National Organic Standards Board

Policy Development Committee

Recommended changes to the Policy Development Manual -Section V

September 4, 2009

INTRODUCTION:

The Policy Development Committee continues its efforts to improve the Board's Policy and Procedures Manual. This recommendation presents suggested updates to Section V of the PPM.

BACKGROUND:

The proposed changes are meant to improve descriptions on procedures for writing and presenting committee recommendations to the entire NOSB. There also are several modifications to the duties of committee chairs and vice-chairs.

RECOMMENDATION:

The recommended section updates are presented in the next pages and are highlighted in red.

COMMITTEE VOTE:

Moved: R. Delgado Second: B. Flamm

Yes- 4 No- 0 Absent- 0

SECTION V

This section starts by defining defines the responsibilities of the different committee chairs and respective vice chairs. In addition also provides indications on writing committee recommendations and presenting such recommendations for vote at NOSB meetings, Lastly, this section covers the general and specific collaboration procedures between NOSB and NOP.

DUTIES OF COMMITTEE CHAIRS

Committee chairs are responsible for the following duties:

- · Schedule committee meetings as needed.
- Draft committee meeting agendas and work plans in consultation with committee members, the Executive Committee, and NOP staff.
- Convene and preside at committee meetings.
- Ensure that minutes are taken of committee meeting minutes are recordeds.
- Review committee meeting minutes for accuracy.
- Report the actions of the committee to the Board.
- Name a committee vice-chair.
- Serve as mentor/trainer for new committee chair during transition periods.

Committee chairs shall not act unilaterally, especially concerning issues which involve statutory responsibilities of the Board. Committee chairs

DUTIES OF COMMITTEE VICE-CHAIRS

Committee vice-chairs are responsible for the following duties:

- Provide support in developing and completing committee work plans.
- Assist in reviewing of committee meeting minutes for accuracy.
- Represent the committee chair in the absence of the chair.
- Vice Chairs of the Crops, Livestock and Handling Committees will serve on the Materials Committee as a-liaison for reviewing all petitioned substances.

Committee vice-chairs shall not act unilaterally, especially concerning issues which involve statutory responsibilities of the Board.

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PROCEDURES FOR THE TRANSITION OF COMMITTEE CHAIRS

In order to avoid disruption in the quality and volume of work produced by the NOSB, the appointment of committee chairs will follow these procedures:

- Ideally, the Board Chair should appoint committee chairs from members with at least one year of NOSB experience. It is recommended that a new committee chair should have experience as committee vice-chair.
- Upon appointment, new and outgoing committee chairs should have a formal meeting to exchange all files related to the committee's work and to complete the first committee work plan.
- New committee chairs should review all work plan items and active files involving committee work.
- The outgoing committee chair should work as mentor for the new committee chair and vice-chair for a period of at least two months after transition.

<u>COMMITTEE AND BOARD PROCEDURES ON PROCEDURES FOR COMPLETING COMMITTEE RECOMMENDATIONS</u>

<u>Developing c</u>Committee recommendations are developed as follows these broad steps:

- 1. The committee drafts a recommendation;
- 2. The draft recommendation is posted for public comment;
- 3. Public comments are considered by the committee when making recommendation to the Board; and
- 4. The Board takes action on the committee recommendation.

In order to be considered a voting item, aAll draft-recommendations must be submitted to the NOP at least thirty-forty five (3450) days prior to thea next upcoming-scheduled NOSB meeting in order to be considered at that meeting. This time is needed in order to allow the Program to publish an ANPR and allow for public comment.

The Board may take the following actions based on the for each committee's recommendation:

- 1. Adopt the recommendation as presented by the committee;
- 2. Amend and adopt the amended recommendation;
- 3. Reject the recommendation; or
- 4. Refer the recommendation back to the committee for further development.

OUTLINE FOR Writing Committee Recommendations

This section provides an outline to be used by committees in writing a recommendation document. These guidelines not only allow consistency in the content of NOSB recommendations, but should also provide the NOSB, and the public, a fast manner to weigh the advantages and disadvantages of a proposal.

Recommendations not related to material petitions or sunset reviews, should include the following sections:

I. Introduction:

This section consists of a brief summary of the recommendation, its main issues and its relevance to the organic community. This section should also mention the goals and intent of the proposed recommendation.

II. Background:

This section should present the issues that justify the development of the recommendation as well as any relevant work done by the NOSB in the past.

III. Relevant areas in the Rule:

This section should mention any areas of the Rule or OFPA which provide the basis for the recommendation.

IV. Discussion:

This section should be used to expand on the intent of the recommendation. It is also a place to emphasize the SWOT of the recommendation (strength, weaknesses, opportunities and threats). No recommendation is 100% perfect and this section can serve to clarify the tradeoffs and advantages of a recommendation. Thus, it is advisable to mention all major alternatives reviewed by the committee. If appropriate, different stakeholders groups should be identified indicating how each group's needs are met or affected.

V. Recommendation:

This is the core, or deliverable, of the recommendation.

VI. Committee Vote:

This section should present the names of the members who moved and second the motion to approve the recommendation. It should also list the

votes including number of abstentions and absences. As a norm, a motion should always be presented in the affirmative.

Minority opinion:

If applicable, the dissenting opinion(s) of committee or task force members shall be reported. A member of a committee can present a minority report to the committee recommendation. Such document should include reasons for opposing a proposed recommendation and cite where the opposition points are in the recommendation. In addition, the minority report could, provide alternative approaches or solutions from those given in the recommendation, or recommend an amendment to the recommendation. The minority opinion will be included as a separate document at the end of the recommendation.

Recommendations related to material petitions or sunset reviews, should include the following sections:

I. List:

This section identifies the placing of the material under review within the National List. Any annotations related to the material should be included.

II. Committee Summary:

This section should present a brief background of the material under review highlighting its uses and past NOSB decisions. It should include a short description of any current research done by the committee (e.g., review of technical reports, individual investigation, etc.) and should provide a description of the main arguments supporting the committee's final decision. This section should mention any areas of the Rule or OFPA which provide the basis for the recommendation.

III. Committee Recommendation:

The committee recommendation should be stated clearly here including any corresponding annotation.

IV. Committee Vote:

This section should present the names of the members who moved and second the motion to approve the recommendation and vote count. As a norm, a motion for a petitioned material or sunset review should always be presented in the affirmative.

Minority opinion:

Procedures To Presentesenting Committee Recommendations at NOSB Meetings Formatted: No underline NOSB committees and task forces will follow the outline presented below in order to present draft policy and/or material recommendations for consideration by the Board: Introduction: —A brief summary of the issue or statement of the problem. Formatted: Font: Bold, No underline Formatted: Bullets and Numbering Background -: An explanation with sufficient detail and rationale to Formatted: Font: Bold, No underline support a proposed recommendation, including reasons why the recommendation should be adopted, historical context, and the regulatory framework pertinent to the issue. Recommendation: n—The concise text of the recommended action. Formatted: Font: Bold, No underline Committee vote: ____The vote of the committee or task force shall be Formatted: Font: Bold Formatted: No underline reported. Formatted: Font: Bold, No underline Minority opinion: —If applicable, the dissenting opinion(s) of committee or <u>--</u>V. Formatted: Font: Bold, No underline task force members shall be reported. Formatted: Heading 3, Justified