

**United States Department Of Agriculture  
Agriculture Marketing Service (AMS)  
National Organic Program (NOP)**

**Meeting Of The National Organic Standards Board (NOSB)**

**November 29, 2011**

Hilton Savannah DeSoto  
15 East Liberty Street Savannah  
Georgia 31401

The National Organic Standards Board convened at 8:00 a.m. with Tracy Miedema, Chairperson, presiding.

**Members Present**

Tracy Miedema, Chairperson  
Colehour Bondera  
Steve DeMuri  
Joseph Dickson  
Kristine "Tina" Ellor  
Barry Flamm  
John Foster  
Wendy Fulwider  
Katrina Heinze  
Nicholas Maravell  
Robert "Mac" Stone  
Jennifer Taylor  
C. Reuben Walker

TABLE OF CONTENTS	PAGE
Call to Order.....	3
Secretary’s Report.....	9
NOSB Materials Review Process Update .....	9
National Organic Program Report.....	17
Classification of Materials.....	35
Break.....	39
Public Comments .....	40
Lunch .....	101
Public Comments (continued) .....	101
Break.....	153
Public Comments (continued) .....	153
Recess .....	173

Tracy Miedema: Good morning, everyone. I'd like to call to order the meeting of the National Organic Standards Board Fall 2011 of the United States Department of Agriculture. Welcome, esteemed colleagues and attendees. Thank you for coming to beautiful Savannah, Georgia for these four days of meeting on matters of great importance to organic. It's fantastic to be back in the south. I--both sides of my family are from the south and I have very, deep roots here. We do not shy away from a good, long meal and I hope all enjoy some of the great food and time to be with people around a table here in Savannah.

My name is Tracy Miedema. I am the chair of the National Organic Standards Board and this morning we'll cover, uh, our agenda, get set up for these four days and we will, uh, spend the majority of today hearing from you all, taking public comment. Just a couple remarks, uh, this is my last meeting as a member of the NOSB. And, uh, after five years naturally you reflect on how things have changed, issues that have been raised and continue on and--and the big conversation that we're all having here together and the wheel turns.

We started this a lot longer, uh, a l--a long time ago m--many, many years before any of us who are on the Board today took these chairs. And the conversation will continue beyond the meeting today. But we intend to make some great progress and do some good work. Uh, there are some very, important issues; there are materials that, uh, you know, peoples' lives are tied up in the outcomes of things that we will be discussing for these four days.

So I can't say enough, uh, thank you and we all, uh, really show our gratitude for taking time out of your busy lives to travel this great distance and join in the conversation. I'd also like to take just a couple minutes, uh, there are four of us who will be stepping off the Board after this meeting. And I just wanted to make a couple comments. My colleagues, they're, uh, first of all, Steve DeMuri, our Chair of the Handling Committee. This is also his fifth year.

Steve, it's just been an absolute pleasure to work with you and I know these, uh, this meeting will be no exception. Uh, a rock in a storm and someone who knows just the way to--to calm things down and--and really keep the work moving and really make, uh, make the work very enjoyable, too, all along the way.

Katrina Heinze. Katrina has never shied away from some of the most thorny and I would dare say, arcane issues in Organic starting out very complicated shoes and making great progress that will affect the--the industry for going forward.

Tina Ellor, who is one of those leaders who is just quietly working away, getting it done and, uh, not making any fanfare, just working away, being, uh, a true leader behind the scenes all--all five years carrying the heavy load. And for--for all of my colleagues who are newer I would say, uh, it's--it's really been fun and it--I'm going to enjoy watching these next few years and seeing how your careers on the Board change and evolve.

And with that, let's, uh, let's let the magic begin here with our agenda for the fall 2011 meeting of the Board. We will first need to approve our agenda to get started. Any discussion of the agenda? Hearing--yes, call hour.

Male: Um, I just wanted to--sorry, I thought I had by pushing the button but apparently I needed to take my hand off. In any case, um, I just wanted to, uh, point to the section at the end, uh, entitled, "Other Business and Closing Remarks," because it seems that the topic that was brought up at the end of the meeting in Seattle, um, in that section, uh, which was presented as a sense of the Board's statement on genetically engineered crops, um, I--I re--I would like request that we do, uh, agree that that will at minimum be discussed at that point in time, if it doesn't come up during any other of the discussions.

Tracy Miedema: That would be perfectly appropriate to bring up during other business. Thank you for noting that. Any other discussion of the agenda?

Steve DeMuri: Thank you. Um, the agenda that was originally posted on the USDA website showed that the Handling Committee would be considered in cooling at this meeting. Um, we are deferring that material at this time because we did not receive the, uh, TR in time to really take a good look at that material so even though it is showing up on the agenda we will not be discussing that at this meeting.

Tracy Miedema: Okay. John?

John Foster: Uh, on the Crops Committee, two changes: one, we, uh, are differing the discussion on, uh, ferric phosphate and also during the, uh, Crops Committee report we'll have a report from, um, on, uh, the Inerts activity

that's been going on. That'll be in the Crops portion, uh, instead of independent.

Tracy Miedema: Thank you. So that Inerts presentation was scheduled to happen this morning and has been moved to the Crops Committee. I will make one announcement to Chairs; if you have in committee voted on any additional material or any edits to any of our recommendations since the time of posting I would ask that Chairs please make copies of any of those changed materials available to the public tomorrow morning before we begin. I know sometimes we, um, we do work between when the public comments come and when we sit down for our meeting because we're responsive to, uh, what we're hearing there so let's, um, let's give some visibility.

Now, if you have a draft let's n--let's not, uh, print those off because that's a work-in-progress. But if a committee has voted on a changed document, um, please, run off--let's, uh, make that 100 copies to have on-hand for interested attendees and for other colleagues on the Board.

Any further discussion of the agenda? Do I have a motion to approve the agenda?

Female: I move.

Tracy Miedema: Have a second? It's been moved and seconded to approve the agenda. All in favor say aye. (all talking at once) We have an agenda. Okay. Let's make sure all the cell phones in the house are turned off or turn those ringers off. And as is customary here we take a moment and each introduce ourself, um, each of the members of the Board introduce themselves. Let's start out with Barry Flamm.

Barry Flamm: Good morning. I'm Barry Flamm from Montana. This is my fourth year on the Board. I serve on the--the Crops Committee and the, uh, uh, Certification Compliance Committee and, uh, I'm Chair of the Policy Committee and as I have been since almost day one here. I look forward to another great meeting today.

Jay Feldman: Good morning. Good morning. I'm Jay Feldman. My day job is as, uh, Executive Director of Beyond Pesticides and I serve on the Crops Committee, on the Policy Development Committee, on the Materials Committee and the Inerts Working Group.

Steve DeMuri: Good morning, everybody. Steve DeMuri. I live in Carmichael, California and I share the Handling Committee for the NOSB, uh, a member of the Crops and Executive Committees. Um, for fun I work for Campbell Soup Company, the Mmm, Good Soup Company.

Um, this is my last meeting on the Board. It's been a great pleasure to be here. I've enjoyed every minute of it. It's been, uh, challenging and pleasurable at the same time. So I want to thank, uh, everybody here for working with me over these last five years and, uh, it's really gratifying to see all the people here like we always have at these meetings. It's, uh, unlike any board I've ever sat on before as far as interaction with the public so I really appreciate that.

And back to Tracy, I've greatly appreciated, uh, working with you and the other three of you that are going off the, uh, the Board this year. Um, you've been a great leader to us and appreciate all of your hard work.

C. Reuben Walker: Good morning. Uh, my name is C. Reuben Walker. At home my wife calls me Jack. I cannot mention the other part of that name. Uh, I am delighted to be a part of the NOSB Board. Uh, this is my second session as far as a public hearing. I'm fortunate to serve on the Policy Committee as well as the Livestock Committee, the CACC and also I am on part of the, uh, Materials Committee as it relates to Aquaculture. Uh, certainly Steve, Tina--I'm like, uh, Rick Perry, I'm having a moment here. Uh, uh, uh--

Male: Tracy.

C. Reuben Walker: --Tracy for sure a--as well as, uh, Katrina. It certainly has been a pleasure, uh, for my short stay on the Board. And you all have definitely made, uh, my, uh, adjustment, uh, very good. So we'll c--we'll certainly miss you but we'll know we'll see you at all the other meetings. Thanks.

Katrina Heinze: Good morning. My name is Katrina Heinze. I fill the Scientist slot on the Board and, like Steve, this is my fifth and final year. Um, when I'm not doing NOSB I work for General Mills in our Small Plant Foods, uh, Division working on Cascade and Farm Muir Glen and Larabar. Um, my most important job is I am the mother of two, um, dedicated organic consumers. Um, let's see, I chair the Materials Committee and also sit on the Handling Committee.

For anyone who remembers five years ago when I joined I have been honored to serve on the NOSB, um, to meet the fabulous Board Members

and the folks in the public who have been so amazingly welcoming, um, and it has been a pleasure. Thank you.

Wendy Fulwider: I'm Wendy Fulwider from Wisconsin and I am the Livestock Chair and a member of the Materials Committee. I am the Animal Care Specialist at Crop Cooperative and I am also the owner of a certified organic farm a--where my son, Cody, will be marketing organic pork next year and selling organic milk in 2013.

Male: Great.

Joe Dickson: My name is Joe Dickson. I am the retailer slot on the National Organic Standards Board. Um, I am on the Policy Development Committee, the Livestock Committee, the Handling Committee and I chair the Compliance Accreditation and Certification Committee and I'm the Vice-Chair of the Board. When I'm not on those committees I'm the Quality Standards Coordinator at Whole Foods Market. Um, I'm part of a group there that sets standards for the natural and organic products that we sell in our stores across the country.

John Foster: My name is John Foster. Um, I live in--mostly in Santa Cruz, California and spend a great deal of time in Oregon also. Uh, I'm the Handling Representative, uh, along with Steve. It's been, uh, a pleasure and a privilege. Um, I, uh, this is the end of my second year. I am Vice-Chair of the Handling Committee, on the Materials Committee, CACC and Chair of the Crops Committee.

Um, I work for Earthbound Farm. I'm Director of Compliance for Quality, Food Safety and Organic Integrity. I've been there for about four years and, uh, to the four of you who are, uh, leaving the--the table, thank you very much for your time and your--your presence and your--your talents. It's been most appreciated. I'll miss them.

Nick Maravell: Hi, my name is Nick Maravell. For the past three decades I've been an organic farmer starting out in vegetables and now primarily in crops and livestock. I serve on the Handling and the Crops Committee and this is my first year. And, uh, I've been, uh, uh, very pleased to have been welcomed by the senior members of the Board and they are hopefully going to, um, uh, leave us, uh, but rejoin us, uh, uh, at our future meetings.

Robert Stone: My name is Mac Stone. I'm from Kentucky. I'm on the Certification Committee, Handling and Livestock. I farm with my wife and her family.

Um, they're, uh, Elmwood Stock Farm.com if you want to check it out. I also work for the Department of Agriculture, uh, in the Commissioner's Office there in Kentucky. And, again, I want to thank those before us and I hope we have a lot to learn from you all before you depart on Friday afternoon. So, uh, thank you for all you've done and--and laying the groundwork for us to continue.

Jennifer Taylor: Good Morning. I'm Jennifer Taylor and, um, sorry, good mor-- Okay. It--How is that? Okay. I'm sorry. Good morning. I'm Jennifer Taylor and, uh, this is my second s--session serving on the Board. And I want to thank all of the outgoing members as well as those members that are remaining. I look forward to working with all of you. And, um, I serve on the Policy Committee as well as Co-Chair of the Materials Committee.

I, uh, at Florida A and M University I am Coordinator of Small Farm Programs and I develop, um, education and hands-on training programs that focus on organic, uh, production systems.

Kristine Ellor: My name is Tina Ellor. I have, um, this is my final meeting and before I sat up here I sat out there for ten years s--or something, a really long time. So, you know, I'm hoping--and I always hope this, that I see some of you, you know, moving up here.

Um, right now I serve as Co-Chair of the Livestock Committee and the Crops Committee and I've passed the leadership of the Crops Committee into very, capable hands, John, job well done. Um, I--I, along with Barry, serve in one of the Environmental Seats. Um, and I hope to be one of the ghosts of NOSB past sitting in the gallery here next time.

Colehour Bondera: Aloha, you all. Um, my name's Colehour Bondera and, um, yeah, I think that I really would like to thank not just the outgoing but the ongoing members of the NOSB but also the NOP for, uh, making this all flow. I am a organic producer from Hawaii, Honaunau, Hawaii, um, where my wife and children and I have a coffee and diversified ve--uh, both vegetable and fruit farm, um, which is very average in size for there, five acres so, um, what's considered very small around this part of the world.

In any case I serve on the Crops Committee. I serve on the Livestock Committee and I also serve on the Policy Development Committee. And, uh, I think that, uh, all I can say to you all is aloha.

Tracy Miedema: And again, I'm Tracy Miedema. I am the Director of Product Innovation for the world's largest organic produce company. And we're



pretty proud at Earthbound Farm to be a very, large organic operation. Uh, I live in Oregon and I'm pleased to be the first Chair to ever have broken a gavel. Miles, thank you very much for replacing this and I will try not to break any gavels at this meeting.

All right. We're going to move along in the agenda here. Next up, uh, as is also customary we read in the, uh, NOSB mission, kind of set the tone here. N--a reminder, Congress created the NOSB so this mission statement is lifted right from the Organic Foods Production Act and it is, "to assist in the development of standards for substances to be used in organic production and to advise the Secretary on any other aspects of the implementation of this title."

And with that we will proceed. Next up is the Secretary's Report. Madam Secretary, please, proceed.

Female: Colleagues and Chair, I would like to submit the April, 2011 meeting transcripts and voting results as into official record. They have been reviewed and resent to your email this morning.

Tracy Miedema: Any discussion of the transcripts or voting record? Hearing none do I have a motion to accept these materials into record?

Female: I move.

Female: I'll second.

Tracy Miedema: It's been moved and seconded to accept the transcript and voting record of April, 2011 from the Seattle meeting into public record. All in favor say, "Aye." (all talking at once). Opposed? Motion carries. Next up this morning is an NOSB Materials Review Process update from Katrina Heinze, Chair of the Materials Committee.

Katrina Heinze: Good morning. As is tradition, I get to do this early in the morning to help everyone wake up. Um, since I've been doing this now, this'll be my, uh, fourth meeting doing this I've, um, kept the presentation, um, I--intact with all the, um, content but I'm gonna go pretty quickly through some of the basics since we covered that at the April meeting and, um, highlight, um, some topics that the Executive Committee asked me to highlight.

So stop me if you have questions or I'm breezing through something that you want to discuss a little bit more. Go ahead. Okay. So, um, do, uh, a

brief review of the national list, our review process, criteria for being on the National List. We'll talk a bit about the Sunset Review criteria, um, because of our recent policy change to allow annotation changes, um, then some notes in general on material review and I'll finish with an update for the public on, um, the petitioned materials that are, um, in process with the board and where we are with sunset review items.

Okay. Next. Next. Um, so just a reminder that there's six parts of the National List, um, two each for crops and livestock, um, which cover synthetics allowed and non-synthetics prohibited. Um, and then for handling there are non-agricultural, um, substances allowed, both synthetic and non-synthetic. Um, and then unique to handling is these non-organically produced, um, agricultural products allowed as ingredients, so 205606.

Um, the key difference between, um, crops and livestock and handling is that in handling any non-organic ingredient must be on the National List for crops and livestock, um, non-synthetics are not on the list unless they're prohibited so that's an important difference. Okay. Go ahead.

Um, and then for 606, a reminder that, um, commercial availability applies so there's a second step in the certification process; just because it's on the national list doesn't mean that a handler gets to use it. Um, they have to go through a process with their certifier to demonstrat--strate that they've looked for and tried, um, organic alternatives. Next.

Okay. So the material review process, um, petitions are used to add new listings to the National List, change annotations or remove materials. Um, so as the list has evolved we're starting to see more petitions to remove or to change, um, um, annotations, which I think shows the ma--maturity of the List and our process. Next.

Um, our published minimum timeframe is 145 days. That is really, truly the minimum. Um, I tell everyone, "Assume much more than that," um, and that does not include time for rule making. And the timeframe is really dependant on, um, completeness of petitions. Um, we're finding more and more as our review, um, matures that petitions go back and forth between the Board and, um, petitioners sometimes a couple times, um, to get that to be sufficient.

And then there's always the manpower within a specific reviewing committee. I know recently with all the Sunset Reviews petitions had--had

to come second and so that timeframe has taken longer. Um, and then there's a timeframe relative to that and always be public meetings and then how long it takes for RTRs. Next.

Um, in general, uh, petitions come in, they go through an NOP review then they go to the Committee, um, for a sufficiency review and a request for a TR. Um, that's the kind of easy work but it can take a long time. Then there's the very, deep review which is that NOSB Committee recommendation. Once that Committee has reviewed and made a recommendation then it comes to the Board.

Um, and just a reminder that all communication, um, goes, um, through the NOP. Um, it shouldn't go directly to the NOSB and that's so everything is on the public record. Okay. Next.

Um, go ahead. So in general, um, our National List criteria, um, from the Federal Register, um, is really looking for impacts of substances on, um, the environment, human health, um, interactions with the, uh, ecosystem and whether there are alternatives. Um, so I won't read the details but just a reminder that we have very, um, specific criteria for evaluating materials. Next.

Um, similarly for processing aids or adjuvants, um, we have different criteria that apply. Um, so for example, can't be d--produced from a natural source, there isn't an organic, uh, substitute, um, there aren't adverse effects on the environment, um, nutritional quality of food is maintained, um, very importantly, the substance has to be, uh, generally recognized as safe, um, and used in, um, accordance with the good manufacturing practices. Next.

And then, um, different criteria for 205606, um, so here we're really looking for why is the, um, is an organic alternative not available in either the right form, quality or quantity? And this can get, uh, very complicated because of supply streams, um, modes of use, variety of uses, um, and so there's, uh, different criteria here. Next.

Okay. Sunset Review, um, so I'm gonna spend a little bit more time on sunset because we did get a little bit twisted around on it in April, um, just 'cause it was the first time we had annotation changes.

So, um, OFPA requires that, um, these exceptions to the rules, so the National List, everything has to be reviewed every five years. Um, and these exceptions, so the National List, things are put on the National List

because the evidence available showed that the material was not found to be not harmful to human health or the environment, the mat--use of the material was necessary because of the unavailability of wholly non-synthetic alternatives and use of the material was consistent and compatible with organic practices.

