Procedures, and NOSB-NOP collaboration (Section V) CBo
  - 5. Work Plans (Section V or VI or VIII?) –JT and NM-volunteered in absentia
  - 6. Material Review Procedure (Section VIII +)-JFo
    - a. Material Initiation-JFe [listed as a separate workplan item in the table above, but will incorporate it into the PPM updates]
  - 7. Recommendation submission procedure not assigned
  - 8. Miscellaneous changes [Section III- ABS job duties, Section III-Election of Officers: why aren't 2 consecutive terms recommended?, Section IV- Co chairs vs Chair and Vice, Section IV- Task force appointments, Section V Procedures for completing Subcommittee proposals, and Section VII Misc procedures]-JFo
- Other business no other business was noted
- Meeting was adjourned

#### **Future Scheduled Subcommittee Calls:**

June 25, 2013 2:00 pm ET July 9, 2013 2:00 pm ET July 23, 2013 2:00 pm ET August 13, 2013 2:00 pm ET August 27, 2013 2:00 pm ET September 10, 2013 2:00 pm ET

# September 24, 2013 2:00 pm ET

Fall 2013 Milestones	Target date
NOP – Complete tentative agenda	August 9, 2013
Fall 2013 proposals due to NOP	August 27, 2013
NOP - Post proposals, Publish FRN, Open public comment	September 3, 2013
Subcommittees submit tentative workplans to NOP	
Discuss workplans on ES call	
NOP provides written comments on workplans to NOSB	
Public comment closes	October 1, 2013
NOP - Send compiled public comments to NOSB	~October 7, 2013
Workplans finalized on ES call	October 11, 2013
Fall 2013 NOSB Meeting – Louisville, KY	October 21-24, 2013

# National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Wednesday, June 25, 2013 2pm ET

Attendees: Colehour Bondera (CBo) (Chair), John Foster (JFo) (Vice Chair), Jay Feldman (JFe), Calvin

Walker (CW), Jennifer Taylor (JT) **Absent:** Nick Maravell (NM)

Staff: Miles McEvoy (MM), Michelle Arsenault (MA)

# Workplan

Tronkplan		<b>a.</b> .		
Project	Contact	Status	Vote	Target
				Meeting
Policy and Procedures Manual (PPM) Review and Updates	CW	COI		Fall 2013
	TF	CBI- Working on this within the Materials Subcomm		NA
	JFo?	Board Meeting process-not assigned-JFo?		TBD
	СВо	Section V: Transition of Subcomm Chairs, VCs and members/NOSB-NOP collaboration		Fall 2013
	JT/NM	Work Plans		TBD
	JFo	Material Review Procedure		TBD
	JFe/JT	Material Initiation		TBD
	NM/(JFo)	Recommendation submission procedure		TBD
	JFo	Misc changes		Fall 2013
Use of Joint or ad hoc Subcommittees	?			TBD
"Decisive/Indecisive" determination on NOSB votes – NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD

### <u>Agenda</u>

- Approve Agenda
- Approve meeting notes from June 11, 2013
- Review PDS Workplan (in Notes)
- PPM Administrative updates (MA)

 PPM misc. changes (JFo), Workplan (JT), Section V- Transition of Subcomm Chairs, VCs and members/NOSB-NOP collaboration-CBo (CBo), COI (CW)

#### Discussion

- Review/approval of Agenda Agenda approved with the addition of the Sunset Guidance comments
- Review/approval of June 11, 2013 meeting notes Notes not approved yet. MA will circulate an edited version and the group will review them next time.
- **Review PDS Workplan:** Members discussed the workplan items, assigned leaders (reflected in above table), and discussed the timeline for the completion of proposals.
  - Section V: Transition of Subcomm Chairs, VCs and members/NOSB-NOP collaboration: CBo will prepare a discussion document for the next meeting;
  - Material Review Procedure: JFo) noted that the Material Review procedure is distinct from the Material Initiation Procedure;
  - Material Initiation (JFe/JT) incorporated into PPM updates in the table above. JFe indicated
    that there didn't seem to be a high degree of interest in this topic and there was not much
    support from the public so for now they will suspend work on it, and perhaps the NOP will
    make it part of the petition revision process.
  - Recommendation submission procedure- NM is the lead, but it is uncertain whether or not this will be done for the fall;
  - o Misc changes (JFo) will be completed and presented as a group of items for fall meeting
- **PPM Administrative Updates** The group discussed the administrative changes made thus far and agreed that they could accept the changes wholesale and move forward with the proposals.

#### Vote:

Motion to accept the edits to the PPM as presented in the May 12 version

Motion by: JFo Seconded by: CW

Additional discussion: JFe asked about changes to the ABS job duties and it was noted that those

changes were made on the next iteration of the document and not the May 12 version.

Yes: 5 No: 0 Abstain: 0 Absent: 1 Recuse: 0

- PPM misc. changes The group reviewed two changes that were made to the PPM; the ABS job duties
  description and the language about members serving more than one term in an officer position; and
  accepted them as presented. The Subcommittee will vote on these miscellaneous changes as a block
  when they are all complete.
- The chair asked that JT email information about Workplans and that CW send any COI information to the members prior to the next call for review.
- The meeting was adjourned

### **Future Scheduled Subcommittee Calls:**

June 25, 2013 2:00 pm ET July 9, 2013 2:00 pm ET July 23, 2013 2:00 pm ET August 13, 2013 2:00 pm ET August 27, 2013 2:00 pm ET September 10, 2013 2:00 pm ET

## September 24, 2013 2:00 pm ET

Fall 2013 Milestones	Target date
NOP – Complete tentative agenda	August 9, 2013
Fall 2013 proposals due to NOP	August 27, 2013
NOP - Post proposals, Publish FRN, Open public comment	September 3, 2013
Subcommittees submit tentative workplans to NOP	
Discuss workplans on ES call	
NOP provides written comments on workplans to NOSB	
Public comment closes	October 1, 2013
NOP - Send compiled public comments to NOSB	~October 7, 2013
Workplans finalized on ES call	October 11, 2013
Fall 2013 NOSB Meeting – Louisville, KY	October 21-24, 2013

## National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Wednesday, July 9, 2013 2pm ET

Attendees: Colehour Bondera (CBo) (Chair), John Foster (JFo) (Vice Chair), Jay Feldman (JFe), Calvin

