

# PUBLIC COMMENT

Thomas B. Harding, Jr.  
AgriSystems International  
National Organic Standards Board  
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1. Ladies and Gentlemen of the NOSB and the NOP, you can be proud of your work this week and I want to “thank you” for an outstanding job, keep up the good work.

## 2. Getting Answers

It is essential that the **NOP** get answers back to our certifiers in a timely, consistent and accurate manner. We are dependent on them to interpret the “gray areas” in the **NOP**; certainly this is no easy task, but it is essential to maintaining the quality and integrity of our organic program and product. It is my professional view that all certifiers are not operating under the same baseline **NOP Rules** interpretation.

## 3. Certification Transference and Transportability

**Certificate transference**; it is clear organic certificate transference amongst *USDA Accredited Certifiers* is a requirement for ingredients/products!

- **Private label transference**, can a private label user, who is certified as a “trader”, put his certifying body’s name (as the certifier) on the private labeled product, even though they **did not** certify the production facility where the labeled product is produced. The assumption and the current practice by some is “yes” – is this acceptable practice?
- **Certification Transportability**, can a certified applicant move from his certifier to another USDA Accredited certifier – **without** going through the whole re-certification process – including an onsite inspection? An example: is where the applicant wants to consolidate their certification under one certifier to reduce label printing cost and/or inspection/certification cost!

## 4. Organic Dairy Certification

First, it is essential to resolve the excipient, carrier, etc. issues on organic livestock feeds and supplements! And do consider the input of the OTA Livestock Committee and other likeminded groups but do bring into the **NOP** a comprehensible and fair – **dairy herd replacement** provision.

- **Land and Dairy Herd Conversion (First time)**

*Assumption* land affidavits, attest the land to enter organic certification meets the three (3) year requirement and can immediately qualify for organic inspection and certification.

The farmer states, and so does my **dairy herd**, because they have been consuming only the feeds produced on this farm for the last twelve (12) months and I can provide a signed affidavit verifying this to be true and I meet all the requirements and therefore my dairy/animals not required a transition/conversion period of twelve (12) months **they can be certified immediately. Is this true, can a dairyman use affidavits and other records to avoid the required twelve (12) month dairy conversion?**

If this is the case we have unnecessarily penalized many organic dairy producers during the last several years!

## **5. Post Harvest Use of Natural and Synthetic Gases**

- a. Can an approved **natural gas, i.e. nitrogen, oxygen, etc.** be used by a handler at the final packaging stage of a *100% organic labeled product* without dropping its labeling “organic product (95-5%)” category?
- b. Can an approved **synthetic gas, i.e. carbon dioxide, etc.** be applied on a raw (grain/bean) or semi-finished (flour) *100% organic agricultural product* without dropping its labeling to “organic product (95-5%)” category?

Again, I want to thank you for your good work and extraordinary commitment to organic agriculture/product production systems.

Thank you.