So these materials are on the list because a prior Board evaluated the material given all the information that they had and we are reviewing it to make sure that nothing has changed. Next.

So Sunset is our opportunity to revisit the continued need for that exception. So it's our time to determine if conditions relevant to acceptance of the exception have changed. Um, and what our policy says is, "If a review finds that the initial conditions still exist then the listing is renewed for an additional period of time."

Sunset Review is not a time to add new substances to the National List. Um, so there's been some discussion around that, around annotations. Um, Sunset is not a time to broaden the use of a material through change of annotation. Um, and it's not the time to reinterpret unchanged information and conditions. Um, and we had some discussion about that, um, at our April meeting. It's a v--um, gonna be very important for us to assess whether information is really new or whether we're looking at it through a difference lens and those are different things.

Um, and so it'll be very important to go back into the historical record and understand, um, everything that prior Boards considered and sometimes that can be hard 'cause that documentation isn't as available as we would always like. Um, and then on this slide I've, um, provided some resources of the, um, federal dockets related to Sunset. Next slide.

Um, so I wanted to highlight, um, from our, uh, recommendation our policy recommendation, um, some of the process highlights. And we're still, um, getting wrapped up on this one a little bit. Um, so when we're doing a Sunset Review we can take up and change to the annotation, um, if we do it with two votes.

And the reason for the two votes is one, to change the annotation but another to relist as is. And this is to provide the NOP with flexibility should the annotation change prove to be, um, more material than expected and be difficult to get through rule-making. 'Cause remember, if we do not vote to relist as is that material will come off the National List and will not

be a tool available to our producers. So it's very, very important for us to understand this part. And we heard a lot of concerns about that from the public at our, um, April meeting.

So just, um, what I did in preparation for this meeting--next slide--is I reviewed the, um, transcripts from the April meeting 'cause we had a lot of very, rich discussion about this.

Um, and if you have questions I w--I would encourage folks to go back and do that, as well. Um, so s--some of the--kind of my summary of what we heard from the public and what we discussed as a Board, um, some things for us to consider as we look at annotation changes remember that use of a material on the National List i--is allowed only in context of the entire rule.

So some examples would be, you know, OSPs for producers require a lot of other practices before someone gets to material use. They have to use cultural, physical, mechanical methods and then use the material. So just because something's on the list doesn't mean it's gonna be the first tool of choice, um, for a producer or handler. And we need to consider that and not, um, it--and just be aware of that as--as we look at how a material is used.

Similarly, remember that we have certifiers. They are a very, very important and critical part of this process. And a lot of the determination of whether a producer or handler is gonna use a material happens in that in--that one-on-one conversation between their certifier, the OSP and the producer or handler.

Um, so for example, for materials in 205605 certifiers verify that ingredients are produced without the use of excluded methods so that doesn't need to be in the annotation because that's already covered in the entirety of the rule so that's one thing for us to consider and be thoughtful of. Um, the other thing that we heard a lot of public comment about was this idea of force of evidence. We have mail. Um, what our policy recommendation on annotation said is that we will change annotations only when supported by the force of evidence.

So we said that they had to be supported by technical reviews and/or public comment and we said it was not the time to reinterpret unchanged information or conditions. So we had to have evidence that was not originally considered by NOSB. And this is gonna be tricky. Um, what did

they know, what didn't they know, what was available? But we should have good, healthy debate about this.

Um, and then a final thought that we heard a lot of public comment on is, remember, materials that come off the National List during the Sunset process are tools currently in use in the organic industry, tools that our producers, our farmers have said they need and are using? So we need to be very, um, thoughtful, and this is why force of evidence was so important about taking that tool away or limiting how that tool is used 'cause there may be a lot of uses with which we're not aware.

So we heard public comment on if you're saying there's alternatives are these viable alternatives or are these alternatives being--that have been used in a test plot? We need to make sure that we're giving our farmers a tool they can actually use tomorrow if we take something off the list.

And then my final thought is, remember Sunset isn't the only time the Board can change annotations. We can change annotations whenever we want and we have a precedent of doing that. So if we get new information we can do that through a annotation change recommendation; we don't have to do it at Sunset. The danger of changing annotations during Sunset is, um, not being able to get that through rule-making and having something come off the List prematurely, um, without an alternative available, um, for our producers.

Any thoughts or comments on that? Okay. Enough about Sunset. Going on. Um, then, um, some other things, um, that have been, um, standard for the materials presentation is just a reminder to all the committees, um, that we make all our motions in the affirmative, um, not the non-affirmative. So even if a committee is recommending that something not be listed we recommend that it be listed and then that recommendation fails at the committee.

So as you're reading committee recommendations pay attention to the votes. We do that so that--and I have an example up here that I used from last time on Google Rocks, um, but if we make a recommendation that Google Rocks not be listed and that fails then we're a bit in a death spiral because then it failed not being listed but we don't have a recommendation to list it so we get all twisted around. So that's the reason, so just a reminder. Next slide.

Okay. Next Slide. Um, the program, um, asked me to give an, uh, update on TRs. We have had a hu--a very large increase in the number of petitions that we've received in the last four or five months, more than we've had since I've been Chair of the Materials Committee. Um, so just a request to committees that you be thoughtful around TRs.

Resources for doing TRs is not unlimited. Um, the four of us leaving the Board, um, in January will tell you when we started there were zero resources for TRs. Um, so it is not unlimited. We have the great fortune right now of being at a time when we can get TRs for everything we need. Um, but that capacity will run out. Um, so given all the petitions under review, um, it's very important that as committees, uh, think about their TR requests and think about their work plans that you're thinking about TRs and prioritizing getting TRs for the materials that are most important.

So some things that you could consider are, are there TRs already available? It--can you get the information with the huge, um, database that we have already? Um, is--what new information do we believe is available? Can we ask for a, um, TR that's just focused on that topic, um, so that we're using those resources wisely. Um, and does a material need a new TR every time? So how often do you need a mater--a TR for that specific material? And it will vary depending on the material, but just a request from the program to start thinking about that as you plan your work plans for the Spring. Next slide.

Um, and then finally, just a reminder that, um, our practice is for, um, certain people on a committee to review a material and to advocate for that material. That may or may not represent their, um, specific perspective but they're representing the debate that that committee had, um, and to--to be respectful of that. Okay. Next.

Okay. Moving on to the meat. So what materials do we have in front of us today? Um, as I said, we're getting more petitions. Um, so we've had, um, a number in crops so at this meeting crops is handling ammonium non--nono--I'm not gonna get that this morning--nanoate, thank you, indole-3-butyric acid, propane and some Sunset listings. Um, they've also--have a petition to remove ferric phosphate.

Um, we've list--they've received petitions, uh, to add a couple substances. Um, and they have, uh, request--have one TR request in the works and then some petitions for inert ingredients. Next slide.

Um, Livestock has no materials, um, h--being handled at this meeting. They do have a petition to amend the annotation for Methionine. Um, they have a petition to add pelargonic acid. I'm gonna cheat, um, and have requested some, uh, technical reports specifically for, uh, vaccines from GMOs, methionine and nonanoic acid. Okay.

Handling. Um, Handling has a number of materials, um, that, uh, they are hand--um, dealing with at this meeting. Um, we also have a petition to remove tartaric acid. Um, tartaric is being reviewed for Sunset at this meeting so we'll have some discussion, um, on that petition to remove. We received the petition to remove right as we are finalizing the recommendation so, um, we'll make sure that we at least discuss anything material from the petition during the Sunset Review.

Um, and then we have one petition that we've sent back to a petitioner and are waiting for a response and that's for a caramunch malt. Next slide. Um, you'll see Handling has just a load of materials that have been petitioned, um, for both 605 and 606. And they are, um, trying to prioritize all of these. Obviously they cannot review all of these before the April meeting. Um, so they're going to be, uh, prioritizing the nutrient petitions, um, given the discussions that happened at the last meeting on nutrient vitamins and minerals. Okay. Next slide.

Um, and then just, uh, a reminder about Sunset. We're in, uh, a bit of a nice spot on Sunset having come out of a heavy, heavy period. Um, so Crops and Handling have, um, some Sunset 2013 for this meeting and then a couple for the Spring meeting. Uh, no Sunset 2014 so for those of you remaining on the Board enjoy that lull, uh, 'cause then it starts heating up again. And it's really that 2017 that you're gonna get nailed again.

So if you're new on the Board, um, that will come around. I got to go through Sunset twice and so I think those of you who, um, this is your first year will get to go through Sunset 2012 twice. Next. That's it. Any questions?

Tracy Miedema: Thank you, Madam Chair Katrina. As for materials, this speaks most directly to our statutory authority as a Board. We're keepers of the National List and we need to take this portion of our work very seriously, really do our homework here. When we weigh in on subject matters outside of material what we're really doing is giving some direction and some contour to the discussion and we're creating a forum for you all to weigh in and for feedback to be provided by the NOP.



But there's only a few FECA boards that statutory authority in any sense at all and the NOSB is one of them and that was, again, uh, really created by Congress. Next up is Deputy Administrator Miles McEvoy of the National Organic Program.

Miles McEvoy: Good morning. Mic's on. No? Mic is not on. Okay. Good. Uh, good morning. It's great to be here in Savannah. I think this is the first, uh, National Organic Standards Board Meeting in Georgia so, uh, it's great to have a board meeting in the South. I think it's the--only the second time that the Board has met in the South. I think it met in Florida, uh, one time in--in the 90s so, um, trying to move the Board Meeting around, uh, all over the country and, uh, be able to hear from all the public from various parts of the country.

So great to be here. Um, and there's a lot of things to cover this morning so I'll just get started. Um, first of all, I'd like to introduce the NOP staff that are here today, uh, really, um, amazing staff that we have working for the program. Uh, we've had some additional resources over the last couple of years that have been very beneficial to--to bring in new people to the program and to have a lot more resources to get the work done.

Uh, first off, uh, Lorraine Coke, uh, is the, uh, sitting in as the Advisory Board Specialist, um, previously termed the Executive Director for the National Organic Standards Board. So she's gonna be the one that's handling all the public comment if you have any questions about your scheduling, uh, contact Lorraine Coke. Um, Lorraine grew--grew up on a organic farm in California, has been with the program for a couple of years now, Um, and she's on a detailed position to fill in--in that position, uh, from the Compliance and Enforcement Division.

Uh, we just posted the position description for the Advisory Board Specialist to, uh, um, for the position that Lorraine is currently filling, uh, so anybody's that's interested in working for the program be, uh, certainly, uh, think about that particular position. We're looking for great people to work for the program.

Uh, next we have Lisa Ahromjian, uh, who, uh, previously was the, uh, Advisory Board Specialist/Executive Director for the Board. Uh, Lisa has moved into a Communication Specialist position for the Program, uh, so she handles the website and--and publications for the program and make sure that they're in good order.

And next we have Dr. Brines, who will be speaking after me about the classification of materials, our project on that. Uh, uh, Dr. Brines is our National List Coordinator, uh, is from, uh, the great state of Washington and, uh, uh, been with the Program for a couple of years now, as well.

And then, uh, Emily Brown-Rosen with the Standards Division is here. She's kind of our, uh, historical reference on all things NOSB, um, been with the Program for a couple years, brings a wealth of knowledge and experience on standards to, uh, to the Program. So tho--those are the resources that we have here today. And then there's a whole bunch of people back in--in D.C. that are also, uh, continuing to do the work of the Program to protect organic integrity.

Um, i--in particular I just want to--there--there has been some management changes in the Program. We have a new Associate Deputy Administrator, Jenny Tucker, who started in August. Um, so she's the--the second in command in the Program at this point, uh, doing a wonderful job. Ruihong Guo was the Associate Deputy Administrator and, uh, she has, uh, been promoted to being the Associate Administrator within the Agricultural Marketing Service so she's gotten a big promotion. We'll be missing her greatly but working with her, uh, very closely in her new role.

Um, so let's see, I guess I have control here. No. Do I have control here? Left. Nope. Okay. Can you, please, move that forward for me? Thank you.

Um, so I'd just like to, uh, recognize the public service of the National Organic Standards Board members that are leaving the Board. Their five years of public service, uh, they have contributed so much, uh, of their time and energy, uh, and their thoughts and experience and expertise to the organic community and I th--uh, for, uh, Steve DeMuri, Tina Ellor, Katrina Heinze and Tracy Miedema, um, thank you so much from USDA, uh, for all your service and I think they deserve a big round of applause. (applause)

Next slide. Um, the first thing I want to talk about is a USDA Organic listening session. We had, uh, uh, a listening session, uh, next slide, in September, uh, of this year. Uh, some of the ideas that were expressed at the last meeting in--in April of 2011 were directed toward the Program rather than to the Board. And so the Program, uh, w--uh, i--in conjunction with the, uh, USDA Organic Working Group, uh, sponsored a listening session so that the public could provide specific input to the program and

to USDA programs as a whole and how we're doing on, uh, supporting organic agriculture.

So we, um, the--the goal was to get public, uh, feedback on USDA activities and priorities related to organic agriculture. We had that session in September, uh, and--and I want to cover a few of the things that we heard and the things that we're doing, uh, based on the public input that we received. Next slide.

So first of all there was, uh, a number of comments about the coordination of research needs, uh, within the US--within USDA research agencies. Uh, so there was a lot of requests that--that there is better coordination and better support for especially the work of the NOP in technical reports in particular. Uh, and, uh, happy to announce that there was a \$475,000 grant given to Oregon State University to look specifically for, uh, alternative, uh, control treatments for fire blight in organic apple and pear production.

So that's--already we're seeing some, uh, some results from our, uh, our requests to, uh, NIFA and to ARS to--to look at specific ways of how they can do research to support the work of the Board and the organic community.

And we'll continue to provide input, uh, look for input from the organic community and from the National Organics Standards Board for research priorities so we can get that information to ARS and other, uh, USDA research, uh, entities so that, uh, research can be done that supports the work of the organic community. Next slide.

Another comment was that, uh, USDA service providers, there are 120,000 USDA employees, uh, around the world. Uh, they're in basically every county in the United States. There is a USDA office that supplies support to, uh, American farmers and a lot of them do not have very, good information about, uh, organic agriculture. So we have a, uh, a--an effort that we're funding, uh, to, um, provide organic literacy training to all USDA employees, especially the field offices about the National Organic Program, about the Cost Share Program and about opportunities in organic agriculture. Uh, so that project is--is underway.

Next slide, uh, there were, uh, requests at the listings session, we've heard this before, about NOP 2607 instructions for disclosure of information concerning USDA Certified Organic Operations. Uh, we've

received a number of comments on that and we have listened to those comments and revised that instruction, uh, to incorporate those comments. And that was, uh, published on Wednesday of last week so that, uh, instruction document has been changed based on those comments. Next slide.

Uh, a lot of comments about continual, um, efforts that--to bring more consistency in terms of the interpretation and implementation of the USDA organic regulations. This is certainly a very, high priority for the Program to bring more consistency in the, um, implementation of the--of the regulations.

So we have new training modules that we will be presenting in January in San Antonio on labeling, accreditation criteria, adverse action procedures and GMO policy. Uh, we have additional guidance that's under development and then we're issuing, uh, more frequently noncompliance notices to accredited certifying agents on a number of different items to also it--it--there's--there's the training aspect but also there's the auditing aspect of holding the certifiers accountable to--to make sure that they're consistent in their, um, implementation of the rules.

So some of those things that we've been issuing noncompliance notices on are improper compliance procedures, uh, inadequate review of organic system plans, uh, inconsistent application of the USDA Organic Regulations. Next slide.

Uh, comments were, uh, uh, some concerns about the, um, the increased regulatory burden and the costs of the new efforts to protect organic integrity. Uh, I think this is very important for the Program and also the Board to consider that, um, in our efforts to, uh, make a better system we have to be very cautious that we don't make the cost and especially the record-keeping and the documentation costs, uh, so burdensome that it, uh, scares people away from being certified and being part of the process.

So, uh, one of the things that we're doing is that, uh, in our training and in our auditing is making sure that the record-keeping requirements, they certainly have to be adequate but they also need to be reasonable. Uh, we don't want certifiers requesting information that's not necessary for them to have. Uh, it doesn't serve anybody's purpose so it's an audit; it's not, um, a--a copy of every, single document that the operation has.

And then also working on standardizing organic system plans, inspection reports and procedures to hopefully reduce redundancy and it's--and streamline the process. Um, the next comment was, uh, the importance of the organic certification cost share program. Uh, USDA certainly supports the, uh, continued funding of the organic certification cost share program. Uh, it's very important. We s--see that as ver--being very important to especially small and beginning, uh, processors and, um, producers.

We've worked with states to expand the utilization of the cost share programs and in 2010 we saw 15 percent increase in the utilization of cost share funds, uh, partially through those efforts.

Uh, we also heard comments on, uh, consideration of compensation for damages from GE crops and wanted to see greater efforts by USDA to protect organic farmers from GE contamination. Uh, I can assure you that Secretary Vilsack understands the concerns of the organic community around GE contamination. Uh, he appointed the Advisory Committee on Biotechnology for 21st Century Agriculture or called AC21 and he charged that Committee in the first meeting in August of, uh, this year, uh, with suggesting possible compensation mechanisms to mitigate the impact of unintended GE presence in organic and non-GE crops.

The next meeting of that Board, it is in fact a Board, it is, um, c--constituted similar to, uh, the National Organics Standards Board, can, uh, there are a number of organic community members as a part of that Board. Their next meeting is next week in Washington, D.C., uh, December 6 and 7 so it's open to the public if anybody's interested in that particular topic.

Uh, we also heard, uh, continued support for USDA efforts to provide access to foreign or--foreign organic markets through, uh, trade ar--agreements. Uh, the US/Canada Organic Equivalency Arrangement continues to work well. It, uh, reduces costs and paperwork for organic producers and handlers. So we--we continue to support that effort and--and try to work out the--the bugs in that particular, uh, arrangement. Uh, and we're working on ways of reducing or eliminating the critical variances that are part of that arrangement.

And we're also very optimistic that--about the prospect of an equivalency arrangement with the European Union, uh, and we will pursue other equivalency arrangements or other, uh, trade arrangements, uh, to--that support market access for US organic products. But also we want to

make sure that as we do that that we protect organic integrity, that we don't, um, we don't compromise on the standards and we don't compromise on the--the, uh, the integrity, the oversight of the--the process to ensure that products coming into this--into the U.S. meet, uh, meet the standards in the U.S.