Walker (CW), Mac Stone (MS) - Sitting in

**Absent:** Jennifer Taylor (JT), Nick Maravell (NM) **Staff:** Jenny Tucker (JT), Michelle Arsenault (MA)

## Workplan

Project	Contact	Status	Vote	Target Meeting
Policy and Procedures Manual (PPM) Review and Updates- Admin updates	JFo		06 25 13	Fall 2013
PPM - COI	CW			Fall 2013
PPM - CBI	TF	Materials Subcomm proposal		NA
PPM - Board Meeting process	JFo?	Not assigned		TBD
PPM - Transition of Subcomm Chairs, VCs and members, & NOSB-NOP collaboration	СВо			Fall 2013
PPM - Work Plans	JT/NM			TBD
PPM - Material Review Procedure	JFo			TBD
PPM - Material Initiation	JFe/JT			TBD
PPM - Recommendation submission procedure	NM/(JFo)			TBD
PPM - Misc changes	JFo			Fall 2013
Use of Joint or ad hoc Subcommittees	?			TBD
"Decisive/Indecisive" determination on NOSB votes - NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD

### <u>Agenda</u>

• Approve Agenda

- PPM updates
- Approve/Finalize Agenda
- Approve meeting notes from June 11, and June 25, 2013
- Sunset guidance (JFe)
- PPM Misc. changes (JFo)
- PPM Work Plans (JT)
- PPM Transition of Subcomm Chairs, VCs and members, & NOSB-NOP collaboration (CBo)
- PPM COI (CW)

- Review/approval of Agenda The agenda was approved as is
- Review/approval of June 11, 2013 meeting notes. Notes were revised at last meeting and were
  accepted as is.
- Review/approval of June 25, 2013 meeting notes. Approved with minor revisions made prior to the call.
- Sunset guidance (JFe) The Subcommittee is not clear about how to proceed with regard to the materials the NOP shared about modifying the Sunset review process. The NOP indicated that the program is interested in the NOSBs informal feedback about this, but that if the Subcommittee wants to work on it as a Discussion Document, the Executive Subcommittee would first need to approve it for addition to the workplan. Members feel that any amendments to NOSB procedures should be developed collaboratively and must be vetted through the Subcommittee, Board and public. A member noted that there appears to be a departure from the collaborative process with regard to changing Board policies and the intended discussion document was a way to begin those conversations. Opinions about this were mixed; one member noted that his preference would be to wait until any NOP policy is released and respond then, while another member added that it would be advantageous for the NOSB to weigh in prior to the release of anything. With regard to the Sunset process, the member felt that it would have been useful to have a group conversation so the NOSB could have provided input. The NOP indicated that both the NOP and NOSB have responsibilities under OFPA, and that some NOP policies are independent of NOSB procedures. A member felt that the sunset process was initially built collaboratively and they would like to have further discussions about this before it is implemented. The Chair noted that the topic will be revisited on the Executive call on Friday.
- PPM CBI will be removed from the PDS workplan table as this is being worked on in Materials Subcommittee.
- PPM Work Plans (JT) JT was unable to join the call due to technical difficulties so the larger discussion of this topic was postponed until the next call. There were two items in the draft document that the Chair noted and would like to discuss further. The current process is use for developing Workplans is not reflected in the PPM. The process has changed but did not change based on Board deliberation. Instead, it evolved spontaneously. A member noted that the PPM should align with our current practice, no matter which part gets revised. He also noted that many of the current changes seem to be predicated on the practices of past Boards, who seemed to have less oversight by the NOP, and that perhaps having more NOP involvement is warranted. Three participants emphasized that the NOP be direct about changes and reasons for changes, and work collaboratively with the NOSB.
- PPM Transition of Subcomm Chairs, VCs and members, & NOSB-NOP collaboration (CBo) –
  postponed due to time constraints.

• **PPM - COI (CW)** - CW circulated two draft documents that contained language about Conflicts of Interest (COI). The Chair asked the members to send any comments via email.

## **Future Scheduled Subcommittee Calls:**

July 9, 2013 2:00 pm ET

July 23, 2013 2:00 pm ET

PPM - Work Plans (JT)

PPM - Transition of Subcomm Chairs, VCs and members, & NOSB-NOP collaboration (CBo)

PPM - COI (CW)

August 13, 2013 2:00 pm ET

PPM - Misc. changes (JFo)

August 27, 2013 2:00 pm ET

September 10, 2013 2:00 pm ET

September 24, 2013 2:00 pm ET

Fall 2013 Milestones	Target date
NOP – Complete tentative agenda	August 9, 2013
Fall 2013 proposals due to NOP	August 27, 2013
NOP - Post proposals, Publish FRN, Open public comment	September 3, 2013
Subcommittees submit tentative workplans to NOP	
Discuss workplans on ES call	
NOP provides written comments on workplans to NOSB	
Public comment closes	October 1, 2013
NOP - Send compiled public comments to NOSB	~October 7, 2013
Workplans finalized on ES call	October 11, 2013
Fall 2013 NOSB Meeting – Louisville, KY	October 21-24, 2013

## National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Wednesday, July 23, 2013 2pm ET

Attendees: Colehour Bondera (CBo) (Chair), John Foster (JFo) (Vice Chair), Calvin Walker (CW), Jennifer

Taylor (JT), Nick Maravell (NM) **Absent:** Jay Feldman (JFe)

**Staff:** Jenny Tucker (JT), Michelle Arsenault (MA)

## Workplan

Project	Contact	Status	Vote	Target Meeting
Policy and Procedures Manual (PPM) Review and Updates-Admin updates	JFo		06 25 13	Fall 2013
PPM - COI	CW			Fall 2013
PPM - Transition of Subcomm Chairs, VCs and members, & NOSB-NOP collaboration	СВо			Fall 2013
PPM - Misc changes	JFo			Fall 2013
PPM - Board Meeting process	JFo?	Not assigned		TBD
PPM - Work Plans	JT/NM			TBD
PPM - Material Review Procedure	JFo	Material's Subcommittee is working on this section and it will be removed from the PDS workplan.		TBD
PPM - Material Initiation	JFe/JT			TBD
PPM - Recommendation submission procedure	NM/(JFo)			TBD
Use of joint or ad hoc Subcommittees	Ş			TBD
"Decisive/Indecisive" determination on NOSB votes – NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD

## <u>Agenda</u>

- Approve agenda
- Approve meeting notes from July 9, 2013

- COI CW
- Work Plans JT/NM
- Transitions & Collaboration CBo

#### Discussion

- Approve agenda. The agenda was approved as is.
- Approve meeting notes from July 9, 2013. Notes were approved with no changes.
- COI (CW). The group discussed the various options for the COI discussion doc which includes the following: Option 1: Add NOP's memo entitled, "Conflict of Interest Guidelines" to the PPM appendix and reference in the text of the PPM under COI; Option 2: Replace existing PPM language on COI with NOP's language on COI from memo entitled, "Conflict of Interest Guidelines; or Option 3: Use the language suggested for the recommendations numbered 1-12 in the draft document. The NOP indicated that some of the text regarding voluntary disclosure conflicts with the language in the NOP memo (e.g., notifying the Board Chair should be voluntary and not mandatory). The group discussed various components in the Option 3 recommendations surrounding disclosure of interests. The NOP feels it is responsible for protecting the privacy of the Board members by not requiring anyone to disclose specifics about possible conflicts of interests. Instead, discussions would be had between that member and the NOP about the extent of their participation in discussions, and/or the need to recuse themself from the vote. Several members supported placing the NOP memo in the PPM appendix, and if the Board has specific issues with any of the pieces in the memo, include only those items in the body of the PPM that the Board does not find satisfying. The group also discussed the use of the term "Conflict-of-Interest" when it seems that a better term would be "Disclosure-of-Interest". The two main issues revolve around when to disclose to whom, and the broadening of the definition of what constitutes a conflict. JTu will review the 12 recommendations in the draft proposal to see which ones align with the NOP memo, in an effort to shorten the list. A member recommended separating Option 1 from Option 3 as stand-alone recommendations, so we can move forward with one if the other one does not pass the full Board. The Chair asked that the members provide feedback to CW to incorporate into the next draft, so they can discuss it on the next call.
- The NOP updated the group about a request for author information on technical advisory panels (TAPS)/Technical reports (TRs). In the past TAPS were contracted directly with a person, but currently we are using TRs, for which the NOP contracts with companies. While the NOP can request that the contractor include names of specific authors, there are risks to this. In the past, some public comments and website postings have publically condemned specific Technical Report writers (when names were available), and the firms that the NOP contracts with. If authors feel they will be unfairly represented on the web, they may choose not to work on future reports. This could constrain the availability of highly qualified people to do the work because they do not want to open themselves to what many would consider unfair attacks. The NOP asked that the Board to consider this when thinking about this issue.

Additional Post-call Clarification about conflicts of interest with contractors: All Federal contracts, including those issued by USDA/NOP to our Technical Report contractors and consultants, are governed by the Federal Acquisition Regulations (FAR). The FAR includes a "Subpart 3.11-Preventing Personal Conflicts of Interest for Contractor Employees Performing Acquisition Functions." This requires contractors to identify and prevent personal conflicts of interest for their covered employees.

"Personal conflict of interest" means a situation in which a covered employee has a financial interest, personal activity, or relationship that could impair the employee's ability to act impartially and in the best interest of the Government when performing under the contract.

## **Future Scheduled Subcommittee Calls:**

July 23, 2013 2:00 pm ET

PPM - Work Plans (JT)

PPM - Transition of Subcomm Chairs, VCs and members, & NOSB-NOP collaboration (CBo)

PPM - COI (CW)

August 13, 2013 2:00 pm ET

PPM - COI (CW) – Discuss proposal/vote(?)

PPM - Work Plans (JT) - Discuss draft proposal

PPM - Transition of Subcomm Chairs, etc, & NOSB-NOP collaboration (CBo) – Discuss draft proposal

PPM - Misc. changes (JFo)

August 27, 2013 2:00 pm ET September 10, 2013 2:00 pm ET

September 24, 2013 2:00 pm ET

Fall 2013 Milestones	Target date
NOP – Complete tentative agenda	August 9, 2013
Fall 2013 proposals due to NOP	August 27, 2013
NOP - Post proposals, Publish FRN, Open public comment	September 3, 2013
Subcommittees submit tentative workplans to NOP	September 11, 2013
Discuss workplans on ES call	September 13, 2013
NOP provides written comments on workplans to NOSB	September 23, 2013
Public comment closes	October 1, 2013
NOP - Send compiled public comments to NOSB	~October 7, 2013
Workplans finalized on ES call	October 11, 2013
Fall 2013 NOSB Meeting – Louisville, KY	October 22-24, 2013

## National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Wednesday, August 13, 2013 2pm ET

Attendees: Colehour Bondera (CBo) (Chair), John Foster (JFo) (Vice Chair), Jay Feldman (JFe), Jennifer

Taylor (JT), Calvin Walker (CW), Mac Stone-sitting in

**Absent:** Nick Maravell (NM)

**Staff:** Jenny Tucker (JT), Michelle Arsenault (MA)

## Workplan

Project	Contact	Status	Vote	Target Meeting
Policy and Procedures Manual	JFo		06 25 13	Fall 2013
(PPM) Review and Updates-			Revote 08	
Admin updates			13 13	
PPM – COI	CW			Fall 2013
PPM - Transition of Subcomm	СВо			Spring
Chairs, VCs and members, & NOSB-NOP collaboration				2014
PPM - Misc changes	JFo		08 13 13	Fall 2013
PPM - Board Meeting process	JFo?	Not assigned		TBD
PPM - Work Plans	JT/NM			TBD
PPM - Material Review	JFo	Material's Subcommittee is working on this		TBD
Procedure		section and it will be removed from the PDS workplan.		
PPM - Material Initiation	JFe/JT			TBD
PPM - Recommendation submission procedure	NM/(JFo)	Would propose rolling this into the admin updates.		Spring 2014
Use of joint or ad hoc	?			TBD
Subcommittees				
"Decisive/Indecisive"	JFe	Discussion document; in progress. NOP will		TBD
determination on NOSB votes		provide a memo to the Board on this topic.		
<ul> <li>NOP has proposed that this</li> </ul>				
be renamed				

## <u>Agenda</u>

- Approve agenda
- Approve meeting notes from July 23, 2013

- Discuss/vote PPM COI CW
- Discuss/vote PPM-admin updates (JFo)
- Discuss/vote PPM-misc updates (JFo)

### **Discussion**

- The agenda was approved as is.
- Meeting notes from July 23, 2013 were approved with no changes.
- **Discuss/vote PPM Administrative Updates (JFo).** Members discussed the various administrative changes to the PPM. The Subcommittee is being asked to revote on this item; the only change from the previous version is that the NOP COI memo has been removed from the appendix.

#### **Vote on PPM-Administrative updates**

Motion to accept the revised PPM - administrative updates, as presented on the call August 13, 2013:

Motion by: JFo Seconded by: JFe

Discussion: no further discussion

Yes: 4 No: 1 Abstain: Absent: 1 Recuse: 0 The document will be forwarded via email to the three members (NM, CW, and JT) who were either absent or had to leave the call, so they may vote. NOTE: CW - Y (Aug 18 via email), JT-N (August 21 via email),

#### Discuss/vote PPM - Miscellaneous Updates (JFo)

Members discussed the various miscellaneous changes to the PPM that were circulated to the Subcommittee prior to the call. These changes were a bit more substantive than the basic administrative changes, and therefore were listed individually in the proposal. A member wanted to confirm that the changes being made are an effort to align the PPM to current NOSB practices and have been considered carefully and thoughtfully, rather than added simply because the procedures had evolved. In other words, the PPM shouldn't just capture habits, but choices. The lead reviewer confirmed that the additions and changes were constructed deliberately and with much thought.

