

International Equivalency Recommendations -- 1998

National Organic Standards Board

Ontario, CA
March 16-20, 1998

International Committee report and adopted recommendations to the secretary

The National Organic Standards Board (NOSB) reviewed the sections of the proposed rule that fall within the domain of the International Committee and concluded the following:

§205.480 - No NOSB concerns raised.

§205.481 - No NOSB concerns raised.

§205.482(c) Withdrawal of Equivalency Status

The "Receipt of notice" provision should be strengthened to ensure that questionable products are quickly removed from commerce.

Discussion: Concern was expressed that mail notification may be insufficient in that it may allow questionable products to linger on the market. The International Committee will explore how other USDA programs handle disqualification (in the meat program, for example) to ensure that the best possible models are available to the NOP.

§205.484 - No NOSB concerns raised.

§205.484-205.999 (Reserved)

Rules regarding the use of fumigation materials should be inserted here, including a list of acceptable fumigation materials that satisfy phytosanitary standards and the needs of organic integrity.

Discussion: The proposed rule is silent on the issue of fumigation of imports into the U.S. and fail to develop a U.S. position of the fumigation of U.S. exports sold in foreign markets. The NOSB recognized that the Board itself has failed to make recommendations in this area to the Secretary and has placed this topic on its July meeting agenda. It is incumbent upon the NOSB and the Secretary to determine a list of acceptable fumigation materials which satisfies phytosanitary standards at the same time as meeting the needs of organic integrity. The International Committee will consult with the Organic Materials Review Institute (OMRI) before the July meeting. As well, the International Committee will further investigate the use of controlled atmosphere containers as a substitute for fumigation.

§205.423 Fees for import programs

The fees charged foreign programs should reflect the principle of a progressive structure similar to what the NOSB recommended for domestic operations. Furthermore, we recommend that the Secretary develop a cost estimate of activities under this section to help inform fee development and industry planning.

In response to Question 9, page 65964 of the proposed rule, the NOSB provides the following answer to the Secretary:

It is most likely that the adoption of the proposed rule will derail U.S. exports to the European Union and other countries. The proposed rule is significantly lower than those of the E.U., other countries, and IFOAM. We do not expect that other countries will find the U.S. standard equivalent, making U.S. products less competitive rather than more competitive and negatively affecting our balance of trade.

This paper was adopted by unanimous vote by the NOSB.