So, uh, in summary, the--the priorities for the program, uh, protect organic integrity each and every day, uh, implement NOSB recommendations. We made a lot of progress there but we still have a lot of work to do. Uh, priority is to develop a real-time database of organic operations. We'll be putting significant efforts into that this year. Uh, we continue to implement the Quality Management System, that takes continual work as we, uh, work to, uh, have the program completely aligned with ISO1711.

Uh, support consistent and fair implementation of the USDA organic regulations, making sure that certifiers are, uh, implementing the, uh, the standards consistently and fairly. And then, um, streamlining the process for handling complaints and appeals, getting better at that process and--and making sure we have an effective, uh, compliance and enforcement program.

So a little overview of audits and, um, other related activities. As you know, we had, uh, an audit by the office of Inspector General that had, uh, a report in March of 2010, uh, that was a very, broad scope audit of the Program, looked at, uh, uh, the whole--every aspect of the Program especially around compliance and enforcement over f--oversight of certifying agents and state organic programs and seeing whether or not the program met the statutory requirements under the Organic Food Production Act.

Next slide, um, so the--the findings included complaint processing and enforcement needs, needs to be more timely and robust. So we strengthened impor--enforcement procedures, we are now utilizing civil penalties for willful violations. The second finding was inadequate oversight of the California's state organic program. We have audited, uh, and, uh, California has taken corrective actions to, uh, to their program and they have been implemented and we'll continue to have oversight over that program to ensure that they are implementing that effectively.

Uh, the third finding was that periodic residue testing as required by the Organic Food Production Act was not implemented. We have a proposed rule that is published and a final rule that we expect to be out next year.

Uh, peer review of the NOP accreditation was not performed. We have conducted the, uh, assessment by the National Institute of Standards and Technology and we're--we have corrective actions that are in process.

Um, they found inconsistent program requirements, kind of similar to what we heard from the USDA Listing session, concerns about inconsistency and the--and program requirements. So efforts in that area are the Quality Manual, the Program Handbook, Strategic Plan, the Pasture rule. We have nine new draft guidance documents and seven new final guidance documents and lots more work to do in that area.

And then audits of foreign certifiers were not conducted. Uh, the audits have been conducted of all foreign certifiers at this point and we have increased oversight of both domestic and foreign certifying agents.

So we have another audit that is underway, um, on organic milk, evalu--evaluating whether, uh, milk marketed as organic meets the NOP requirements. Uh, phase one of this, uh, organic milk audit is, uh, almost complete. The report on that will be out sometime this winter. Uh, and then we'll be taking corrective actions based on that. Uh, the--the findings of--of phase one, uh, were, uh, s--substantial enough that they are actually, uh, expanding the scope of that audit to make it a nationwide and phase two of that, uh, will be occurring in 2012.

Uh, then we have a third audit by the office of Inspector General that just started and that's on the National List and the National Organic Standards Board. Uh, and that's evaluating the process for adding substances to the National List of Allowed and Prohibited Substances. So we have a lot of attention to the program. It feels to me a little bit too much attention, um, but, uh, uh, it--it all--it, you know, I guess it makes us stronger. Um, it'll make us better.

Uh, so, um, anyway w--it's--it's, uh, a important part of the process. Uh, next slide, we just--as I said we have had the assessment conducted by the National Institute of Standards and Technology. This is a requirement, a peer review requirement under Organic Food Production Act and the NOP regulations. Um, the March, uh, OIG audit also brought this up that this was not occurring so we had the first phase of this was completed in July. They had 28 findings and four observations and the corrective actions of the program is--is implementing at the current time.

Overall, uh, a very, brief summary of the findings were that NOP is designed to fulfill the requirements of the USDA organic regulations. NOP documentation is organized in accordance with tho--these requirements. Uh, the ISO/IEC 17011 elements not required in the USDA organic regulations are not always thoroughly presented in the documentation. So this is where we have a lot of our corrective actions, is to take, um, to take the regulations and--and expand them to make them fully aligned with ISO 17011.

And then, uh, they also noted that our cooperation and timeliness allowed for an efficient and thorough document review. So they s--they had some nice things to say. Um, so what we've done is that we have now a revised work agreement with our NOP auditors. Uh, we've, uh, updated the website to better communicate information on certification, accreditation and related activities. That was one of their findings that needed to occur. Uh, there would be continued efforts in that area to provide better information about accreditation and certification on the website.

And we're drafting proposed regulation to remove the FACA requirement that's related to accreditation, uh, from the, uh, the NOP regulations. And we're improving our document and record control procedures.

Uh, okay. And update on the Program and related activities. Accreditation program, uh, we've, uh, uh, improved the accreditation process from implementation of our Quality Management System and, uh, the aligning of it with ISO 17011 i--is certainly helping, uh, helping our process and making our process better.

Uh, we've revised the audit checklist that are done--that are utilized for conducting the audits of accredited certifiers, uh, and they're aligned now with the accreditation and certification sections of the regulations. And then, uh, 2012 is a huge audit year for the Program. Uh, this is the ten-year renewal cycle for a vast majority of the accredited certifiers. So we'll have--be conducting lots of audits this year.

Uh, the audits will focus on the pasture rule implementation, uh, grower group certification, especially for foreign certifying agents, um, materials review and approval process, um, conflict of interest and certifier compliance procedures. In terms of standards, uh, an overview of our accomplishments over the last fiscal year and what we're, uh, planning on doing for 2012.



Uh, in terms of practice standard accomplishments we had the proposed rule out on periodic residue testing. Uh, we have a final rule/comment discussion on the access to pasture for ruminant slaughter stock that came out last year.

Uh, in terms of the National List we had final rules for, um, aqueous potassium silicate, sodium carbonate peroxyhydrate, gelam gum, tragacanth gum, fortified cooking wines, a final rule on methionine, a proposed rule on lecithin, cheese wax, acidified sodium chlorite, dried orange pulp, Pacific kombu seaweed, a proposed rule for fenbendazole and moxidectin, a proposed rule for tetracycline, formic acid and attapulgate, proposed and final rules for Sunset 2011 and an advanced notice of proposed rulemaking for Sunset 23--2013.

So there's a lot of work to do, uh, on the National List dockets, uh, that are based on the recommendations coming out of the National Organic Standards Board. Uh, in terms of guidance, again this is, uh, mostly implementing NOSB recommendations.

We have draft and final guidance for wild crops, commingling, compost and chlorine, uh, draft guidance for w--for made with organic products, ingredients and labeling, uh, draft guidance on seeds, uh, including the commercial availability, livestock feed additives, kelp and responding to positive residue testing results. And we published the second edition of the Program Handbook, uh, which include the policy memo updates. And then we, uh, put out residue testing instructions, uh, policy memos on GMOs and textile labeling.

So many, different documents, again still a lot to do but we're trying to get-get, uh, a--as much of this implemented as possible. For 2012 in terms of practice standards we should have a final rule out on residue testing, a proposed rule out on organic pet food standards, a proposed rule on removing the FACA requirements from 205.509 and a proposed rule on, um, on origin of livestock.

Uh, we hired, uh, a person in September, um, that, uh, comes from, um, uh, has a, uh, a Ph.D. in Animal Livestock or--or some--some kind of livestock animal thing, um, and he's, uh, he's, uh, diving right into origin of livestock and, uh, we shou--we should be able to see that proposed rule out next year. I know a lot of people are concerned about that.

Um, in terms of National List we should have a final rule out on fenbendazole and moxidectin, final rule on the lecithin, cheese wax and other substances, a final rule on tetracycline, formic acid and attapulgit, a proposed rule for methionine and a proposed and final rule for Sunset 2012. So a lot to do there on National List.

And then for guidance, uh, we should have final guidance on, uh, "made with organic" products, uh, final guidance on seeds, uh, livestock feed additives, kelp and responding to po--positive residue testing results. And then draft guidance, uh, we're expecting these to be out, uh, sometime in the near future: certification of handlers of bulk organic products, that was a NOSB recommendation from fairly recently that that--that should be out fairly soon, uh, draft guidance on post-harvest materials, uh, draft guidance on classification of materials that, uh, Dr. Brines will cover in just a minute and draft guidance on organic seafood and aquaculture labeling, uh, should be out early next year, as well.

And there's many other things to do that are kind of on the list but we're not sure if we'll be able to get these published next year: injectable trace minerals, vitamins and electrolytes are on the list, chlorhexidine, xylazine, excipients, um, all NOSB recommendations that, uh, we know we have to get working on.

Uh, and then in terms of practice standards we've done some work on mushrooms, greenhouses, apiculture, um, and we also have aquatic animals and outdoor access for poultry that, uh, are practice standards that, uh, we need to find the resources and--and get the--the work done on those, as well.

Um, moving on from standards to appeals, this is one of our priority areas to make some improvements in this area under the Organic Food Production Act in section 2121. It states that, "the Secretary shall establish expedited administrative appeals process." Um, it hasn't been very expedited over the last few years. In 2009 the average timeline for appeal decisions was two years. Um, so we have a new initiative, uh, to reduce the appeals the time.

We've directed more resources to appeals. Uh, we've put more staff into the appeals, NOP appeals, and we have more staff now on the Office of General Counsel to work, uh, work on legal issues for the Program including appeals. Uh, the other thing that appeals are doing is they're doing an early analysis on those appeal cases to determine whether or not

a settlement is an option rather than going through the whole process of, uh, uh, of a denial or sustaining of the appeal.

And currently we've made some progress, almost all the 2010 appeals are closed. Uh, the goal is to close appeals within 90 to 180 days of appeal filing, Uh, in 2012. So we're looking at significant, uh, improvements in that area.

Moving on to complaint management, um, since October 2010, last fiscal year, uh, we have commenced investigated activities on 180 complaints; that's a 15 percent increase from the previous fiscal year. We closed 128 complaints; that's a 20 percent increase from, uh, 2010. And we achieved an average 177-day, uh, time fro--for complaint closures.

Uh, we've issued ten civil penalties through settlement agreements for willful violations of the regulations. And we've implemented enforcement action procedures for publishing notices of fraudulent certificates. We've issued three notices on fraudulent certificates. These are mostly, uh, well, they all are international operators that are misrepresenting products as certified organic through falsifying NOP certificates.

Uh, our priorities in this area for 2012 is to develop, uh, develop a formal scoring matrix and publish guidance to ensure consistency and fairness in civil penalties and other enforcement actions. Uh, we'll be working with AMS and USDA stakeholders to improve the timeliness and the tracking of post-decision activities including civil penalty, uh, collections.

Uh, we'll continue to refine case management procedures to reduce the time to closure while maintaining investigative rigor and developing tools to point, uh, non-certified violators of the regulations to the path of certification so that they can become part of the community. 'Cause a lot of the complaints that we get are f--about non-certified operations and sometimes it's just a misunderstanding of what's required. And rather than, um, penalizing them we'd like them, uh, join the community and be part of the certification, um, world.

Okay. Now, onto the National Organic Standards Board, um, we, uh, s-- sent a memo to the Board in August, uh, our response to the, uh, the great work that the Board did in Seattle in April. I just wanted to highlight a couple of things from that, uh, that memo, um, Sunset 2012 included some annotation changes.

This is the first time that NOP is changing annotations during Sunset. Uh, it's bringing up lots of questions during the clearance process, um, but we're working through it. It--it's going, uh, relatively well. We have to answer some additional questions 'cause this is a new process for us. Uh, but we think that it--it is gonna work to get these, um, uh, Sunset 2012 published with the requested annotations that the--that the Board has made.

Uh, we also notified the Board that, um, we are proposing to amend the nutrient vitamins and minerals annotation, uh, so that, uh, infant formula, uh, can continue to be utilized with, um, with the essential, uh, vitamins and minerals, uh, as per the 1995 NOSB recommendation so we're moving forward on that.

And then, uh, secondly there's been some questions about the corn steep liquor, uh, vote. Uh, the--the Program has stated that the Board did not make a decisive vote on corn steep liquor, um, that, uh, in order to have a decisive vote you have to have two-thirds of the members, uh, uh, vote in, uh, i--to--to pass a decisive vote. And so, um, the Board did not decide whether corn steep liquor is a natural or synthetic and therefore corn steep liquor retains its status as a no--as a non-synthetic, as a natural substance as certifiers, as, um, the trade accepted for many years.

Now, we could think about a--another situation where, uh, something that was considered by the Program to be a synthetic for many years also went to the Board and the Board did not have a decisive vote. So, for instance, if you think of biodegradable plastic mulch, the Program believes that that's a synthetic. Uh, the organic community does not allow biodegradable plastic mulch to be utilized as a non-synthetic. If that came to the Board and the Board failed to make a decisive vote the Program would retain the status of biodegradable plastic mulch as a synthetic and it would continue to not be allowed.

And it's only because corn steep liquor has been historically allowed in organic agriculture, um, that the Program is retaining its status as a non-synthetic since the Board did not make a decisive vote.

Um, okay. And, uh, we also just issued, uh, a memo on "other ingredients," um, requesting the--the Board to clarify, uh, "other ingredients" in processed, organic products. Next slide.

Uh, the way that the National List is set up, the, uh, Organic Food Production Act grants the NOSB the authority to recommend substances for inclusion on the National List. As you know, all synthetics used in organic crop and livestock production must be on the National List. All nonagricultural substances used in processed organic food must also be on the National List.

Uh, so what are these "other ingredients?" Uh, the National List, uh, the list that the--that, uh, is utilized is a generic list of materials. Uh, the--the substances that are used by, uh, farmers and processors are formulated products; they contain the generic materials, um, and they often contain "other ingredients." For pesticides, for instance, the "other ingredients" are inert ingredients. Uh, medications include excipients. Feed supplements often contain minor ingredients. And enzymes, uh, often contain carriers, stabilizers and preservatives. So, uh, the--there's a lot of familiarity, uh, with these "other ingredients" and we just need to have some clarity on how these "other ingredients," um, are reviewed and looked at for 205.605 materials. Next slide.

So for crops and livestock in terms of what's allowed from our perspective it's very clear. Um, for crop input materials, fertilizer, soil amendments and pesticides, the--all the ingredients in--in a formulated product must be either natural or non-synthetic, uh, listed under 205.601 as a approved, allowed synthetic or for, uh, pesticides they can be EPA List 4, um, or if they're passive pheromone, uh, pesticides then they can be, uh, EPA List 3.

For livestock input materials feed supplements and medications, uh, for feed and feed additives and supplements all the agricultural ingredients e--uh, in the ingredients list must be organic. Uh, natural non-synthetic substances are allowed, synthetics listed on 205.603 are allowed. And then excipients are allowed, uh, there's specific, uh, definition of what, uh, types of excipients are allowed in medications.

So for processing substances, um, the, uh, the regulation says, uh, that processed organic foods may contain nonagricultural minor ingredients or processing aids that are listed on 205.605. And the ex--examples are natural flavors, microbial products, vitamins and enzymes, um, lots of different products that are--or substances that have many different, uh, products in those categories. And when used as a formulated product these 205.605 substances often contain "other ingredients," uh, for instance, carriers, stabilizers and preservatives.

Uh, in most cases FDA considers these "other ingredients" as incidental and they are not required to be listed on the ingredients list. The question we have is, "Are those 'other ingredients' that are not specifically listed on the National List, are they allowed or what are the parameters for that?" It's clear--there's clear guidance that the Program and the, uh, the Board has provided for crops and livestock. We're requesting that the Board provides that clear guidance for, uh, 605 materials, as well. Next slide.

Um, so OFPA requires that each non-agricultural ingredient be specifically allowed. Uh, many of these "other ingredients" in 605 substances are not on the National List. Uh, the NOP and certifiers and the organic trade have allowed these "other ingredients" unless there is a specific annotation that limits those "other ingredients," for instance, natural flavors and the restriction on solvent extraction.

But other than that the--the Program, the trade certifiers have all pretty much a--uh, acknowledged that these "other ingredients" exist, um, and not put any restrictions on that. But that needs to be clarified, that needs to--the Board needs to look at that and say, "Is that--is that what you want?" Does that--and that should be in the regulation, as well. How do we look at other ingredients in 605 materials? And I--and that will lead to better clarity and consistency, uh, by the trade and by certifiers.

So we're requesting that NOSB clarify what other ingredients are allowed in non-agricultural substances listed under 205.605. Uh, we'd like the--the--the Board to develop a comprehensive recommendation on "other ingredients" and in the meantime we would like, uh, the Board to reference "other ingredients" in the background of the recommendation so it's clear to the Program and the organic community that those things were considered in your review.

If you re--if you want to have a restriction, uh, as part of your recommendation then that would go into the recommenda--the annotation part of your recommendation. But if there are no restrictions then keeping the information in the background section is sufficient at this time until you develop, uh, a more comprehensive policy on this area. And, uh, we believe this will lead to greater consistency in the organic trade to consumers and to certifiers.

Um, okay. And then just, uh, a few comments on, um, some of the NOSB proposals that you have. Uh, in terms of inspector qualifications, uh, it looks like a, uh, a great proposal. Uh, just wanted to note that the USDA

Fruit and Vegetable Program licenses hundreds of state inspectors. They also have a, uh, a pilot program that they're working with a private organic certifying agency to license those, uh, organic inspectors to do GAP inspections.

Uh, we think that it would be more appropriate for the NOP or USDA to do the licensing of organic inspectors. Uh, the International Organic Inspectors Association is an excellent organization but we do not believe that that's an appropriate, uh, organization to be doing the, uh, the licensing there or the approval of, uh, organic inspectors.

In terms of organic research needs, uh, NOP is collaborating with the Organic Research Service on technical review, uh, technical report review and pri--priority research. We'll continue to do that. Uh, one of the things that we're looking at is setting up a system where they can help out with a peer review of those technical reports to--to, uh, work on the quality of those reports.

Uh, but we certainly want to be able to f--funnel information from the Board to, uh, USDA research entities to--to provide them with information on--on, uh, the Board's priorities.

And then in terms of conflict of interest, um, that, uh, this is a very im--important issue. Uh, one of the things that--that, um, the--the Board is appointed to have interests. Um, they--they represent a specific interest or group, uh, producers, handlers, scientists, consumers, retailers, uh, these representatives articulate the interests of their particular group and they are not appointed to provide independent, expert advice. They repred--they do represent a particular bias and that's really important.

Uh, there's a diversity of interests on the Board, um, and it's important for all those interests to have a seat at the table and to have, uh, a voice in the, uh, decisions that are made by the Board. Uh, and it's--I think that, um, it's important that you recognize that, recognize that financial conflict of interest is--is certainly i--important but you don't want to go so far down the road of conflict of interest that nobody gets to vote because, uh, and nobody's particular--no interest group's perspective gets to be heard because, uh, of concern of conflict of interest. The Board is designed to have interests and for the members to have biases and to represent their particular interest groups.