ABS Note: The Chair asked that the following language be added to the notes: Prior to voting, it was agreed that all of the changes considered would be clearly listed and shown within the proposal itself. This was asked, discussed and agreed to (by committee members before I called the vote.)

#### **Vote on PPM - Miscellaneous updates**

Motion to accept the miscellaneous amendments to the PPM as presented on the call August 13, 2013:

Motion by: JFo Seconded by: CW

Discussion: no additional discussion

Yes: 4 No: 1 Abstain: Absent: 1 Recuse: 0 The document will be forwarded via email to the two members (NM, and JT) who were either absent or had to leave the call, so they may vote. NOTE: JT-N (August 21 via email)

Conflict of Interest (COI) (CW). JTu will send an email to the PDS after the call with responses to JFe's
question about the legal basis for the NOP COI memo, and comments about JFe's most recent
proposal redlines that conflict with the NOP memo. JFe noted that he thought it was important that

where possible, everything in the PPM have a statutory foundation, so people can trace them to the sources of the policies.

## **Future Scheduled Subcommittee Calls:**

August 13, 2013 2:00 pm ET

PPM - COI (CW) - Discuss proposal/vote(?)

PPM - Misc. changes (JFo) -vote

PPM – Admin changes (JFo) -vote

August 27, 2013 2:00 pm ET

PPM - COI (CW) – Discuss final proposal/vote

September 10, 2013 2:00 pm ET

September 24, 2013 2:00 pm ET

Fall 2013 Milestones	Target date
NOP – Complete tentative agenda	August 9, 2013
Fall 2013 proposals due to NOP	August 27, 2013
NOP - Post proposals, Publish FRN, Open public comment	September 3, 2013
Subcommittees submit tentative workplans to NOP	September 11, 2013
Discuss workplans on ES call	September 13, 2013
NOP provides written comments on workplans to NOSB	September 23, 2013
Public comment closes	October 1, 2013
NOP - Send compiled public comments to NOSB	~October 7, 2013
Workplans finalized on ES call	October 11, 2013
Fall 2013 NOSB Meeting – Louisville, KY	October 22-24, 2013

## National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Tuesday, August 27, 2013 2pm ET

Attendees: Colehour Bondera (CBo) (Chair), Jay Feldman (JFe), Calvin Walker (CW), Nick Maravell (NM),

Mac Stone-sitting in

**Absent:** John Foster (JFo) (Vice Chair), Jennifer Taylor (JT)

**Staff:** Jenny Tucker (JT), Michelle Arsenault (MA)

## Workplan

Project	Contact	Status	Vote	Target Meeting
Policy and Procedures Manual	JFo		06 25 13	Fall 2013
(PPM) Review and Updates-			Revote 08	
Admin updates			13 13	
PPM – COI	CW		08 27 13	Fall 2013
PPM - Transition of Subcomm	СВо			Spring
Chairs, VCs and members, & NOSB-NOP collaboration				2014
PPM - Misc changes	JFo		08 13 13	Fall 2013
PPM - Board Meeting process	JFo?	Not assigned		TBD
PPM - Work Plans	JT/NM			TBD
PPM - Material Review	JFo	Material's Subcommittee is working on this		TBD
Procedure		section and it will be removed from the PDS workplan.		
PPM - Material Initiation	JFe/JT			TBD
PPM - Recommendation submission procedure	NM/(JFo)	Would propose rolling this into the admin updates.		Fall 2013
Use of joint or ad hoc	?			TBD
Subcommittees				
"Decisive/Indecisive"	JFe	Discussion document; in progress. NOP will		TBD
determination on NOSB votes		provide a memo to the Board on this topic.		
<ul> <li>NOP has proposed that this</li> </ul>				
be renamed				

## <u>Agenda</u>

- Approve agenda
- Approve meeting notes from August 13, 2013
- Discuss/vote on PPM COI (CW)

#### Discussion

- The agenda was approved as is.
- Meeting notes from August 13, 2013 were approved with minor changes the Chair suggested prior to the call.

Conflict of Interest (COI) - CW. Members discussed three options included in the proposal, which was circulated prior to the meeting. One member expressed concern via email about the definition of COI, which he felt did not align with the definition included in the USDA Ethics Office memo. A member suggested adding some specific language describing the various options that the Subcommittee considered but did not choose, along with a reference to the NOP memo in the appendix. He also indicated his preference for Option 1. Another member expressed his view that the Board has always managed well with the existing policy, and does not understand why we need to change it. With that, he indicated his preference for Option 1. Another member submitted via email his support for Option 1 Recommendation 1 only (now Option 3). The NOP prefers the simplicity of Option 3 but would also support Option 2 as it does not conflict with the Ethics memo. Members discussed the language about household vs. family members (under entities) and will add some minor edits to clarify. The majority of those in attendance preferred Option 1; the NOP would not allow this option to proceed, because it is inconsistent with the NOP policy memo on COI. In the interest of moving the process forward and because of the NOP's position on this matter members unanimously supported Option 2.

#### **Vote on COI Proposal**

Motion to accept Option 2 with the following changes: Minor language edits, and the reformatting of the document to have keep Options 1 and 3 in the background information, so as to retain the information about the various options the Subcommittee considered.

Motion by: CW Seconded by: JFe

Discussion: The group discussed and chose to incorporate the two other options (1 and 3) in the background section of the proposal.

Yes: 5 No: 0 Abstain: 0 Absent: 1 Recuse: 0

The Chair asked that the vote remain open to the end of the day so the two absent members have the opportunity to vote if they wished. JT voted via phone 08 28 13 – Y which was added to the tally above.

#### **Future Scheduled Subcommittee Calls:**

August 13, 2013 2:00 pm ET

PPM - COI (CW) - Discuss proposal/vote (?)

