

**SUBJECT: Oral Presentation to the National Organic Standards Board
By The American Seed Trade Association, October 23, 2003**

Founded in 1883, the American Seed Trade Association, located in Alexandria, Virginia, is one of the oldest trade organizations in the United States. Its membership consists of over 800 companies involved in seed production and distribution, plant breeding, and related industries in North America. The American Seed Trade Association (ASTA) consists of member companies that are involved in the development of seeds for organic agricultural production.

The American Seed Trade Association would like comment on the following issues relative to National Organic Program substance review and evaluations. They are

- A. Current exception allowing the use of conventional seed in organic production,
- B. Inclusion of seed pelleting, film coating and priming services, and
- C. Acceptance of food grade permitted substances in organic crop production systems

ASTA wishes to point out that the permitted use of conventional, untreated seed is a major exception to the required use of organic inputs in organic crop production. While we acknowledge that the availability of seed of varieties produced organically is still limited, continuing to allow organic crop producers to use cheaper, untreated, conventional seed will only perpetuate low supplies of organic seed.

Currently, the majority of producers of organic seed are failing to sell sufficient quantities of their organic inventories to remain profitable. The current exception serves as a disincentive for growers to purchase more expensive organic seed. This situation is also causing many organic seed producers to consider dropping out of organics which may perpetuate short organic seed supplies in the future. ASTA feels that there needs to be a formal deadline set where use of organic seed becomes mandatory for organic crop production.

To facilitate the move toward mandatory use of organic seed, ASTA would like to assist the USDA in developing a national database of organic seed varieties to be published on the Internet. The EU currently has a target date of the end of this calendar year for all member countries to develop a national database to promote the use of organic seed stocks.

ASTA also believes that there needs to an additional section of the NOP Rule developed for seed technology companies that provide pelleting, film coating, and priming services. Currently, such technology is being evaluated under the "crop production sections" (205.601 and 205.602) in Subpart G, "**The National List of Allowed and Prohibited Substances.**" Section 205.605, "**Nonagricultural (non-organic) Substances Allowed as Ingredients in or on Processed Products Labeled as Organic or Made with Organic,**" only refers to processed organic foods. The difficulty is that film coats and pellets are "processed" products which can't be labeled under current language. This oversight needs to be addressed due to the complexity of pelleting and film coating formulations. The seed industry must have the option of labeling organic seed with these technologies as "100% organic," "organic," "or made with organic..."

Lastly, the seed industry advocates acceptance of food grade permitted substances in organic crop production systems. Currently, those "allowed" food grade synthetics in Section 205.605 must be all evaluated again for their use in organic crop production. As supported by NOP staff, there needs to be immediate acceptance, not re-evaluation, of materials permitted in food processing for use in organic crop production.

ASTA appreciates the opportunity to offer proposals to clarify the Rule and have them included in the Q&A section. However, these clarifications must be codified in the Rule before they become "official" to ensure fair and consistent compliance. Otherwise the organic community will be subject to what is being called "underground regulations." Underground regulations exist when the Rule is being interpreted with the help of the Q&A section but not explicitly stated in the Rule. One example is the issue of seed price being used to determine commercial seed which is now implied but not clearly stated in the Rule.

ASTA appreciates the opportunity to present our views to the National Organic Standards Board. We remain at your disposal for any clarification or additional information on these and other seed-related topics. Thank you.