Okay. And then finally, uh, the--the announcement you all have been waiting for: 2012 NOSB Members. Here they are. Uh, there'll be a Producer and--and there'll be a Scientist and there'll be an Environmentalist, a Handler and a Consumer and Public Interest person appointed to the Board. We hope very shortly, uh, possibly this week, um, but the i--the final, um, decision and announcement is--has not been made.

So, uh, so thank you all for your input. Uh, public input is very, very important to--to the Board and to the Program. Um, so, uh, keep it coming. Keep, uh, keep, uh, keep us in the loop. And I think now we'll have Dr. Brines talk about classification of materials unless there's some questions before that.

Tracy Miedema: Thank you, Mr. Deputy Administrator. A question on your "other ingredients" memorandum; first I wanted to make sure the public was aware, uh, this request came in from the Program on November 15 originally to the Board. That was after the public comment period closed.

Miedema: Um, Mr. Deputy Administrator, I am very concerned about the process there that the NOP would be issuing memorandums, uh, this close to a meeting that potentially affects the work, especially work that's already been posted and commented on. Um, I want to follow up by saying I heard just five minutes before we started this morning that there was a further addendum to that document published last Wednesday just before we all left on Thanksgiving holiday. And as Chair of this Board, I was a bit taken aback that I wasn't aware that this document existed and would like to make sure the public is aware of, um, what I believe would be quite a flaw in our communication with one another.

Miles McEvoy: Yeah, it, uh, the--the timing, um, sometimes is not perfect. Uh, in particular we thought it was very important because of a lot of the concerns, uh, that were raised in the public comment about, uh, "other ingredients." And in order for, um, us to be successful, for the Program to be successful at any--in implementing your recommendations, uh, we thought that in particular it was very important for there to be clarity about what the--what the Board's intent is on those "other ingredients," um, um, on the substances that have been petitioned to be added to the List.

So the, um, the intent of the memo is to facilitate success of, uh, the Program moving forward to implement your recommendations and to be clear to the community what are--what is the intent 'cause we recognize



that there are these “other ingredients,” they're in the technical reports, uh, and that, um, it's an important issue. Timing's not perfect, apologize for that. Uh, we'll make the best of it and move forward.

Tracy Miedema: Okay. And lastly on that one, a follow-up question; we were asked to behave, uh, as a Board, uh, and act as one around “other ingredients” in a very consistent manner and that memo spelled out “going forward,” as if going forward from November 15 or going forward from November 23, the same time we were asked to develop a policy. And so, uh, I found a internal inconsistency there that we were expected to go forward with a non-existent NOSB policy.

Miles McEvoy: No. The--the concept is that you would develop an NOSB policy on “other ingredients” in 605 materials. And in the meantime, 'cause that's gonna take some time to do that, that you're not silent about the fact that there are “other ingredients” in these substances so that the organic community understand what is allowed and what's not allowed so that if they're, uh, o--if these “other ingredients” are, um, part of the, uh, approval then that's clear in the record so that we can all move together, uh, together--move forward together, um, with the common understanding.

Tracy Miedema: Thank you, Mr. Deputy Administrator. Do any other Board Members have questions?

Jay Feldman: Thank you, Miles. Um, I--I bet you can imagine what my question is about. Um, I--I have a copy of a letter that the National Organic Coalition sent to you in September. I think you referred to this, um, by reference at least, not by name, um, on the CSL decisions by the NOP to allow it to stand as a natural, um, ingredient.

Um, I--I am taken aback by this myself and I think the reasoning in the letter is--is pretty clear. Uh, it follows on what was described at the start of this meeting as what I think is one of the most crucial issues of this Board and that is a vote we take before or we launch into a discussion on the technical aspects of any material and that is whether it is--it is synthetic or non-synthetic. So it is--it is key, uh, we as a Board obviously struggle with this as a matter of materials policy and have worked, I think, diligently to weigh all the factors involved in that.

And, thus, when we were presented as a Board with the, as Katrina explained, a motion in the positive, which is in our processes, uh, that motion as we describe other motions that are presented in the positive,

uh, have r--had--had not receiving the decisive vote that it requires to pass, thus failed, as is described in virtually--in all other decisions that are classified by the NOP. Given that this is--appears--and I've looked back, I don't see any other non-decisive votes on questions of synthetic/non-synthetic, this was a motion in the positive, "the motion in the positive CSL synthetic failed therefore it is the opinion of the National Organic Coalition that the Department does not have the authority to move forward, uh, in treating this, uh, material, um, as a, uh, non-synthetic material."

Now, having said all that I--my question for you is this, do you think this is an appropriate discussion for the Policy Development Committee to have given that it is our vote, it is our characterization of our vote, um, uh, the National Organic Coalition feels it's a mischaracterization of the vo--to vote? Obviously it affects how certifiers, um, interpret that vote and then thus the approval or certification of the pre--of operations that use the material.

But I'm more concerned about our processes here and would like to know your opinion on whether we should address this as a--as a larger policy issue or you feel the issue's, uh, completely settled?

Miles McEvoy: Yeah, I think the larger policy issue is the classification of materials and we're working on that, uh, you'll hear from Dr. Brines on that in a m--in a moment to provide more guidance and clarity in terms of what's a non-synthetic versus a synthetic. Uh, in terms of, uh, the--the process at the April Board Meeting, prior to the meeting, uh, we discussed with the Board that there would be two votes, uh, one to, um, to classify the material as a synthetic and one to classify it as a non-synthetic.

Uh, there were gonna be two votes, uh, there was a break in the meeting, uh, Jay, you, uh, stated that, uh, you deferred the second vote, um, but--so the second vote never occurred. But my, uh, memory of that is that the second vote would've failed, as well. So the Board did not make a decisive vote on that particular issue. Uh, a decisive vote is two-thirds of the members and that did not happen. So there's not--there--the--the Board did not decide whether CSL is a natural or synthetic substance.

Jay Feldman: So I guess my question on the policy is not the Materials Committee or the Materials Policy but the--the--the policy on process here. Uh, we don't take two votes, obviously, on materials in Sunset. Um, we have a history of, uh, rejecting materials for a failure to get a rec--a decisive vote. We don't then turn around--that's why the motion was not

reconsidered because the process--it would've defied the historic process of the Board in that respect.

So what I'm asking is not a question about the materials policy but a question about the process, the policy of process on this. I guess what I'm saying is I--I believe that this is, uh, a large policy issue that, you know, the Board has a right on some level to know that there's clarity around how the votes are interpreted and would like to know if you feel that it's appropriate for the Committee, the Policy Development Committee, to take this up as a policy issue?

Miles McEvoy: Uh, you could--yeah, yeah, you can--that's your decision whether or not you think that's important. I d--I don't think a--a split Board decision, um, is a very, good way to move forward, um, that there certainly was not consensus amongst the Board in Seattle on whether or not CSL was a--a natural or a synthetic. And to--to make that determination based on a majority vote, uh, does not seem like a good way to make, uh, policy.

Jay Feldman: Thank you.

Tracy Miedema: Mr. Deputy Administrator, please, proceed.

Miles McEvoy: Okay. We'll have, uh, Dr. Brines talk about classification of materials. Thank you.

Dr. Lisa Brines: Good morning, everyone. Um, my name is Lisa Brines. I am with the Standards Division of the National Organic Program. Um, I had just one housekeeping note before getting started; um, new this meeting is that the meeting is actually being taped in the back. You can see, um, and the intention is to have the meeting available as a webcast. Um, it's not live but the archive version of the web meeting will be available on an approximately 48-hour delay and we'll have a link to the webcast on the NOP website as soon as it's available.

Okay. So, uh, classification. So we've heard already this morning a little bit about classification. Um, and I'm not gonna drag this out too long. Um, but I just want to mention a couple points, um, in terms of how the Program is moving forward on some of the Board recommendations on classification.

So it's been mentioned already this morning more than once, um, under the Organic Foods Production Act classification is an integral part of the National List in that, um, if a substance is, uh, depending on the

classification it determines, uh, whether a substance needs to be on that List and also where on the List that it will occur.

So for crop and livestock production substances that are natural and that are going to be used in production don't need to be on the List. The only natural substances for crop and livestock on the National List are the ones that are prohibited for use in production so that includes things like arsenic or lead.

Uh, for non-agriculture--for--I'm sorry, for syn--uh, synthetic substances those are the substances that do need to be the National List for crop and livestock production. So again, um, for any given substance, whether it is natural or synthetic will determine whether the Board, um, needs to review it for placement on the List.

For livestock production in addition, um, determining whether a substance is agricultural or not determines whether, um, an organic form would be required for use in organic livestock production. Um, for handling it's a little bit more complicated. Um, again, as Katrina mentioned in her presentation materials can be either agricultural or non-agricultural, uh, the difference being that for agricultural substances they are subject to commercial availability and that if an organic form is available, commercial available as determined by the certifying agent, um, the produc--the handler would need to use that substance first.

Um, in addition the non-agricultural substances on the National List are split into two sections, uh, the synthetic substances and the non-synthetic or natural substances. So it's integral in terms of the National List, um, to know where--how the substance is classified so we know where to place it on the List or if it needs to be on the List at all in order to be used. Next slide.

Um, so I put up just a few of some of the historical documents, um, on classification that have come out of the Board. Um, there's also a materials working group on this, as well, so I--I don't have all the substances listed but just, um, to give you an idea of how long this discussion has been happening. Um, there's been a number of NOSB formal recommendations to the Program, a number of, uh, Committee recommendations, as well, that have come out over the years. So it's a long discussion, um, and it's still receiving debate today. Next slide.

So again, for classification in general, the vast majority of substances are straightforward to classify. So people know what the rules are, um, it's, uh, more intuitive. Uh, people know whether something is natural or synthetic. But for a small number of substances it's not always clear whether something is natural or synthetic. The way that organic foods production is set up is that classification is very black and white. So things are either synthetic or natural, agricultural or non-agricultural on the List.

In reality we know it's a spectrum; things fall along a spectrum of wh--you know, how they fit in. So there might be some very, highly processed ingredients that might be natural, there might be some minimally processed materials that might be synthetic. Again, it's a line but with the Act there is, uh, things are one or the other.

Um, so again, for production crop or livestock the Board generally only received petitions for substances, which are petitioned for use in--as a synthetic 'cause natural substances by default are allowed. The Board generally only gets petitions for things, um, at least with the petitioner claims are synthetic substances.

Um, classification in general is done, um, you know, by the Board in response to petitions but also in the real world by certifying agents, by material review organizations who need to make decisions on a day-to-day basis whether something is natural and allowed or whether it would need to go through that petition process if it's not on the National List.

Um, and again, um, because of the way the Act is constructed. Um, the Program certainly has a responsibility to have clear and consistent standards to make sure that even though inputs are just a smaller part of an organic system it's important that the rules are clear, what is allowed, what is not and the way that the National List is set up doesn't always make that distinction clear. Next slide.

So where do we move from here? Uh, the Program is working on draft guidance, um, based on the November 2009 NOSB recommendation for classification of materials. Uh, the November 2009 recommendation was the last one that passed the Board decisively by two-thirds majority p--so we're using that recommendation as our basis for developing the draft guidance. Um, and we do intend as it gets, uh, further along in the process to also engage the Materials Committee for feedback, um, before that's--that draft guidance is issued.

Um, and as with all draft guidances, um, that we've issued in the past they will be ava--posted, um, on the NOP website and available for public comment before the Program, uh, develops the final guidance. So, um, there will be opportunity for feedback with the process.

Um, so what are the key elements of what we expect to see in this draft guidance? Um, based on previous Board recommendations we intend to incorporate separate decision trees for production and for handling as well include example materials to make it clear, um, you know, how the classify the substances, um, based on the decision trees that are included.

Uh, the clarific--the classification will clarify the distinction between extraction, manufacturer and formulation. Um, there is history, um, with a lot of materials in making this distinction in terms of how to classify the substances so that'll be incorporated into the draft guidance. And again, as I mentioned previously, the--it--the guidance will be available for public comment before we issue the final guidance.

Um, so I just wanted to briefly mention, uh, a different draft guidance but, uh, inter--interrelated to this, uh, classification, um, is that the Program will be also issuing draft guidance on a list of permitted substances. So this is, um, different guidance than what's on the National List so it's--mention the National List doesn't include for crop production, for example, all the natural substances which are allowed in crop production because those are allowed by default; they don't have to be on the list.

Because of the inconsistency that this can sometimes, um, th--with this setup can sometimes provide the Program feels that it's important to, um, make sure the rules are clear and make sure that there's a list of substances which are allowed, um, so that people know what the rules are and where the line is. So we do plan to publish draft guidance on a generic list of substances allowed for us in organic crop production.

Um, so this is the first step, lists for crop production, um, again, right now we don't have a comprehensive list of all the natural substances that are allowed so it will include that as well as substances that are already on the National List to make sure everyone knows, um, what's allowed, too. So and--and again, in--this is intended to insert consistency in decision-making. You know, we can debate, um, you know, in terms of the Board's point of view, you know, are materials consistent with organic agriculture? That's their decision to make, ours is--really as the Program is to let

everyone know what their roles are, what's allowed, what's not, to make sure everyone's, um, applying those rules consistently.

And I think that's my last slide and I'm happy to answer any questions, if there are any.

Tracy Miedema: Please, state your question, Mr. Feldman.

Jay Feldman: Thank you. Thank you, Lisa. I'm specifically interested in the, uh, motion at the last NOSB meeting on the question that came out of the Materials Committee on the significant amount--significant amount of synthetic remaining in a approved material and whether that issue will be addressed? You may have said this already, whether this issue will be addressed in the proposed guidance?

Dr. Lisa Brines: So I believe that, um, question was part of a previous decision tree on classification, as well. So, yeah, we do intend to look at all the previous, um, recommendations that have come out of the Board and hopefully--I mean it's a--it's a large project to try and classify the universe of materials in one document but it's--we're gonna try and address as many, um, sort of gray areas or variables that we can with this document.

Male: I just--Madam Chair, I'd just like to raise this issue similar to the last issue. I think we have a policy question around the failure of a decisive vote and, uh, here again, on a key issue relative to classification on significant levels of residues. And again, I think this should be brought back to the Board so that w--I know it's a tough one, Katrina, but it should be brought back to the Board to try to, uh, resolve this matter in some way.

Tracy Miedema: Any follow-up questions for Dr. Brines? It's very gratifying to see this work moving forward. Thank you very much.

Dr. Lisa Brines: Thank you.

Tracy Miedema: It's four minutes before the hour. We're about five minutes off schedule. If any of you were here in Seattle you know I'm a little bit of a stickler, uh, on the agenda. So we're gonna try to stay on track today and throughout these four days.

We will go ahead and take a full 15-minute break and resume at ten minutes after 10:00 and, uh, go right into public comment. This will be, um, about a two-hour and fifteen minute public comment session so let's go ahead and--and break.

[BREAK]

Tracy Miedema: Board Members, please, take your seats. NOSB Members and Attendees, please, be seated. We're back in session. For the remainder of today we will be hearing public testimony. Each person giving public testimony was notified that their presentation will be no more than three minutes. We have budgeted a total of five minutes per speaker to allow for time transition in between, uh, people coming up to the podium and time for questions.

We know there's, uh, it's not going to be an exact five minutes per person. Some, uh, comments solicit more questions than others. But this is a way for us to average and generalize and budget our time that was posted to the federal register and to allow for as many voices as possible to be heard today.

The process is this: your name will be announced when you are up to speak and the person who is on deck's name will also be announced. We have a chair up at the front so when you're the person who's on deck, please, do come on up and have a seat next to Ms. Lorraine Coke up at the front of the room and that'll just speed things along a bit if you're already up, um, front and available.

If there's any issue with timing and people need to change their time slot for s--whatever reason, um, we will make whatever possible accommodations for that but we can't make any guarantees that we can make those kinds of changes.

Please, help me pronounce your name and I apologize in advance if I mispronounce anyone's name today or throughout the meeting. Lastly, when you approach the microphone make sure you state your name. This is being recorded and it's important that we have a record of who you are.

Lorraine, will you, please, enlarge the font size on the screen? Our first speaker this morning giving public testimony is Mr. Owusu Bandele. On deck is Sandra Simone.

Owusu Bandele: But they didn't--are we one here? Okay. Thank you very much. I'm Owusu Bandele, I'm a former, uh, Board Member from '92--excuse me, from 2000 to 2005. And, uh, being here today brought back some vivid memories of some of those vivid discussions on--which is some of--which is still, uh, still here in terms of, uh, access to outdoors and composting, things of this nature. And one thing that hasn't changed



much is the lack of diversity, uh, in terms of (inaudible) meetings and (inaudible) meetings, uh, and all, uh, ranges of organic production.

And with that in mind, uh, while I was at Southern University Calvary Walker is still employed there, uh, even though Southern University is in Baton Rouge, Louisiana we undertook to provide training for African Americans and others who were interested in or--organic production throughout the South. And one of our biggest meetings was right here in Savannah, Georgia, uh, in 2006, which was followed by a meeting in Columbia, South Carolina.

And to make a long story short, because of this intense, um, process of training and certification we were able to assist over 40 farmers, most of whom were African Americans, to be certified organic. And several of these farmers will be speaking you--to you today as members of SAAFON the Southeastern African American Farmers Organic Network, indeed a very, very unique organization made up of some very, very unique individuals.

I wanted to point out quickly--I just wanted to give a little background before the--I--I'm not trying to speak for them, they'll speak for themselves. But not only are they recipients of--of training but also providers, uh, a--most of them--involved in--in, uh, in youth programs and other community, uh, activities. It's a diverse group, um, so you'll be hearing from farmers throughout the region and even including the--the Virgin Islands.

You'll be hearing from Beverly Hall from the, uh, American, uh, Indian, um, m--mother's group, uh, in North Carolina who reminds us that her people were among the original organic producers. Uh, Janie Dixon and Helen Fields from South Carolina, some of you may have seen, uh, Helen Fields' farm in, uh, in a--a sog, uh, production, uh, marketing, um, DVD. Sandra Simone, who deals with a, uh, community supported agriculture, uh, operation in, uh, in Al--in, um, Alabama and Yvette Brown, who has some unique challenges from the Virgin Islands.

So again, I would, uh, like to thank NOP for p--providing, uh, Savannah as a meeting site so that they indeed could be present and discuss with you some of their unique challenges as well as some of the solutions of the problems. Thank you very much.

Tracy Miedema: Thank you, Mr. Bandele. Any questions from the NOSB?