PPM - Misc. changes (JFo) -vote

PPM - Admin changes (JFo) -vote

August 27, 2013 2:00 pm ET

PPM - COI (CW) - Discuss final proposal/vote -completed

September 10, 2013 2:00 pm ET September 24, 2013 2:00 pm ET

Fall 2013 Milestones	Target date
NOP – Complete tentative agenda	August 9, 2013
Fall 2013 proposals due to NOP	August 27, 2013
NOP - Post proposals, Publish FRN, Open public comment	September 3, 2013
Subcommittees submit tentative workplans to NOP	September 11, 2013
Discuss workplans on ES call	September 13, 2013
NOP provides written comments on workplans to NOSB	September 23, 2013
Public comment closes	October 1, 2013
NOP - Send compiled public comments to NOSB	~October 7, 2013
Workplans finalized on ES call	October 11, 2013
Fall 2013 NOSB Meeting – Louisville, KY	October 22-24, 2013

# National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Tuesday, September 10, 2013 2pm ET

Attendees: Colehour Bondera (CBo) (Chair), Jay Feldman (JFe), Calvin Walker (CW), John Foster (JFo) (Vice

Chair), Jennifer Taylor (JT), Mac Stone-sitting in

Absent: Nick Maravell (NM)

**Staff:** Jenny Tucker (JT), Michelle Arsenault (MA)

## Workplan

Project	Contact	Status	Vote	Target Meeting
Policy and Procedures Manual (PPM) Review and Updates-Admin updates	JFo		06 25 13 Revote 08 13 13	Fall 2013
PPM – COI	CW		08 27 13	Fall 2013
PPM - Transition of Subcomm Chairs, VCs and members, & NOSB-NOP collaboration	СВо			Spring 2014
PPM - Misc changes	JFo		08 13 13	Fall 2013
PPM - Board Meeting process	JFo?	Not assigned		TBD
PPM - Work Plans	JT/NM	NOP criteria for allowing proposals to go forth. (Required process established by the NOP)		TBD
PPM - Material Review Procedure	JFo	Material's Subcommittee is working on this section and it will be removed from the PDS workplan.		TBD
PPM - Material Initiation	JFe/JT			TBD
PPM - Recommendation submission procedure	NM/(JFo)	Would propose rolling this into the misc updates.		Fall 2013
Use of joint or ad hoc Subcommittees	?			TBD
"Decisive/Indecisive" determination on NOSB votes – NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD
Communication strategies for submitting advice to Secretary	JT/CBo?	Placeholder for workplan item. Title TBD		
"New" Member guide review and update				TBD

### **Agenda**

- Approve agenda
- Approve meeting notes from August 27, 2013
- Workplan

- The agenda was approved as is.
- Meeting notes from August 27, 2013 were approved with minor edits that were sent by the Chair to MA prior to the call.
- Workplan: The Chair asked that the PPM Recommendation Submission Procedure not be rolled into
  the admin updates but instead be passed to NM since he was the one assigned to this topic. MA
  clarified that the procedure, which consisted of only two sentences, was already written and it should
  be rolled into the future miscellaneous topics, not admin updates. MA will contact NM and let him
  know.
  - Members discussed the updates to the PPM and explored the idea of a document that contains guidance that doesn't necessarily come from the Board but perhaps from the NOP. The vision for this document would be as a member guide, rather than what we currently have titled as "New" member guide and would contain all aspects that affect the Board, even if the Board doesn't generate the documents.
  - A member suggested adding a workplan item regarding a process for communicating with and advising the Secretary. Members discussed the possible content of this document, which could include a description of what constitutes useful advice, what types of advice can be implemented, and how that advice is viewed by the Secretary's office.
  - The group discussed the content of the proposals and how the NOP determines what can and cannot go forward. The members feel it's important to document some of the decision criteria that inform the NOP's decision about whether to post a document or not so the NOSB doesn't spend time working on projects that cannot be implemented. The group discussed some of these criteria, and agreed that direct and upfront communication early in the process about the possible content of a proposal is critical to ensure that any areas of concern are raised. This is a collaborative process NOP should be clear with any concerns, and the Board should take these comments seriously when drafting the proposals.
  - The group also discussed how this fits within the overall role of the NOSB as an advisory board, generally agreeing that the NOSB was established to give voice to the organic community and contributes a unique viewpoint. The question is then how those viewpoints feed into USDA processes and structures. A member reiterated the importance of documenting procedures and known constraints, so the members have a better sense of how to write recommendations that have the best chance of success to move forward. The group discussed how to capture an item for the work plan in this topic, and agreed that it would need input from both NOSB and NOP. JT and CBo will work on a preliminary title and description for the WP item and send to MA for addition to the table.
  - o The Board Chair noted that each of the Subcommittees has a different workflow depending on the topics on the workplan, and perhaps the PDS can work on a document that informs the process. The NOP suggested adding an annotated outline stage to the proposal development process, which would be useful in making sure key ideas are reviewed and considered early in

the process. A member noted that other bodies typically use briefs as a tool to get early feedback from key stakeholders.

## **Future Scheduled Subcommittee Calls:**

August 27, 2013 2:00 pm ET

PPM - COI (CW) — Discuss final proposal/vote -completed
September 10, 2013 2:00 pm ET

Workplans

September 24, 2013 2:00 pm ET October 8, 2013 2:00 pm ET November 12, 2013 2:00 pm ET November 26, 2013 2:00 pm ET

Fall 2013 Milestones	Target date
NOP – Complete tentative agenda	August 9, 2013
Fall 2013 proposals due to NOP	August 27, 2013
NOP - Post proposals, Publish FRN, Open public comment	September 3, 2013
Subcommittees submit tentative workplans to NOP	September 11, 2013
Discuss workplans on ES call	September 13, 2013
NOP provides written comments on workplans to NOSB	September 23, 2013
Public comment closes	October 1, 2013
NOP - Send compiled public comments to NOSB	~October 7, 2013
Workplans finalized on ES call	October 11, 2013
Fall 2013 NOSB Meeting – Louisville, KY	October 22-24, 2013

# National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Tuesday, September 24, 2013 2pm ET

Attendees: Colehour Bondera (CBo) (Chair), Jay Feldman (JFe), John Foster (JFo) (Vice Chair), Calvin

Walker (CW), Jennifer Taylor (JT), Mac Stone-sitting in

Absent: Nick Maravell (NM)

Staff: Jenny Tucker (JT), Michelle Arsenault (MA)

## Workplan

Project	Contact	Status	Vote	Target Meeting
Policy and Procedures Manual (PPM) Review and Updates-Admin updates	JFo		06 25 13 Revote 08 13 13	Fall 2013
PPM – COI	CW		08 27 13	Fall 2013
PPM - Transition of Subcomm Chairs, VCs and members, & NOSB-NOP collaboration	СВо			Spring 2014
PPM - Misc changes	JFo		08 13 13	Fall 2013
PPM - Board Meeting process	JFo?	Not assigned		TBD
PPM - Work Plans	JT/NM	NOP criteria for allowing proposals to go forth. (Required process established by the NOP)		TBD
PPM - Material Review Procedure	JFo	Material's Subcommittee is working on this section and it will be removed from the PDS workplan.		TBD
PPM - Material Initiation	JFe/JT			TBD
PPM - Recommendation submission procedure	NM/(JFo)	Would propose rolling this into the misc updates.		Fall 2013
Use of joint or ad hoc Subcommittees	?			TBD
"Decisive/Indecisive" determination on NOSB votes – NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD
Communication strategies for submitting advice to Secretary	JT/CBo?	Placeholder for workplan item. Title TBD		
"New" Member guide review and update				TBD

