

TO: USDA/NOP & NOSB
FR: Michael Sligh

Public Comment statement from Michael Sligh:

The organic community intends to maintain strong leadership over the future course of organic. The overall proposed regulations must embrace, support and strengthen the current organic farmers. * Please review the current OFRC survey for the latest stats.

1. Resolution of the question of synthetics in processed organic products must not; undermine consumer expectations, cause a decay of 100% organic processed products or violate the Act. In order to preserve organic integrity, any product which carries the word organic on the front panel must be certified as to the ingredients and the process.
2. Any USDA National Organic Program should be responsible for accrediting Certifiers while allowing for appropriate outsourcing, but USDA is not the certifier. Decertification is different than criminal enforcement. Certifiers must maintain the right to decertify within current fair and adequate due process systems. If Certifiers are unable to decertify, this is a violation of international norms, such as Codex, ISO and IFOAM.
3. Any final overall program must adhere to the envisioned public/private partnership which includes, at least the following; the rights of Certifiers, Peer review, the NOSB as a citizen's board with statutory powers, including control over materials and inerts, and the USDA interfacing with the existing organic industry infrastructure and not re-inventing the wheel. The role of the federal program is to require certification, set a minimum a baseline standard, accredit Certifiers, assure enforcement, intervene as needed to provide international equivalency, and provide taxpayer support to reduce the financial burden to farmers, Certifiers, and processors and to reflect organic farmers positive contributions to society as a whole.
4. There needs to be a rapid assessment of the variety of ways in which the state programs and private Certifiers currently interface in a very credible fashion. This must be the basis of any USDA program framework.
5. The first round of fees for the program should come from Appropriations, and be carefully accounted for and reviewed by NOSB who will then advise USDA on future costs. In no case should these costs be for more than the actual costs of ensuring accreditation. The proposed rule shall include language directing USDA to develop a cost-share program for organic farmers.
6. Organic should include no Genetically Modified Organisms, and the rule must include the NOSB definition of biotechnology.
7. Access to the outdoors in livestock standards must include the requirement for pasture. Confinement systems will favor the very large, and encourage concentration of production in organics. Any proposed rule must reflect public comments on this topic.
8. USDA national program standards is a baseline high enough to ensure consumer integrity but additional standards are allowed as long as they are not a unfair barrier to trade.
9. NOSB membership criteria must include strong organic credentials. The NOSB should approve sound guidelines for new membership criteria. * Please refer to previously sent materials.

10. To ensure the broadest possible public participation in the NOSB, the process must include email and hard copy; drafts must be clearly labeled as to which draft and the comment deadline, and lines must be numbered for user-friendly commenting. Adequate notice of how this public participation process will proceed is critical.

11. USDA should support the NOSB's historic call for support for organic farmers regarding drift. It should now be updated to reflect the immediate concerns of both chemical and genetic trespass. The burden of proof must be shifted to the owners of the pollution and they must also be responsible for the damages and the needs for additional buffer areas to prevent such drift.

12. The final NOP manual must be reviewed and approved by the NOSB.

13. Finally, we strongly urge the NOSB as our citizen board to remember as it makes these deliberations that your votes must reflect; what is the right thing to do, what is in the best interest of the organic community and what best preserves organic integrity for the long run.

Thank you for the opportunity to provide input to this very important process.