C. Reuben Walker: Dr. Bandele, uh, you mentioned s--there were some challenges that still exist; could you in 30 seconds mention those again?

Owusu Bandele: Uh, w--they will--they will be dealing with those but the lack of coordination with, uh, some of the technical advice w--was one, uh, the lack of, uh, a knowledge of the cost share, uh, uh, cost share procedures in--in some areas--the problems were another way and even, uh, and the--the funds were not requested. Um, those were some of the concerns that they--that they, uh, expressed but they'll be--they'll be speaking for themselves, Dr. Walker.

Tracy Miedema: Thank you very much.

C. Reuben Walker: Thank you.

Tracy Miedema: Beverly Hall is up next. Jaime and Rocky Dixon are on deck.

Beverly Collins-Hall: Good morning, Distinguished Board and, um, USDA Representatives. Um, I am Beverly Collins-Hall and I represent the tribes of North--tribes and organizations of North Carolina. Uh, I am a Founding Mother of the American Indian Mothers and the Three Sisters' Farm f--um, Farm and Coop.

We have a farm acreage of 300 acres and four of those, uh, 300 is certified organic. We have 119 transitioning organic and the rest of that acreage is forest. Um, we have worked along with the USDA, um, it has a lot of tools and we do appreciate the tools that they have. Um, however, they are limited tow--to organic farmers and producers.

Programs like cost share are the most important to organic producers. It's a tough, uh, job to do it. It is a good--it's a good life but it's also tough trying to do these, uh, these programs without help from the USDA and its, uh, its programs.

We are a 501-C pr--uh, C3 non-profit organization and were fortunate enough to meet Cynthia Hayes around the year 2007, who at that point, from 2000 we were trying to be certified in North Carolina. There were no programs for organics in North Carolina; if there were, they weren't telling us about it. Um, so we were fortunate to meet Cynthia Hayes from SAAFON, uh, at the South Carolina University in which I was probably rambling about our problems with organics.

And she said, "Well, we're looking for you." And she actually trained, uh, me and helped to meet a cer--certifier from Clinton University and we were able to be--get that certification in North Carolina. And we are the first Native American organic certified, uh, group in probably east of the Mississippi. I don't--at this time don't know of any other Native Americans who are certified and it's something that we look forward to being.

Um, North Carolina is still behind, a lot behind, in organics. It has moved forward some in the last ten years but we would like to see these, uh, the cost share programs and those certifications more available to Native and non-Native, uh, members of our community throughout North Carolina.

American Indian Mothers were the first organic (inaudible) in this country, which Owusu just said and I do like to use that one. Uh, we have moved away from our own practi--agricultural practices. American Indian Mothers wishes t--to continue its mission through the Three Sisters' Research Farm, um, to help our p--our Native Americans and non-Natives understand there's minorities throughout 20, uh, counties in which we serve in North Carolina, to understand those programs.

We work with a lot of the USDA, uh, representatives and the sad part about it is they don't know much about their own programs. They just know that they're there, they--I think they need to be better informed and educated, uh, from a national level down to a state level in which they could really, truly benefit. They're good programs and, um, I've been fortunate enough to go through them on a national level and then come back to the state to try to im--implement them. They're ver--it's tough, it's--it's really hard. Um--

Tracy Miedema: Mrs. Hall, your three minutes are--

Beverly Collins-Hall: Is it up? Okay.

Tracy Miedema: --they are.

Beverly Collins-Hall: Uh, I've rambled but I thank you very much.

Tracy Miedema: Any questions for Ms. Hall? We sure thank you for shining a light on the important work of your group. Is there a question? Oh, Ms. Hall, will you return to the podium, please? Calvin, proceed.

C. Reuben Walker: Um, I guess about two months ago I, uh, was brought to help, uh, a lady discovered that she's, uh, she's part Cherokee. Uh, she had inherited, uh, almost 3,000 acres of land in Louisiana.

Beverly Collins-Hall: Wow.

C. Reuben Walker: And she have a second-chance program and she's interested in organics. I guess my quick question is, uh, would you--before you leave I would like to get your information to kind of share that with her and--and I'm--I believe that your group could certainly help her.

Beverly Collins-Hall: Okay. Thank you. We w--we would love the opportunity.

C. Reuben Walker: Okay.

Beverly Collins-Hall: Thank you.

C. Reuben Walker: All right.

Tracy Miedema: Fantastic. Janie and Rocky Dixon, you're up. Sandra Simone, you're on deck.

Janie Dixon: Good morning. Uh, my name is Janie Dixon. I represent, of course, Rocky, who's my husband. Um, we have, uh, a small farm in South Carolina. And, um, we--we certify about--we got certified about 40 acres that we're farming and it's just the two of us basically. So, um, anything that anyone can do to offer a way that we might be able to get some help because we can't afford it really, and, um, the help that we would get would also help to train other people to work in this organic industry.

Uh, I'd like to mention that we, too, got certified because we met Ms. Cynthia Hayes, who is ill this morning and cannot be here. We were so looking forward to having her here to just kind of boost us up a little bit because that's what she does. But, um, she's ill and so those of you who are praying people we do ask that you say a little prayer for her.

Um, on our farm, like I said, we--we, um, operate with about--about 40 acres and we do a CSA c--Community Supported Agriculture on our farm, as well. Um, and one of the things that--that we've kind of had problems and wanted to mention is that with doing these things, having this--the--the, um, cost share program and things like the NRCS has been really, um, instrumental to--to helping us in what we do. But, um, that cost share program, which we--we talk about being so important, at one point we did

not even know about it. And so, you know, it is important that the--that the information get out so people do--do know.

And then when we learned about it, the first year we tried to access it we were told s--like I said, we're in--in South Carolina so, um, Columbia, the USDA in Columbia is what services us. So, um, s--when we called to ask about it they told us that we--that they had no money for it. And so Cynthia Hayes got in touch with someone I think from your Board and asked who in--in Washington we could talk to about this. And so what we did--she told us to do was she told me to call Washington, find out if there's any money and then call back to the guy in Columbia and let him know.

So I did that and the person in--in Washington told me that the money was there but the--that the person in South Carolina was just not requesting it and so what we needed to do was call him. I called all of the farmers that I knew of that were organic in South Carolina, we all made a call to him and in two weeks he called back and said, "Okay. We have the money."

So i--it's important the--these programs and we just ask that you help to--to, um, education the service--the--the people who administer the services in South Carolina so that we can actually utilize them.

Tracy Miedema: Thank you very much, Mrs. Dixon. Any questions? Katrina?

Katrina Heinze: Good morning. Thanks for coming to talk to us this morning. How long have you been an organic farmer?

Janie Dixon: We got certified first in 2007.

Katrina Heinze: Thanks.

Tracy Miedema: Do you have a question?

C. Reuben Walker: I was waiting. What crops?

Janie Dixon: We do, oh, about 35 different crops. We--we--we, um, produce organic vegetables and so we do many different greens, we do the--the corn, the sweet potatoes is one of our--our big crops, um, peppers, tomatoes, just a whole conglomerate of, um, of produce that--that is, um, grown in this area. This year, uh, we--we produced a bok choy that--that grew really well and that was one of our new things because, uh, until this time we had not grown that.

Well, I first tried to grow it last year in the fall and just had to learn some things about it so we grew it in--again in the spring and it was--was really productive so--

C. Reuben Walker: As a comment I think, uh, what the Program Director mentioned, uh, Mr. Miles McEvoy I think that's very good for those who may not know it's for limited resource farmers and minorities, uh, and just small farmers, family farmers is that our extension agents need to come up to speed because in many cases, uh, the few that I talk to off the record they're not really interested in organics unless we at the university or those who are supporting organics, uh, stress that because they are quickly trying to get you to go conventional or do sustainable ag.

And what Mr. McEvoy had--had, uh, put up in his presentation I thought was encouraging is that we got to get all the, uh, farm service agencies and other USDA entities and land grant university extension personnel on the same page, is to start promoting organics as opposed to dismissing it as a, uh, the fringe.

Janie Dixon: Right. We--we certainly would appreciate that because we have experienced that same thing when we go to even the NRCS when we're filling out applications in South Carolina for programs that already exist there even the paperwork is set up for organic farmers so many--many of the things that we tr--we have to work through, um, is because of the fact that it's not at all geared to us. So we have to work through paperwork and--and make changes to--to support what is organic because it's just not conducive to the organic farmer. And many times they do just as you say, they seem to discourage organics so we go to many meetings that the extensions put on and there's nothing there about organics.

Tracy Miedema: Jay Feldman?

Jay Feldman: Thank you, Mrs. Dixon. I--I had a question about your feeling about the certification process and the burden of it or the efficiency of it and suggestions for how that works, uh, in your situation?

Janie Dixon: Uh, the--the certification process has--has worked very well with us but one thing that was mentioned this morning, um, that I thought would help, um, organic farmers is that sometimes the record-keeping seems overbearing. Um, and--and, you know, just to have the things that are needed that we--that--that--that needs to be passed on, of course we need all of the record-keeping for ourselves because, um, you know, what we

do--oh, I am so sorry, what we do from--but I s--I speak with my hands and I guess you seen that.

Um, uh, what we do from one year to the next is really important, you know, as to, uh, when we plant things and--and how it produced from that standpoint as opposed to maybe changing it into another window and all that is important for--for us but some of the--the paperwork that we--that we have to do for--for recertification I think if--if it were, you know, just kind of cut down a little bit would help us.

So--because as organic farmers I'm--I'm sure all of the small farmers in here know that there's not a lot of equipment that's driving this force; it's mostly hands-on. So we need--we need the work in the gardens, um, because we are--last year we had a, um, 45 families that we provided food for in our CSA so, um, that's a lot of work, that's a lot of production but, uh, I think it is really doing wonders for our community because people are being educated as far as what organics are--are and, you know, the--the need for organic or good, clean food and--and--and I think that we need more of that, too, from the--from the, uh, standpoint of the consumer. That would help the farmers.

Tracy Miedema: Thank you very much, Mrs. Dixon.

Janie Dixon: Thank you.

Tracy Miedema: Sandra Simone is up next. Perry Klutz is on deck.

Sandra Simone: Good morning. My name is Sandra Simone and I'm from Huckleberry Hill Farm. I'm also, um, advise--on the Advisory, uh, for SAAFON. Um, I am a small farmer, a producer of organic vegetables for CSA and also a meat goat producer. And I am hoping that they will be certified organic soon, especially since I received some, uh, pertinent information on that since I've been here at this meeting so that's just been great.

Um, when I relocated to, um, Alabama, rural Alabama, it was with the idea of living sustainably on some land that had been acquired by my great-grandfather and I felt, uh, somehow a connection to that. Uh, as I started and I have always been organic grower, even in California, just a little, small plot so I know nothing else but to grow organically. So I was transferring that to my place in rural Alabama and then began to realize that in the community there were not farmers, there were hardly any

vegetable gardens, uh, how far we had moved away from that whole process.

I've always been involved with youth and so that was a component of my being there, to have youth in the environment. Once I became educated on what was happening, uh, the potential, uh, for what could be done, um, got involved in accreditation through SAAFON, which was really the only way that I would've been able to do that, um, it opened up a different kind of opportunity for my working with youth and we got a entrepreneurial program.

If it were not for cost share programs, the certification and other programs that I've benefited from through, uh, NRCS Equips Program I would not be able to do any of the things that I'm doing. Uh, with the youth my goal is to get them inspired and motivated to know where their food is supposed to come from rather than where they're really getting it from. And by having some of the newer, cutting edge programs like the High Hoop Tunnel and Plastic Culture with Irrigation I can show them a different world of farming from what it is they hear about the hard work of it.

It still is hard work but those programs really lift a lot of the burden. I'm doing this on my own. My daughter, uh, who helps me lives in Atlanta. She comes to the farm a couple of times a month and helps me with s--some of the heavier things that I can't do. But there are many, many challenges in trying to do this. I am in a way, in a sense, of course, always learning as I grow. And I just appreciate so much the cost share programs.

My concern is that they be connected, that the technical advice that we receive be really connected more to--w--to the day-to-day operations of farming. Whoa. Um, they are--okay. That's what--that's what one of my big concerns is, is that there's so much book-learning, technical, and that it isn't, uh, balanced with the day-to-day realities of farming.

Tracy Miedema: Thank you, Ms. Simone.

Sandra Simone: Thank you. Yes.

Tracy Miedema: Did you have any further concerns that you wanted to share?

Sandra Simone: Well, it--it is really mostly that and the follow-through. Once we received the Program it seems to fall away the kind of follow-through that's required. When we're doing the day-to-day work with the Program,



whether it's High Hoop or Plastic Culture, whatever it is, you learn what things could work better, which things could be removed, which I think would increase keeping these programs alive because of that input from the farmer on how does this really work and what is needed to carry it forward.

And the technical advice, the--like I said, is like book learning. It's very technical, strictly enforced but it doesn't leave room for negotiating with what the farmer is actually living, seeing, feeling and could use.

Tracy Miedema: Thank you for that. Katrina?

Katrina Heinze: Thank you for joining us today. I'm wondering if you're going to be able to stay at all for the rest of the week.

Sandra Simone: No.

Katrina Heinze: Oh, I'm terribly sorry about that.

Sandra Simone: You see, like I said, I am this single, female farmer. I have goats and nobody's there to take care of them and it's going to be freezing tonight. I have to go take care of my babies.

Katrina Heinze: We, um, greatly appreciate you coming. The huge benefit of us having our meetings around the country is hearing from farmers like you on the difficult technical challenges. So I would encourage you to kind of stay tuned in and send us comments on our technical topics. It's very valuable.

Sandra Simone: Thank you. Thank you.

Tracy Miedema: Ms. Simone, one more question.

Sandra Simone: Yes.

Male: Um, how can we, um, increase, uh, minority participation in organics? Uh, right now at Southern University Ag Center we are having a--a conference, I believe for three or four days NRCS and other agencies and LSU and Southern Universities is having this. We're trying to grow organics and it seem like when you talk to we being a--uh, minorities, when you talk to individuals they're almost there in terms of they have low inputs, limited resources so what would you advise being a person who is certified organics that we can grow--bring more minority--Native American,

Hispanics and African American to the organic community? T--uh, any suggestion that we--what we need to do?

Sandra Simone: Somehow, um, because it's true, it doesn't get through. I know I have a lot of demonstration days and other things like that where farmers in my community can come out and see the kinds of things that's happening.

It's kind of difficult again when you're female because males tend to kind of not want to follow that lead or anything. But they come and they're inquisitive so somehow finding a way to get that word out because they really aren't, uh, aware of the benefits of growing organically, uh, the benefits financially of doing it, the benefits to the earth of doing it. The NRC representatives, uh, it's true, they're more, uh, pushing, uh, conventional and it's more because they're not educated about organics. They don't know how to talk about it either.

We were supposed to have had someone in our community that was going to be the community--I forget the title but the purpose was to spread the word among the farmers and that really doesn't happen.

I think or one of the places where somehow this has to intersect maybe is in the churches where there are people that can hear this message coming and that doesn't happen, you know, um, that to me is one of the important places because that's the social outlet in--in rural--where I am, in rural America, I think, but in rural Alabama that's truly where it is and at some of the places where they also go to buy products, supplies, the feed stores where they have various announcements up, if there's some things that can pull their attention to this--this--this--this new--this way of growing because it's really what we always did or when I say we, my four parents always did, it was organic. It was just now called something different. So them getting connected to--but it's where we came from, it's what we used to do, you know, so--

Tracy Miedema: Thank you, Ms. Simone. Perry Klutz is up next. Jonathan Fray is on deck.

Perry Clutts: Thank you. Good morning. My name is Perry Clutts and I'm an organic dairy farmer from Circleville, Ohio. I live and work on Ohio Century Farm my great-grandfather started in 1899. I'm responsible for the economic viability of our family's farm and respect and consider the wellbeing of the livestock that support our livelihood. I appreciate the chance to comment.

And my comments are directed specifically toward the guidance documents for the Livestock Committee's animal welfare recommendations and the Handling Committee's recommendation on DHA. In addition to being a dairy farmer I'm also a proud member of NODPA, which is the Northeast Organic Dairy Producers Association, which is also a member of NOC, the National Organic Coalition. I stand by the NODPA recommendation that is striving for an animal welfare rule that makes all livestock operations comply with one strong, qualitative standard.

I was a member of Ohio's Livestock Care Standards Board Dairy Sub-Committee, which helped draft the dairy welfare rules in Ohio and I understand the complexity and sensitivity of this issue. Organic consumers have the right to know organic livestock are well cared for but I also feel that it's important to recognize that there are many different systems used in livestock production in climatically and geographically different areas of the country.

I feel a more qualitative, uh, role is necessary to allow for these variations. This would also allow for farm-specific interpretation by inspectors who are familiar with the given area of the country.

With regard to Handling Committee's recommendation on DHA and organic milk I recognize that unwarranted controversy has been created over this material so I've read the Committee's recommendation and public comments submitted and I respect the Handling Committee's unanimous decision to list DHA algal oil as a non-synthetic. Thank you.

Tracy Miedema: Thank you, Mr. Clutts. Any questions from the Board? Thank you. Go ahead, Calvin. I guess we do have a question.

C. Reuben Walker: Livestock recommendations, uh, would you prefer to see the livestock committee take it back and rework it or move it on?

Perry Clutts: I--I think it could be moved on. I think that perhaps public comment would be a good place at this point. One of my, um, examples would be in such as the photographs of, um, you know, the cows, different breeds, crossing different breeds. You know, a Guernsey may appear thin but a crossbred may appear fat so it's--I thought that that was a little confusing from my perspective.

Tracy Miedema: Any other questions from the Board?

Perry Clutts: And--and--excuse me, but that would be a lot to put on inspectors to have that expertise.

Tracy Miedema: Thank you.

Perry Clutts: Thanks.

Tracy Miedema: Mr. Fray, you are up next. Mark Kastel is on deck.

Jonathan Frey: Hello, members of the Board. Thank you for this opportunity to present these comments. Um, I'm here to talk about the, uh, sulfite petition. A, um, as you know, the Handling, um, Handling Committee of the NOSB recommended that, uh, sulfites be--be allowed in line processing and in large part apparently the, um, they're, um, their recommendation was based on a technical evaluation report.

So we looked through that and, um, it was really amazing. Um, there was a lot of, uh, information that was missing from that so I've prepared a, um, a--a review and, uh, and a response to the TER and I'll briefly go over that right here.