#### **Agenda**

- Approve agenda
- Approve meeting notes from September 10, 2013
- Proposal Contact check-ins
- Workplan

#### **Discussion**

- The agenda was approved as is.
- Meeting notes from September 10, 2013 were approved with no changes.
- Proposal Contact check-ins. JFo noted that there haven't been many comments on the two PPM
   (Administrative and Miscellaneous Updates) proposals and had no updates at this time. CW noted
   the same about the Conflict of Interest (COI) proposal and indicated his desire to complete the COI
   project at the fall meeting. CW will send an email to JTu asking that the NOP express support for the
   proposal that the NOSB has before them, as he feels this would help move the proposal forward.
- Workplan. The group discussed the current workplan. In an effort to complete one of the items on the table above to be incorporated into the next round of PPM updates (PPM - recommendation submission procedure) the NOSB Vice Chair called for a vote:

#### Vote on PPM - recommendation submission procedure.

Motion to incorporate the language regarding the procedures for the NOSB to submit to the NOP their final recommendations into the administrative changes of the PPM

Motion by: JFo Seconded: CW

Y: 2 N: 2 Abstain: 1 Absent: 1 Motion failed.

A member suggested the group discuss the broader issue of revising the PPM and questioned the process of codifying a procedure as an administrative update without having justification. The member also discussed the NOP removing a document from the agenda without informing the NOSB or the public, as well as eliminating items from the workplan. The NOP noted that from this point forward the program will provide more feedback early in the process and will share criteria with the Board. A member noted that since the PDS did not pass the motion, the ability of the NOSB to create and maintain their own PPM might well be compromised as a result.

• The Chair asked that the recommendation submission procedure item remain on the workplan for now so they can discuss it at a later date.

## **Future Scheduled Subcommittee Calls**

October 8, 2013 2:00 pm ET

November 12, 2013 2:00 pm ET November 26, 2013 2:00 pm ET December 10, 2013 2:00 ET

Fall 2013 Milestones	Target date
NOP – Complete tentative agenda	August 9, 2013
Fall 2013 proposals due to NOP	August 27, 2013
NOP - Post proposals, Publish FRN, Open public comment	September 3, 2013
Subcommittees submit tentative workplans to NOP	September 11, 2013
Discuss workplans on ES call	September 13, 2013
NOP provides written comments on workplans to NOSB	September 23, 2013
Public comment closes	October 1, 2013
NOP - Send compiled public comments to NOSB	~October 7, 2013
Workplans finalized on ES call	October 11, 2013
Fall 2013 NOSB Meeting – Louisville, KY	October 22-24, 2013

## National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Tuesday, November 12, 2013 2pm ET

Attendees: Colehour Bondera (CBo) (Chair), Jay Feldman (JFe), John Foster (JFo), Calvin Walker (CW) (Vice

Chair), Mac Stone-sitting in

**Absent:** Jennifer Taylor (JT), Nick Maravell (NM) **Staff:** Jenny Tucker (JT), Michelle Arsenault (MA)

Workplan (Will be replaced with updated version after November Executive Call)

Project	Contact	Status	Vote	Target
				Meeting
Policy and Procedures Manual	JFo		06 25 13	Fall 2013
(PPM) Review and Updates-			Revote 08	Meeting
Admin updates			13 13	cancelled
PPM – COI	CW		08 27 13	Fall 2013
				Meeting
				cancelled
PPM - Transition of Subcomm	СВо			Spring
Chairs, VCs and members, &				2014
NOSB-NOP collaboration				
PPM - Misc changes	JFo		08 13 13	Fall 2013
				Meeting
				cancelled
PPM - Board Meeting process	JFo?	Not assigned		TBD
PPM - Work Plans	JT/NM	NOP criteria for allowing proposals to go		TBD
		forth. (Required process established by the		
		NOP)		
PPM - Material Review	JFo	Material's Subcommittee is working on this		TBD
Procedure		section and it will be removed from the PDS		
		workplan.		
PPM - Material Initiation	JFe/JT			TBD
PPM - Recommendation	NM/(JFo)	Would propose rolling this into the misc		Fall 2013?
submission procedure		<mark>updates.</mark>		
Use of joint or ad hoc	?			TBD
Subcommittees				
"Decisive/Indecisive"	JFe	Discussion document; in progress. NOP will		TBD
determination on NOSB votes		provide a memo to the Board on this topic.		
<ul> <li>NOP has proposed that this</li> </ul>				
be renamed				
Communication strategies for	JT/CBo?	Placeholder for workplan item. Title TBD		
submitting advice to Secretary				
"New" Member guide review				TBD
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#### Agenda

- Approve agenda
- Approve meeting notes from September 24, 2013

- The agenda was approved as is.
- Meeting notes from September 24, 2013 were approved with minor changes sent by the PDS chair
- Review of PDS workplan:
  - The group discussed the changes to the workplan sent to the Board by the NOP; some items were retained from the subcommittee's proposal; some items were altered; and some items were removed with an explanation provided. The new workplan includes the need to align various NOP policies with the PPM. The NOP-provided workplan only lists items for 2014; it does not include placeholder items; only those that are proposed for active work during 2014. One member noted support of separating PPM elements that the Board drives and defines from PPM elements that the program defines. The argument for this is that it doesn't make sense for the Subcommittee to work and vote on items that have already been decided by the USDA/NOP, and that the Board doesn't necessarily agree with.
  - Olit was noted that one of the workplan items is to identify possible elements for a "Member Guide," which would include elements defined by NOP, but that do not require Board vote or public comment. This document could include such things as the origins and underlying authorities of decisions, the basics of Board business (e.g. travel) as well as info about the NOSB mandate, COI policy, etc. The NOP asked how the group felt about a third category of content: content that the Board would and should weigh in on, but that doesn't require public comment (e.g., internal working procedures of the Board, such as Subcommittee transitions). One member felt strongly that anything involving Board practices or procedures should receive public comment.
  - O A member emphasized that the Board needs to have further discussions to clarify the criteria that the NOP is using to make decisions, how the Board operates, how the NOP and NOSB interfaces with the public, and how policy and procedures are being established. Transparency and collaboration between the NOP, NOSB, and the public are important components in these discussions. A member recommended that a workplan item that was removed (communicating with the secretary) be reinstated because it helps the Board facilitate its mandate of advising the secretary. He added that although the NOSB is the vehicle \_through which\_ the community communicates with the USDA, there isn't a clear framework for \_how\_ the Board communicates with the Secretary. The NOP agreed that the need for transparency is very clear, and that it supports this principle and goal. The NOP noted that transparency doesn't mean acceptance and/or agreement, and there are some policies that the program will enact based on its authorities that the Board may not agree with.
- Public Comments & Status: PPM administrative and miscellaneous updates (JFo). None of the
  commenters were supportive of the comprehensive changes the Subcommittee put forth. Some
  expressed support of some elements of the proposals if the Subcommittee were to rewrite or modify
  them. JFo suggested reviewing the comments in more depth to see if some subsections might need
  reworking, or if the comments justified revisions and resubmissions. Further discussions are
  scheduled for December 10.