So, um, I can see from there I missed--missed information, um, it was, uh, s--quite com--incomplete and one-sided, um, cited some academics and wine industry members, um, and there was no mention made of--of many other points of view. And, um, many technical aspects were also left out as far as processing methods that are used, uh, when sulfites are not used. Um, um, you know, amazingly no mention of the thriving no sulfite wine industry, nearly 10 million bottles a year worldwide are sold annually. Um, that certainly shows that this a, um, thriving, um, viable segment of the wine industry.

Uh, and there's no mention of the, uh, of the extensive toolkit used by no S02 wineries. Basically any wine style can be made without the use of, um, S02 with, um, the kinds of technical advances that we have nowadays and especially with modern processing equipment. Uh, many other alcoholic beverages and other juices and so on, such as beer, uh, juices are regularly made without the use of S02 and certainly, uh, wine is no exception to that. Next slide, please.

I'd like c--can I see the, uh, next, uh, slide, please? Yeah, okay. Um, that's not the--the page two is a--yeah, there we go. So the, um, the TER and the, uh, some of the arguments used by the--by the petitioners

propagates, um, um, myths, I guess you could call it in the, uh, field of wine. Um, we'll run down them real quickly.

Um, one of the myths is that sulfite has been used for hundreds or even thousands of years; there's absolutely no proof for this and you s--you see this, uh, quite often--often repeated even by academics who should know better. Um, there's no evidence that this is true.

Uh, non-sulfited wines are very perif--perishable and must be refrigerated. This is definitely not true. How could, uh, those many bottles be sold every year and they're kept under all kinds of conditions in wine shops and so on? This is, um, you know, flat out not true.

Uh, growth of the organic wine industry held back by no SO<sub>2</sub> use, it's very hard to understand how that would be the case, um, one of the bright spots in the industry is the growth of the additive-free segment. And, um, so clearly that's, uh, that doesn't hold water. Um--

Tracy Miedema: Mr. Fray?

Jonathan Frey: Yes?

Tracy Miedema: Sorry to interrupt, your time is up.

Jonathan Frey: Oh, okay.

Tracy Miedema: We do have, um, the printed copies of your comments--

Jonathan Frey: Sure, you can work off those.

Tracy Miedema: --here in front of us. Any questions from the Board for Jonathan Frey? Jay Feldman?

Jay Feldman: Hi, thanks for being here.

Jonathan Frey: Certainly.

Jay Feldman: Um, obviously we're dealing with some statutory requirements in terms of this issue and one of the issues I think you're speaking to is the essentiality of--

Jonathan Frey: That's the basis of it and that's on point five. We--

Jay Feldman: Right.

Jonathan Frey: --mention that, yeah.

Jay Feldman: Um, on the flip side we're hearing a lot of statements, uh, and positions that, um, there are limitations when we don't use sulfites in wine production.

Jonathan Frey: Right.

Jay Feldman: Do you concur with those? And--and from what I'm hearing you say, uh, you know, basically the folks that are using sulfites have not adopted practices that you believe go to the essentiality question; but do you con--do you identify any limitations, uh, in wine produced without sulfites and if so could you describe what those may be or--

Jonathan Frey: Uh, no, I don't. Um, every wine-making problem can be solved with methods, um, that don't involve sulfites, whether it's, um, spoilage by microbes; they can be easily, um, you know, filtered out with, uh, um, you know, pharmaceutical grid filters very commonly used in the beverage industries. The, um, oxidative questions can be solved with a number of methods, um, that, um, you know, fall into that toolkit that I mentioned.

These are, uh, perhaps not, um, fully known by the--by the entire industry but it's certainly common knowledge in many sectors of the--of the, uh, wine-making industry so, no, I think, uh, I mean it's--it's a fact that every wine style can be made without the use of S02.

Jay Feldman: I have ano--a follow-up question on issue of consumer understanding of this issue.

Jonathan Frey: Okay.

Jay Feldman: Do you think the current labeling is confusing to consumers and how would you assess confusion if the label were to be changed?

Jonathan Frey: It may be somewhat confusing in that, um, there are certain technical aspects that the consumer might not be--might not be familiar with. Um, but I think to avoid mistrust and confusion in the minds of the consumers the USDA seal should not appear on a product which contains the, uh, S02, which is a, um, a--a syn--a, um, synthetic preservative clearly and has never been allowed in the NOP in any other food product.

Um, early on in the process there were many wineries that were using S02 and, um, felt they should be allowed to, um, state that, uh, grapes that were grown organically were part of the wine ingredients and so a, uh, compromise was reached; they could state that it was made with, um,

made with organically grown grapes yet still use S02. But of course those wines could not bear the seal and this was about ten years ago when the NOP was first, um, brought about.

Um, so any customer who takes time to read the wine labels can gain a clear understanding of that and a wine without added sulfites, um, of course, that's also stated prominently on the label, as well. So there may be some confusion but upon a closer look, um, that does not seem to be the case. We found that, um, the vast, um, vast majority of wine customers, um, fully understand all this and know what they want and how to find it.

Jay Feldman: Thank you.

Jonathan Frey: You're welcome.

Tracy Miedema: Thank you, Mr. Fray. Oh, I'm sorry, Mr. Frey, I'm not noticing, uh, M--Jonathan Frey, will you, please, approach the podium; I missed a question?

Jonathan Frey: Oh, sure.

Male: Sorry, Jon.

Jonathan Frey: No problem.

Tracy Miedema: Go ahead, Nick.

Nick Maravell: Uh, Mr. Frey, I don't know if you can answer this question but do you have any, uh, understanding of how organic wine is labeled in Europe and how the addition of sulfites, uh, uh, affects the labeling in Europe?

Jonathan Frey: Uh, currently in Europe there's a, um, there's a labeling impasse, if you will, over the, um, labeling of sulfites. Um, there were some proposed, uh, labeling regs I believe back 2008 or so but as of last year they still have not reached a, uh, any kind of a con--conclusion as to which way that's gonna go. Um, so I think there's--there's--they have a some--they're, um, it still has not been, um, the, you know, labeling regulations have not been finished there and that's--and it's hung up over this sulfite issue.

Nick Maravell: Thank you.

Jonathan Frey: You're welcome. Thank you.

Tracy Miedema: Mark Kastel is up next and Phaedra Morrill is on deck.

Mark Kastel: Thank you, Madam Chairman. My name's Mark Kastel. I'm with the Cornucopia Institute. We're based in Cornucopia, Wisconsin. We have about 55 to 6,000 members primarily certified organic farmers. I have a proxy today with me from Mr. Bill Welsh, the same proxy I had last fall from Mr. Wel--Bill Welsh, which we haven't been allowed to use. But I wanted to mention Bill today because our longtime member and former NOSB member passed away this past spring and--and Bill passed away asking the question, "What are we doing here?"

What are you doing here, NOSB members? Are you defending the integrity of the organic label or are you defending the interest of corporate agric--agribusiness? Besides for Bill's proxy today I have about 14,300 proxies and other communications like this one from Tom Vanderhoff of exi--Estherville, Michigan and these are from farmers and consumers and they're asking the question.

Organic antibiotics, artificial preservatives, unreviewed and unapproved synthetics from genetic, uh, modification, Monsanto's patented mutagenesis of a--uh, a--fermented algae sold to a company called Omega Tech and then bought by Martek Biosciences? You'll hear a lot of Martek lobbyists and representatives today and you'll hear others from Martek, \$12 billion corporation and from the \$12 billion, uh, dairy conglomerate, Dean Foods, which markets, uh, Horizon Milk.

But organics stakeholders are asking 9,000 cow factory farms uninspected by the USDA since we spent ten years as a community working on new rule-making. That's wrong. A hundred thousand birds with no outdoor access in one building. That's wrong. The new proposal for broilers in chickens in the Livestock Committee proposal, one to two square feet for organic birds? Wrong. Hogs, less space than the--the competing labels trying to compete with organics on the cheap, the comet--competing humane labels? Wrong.

The Livestock Proposal not ready yet, folks. Prime time, it's not ready. It's been written by--in part industry lobbyists. This is organics. Organics? We urge you to rele--reject the Martek Bioscience's petition, the artificial s--um, preservatives in--in wine and beef up the transparency provisions you folks are discussing and reverse some of these draconian restrictions on public participation. Thank you very much.



Tracy Miedema: Thank you, Mr. Kastel.

Mark Kastel: There's two kinds of power in this country, money and people. Thank-- thanks for these people.

Tracy Miedema: Any questions for Mr. Kastel? Thank you very much.

Mark Kastel: Isn't that nice? Thank you.

Tracy Miedema: Will you, please, um--

Mark Kastel: Yes. I'll do this.

Tracy Miedema: --take your mail over to Lorraine?

Mark Kastel: I will tu--turn that over to the NOP for safekeeping.

Tracy Miedema: Thank you very much. Phaedra Morrill is up next and Bruce Heiman is on deck.

Phaedra LaRocca-Morrill: Good morning. I'm Phaedra LaRocca-Morrill. I'm with Larocca Vineyards and I'm here for truth in labeling, um, and keeping sulfites out of organic wine. Is it really just in wine? Uh, organic wine is used in many food products, everything from salad dressings to, uh, supplements and all of them will have--may have to c--list the ingredient "contains sulfites." Let's keep synthetics out of our f--organic food chain. Next slide, please.

Organic white and red wine vinegars will n--will contain sulfites. Here's a salad dressing that has the ingredient red wine vinegar, will contain sulfites, balsamic vinegar, organic grape must is an ingredient, will contain sulfites, Uh, organic pasta sauces will contain sulfites. Here's an herbal extract with organic grape alcohol, will contain sulfites and resveratrol, an anti-aging used from organic grapes will contain sulfites.

Not only do those products represent products that will have synthetic preservative in them, it also represents that there's a thriving organic wine market that is supplying to these--to the industry. Um, right now in the U.S. production is nearly 4 million bottles that are being sold. International production is over 6 million, you'll find out on Thursday. Those numbers are, um, climbing every day as w--um, wine-makers from all over the world are submitting numbers of non-sulfited wines being made. That's over 10 million bottles being sold. Next slide.

Um, in e--the packet I sent out, um, the University of California recognizes the tremendous growth of organic grape production in California, which is the largest grape-growing state. Uh, next slide.

CCOF in the 2010, uh, review said that organic grapes increased 77 percent. Uh, they're the leading crop, wine grapes with a 15 percent increase. And 12 percent increase in both number of products and number of organic wine producers increased. You also have the letter from CCOF. I'd like to read a little bit of that, um, so you can see what their opinion--CCOF, California Certified Organic Farmer--last slide, please.

Uh, the Board of Directors of CCOF, Inc. voted in the opposition to this spe--petition and to send this letter expressing its views on the subject. The CCOF Board of Directors believes that the current labeling appropriately honors the organic integrity of both labels and should not be altered. Makers of organic wine have devoted decades to perfecting their wines in accordance to that label without the use of sulfur dioxide.

It is the CCOF, Inc. Board's view that a reversal of policy and allowance of the use of sulfur dioxide in wines labeled organic wine would unnecessarily undermine the hard work of these producers and undermine the integrity of the label. Therefore, we urge you to vote against this posi--petition. Cathy Calfo, Executive Director, CCO cert--California Certified Organic Farmer, CCOF.

Tracy Miedema: Thank you, Ms. Morrill-LaRocca. (sic) Any questions? Jay?

Jay Feldman: Thank you. I think is it fair to say that you don't believe that sulfites are essential to the production of organic wine?

Phaedra LaRocca-Morrill: Absolutely, I do not beli--

Jay Feldman: Why do you think that there are many in the organic wine produ--or the wine producing community that--using the label "made with" that believe sulfites are essential and have made that claim to this Board?

Phaedra LaRocca-Morrill: Um, I believe that they don't want to learn how to make organic wines without sulfites. It's, uh, very possible, it is happening. You saw the products that are using it. You know that there's wines out there that are, um, doing it and I a--I assume they just don't want to take the time, the effort, the energy, um, the patience to actually learn how to do it.

Jay Feldman: Thank you.

Tracy Miedema: Any more questions from the Board? Nick?

Nick Maravell: Uh, yes. Do you think that, uh, the amount of acreage in organic grape production would go up if the Committee's, uh, recommendation is adopted?

Phaedra LaRocca-Morrill: I don't think that that's gonna change. I do think the organic grape acreage is increasing because whether you add sulfites or not to your wine they find that organic grapes are of higher quality and will make a better wine. So I do not believe that just because you add sulfites to your wine more growers are going to go out and want to be organic.

Tracy Miedema: Thank you very much.

Phaedra LaRocca-Morrill: Thank you.

Tracy Miedema: Bruce Heiman is up next. Andy Sponseller is on deck.

Bruce Heiman: Hello and good morning. Uh, my name is Bruce Heiman. Uh, I started an organic wine distribution company in Florida, in sunny Florida almost 25 years ago. Um, there was only a handful of us, there was a few, um, distributors selling organic wines back then. I went through, uh, many years of dealing with, um, retailers and consumers, most important I want to mention are consumers over the years, and it was the most enjoyable business that you could possibly be in because I've made so many people happy, uh, providing these wines.

And I--I really want to also add that there's an amazing amount of talent in this room. Uh, I could never do what these people do, uh, the farmers, the, um, the organic, um, wine, you know, I'm--I'm also a certified sommier, uh, certified, um, um, wine spirit education trust, advanced level, and also recently, uh, wine spirit educat--um, I'm sorry, Society Wine Educators. Um, I'm a student of wine now and I--I have a lot of, uh, knowledge in wine. I study wine on a daily basis and I'm studying to be a master sommier, which'll take many years from now.

Um, I really want to say that the most important part of all of this really comes down to the consumer. Uh, I've dealt with, um, so many people and I've done probably in the last 24 years two wine tastings a week and I'll have wines made from certified organically grown grapes and organic wines without sulfites added and let me add I drink all wines and I love

wine. I'm a--I'm a avid wine-drinker and I'm proud to say that, uh, there's some amazing wines in the world and--and even conventional wines I drink.

Um, I--but going back to the consumer, people will come up to the table shaking and be so careful and concerned that the wine has sul--no sulfites added. And--and I'll say, "Well, this wine has no sulfites added," and they'll say, "Well, can you show me?" And over the years the biggest concern and the biggest confusion has been that these consumers have not been able to locate them prior to a way it exists today.

I think today the way it exists is the least confusing and most important also for the retailers that sell the wine, the retailers over the years I've seen them misrepresent the wines and they don't know but the USDA stamp is the best way I've seen since I've been doing this. There's nothing since I've been doing this that came close to now the retailers and the consumers looking for the USDA stamp on the label.

Um, I--I personally think it's--it's fantastic to have, um, the--the--the wines that we are getting today. Um, I'm (inaudible). We do not get to awar like we have today, the organic winemaker, we call them the organic winegrower, is really the essence of this whole industry. Um, you know, the really important thing, again, and I'm not sure how much time I have left, um, is really the consumer. Um, and thank you very much.

Tracy Miedema: Thank you, Mr. Heiman. Any questions? Tina?

Kristine Ellor: Just so I'm clear, you like the labeling the way it is.

Bruce Heiman: Yeah, have the wine label, you know, sure, there's always ways to make it better but the way it exists today with the USDA stamp, uh, certifying organic wines, there's--there's never been an easier way for consumers and retailers to express that these wines are organic as, you know, as sulfites are, you know, for them, uh, uh, uh, something they--they want to stay completely away from. And it's a--a lot of people always misrepresent the amount of people, uh, that actually are sensitive to sulfites.

Uh, let me tell you firsthand I go through regular, conventional stores or s--organic stores and y--everybody is stopping by saying organic wines without sulfites added. My aunt, my uncle, my brother, my sisters, uh, got a problem, an issue, with sulfites. I got into the business 'cause my wife, uh, is sensitive to sulfites, uh, so, yeah.

Tracy Miedema: Katrina?

Katrina Heinze: Thanks for coming today.

Bruce Heiman: You're welcome.

Katrina Heinze: How do you differentiate for consumers the difference between a made with organic grape wine that contains 70 percent organic grapes and 30 percent conventional and when it contains all organic grapes?

Bruce Heiman: Right. Well, that's a very, good question. You know, you really have, um, the way it's stated today, you know, you have 70 percent organically grown grapes, you know, I love wines made from organically grown grapes. I drink them almost every night and I drink wines without sulfites. The quality level is amazing, uh, on the no added sulfite wines. I actually enjoy drinking no added sulfite wines more, uh, lately than I do wines with organically grown grapes. That's just me right now. Um, and I go back and forth.

Um, but, you know, if you get the wines that are 70 percent, and I tell a lot of consumers that they don't really understand but what they really care about, the most important issue to them is avoiding the sulfites, the ones that are actually looking for these wines. The retailers that are calling for these distributors to bring it to them, that is their main concern. Um, protecting the consumer I think really is--this is what this is all about.

And I came today, um, really for this purpose is that those people that I meet on a daily basis, and I'm really on the front lines, are able to find the wines without sulfites added and their are other alternative is not buying the wines at all. So really, who gains from that? And it's just a lot, you know, to me everybody calls it a small percentage of society, to me it's every--everybody, uh, that I meet. It seems like a l--one out of every three people have, uh, some issue with sulfites.

Tracy Miedema: Jay Feldman.

Jay Feldman: I hope later we can get clarity on the legality of the 70 percent label. Uh, maybe we can do that during our discussion. But in terms of your experience, uh, in the marketplace, um, what we're hearing from many who have submitted statements is that with good, clear labeling anybody that is sensitive can avoid sulfites either with the current labeling or under the proposed labeling where there's a requirement, there's a proposed

requirement that the organic seal would be accompanied by a "contains sulfites" notation or wording.

Again, your--you're at the, you know, you're at the consumer level, you see how people interact with the label and--and the questions they ask; what will that do to consumer understanding about what they're purchasing?

Bruce Heiman: Right. Well, it's an excellent question. You know, really it comes down to one--one thing really and one thing only, is the consumer being able to understand it. And what I've seen and I--I go back before the labels changed and there was stickers on the bottles and consumers just really couldn't understand and find the wines.

Um, I've been in a lot of retail stores going back years ago where the retailer and the manager and the owner without--without realizing it were telling the consumer that, "this wine has no sulfites added," and they were selling wines to them and I knew the--I knew the manager and the owner and I knew the, uh, that I needed to come over afterwards and explain to them that, "These wines have no sulfites added but the wines you sold them with no sulfites added actually had sulfites added."

The confusion came about really, you know, with the retailer and the consumer both. The way it exists today it almost appears that--and I'm talking from my heart, uh, that the, um, consumer is being educated by the retailer. The retailer gets in more now because they're superiors are saying, "Everything with USDA stamp has no sulfites added."

If you can make it simpler than that to help the consumer then that's the goal, is to make it easier for the consumer to find these wines because in reality that's what it really comes down to and it's so important to them. I cannot stress how important it is to these consumers where I mean literally it--it is the difference between not drinking wine or drinking wine for them and that's a big deal. It really is.

Tracy Miedema: Thank you.

Bruce Heiman: Thank you.

Tracy Miedema: It looks like one more question.

Bruce Heiman: Okay.

C. Reuben Walker: You mentioned one-third consumers prefer no sulfite wines--

Bruce Heiman: I--

C. Reuben Walker: --that was just your opinion or--

Bruce Heiman: --yeah, well, you know, from what I'm--

C. Reuben Walker: --a study?

Bruce Heiman: --getting at and maybe what I'm trying to say is when I get four or five people at a table one of them is no added sulfite wines. Um, I have on the same table wines with organically grown grapes. I'll purposely put out on a wine tasting sweet wines, which I love to put out on wine tastings because a lot of people love sweet wines and a lot of people are looking for wines without sulfites added. Um, I always get, "Well, how do I really know?" You know, and the ones that actually say that are fewer and fewer all the time. I'm really surprised and happy so that so many people now realize, "Oh, which ones have the USDA stamp?" And they're telling their friend, "Oh, this USDA stamp is the wine without the sulfites added because the USDA stamp, this is the way I understand it."

Um, you know, I think again, to keep it, you know, for the consumers that actually have a problem with sulfites, um, the most easy, um, well-informed way to show them that this wine has no sulfites added, um, and that's what they're looking for. And it's simply put, they want to come home with that bottle of wine and know that there's no sulfites added in that bottle of wine and that's the important part here and that's what I can kind of add to this whole discussion, if I could.

Tracy Miedema: Last question--

Bruce Heiman: Um-hum.

Tracy Miedema: --might it be that this labeling issue is related to, um, lack of visibility of no sulfites across all wine as opposed to being an organic-specific issue?

Bruce Heiman: When you say, "Lack of visibility," you know, I hope I'm answering the question correctly, um, organic wines have been growing leaps and bounds. I was just in DOCG, um, event and a lot of DOCG farmers in Italy were having organic plantings. Um, everybody gets it. A lot of people worldwide are--are developing land, um, organically grown and really, uh, one of the reasons is when--in wine you got (inaudible) , you got the--the--

the, uh, the flavor and the aromas come from literally--and I believe in--and a lot of people do, the land, the earth itself.

And the earth is a living entity and, you know, the--when they use the, um, when they use the organic farming methods and principles the grapes benefit greatly from being so much more well-balanced. And farmers, organic or winemakers that are actually organic winegrowers, are starting to get it and realize that the soil gets depleted with the u--use of chemicals. So as a sommier, um, the most important thing right now is the world is getting it, organically grown is the answer for wines.

Uh, the be--the more the better and everybody's happy about that. And I guess that's not the question. Um, I hope I answered your question correctly.

Tracy Miedema: Thank you.

Bruce Heiman: You're welcome.

Tracy Miedema: All right.

Bruce Heiman: Thank you.

Tracy Miedema: Next up is Andy Sponseller. Charlotte Vallaeyes is on deck.

Andy Sponseller: Uh, Ladies and Gentlemen of the National Organic Standards Board, my name is Andy Sponseller. I'm a organic winemaker from Missoula, Montana. I know that's an oddball spot for wine but, uh, we are, in fact, doing that up there. Um, currently we're producing 5,000 cases. Uh, we have a 10,000-case capacity at our winery. Uh, and I'd like you to know that we've had a sales increase every year since, uh, we started making wine in 2003.

Well, we've been, uh, uh, an organic grape grower since 1998. We have, uh, uh, quite a selection of wines, a variety of wines. Uh, we have four viniferous wines, those are the varieties that you're used to like cabernet, pinot gris, those varieties. We have four of those wines. We have two, local grape wines from our vineyard in Missoula, Montana and we have five fruit wines and they're locally and regionally grown, uh, that we make at the winery.

Uh, all our wines, of course, are certified organic and, uh, are no added sulfites. We've, uh, won awards for our wines, believe it or not, and show and tell, I brought this portion of them. It's, uh, it's, uh, gold, silver and



bronze from, uh, all--[applause] ...from all sorts of different, uh, uh, competitions but specifically the Indy at Perdue University, uh, Fingerlakes International, Mendocino County Fair, Northwest Wine Summit, to mention a few.

Um, shipping and distribution, uh, we ship, uh, locally, regionally and nationally. Um, and that's important because, uh, some folks claim that, uh, organic wines won't stand the, uh, rigors of shipping. Uh, our wines get shipped in all different conditions, uh, all over the United States and to Alaska. I think we ship some to Hawaii, as well.

The heart of the matter is 205.600 criteria. Um, specifically, uh, 205.600.4 deals with, uh, preservatives in organic food and, uh, as a winemaker I can tell you that sulfites are definitely a preservative, uh, they ask as a color stabilizer and a--antimicrobial, uh, and, uh, other things, as well, but those are the two important ones.

Uh, 205.600.6, uh, is the essentiality clause and, um, um, I'd like to tell you that, uh, sulfites are not essential to organic winemaking. Uh, industry, uh, winemaking, uh, practices properly performed makes sulfites unnecessary. I'm reading this right off of the r--read-along that you have. Um, timely inoculation and processing, sanitary production conditions, yeast selection, quality bottle closures, uh, uh, diligent bottling practices, all industry practices, uh, that take, uh, attention to detail, an enhanced attention to detail, I'll grant you, um, uh, but, uh, definitely makes it possible to make organic wine without sulfites.

Tracy Miedema: Thank you, Mr. Sponseller.

Andy Sponseller: Uh, can I just close the statement that I'd just like to say the organic rule must not be a marketing statement. Uh, it needs to be the highest food standard and I'd ask the Committee to, uh, uh, not allow sulfites in organic winemaking. Thank you.

Tracy Miedema: Thank you. Any questions? Barry, then Jay.

Barry Flamm: Thank you, Andy, for traveling all the way out from Montana. I kind of know how long a trip that is. Andy, um, what would be the, um, effect, in your opinio--pinion, uh, on your business and, um, organics in general if this, uh, uh, proposal to allow sulfites in organic wines, uh, was to take place?

Andy Sponseller: Well, our business will be strong no matter what. Uh, we have a quality product. Uh, we've gone to great lengths to learn how to make wine without, uh, sulfites and, uh, w--the reason I'm here is not because my business interest, to tell you the truth. My interest is in the or--integrity of the organic rule. So I would be very sad if the--if the organic rule, uh, continues to, uh, in my estimation, slide and, uh, preservatives are--are not essential, uh, in this food so, uh, that's why I'm here. Uh, we'll do fine no matter what.

Jay Feldman: Thanks for being here and making the trip.

Andy Sponseller: Certainly.

Jay Feldman: Um, I'm--I was interested in your c--statement about, um, the organic program and rule must not be a marketing program. You know, obviously we as a Board want to do everything we can to promote the growth of organic. And it's--it's h--a really, high priority and there's the challenge of this balancing, um, uh, with regard to that. Obviously a lot of the comments we're getting on this do raise the marketing angle, uh, that this will, uh, increase the growth of the organic wine industry.

Are there--if you don't believe that we as a Board should be making decisions regarding the marketing angle are there other things that you think could go on under the current label that would increase the marketing? And where--what would those things be and who should do them?

Andy Sponseller: Well, I think that, um, to answer your question I--I--I think that, uh, as several other speakers have addressed that, uh, the sales of, uh, uh, organic and wines in the organic classification are increasing, uh, uh, every day. Um, I don't think it's a matter of, um, organic winemakers or people that are, uh, making wine under the organic program are going hungry or, uh, lacking for sales.

Um, I'm not exactly where this--sure where this is coming from but we've had a sales increase every year since we've been in the business and, um, um, I--I--I suspect that there are some other, uh, considerations here that haven't been fully illustrated that are pushing the situation. Uh, as far as I'm concerned organic's going no place but up and, um, um, I think that, uh, if you really want to, uh, set the organic program back then, uh, dilute the USDA symbol.

Tracy Miedema: Tina then Nick.

Kristine Ellor: Just--just a quick question, and I don't mean to be offensive here, I'm just curious and I want to be clear because people have come up to me and--and I know this not be true from my own experience but saying, you know, non-sulfited wine, you know, terrible swill, not worth drinking. I know that's not true. Those med--those medals that you showed, those were in open categories, these were not categories just limited to organic wine or non-sulfite wine?

Andy Sponseller: Well, I'm really glad you asked that question.

Kristine Ellor: I--yeah.

Andy Sponseller: Thank you. Are you a seed, a shill? No. I--I, um, uh, I actually had that on my list to talk to y'all about and, uh, uh, in fact, all these awards were won in, uh, blind tastings. That's the way, uh, legitimate, uh, big-time wine competitions are handled. Uh, the judges don't know what they're drinking and my wines have gone head-to-head with, uh, uh, wines all across the United States and the world. So, uh, people don't know what they're drinking when they test then and mine make the grade.

Tracy Miedema: Nick?

Nick Maravell: I was wondering if you could comment on two aspects of winemaking without sulfites. Um, do you believe that, um, it is more expensive, uh, pro--uh, more expensive production system for you to produce wines without sulfites? And the second question; do you feel that producing wines without sulfites restricts you in any way as to the scale of your production, how large your production could be?

Andy Sponseller: Uh, to answer your first question, um, um, the expense of doing wine organically it's attention to detail more than expense. And, um, um, I--I'd say that almost every step that we do at our winery are steps that--that most winemakers do. I think there's, uh, uh, it's kind of an insurance issue and--and a, uh, uh, perhaps a lack of confidence with some winemakers out there. Um, I think that they're interested in, uh, having that final insurance policy, uh, uh, du--dumping antimicrobial into their bottles.

Um, like I say, our wines, uh, are shipped all over the country and, uh, win awards and, um, I'm not using the insurance policy. Uh, your second question was--

Nick Maravell: My second question was, uh, in terms of producing wines, uh, without sulfites, does that limit the scale of your production, how large your production system could be?

Andy Sponseller: Well, absolutely not. Um, right now we're looking for ways to, uh, fund, uh, um, uh, the capital expenditures, uh, that we need to make, um, to meet demand. So, uh, we don't, uh, have, uh, equipment that's, uh, particularly esoteric or, uh, super high tech. Uh, like I say, it's attention to detail and, uh, uh, and dis--and interest in paying attention to detail.

Uh, I'm just looking for a way to make 10,000 cases instead of five because the demand's there and, um, uh, I'm headed in that direction fast.

Tracy Miedema: Anymore questions?

Andy Sponseller: Thank you very much.

Tracy Miedema: Thank--thank you, sir. Charlotte Vallaey's is up next and Laura Batcha is on deck.

Charlotte Vallaey's: Oops. Hi, my name is Charlotte Vallaey's. I'm Director of Farm and Food Policy with the Cornucopia Institute. Um, I'd like to talk about the Martek Biosciences Corporation petitions for DHA algal oil and ARA fungal oil. Uh, we're urging you to reject both petitions, um, base--based on the fact that it actually fails most of the criteria for inclusion on the National List.

Uh, but before I detail those criteria, um, I'd like show an example of why a no vote at this meeting is absolutely crucial. This is the certified organic baby food currently on the market. Let me read you some of the ingredients. Um, glucose syrup solids, modified starch, manitol, which is a synthetic, artificial sweetener, sodium asorbate, sodium polyphosphate and a non-organic sunflower oil.

This all made its way into organic baby food through the Martek DHA, um, algal oil powder. So with a no vote the NOV--NOP can go ahead removing these, uh, non-approved materials from organic foods and ensure that we keep a strong and meaningful, organic label.

Now, onto the criteria that the--both petitions failed; the first is the environmental impact of manufacturing. The petitions before you do include, um, oils that are extracted with hexane, a hazardous air pollutant

and the TR failed to mention that the Martek Factory does, in fact, emit hexane into the air.

The other--another criteria it fails, the other natural alternatives available--yes, uh, we already have Organic Valley milk, Stoneyfield yogurt, Gerber organic baby food, there's a baby formula all using approved sources of DHA, um, including fish oil and eggs. It's also not essential in case anybody will say, "Yes, but our children need manufactured, um, isolated nutrients to be healthy." If--if a consumer were to believe that argument they can go out and buy supplements.

There are supplements for infants, for children, chewables, drops. Um, nobody will be deprived of anything by rejecting this petition. And a last word about the science, you'll likely hear from the scientists, um, during public comment, um, either with current or past affiliations with Martek or with the infant formula industry. They will cherry-pick studies, uh, to try to convince you that this is essential.

Um, in the public comments that I have submitted we have meta analysis studies. Now, meta analysis studies, um, without bias look at all of the studies that have been done on a specific question and all of them have concluded that there are no benefits to infant development from adding DHA and ARA to infant formulas. So I urge you very strongly for the sake of keeping a strong and meaningful organic label to reject both petitions. Thank you.

Tracy Miedema: Any questions for Ms. Vallaeyes? I have one. Ms. Vallaeyes, you mentioned that these products are widely available in grocery stores today and labeled, um, labeled as such and read us some of the nutritional panel. Do you know how many organic consumers are today choosing these products made with this DHA?

Charlotte Vallaeyes: Right. And this is another, uh, it's a very, interesting question because, uh, PCC Natural Markets, uh, the largest food cooperative, um, they're based in Seattle with over 45,000 members did a survey of their consumers. And what they found was that, in fact, organic consumers are interested in omega 3s, DHA from natural sources. So they want--they want fish oil from wild fish, um, and they do buy those products.

What is very concerning from the results of this, um, survey is--and this was over 1500, um, people in the--in the survey, was that if they knew that

it was with s--uh, stabilized with synthetics only .3 percent of organic consumers would actually buy the product.

So what I'm suggesting is that if an organic consumer who is buying, say, a milk product with, um, DHA algae oil, if they knew that that contained non-organic sunflower oil or synthetic stabilizers that they would not buy it. And so, um, so th--th--this study's very important to show that consumers, in fact, would reject, um, these manufactured, um, synthetically stabilized, um, supplements.

Tracy Miedema: Thank you. We'll await and see if there's any market data. I was actually asking more about sales volume but thank you very much. Uh, Jay Feldman?

Jay Feldman: Have--have you looked at other consumer surveys? I think we--the Board received a survey that was done by I'm thinking OTA in collaboration with a magazine.

Charlotte Vallaeyes: Um-hum, Kiwi Magazine.

Jay Feldman: Yeah, and that survey did it ask the same questions that PCC asked around the knowledge of what is in the--the DHA algal oil or can you--can you describe to us the differences in the survey?

Charlotte Vallaeyes: Yeah, right. So the Kiwi Magazine survey, um, just asked are c--are shoppers interested in, uh, supplemented foods? And they found I believe i--it was around 60 percent said that they were, um, which is actually the same percentage that the PCC market foun--s--survey found, um, when asking the very, general question, "Do you want supplemented organic foods?"

Um, but the Kiwi Magazine did not ask consumers, uh, "Do you want it from wild fish oil or, um, you know, genetically modified or, um, algae oil or oil with synthetic stabilizers?" And so that's why we feel the PCC, uh, survey is much more accurate in--in gauging what organic consumers think they're buying when they're buying supplemented organic foods.

Male: Just a real, quick follow-up, the--we--you know, we rely heavily on the Board, uh, on the technical reviews that--that are received. Just really quickly, did you identify problems with the technical review?

Charlotte Vallaeyes: Uh, yes, I did. Actually, um, several problems including, um, I mean they just parroted a lot of the claims that were in the Martek petition

without doing their own review. For example, the hexane emissions, um, Martek in the petition says all of it is reused and recycled. Um, it's unclear why the TR didn't just look at the EPA data; this is publicly available. Um, they just said the exact, same phrase, "it's all reused and recycled," when EPA data shows that Martek's factory is putting hexane into the air.

Um, there is a lot of--there--there were other problems with it. Um, I'm--you know, with--for example they were pointing out problems with--with fish oil--oh, I--let me p--another one actually that's kind of important is the--stating that all of these, um, national dietary guidelines are recommending, um, DHA but they're not distinguishing that these national dietary guidelines are--are encouraging whole food sources like fish oil, that they're asking for--that they're telling consumers to eat a balanced, um, fatty acid. And so, uh, it's in the public comments, I actually--at the end of my public comment I have a whole section on problems with the TR.

Male: Thank you.

Tracy Miedema: Thank you, Ms. Vallaey's. Laura Batcha is up next. Jody Biergiel is on deck.

Laura Batcha: Good morning. Um, I'm Laura Batcha from the Organic Trade Association and we're a national trade association rep--representing producers, handlers, distributors, retailers and certifiers of organic products across North America.

Um, we submitted extensive written comments on 14 of the recommendations that the, uh, Board posted. So I encourage you to look at the wric--written record of our comments and I'm just gonna focus in my time here on the recommendations from the Policy Committee and the CACC Committee. And my colleague, Gwendolyn Wyard in her public comment on Thursday will be addressing recommendations and our comments in the other committee areas.

So the first recommendation I want to address is the, uh, conflict of interest recommendation. Um, first of all, we really do applaud the committee for your commitment to upholding ethical standards and improving your processes as you go forward as a Board.

But OTA cannot support the proposed changes to the Board's conflict of interest policy and we have extensive written comments submitted on that. But our basic perspective is we believe that the policy you have in place

is--is fully adequate to protect against conflict of interest due to financial gain, which is what is appropriate for a FACA Board to be focusing on.

And you can review amongst yourselves whether or not in your own operations of your meetings you're fully utilizing the policy that you have in place currently. We believe that the recommendation as written attempts to impose federal employee requirements for conflict of interest on a FACA Board, which would be inappropriate based on what we all understand to be your role, which is to bring perspective and represent interests through your service on the Board.

The second, uh, recommendation that I want to comment on is in terms of the public comment process. And just briefly, I think we want to encourage you all as a Board to really create balance between what you hear from the podium and what you have in the written record. I know how hard it must be for all of you to read all those written comments in your busy lives but it creates a dynamic where in three minutes it's very difficult to communicate technical analysis and information and provide real thor--thorough comments to you about recommendations.

So, please, please, please, challenge yourselves to take the time to balance the written comments with what you hear on-site. It's easier to get a sound byte across from the podium than it is to provide a technical assessment; so we just ask you to be mindful of that.