- Public Comments & Status: COI (CW). Commenters were not supportive of the proposal that the
  Subcommittee submitted. The lead writer does not feel that they will ever get agreement about this
  issue, and although he would support further conversation, feels that the Subcommittee should not
  continue to work on this particular topic.
- Next Meeting, Nov 26. A member asked if it was possible for the PDS Chair to reach out to the Deputy Administrator and ask if he would be willing to participate in the call to help define the collaboration and communication aspects that the group is discussing. CBo will contact him and the NOSB Chair and try to arrange this. (Note: The Deputy Administrator is on leave on November 26, and will not be available for the call.)
- **Updated Workplan.** The workplan table has been updated with the 2014 workplan items and will replace the one above in the next set of notes. Additionally, a 2014 milestone timeline has been added below and will replace the fall 2013 milestones.

#### **Future Scheduled Subcommittee Calls**

October 8, 2013 2:00 pm ET (CANCELLED)

November 12, 2013 2:00 pm ET November 26, 2013 2:00 pm ET December 10, 2013 2:00 ET

Review comments on PPM edits and changes

January 14, 2013 2:00 ET January 28, 2013 2:00 ET

Fall 2013 Milestones	Target date
NOP – Complete tentative agenda	August 9, 2013
Fall 2013 proposals due to NOP	August 27, 2013
NOP - Post proposals, Publish FRN, Open public comment	September 3, 2013
Subcommittees submit tentative workplans to NOP	September 11, 2013
Discuss workplans on ES call	September 13, 2013
NOP provides written comments on workplans to NOSB	September 23, 2013
Public comment closes	October 1, 2013
NOP - Send compiled public comments to NOSB	~October 7, 2013
Workplans finalized on ES call	CANCELLED
Fall 2013 NOSB Meeting – Louisville, KY	CANCELLED

Spring 2014 Milestones	Target date
Subcommittee requests technical reports for Sunset 2016 substances	Jan 15, 2014
NOSB Training meeting	Feb 4 - 5, 2014

NOP – Complete tentative agenda	Feb 7, 2014
Fall 2013 proposals due to NOP	Feb 26, 2014
NOP - Post proposals, Publish FRN, Open public comment	Mar 10, 2014
Subcommittees submit tentative workplans to NOP	Mar 12, 2014
Discuss workplans on ES call	Mar 14, 2014
NOP provides written comments on workplans to NOSB	Mar 28, 2014
Public comment closes	Apr 8, 2014
Workplans finalized on ES call	Apr 11, 2014
NOP - Send compiled public comments to NOSB	Apr 14, 2014
Spring 2014 NOSB Meeting – San Antonio, TX	~Apr 28- May 1, 2014

## National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes Tuesday, November 26, 2013 2pm ET

Attendees: Colehour Bondera, 2013 Chair (CBo), Jean Richardson, 2014 Chair (JR), Jay Feldman (JFe), John

Foster (JFo), Mac Stone (MS), Calvin Walker, 2013 Vice Chair (CW)

**Absent:** Nick Maravell (NM)

Staff: Jenny Tucker (JT), Michelle Arsenault (MA)

## Workplan

Project	Contact	Status	Vote	Target Meeting
Policy and Procedures Manual (PPM) Updates – Administrative	JFo/MA	Several changes already completed and in progress.		Fall 2014
PPM - Transition of Subcomm Chairs, VCs and members, & NOSB-NOP collaboration	СВо			Fall 2014
PPM – Revise/Update Sunset procedures		Revise PPM based on NOP Sunset Procedure change.		Fall 2014
Use of joint or ad hoc Subcommittees	?			TBD
"New" Member guide review and update		The NOP supports this item as a way to capture processes that impact the Board, but that are defined by NOP. This could be a useful collection of materials that support the Board, but that are not driven by the Board's work, and that do not require public comment.		TBD

### **Agenda**

- Approve agenda
- Approve meeting notes from November 12, 2013
- Review of PDS workplan items, both approved and possible future
- COI proposed recommendation changes (CW)
- Review/reflections of past year of PDS and what history and future planning hold
- Next meeting (Dec 10) planning (JR)

- The agenda was approved as is.
- Meeting notes from November 12, 2013 were approved as is. The PDS Chair noted that there were some unclear attributions in past notes to the NOSB Vice Chair vs. the PDS Vice Chair. MA will correct all instances of this.

#### Review of PDS workplan items:

- o A member emphasized the Board's need for clear criteria and justification from NOP regarding workplan items and whether they will be allowed to be added to the workplan or not. Historically, the workplan is the vehicle by which the Board represents the stakeholder groups and public; as such, the member feels that a quick resolution is essential. The NOP noted that although there is some disagreement about responsibilities and decision authority, on the whole, the Board and the program are in agreement about the need for clarity and transparency with regard to the decision making process and workflow. The group discussed the criteria that the NOP put forth for determining workplan items, which some Board members feel are not specific enough. The NOP asked that the members provide examples of specific criteria, so everyone is using the same definition and language. Additionally, the group emphasized the need for clarity about the process for petitioning annotations.
- O A member requested that two workplan items, Revision of the Workplan Procedure and Procedures for Completing Proposals and Discussion Documents, which were removed until the NOP can provide additional feedback, be added back onto the workplan so the deadlines are definitive and the projects are not allowed to linger or disappear. The NOP asked that the group provide a purpose and goal for the documents, which a member noted were meant to update and codify the decision making process and procedures. Another member expressed her concern about workplan items that were removed and suggested that for purposes of public transparency they could perhaps post a list of items that the group worked on but were not brought to the Secretary as recommendations.
- A member emphasized the need for communication and disclosure between the Board and the Program and added that it is critical to the functioning of the Board in preparation for the semi-annual meetings. The Board feels that information pertaining to them should be disclosed in advance, and it should not be announced at the meetings without their prior knowledge.
- Conflict of Interest (COI) (CW). The group discussed next steps, which they also discussed on the last call. The lead reviewer feels that the overwhelming majority of public comment did not support the COI proposal and that this item should not be put forth. Additionally, since the program has issued a memo with the current policy, the proposal should not be brought to the spring 2014 meeting and feels that the group should not pursue it further.
- Review/reflections of past year of PDS. The outgoing PDS Chair thanked the group for the monumental effort and work that the Subcommittee members undertook this past year. He added that the PPM is a critical component of Board operations and emphasized the need for the group to continue to maintain and improve the document as the central tool for managing the Board. The group briefly discussed the time commitment required of Board members, and that this should be considered in deciding what the Board is going to take on.
- Next meeting (Dec 10) planning (JR). The incoming PDS Chair also acknowledged the quality and quantity of work the group has done, as well as the frustrations that come along with such tasks. She also noted that she would like to have a more in-depth conversation about the COI proposal before they make a decision about removing it from consideration. She also indicated that it was important for the PDS and the NOP to have conversations about the PPM to determine what is important to the Board and what is important to the NOP and where the overlap lies.

#### **Future Scheduled Subcommittee Calls**

November 26, 2013 2:00 pm ET

December 10, 2013 2:00 ET

Review comments on PPM edits and changes

Spring 2014 Milestones	Target date
Subcommittee requests technical reports for Sunset 2016 substances	Jan 15, 2014
NOSB Training meeting	Feb 4 - 5, 2014
NOP – Complete tentative agenda	Feb 7, 2014
Fall 2013 proposals due to NOP	Feb 26, 2014
NOP - Post proposals, Publish FRN, Open public comment	Mar 10, 2014
Subcommittees submit tentative workplans to NOP	Mar 12, 2014
Discuss workplans on ES call	Mar 14, 2014
NOP provides written comments on workplans to NOSB	Mar 28, 2014
Public comment closes	Apr 8, 2014
Workplans finalized on ES call	Apr 11, 2014
NOP - Send compiled public comments to NOSB	Apr 14, 2014
Spring 2014 NOSB Meeting – San Antonio, TX	~Apr 28- May 1, 2014

## National Organic Standards Board (NOSB) Policy Development Subcommittee Meeting Notes draft Tuesday, December 10, 2013 2pm ET

Attendees: Jean Richardson, Chair (JR), Jay Feldman (JFe), Mac Stone (MS), Nick Maravell (NM), John

Foster (JFo), Colehour Bondera (CB) - sitting in

**Absent:** none

Staff: Jenny Tucker (JT), Michelle Arsenault, Advisory Board Specialist (ABS) (MA)

### Workplan

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Project	Contact	Status	Vote	Target
				Meeting
Policy and Procedures Manual	PDS/ABS	Several changes already completed and in		Fall 2014
(PPM) Updates -		progress.		
Administrative				
Member guide review and	ABS/PDS	Processes defined by NOP that impact the		Fall 2014
update		Board. but that are defined by NOP. This		
		could be a useful collection of materials that		
		support the Board, but that are not driven		
		by the Board's work, and that do not require		
		public comment.		
PPM - Transition of Subcomm	СВо			Fall 2014
Chairs, VCs and members, &				
NOSB - NOP collaboration				
PPM - Revise/Update Sunset		Align PPM based on NOP Sunset Procedure		Fall 2014
procedures		change.		
Use of joint or ad hoc	?			TBD
Subcommittees				

## <u>Agenda</u>

- Approve agenda
- Approve meeting notes from November 26, 2013
- Vice Chair position announcement
- Status of Proposals carried forward from cancelled fall 2013 Public Meeting:
- Work Plan for possible proposals for fall 2014
- Work between conference calls
- PDS meeting while in DC Feb 5 immediately following NOP workshop
- Other business.

- The agenda was approved as is
- Meeting notes from November 26, 2013 were approved without changes

- **Vice Chair position announcement:** The PDS Chair appointed JFe as Vice Chair, noting that this will provide continuity for the Subcommittee.
- Status of Proposals carried forward from cancelled fall 2013 Public Meeting:
  - The PDS Chair proposed that they not carry forward any of the fall 2013 proposals until the group has had a chance to discuss the direction of the PPM. Instead, she proposed building on past work and bringing two documents to the fall 2014 NOSB meeting: (1) A member guide containing policy and administrative materials driven by NOP; and (2) a manual containing policy and procedures under the purview of the NOSB that would be subject to public comment and voting. The group discussed these ideas. One member agreed that it was important to take a comprehensive look at these documents and noted that the NOSB will be adopting new procedures between now and the spring 2014 meeting without having vetted those procedures in the public first. The NOP indicated that there are certain policies and processes that are driven by USDA and for which public comment is not needed. The group discussed the importance of differentiating those policies and processes.
  - O The members discussed having a verbal update or a short discussion document at the spring 2014 public meeting to describe the two documents proposed above. The NOP noted that the division of the PPM into two documents (one for NOSB policy and procedures, and one with NOP policy that would not require public comment) would be very useful. In terms of informing the public of these thoughts, the group discussed three possible approaches: The NOSB could produce a discussion document or report; and/or the NOP could produce a memo or notice about what is under their authority; and/or there could be a public presentation at the spring Board meeting. JFe supported the creation of a discussion document and will meet with JTu to talk about content. A member emphasized that the discussion document should be focused on specific processes and procedures as opposed to a discussion of a "breakdown in process" as this is too amorphous and would not result in a useful document.
  - The PDS Chair asked that the NOP write a document as well, which will help describe the differences between the NOP-driven part of the manual, and the NOSB-driven component. MA and JT will work towards this goal.
- Work plan for possible proposals for fall 2014. The workplan table above was adjusted to reflect the decision to proceed with the two items: a member guide and an NOSB policy guide. JFo, who led the effort for the prior PPM updates, noted that there were subsequent changes to the PPM that did not get submitted before the last proposal deadline that included the separation of the aforementioned components. This will help inform the work going forward.
- Work between conference calls. The group agreed to cancel the January 14 call in order to gather preliminary data for the documents.
- The Chair asked that the PDS meet February 5, immediately following the NOP-NOSB training workshop to discuss the workplan.
- No other business was noted.

### **Future Scheduled Subcommittee Calls**

November 26, 2013 2:00 pm ET

December 10, 2013 2:00 ET

Review comments on PPM edits and changes

January 14, 2014 2:00 ET - cancelled

January 28, 2014 2:00 ET

February 11, 2014 2:00 ET

February 25, 2014 2:00 ET

March 11, 2014 2:00 ET

Spring 2014 Milestones	Target date
Subcommittee requests technical reports for Sunset 2016 substances	Jan 15, 2014
NOSB Training meeting	Feb 4 - 5, 2014
NOP – Complete tentative agenda	Feb 7, 2014
Fall 2013 proposals due to NOP	Feb 26, 2014
NOP - Post proposals, Publish FRN, Open public comment	Mar 10, 2014
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Spring 2014 NOSB Meeting – San Antonio, TX	~Apr 28- May 1, 2014