In terms of the recommendation on transparency, um, we have some, uh, suggestions for changes and we don't support the recommendation as written. And we think in terms of looking at your existing policies on FACA facts it gives you real good guidance on, uh, appropriate record-taking. We encourage you to look at the Chatham House Rules.

Tracy Miedema: Thank you, Ms. Batcha. Any questions? Jay Feldman?

Jay Feldman: Thanks, Laura.

Laura Batcha: Yeah.

Jay Feldman: Um, and thank you for your extensive comment. I--the--the whole issue of transparency is one that I think, uh, I--I just want to clarify you're suggesting no change, um, but that we keep things as--as is.

Laura Batcha: Um, we have some suggestions for some, uh, changes to what you proposed. And if you turn the sheet over that I just handed around, Jay,



you can see that. And we also ask you to look at and recognize your Appendix B on FACCA facts that give you, um, guidance about minute-taking.

We support, uh, uh, FOYA and FACCA requirements for committee work and we, um, understand that there needs to be transparency there. I think the--the thing that we're challenged with is how to prea--create an environment where you all can have open discussion and I know in my own deliberations I will tell you there are sometimes when I say whacky things just to think out loud and find out how my peers who I respect are gonna react to it and engage in that healthy debate to hone my own thinking, particularly in difficult decision-making.

And so the fear is that if you go so far to a written transcript of everything said and attributed to every individual in that committee deliberative discussion process you're gonna inevitably limit the robust, elucidation that should come from your committee work. And we think if you follow general principles about what was discussed, what was said, who was present, date and time, you can meet the requirements for FOYA and transparency without limiting the debate and, uh, we're recommending you take a good look at the Chatham House Rules because we use that in our own work at the Trade Association to help guide, uh, an environment that fosters that kind of open sharing of ideas and learning.

Jay Feldman: Well, just quick--one of the, uh, intents of the Committee, I think, in design--developing this, uh, proposal was to provide a mechanism for engaging the public more and that--when I say the public I mean the whole community. I mean we're--we don't want to sti--I don't think anyone on the Committee wants to stifle, you know, corporate involvement or consumer involvement. It's--that's the whole point of this Board, to engage all.

So the question is, in--if that is the case, uh, we--th--there's all--there's a di--there's a difficulty in getting access, the public access to information, um, and a difficult--tha--as you're describing, communicating with the Board. Would OTA support, um, a provision that would enable the public to engage with the Board members based on the minutes, and we can talk about what those minutes look like, during--during the deliberative process so that this--so that there's an opportunity for people that have a concern they're not forced into this three-minute window, they also have an opportunity to get information into the process earlier than--rather than later at the back end during their--during the open comment period.

Could you envision, uh, a process where we could engage the public, the full public, the full community better than we are currently doing with information of that sort?

Laura Batcha: Well, I think I'm hearing two s--questions in there, Jay, essentially, which is how do we meet the, um, shared outcome of transparency for the work of the Board to inform the public so that then they can inform you about what they think about the direction you're going in. And then the separate one I--if I'm hearing you right is sort of a process question about how on an ongoing basis does the public communicate with the Board.

On their transparency question, if you look at your current FACCA facts in terms of detailed minutes we, you know, we do want minutes made available from community discussions. And if you look at point C there, "a complete and accurate description of matters discussed and conclusions reached and any advise or recommendations provided by the Com--Committee" should, without being a direct cra--transcript with attribution to every individual provide the public the information they need to keep, uh, up to speed with what you all are doing as a Board.

Um, in terms of how the public engages you all asynchronously outside of the public comment process, uh, there are restrictions and requirements about how--how that happens that have to do with the federal government and so I--I'm not gonna comment on that.

Tracy Miedema: Nick and then Calvin?

Nick Maravell: Uh, yes. On the conflict of interest provisions, um, what do you feel would be the impact on Board deliberation and, uh, the recruitment of Board members if the Committee recommendation were adopted?

Laura Batcha: Thanks, Nick. I--I think, um, a couple of things. Aside from recruitment of new members and participation, uh, our perspective is tha--that it's just inappropriate to apply conflict of interest standards that have been developed for federal employees to a volunteer service board. And, um, I can't predict the future but I would imagine that it might hamper participation.

For example, Nick, I serve on, uh, two FACCA Boards, one of which is the AC21 that Miles mentioned earlier this morning and as a 22-person FACCA board we are charged with making a recommendation to the Secretary on if there are appropriate mechanisms to compensate organic

farmers and identity-preserved farmers for market loss due to, uh, contamination of their products from genetic material.

We will develop a recommendation. We will have a majority and a minority opinion on that recommendation. As a volunteer on that Board I'm putting in hours of service. I also operate a certified organic farm and hold a valid certificate for organic production.

If it comes down to the time when we take that vote about whether or not we can compensate organic farmers for their market loss I, under no circumstances, would be pleased if my colleagues on the Board who don't support compensation attempted to call out a federal employee requirement on conflict of interest saying because I hold a valid certificate I no longer could take that vote that would be a real problem.

And so you have to think about it outside of just the NOSB and the role that the public takes on in terms of serving on FACCA boards. Certainly if I felt like my vote was gonna be null at the end of the day why would I dedicate the time between now and then to go through that somewhat painful process of grappling with tough issues?

And you guys are faced with the same thing so just from my experience, um, it would limit me, Nick.

C. Reuben Walker: Excuse me. Conflict of--Conflict of interest is, uh, very, difficult and challenging for the Board. I think what the Policy Committee attempted to do was to enhance what was in existence since 1999. And I think that it was not designed to--we know that there's an inherent conflict, uh, the current policy do not mention--I think one of the reviews had mentioned financial disclosure. That was something that the proposal was not doing.

Are you familiar with, uh, HR3124?

Laura Batcha: Help me out with that.

C. Reuben Walker: Uh, this was passed on October the 12th dealing with federal advisory committees. Uh, this was passed with bipartisan support as it relates to conflict of interest as it relates to boards such as, uh--

Laura Batcha: Um-hum.

C. Reuben Walker: --NOSB.

Laura Batcha: Um-hum.

C. Reuben Walker: And, you know, in Congress if you can get bipartisan support on anything you might be doing pretty good. And the main reason for doing that was to try to put out more transparency. It requires more detailed minutes, audio recordings to the likes. So--and I think that the NOSB Board in 1999 did a very, good job even though it's not required but to show to the organic community that we are working above-board and not, uh, behind the scene.

Laura Batcha: Um--

C. Reuben Walker: So, uh, uh, HR--it's 3124, if you want to--to look at that particular legislation.

Laura Batcha: --so just two things in terms of your comments to me, Calvin. Um, one is, uh, uh, we absolutely support transparency. Transcripts are made available from the full Board discussions so that's--that's not the issue here at all. And your current policy calls for disclosure of financial conflict and, uh, use it as, you know, we want you to use the policy you have.

C. Reuben Walker: Also--

Tracy Miedema: Just a reminder, Board Members, let's do make sure, uh, we stick to questions. We--we'll have our time tomorrow, uh, to make presentations on our committee docks.

C. Reuben Walker: --I'm a newbie so I get carried away.

Laura Batcha: Yeah, me, too.

C. Reuben Walker: One of the issues as we were looking at the policy, let's say I have a--I believe that I have a potential conflict, the existing policy do not give a definition for conflict of interest or potential, conflict of interest. So the question is that, I think, for what--as you mentioned and for others is that we believe and I want to know do you believe, that at some point after 11 or 12 years we should revisit our conflict of interest policy?

Laura Batcha: As I s--uh, said in the beginning, um, we don't support the recommendation the way it was written. And we think certainly we would encourage you to revisit how you implement the policy that you have and--and try that first, see how that works for you, if you take a more robust, uh, approach to operationalizing the policy that you have when you're in the Board meetings.

Tracy Miedema: Joe Dickson?

Joe Dickson: Thank you, Laura.

Laura Batcha: Um-hum.

Joe Dickson: Um, when you were talking about public comments you talked about the need to strike a balance between the oral comments that we receive here and the written comments we receive in advance of the meeting but I didn't quite catch--I--does OTA feel that they're imbalanced in a particular way and do you have any specific suggestions on how we could work towards a more appropriate balance?

Laura Batcha: Um, thanks, Joe. I will say, you know, at the last meeting that, um, I was a little struck by, um, in the committee discussion day on Wednesday the relative lack of reference to written comments versus the reference to comments that were heard from the podium. So I th--I think that's--whether or not that balance is out of whack truly or not I think that, um, at least I experienced that from the audience.

Um, it could be helpful for the committees, um, to inform their colleagues about the range of written comment that was received and perhaps provide a little summary when you do your committee discussions so that as committee members, you know, we would assume that you're more, uh, familiar with the specific written comments that were provided on the recommendations that you worked on personally, right?

So if you could summarize that for your other Board members to help make sure everybody's taking in the totality of public comment would be perhaps helpful, Joe.

Tracy Miedema: Calvin?

C. Reuben Walker: I would like a ditto and I think it was your group that advocated that because it is worthy to note that and I would appreciate it what y'all had sent in because you--your group, as well as the Board, believe that if individuals take the time to provide written comments as well as come to these meetings that we should consider, uh, very thoroughly for what they say.

Laura Batcha: Thank you.

Tracy Miedema: Thank you, Ms. Batcha. Just a quick time check here. Uh, we've r--we're about 45 minutes off-schedule and we will be taking a break at about 12:30 today for lunch. Um, I don't want to stifle any of the

conversation that's going on but I do just want to make people aware of how we're tracking. Jody Biergiel, please proceed.

Jody Biergiel: Thank you. Uh, I'm Jody Biergiel, the Director of Handler Certification at CCOF. Um, just for those of you who may not know, CCOF is a certifier based in California and we certify over 2400 operations right now.

Um, I'd like to offer some comments on several agenda items so bear with me. Um, I--for myself and on behalf of some of my colleagues who couldn't be here. Um, and we've wrote comments on all of these, as well, so there's more details available.

Um, regarding the conflict of interest, uh, procedures or recommendation CCOF supports protections against real conflicts of interest, uh, so the integrity of the Board's decisions cannot be challenged. However, um, it's important to CCOF that conflict of interest procedures do not take up valuable NOSB public meeting time and that they do not limit the Board from being composed of organic community members with valuable experience and relevant knowledge.

Regarding the delivery of public comments ultimately whatever structure is chosen the format--the format of public comments must be scalable. As the industry grows we must anticipate and plan for how public comment will be offered to the Board when there are many times the number of participants.

For the Livestock Committee CCOF was impressed by the breadth and the depth of the six, different proposals put forward. There is no way to cover all the comments we have in this verbal, uh, period but briefly we recognize that the committee feels strongly that there needs to quick and decisive action taken on the issue of poultry stocking rights. However, we ask that the Livestock Committee step back, prioritize the documents you're working on and give the community a chance to make thoughtful and useful feedback.

We continue to support the use of outcome-based standards and metrics where they are readily enforceable such as square feet per bird. However, we do not support any new standards or guidance that would require increased paperwork or which require, uh, organic certifiers to do other types of audits such as verifying food safety compliance.

Such requirements increase the price of certification for small producers and limit the number of slaughter locations available for organic processing. We believe that metrics recommended for rule-making or guidance should be supported by scientific evidence showing that they are indicative of high animal welfare. And we do not support metrics that are simply political compromises. We believe organic is and should continue to be the gold standard for all production practices, including animal welfare.

Finally, please, allow me to make some general comments regarding the petitioned, uh, handling materials. CCOF agrees with the NOP's request that the petition process for handling and processing materials should consider all common additional ingredients in the material being reviewed. Discuss--discussing specific additional ingredients in the TAP review or petition documentation helps certifiers confirm what is and isn't intended to be allowed by its listing.

If a material is recommended for addition to the National List 605 it is simplest to allow all common ingredients or additives that have a function in the material but generally annotations make things more complicated to verify. Thank you.

Tracy Miedema: Thank you. Any questions for Jody? Calvin?

C. Reuben Walker: Thanks for your comments. Uh, as they relates to livestock--

Jody Biergiel: Hum.

C. Reuben Walker: --are you recommending that we try to find a consensus and--and try to move some of these documents onto the Program? 'Cause seem like this has been going back and forth for some time.

Jody Biergiel: Yeah, uh, these comments were made on behalf of my colleague, who's the Livestock Department, uh, Director so I would not presume to-- to answer that without checking with her. My apologies.

C. Reuben Walker: Repute s'il vous plait.

Jody Biergiel: Uh, I--I--I don't know the answer to that. I'm sorry.

Tracy Miedema: Joe Dickson?

Joe Dickson: Thank you, Jody.

Jody Biergiel: Sure.

Joe Dickson: I--same question I just asked, um, you mentioned public comments should be scalable and--and balanced. Um, what specifically should we do to make it better?

Jody Biergiel: Um, that's a good question. Uh, and we saw several proposals from sort of a lottery to, um, limiting the time and, um, I--I don't have any specific suggestions. I think any number of those have pros and cons so, um, I don't envy your work.

Tracy Miedema: Anymore questions?

C. Reuben Walker: Your membership, have they expressed concerns about what we are proposing through the livestock committee, uh, not coming to the standards of the Canadian, uh, U.S. equi--equivalency? Is that an issue for some of your--your members?

Jody Biergiel: Uh, you mean about antibiotics specifically or--

C. Reuben Walker: Or stocking, uh, density.

Jody Biergiel: --the stocking rights? Um, I believe there's some people here who will be able to speak to that, some of our members. Yeah, but I'm--I'm--imagine it is, uh, a barrier to trade.

Tracy Miedema: Thank you.

Jody Biergiel: Thanks.

Tracy Miedema: Jake Lewin is up next. Zia Sonavand is on deck.

Jake Lewin: All right. Hi, everyone. Uh, thank you for your service. My name is Jake Lewin, I'm the Chief Certification Officer for CCOF Certification Services. We are the largest and one of the oldest certifiers in North America. We probably certify operations of every size and complexity and perform about 3,000 inspections annually.

So I'm here to talk about the CACC items. Firstly, we agree that the discussion regarding material review organizations is important and timely. We have provided comments on the subject including our past comments obs--that substansibly address this issue and encourage all to consider them carefully. It is not a simple issue.



Unfortuna--unfortunately it is becoming increasingly urgent as the Department of Agriculture in California implements their Organic Fertilizer Law. Many are looking to NOP regarding the potential recognition and standing of this new program.

However, we caution against unintended consequences that make certification too complicated. In particular, there are marked differences between third-party review organizations such as OMRI and internal processes at the certification level. Not all inputs are branded and many, particularly many of the ones that are most local and simple, are important to producers.

Certifiers must be able to maintain internal review processes that allow the use of simple inputs such as local mulch without forcing overwrought brand name review processes or national listing of every mulch pile in America. We are concerned with a plan that relies on a National List of brand name materials in an environment of insecure funding and uncertain resources at the national level.

So regarding inspector qualifications and the in--unannounced inspection proposals, we applaud this committee for developing sound, pragmatic and achievable minimum requirements. We encourage the NOP to implement largely as written without additional complication or unworkable specificity.

These two recommendations definitely support existing best practices that helped build our industry to where it is. They push the best among us forward while forcing those lagging behind to meet achievable benchmarks.

CCOF previously implemented a continuing education requirement but this qualifications recommendation does represent a challenge for CCOF in terms of implementing witness audits. We are prepared, in fact excited, to rise to this challenge. However, we do recommend that the CACC make a m--modification that allows any agri-food experience to be applicable for inspectors, a limited only organic agri--experiences not workable and not desirable.

Um, we concur with others that where internal training is appropriate it could count towards continuing education. In our case CCOF's internal training is not appropriate for this and we would expect accred--accreditation oversight to be able to monitor this situation.

So regarding unannounced inspections we strongly support this recommendation and have proven that it is achievable. We thank you and the NOP for addressing it so quickly since the last NOSB meeting. CCOF has committed considerable organizational resources, about one percent of our expenses, towards unannounced inspection programs. It's a good recommendation.

Tracy Miedema: Any questions for Jake Lewin? John Foster?

John Foster: On--on the unannounced inspections how have you found the return on the investment, as it were?

Jake Lewin: They--they're more complicated than an average inspection but fundamentally they've made us better as a certifier and they've made us capable of addressing complaints and other investigations as they arise. We frankly don't understand how a certifier without a robust unannounced inspection program could really function.

Tracy Miedema: Jay?

Jay Feldman: Thank you. You--this--there appears to be some disagreement on the amount of time a prenotification prior to an unannounced inspection, which sounds kind of intuitive to me. But, um, there's the--there's the four-hour requirement then others are asking for twelve hours at least. You, in your comments said something about if you're not local I mean--I'm--I'm paraphrasing, if you're not local to the area then you probably shouldn't be a certifier. And if it takes you that long to get there maybe you're not the right certifier.

Can you--is--d--am I interpreting that correctly; is that--

Jake Lewin: If you'll indulge me I've got four sentences I didn't have time for that address this. Um, yeah, our main concern is the tendency of certifiers to want to provide prior notification. We don't believe short notice and unannounced are synonyms. Um, we are sympathetic to the fear of wasted cost but see that as the cost of doing business.

We--and we fundamentally don't believe that certifiers should operate where they cannot afford to perform unannounced inspections. However, recognizing that there are extenuating circumstances we would support a compromise that would allow certifiers to perform, say, up to ten percent of their unannounced inspections with prior notification. It would address rare cases that every once in a while this is important, for example, of the

260-odd unannounced inspections we've done in the U.S., Canada and Mexico in the last years to my knowledge one of them has had prior notification. Does that answer your question?

Jay Feldman: On--on the issue of, um, a working group--

Jake Lewin: Um-hum.

Jay Feldman: --I think the certifiers are unanimous in suggesting that there'd be a working group. Why is that and why do you feel so strongly about it?

Jake Lewin: A working group on this subject or on the material review organizations?

Jay Feldman: Ah, you're right, it's material review organizations. Could you address that?

Jake Lewin: I was surprised to hear the--on a--well, um, material review organizations, it's a hugely complicated subject. It affects our operations as certifiers and how we interact with producers on a daily basis and the affects could be tremendous. And so we ultimately feel that we would like to work with the--the Department and the Board to come to some kind of lar--long-term holistic solution.

Jay Feldman: Is somebody from CCOF gonna be addressing that in other comments?

Jake Lewin: The material review organizations? No, you got it.

Jay Feldman: You got it.

Jake Lewin: This is what you get in three minutes.

Jay Feldman: Yeah, yeah, so--

Jake Lewin: We've--we've addressed it in writing very thoroughly and--

Jay Feldman: Okay. Uh, I--

Jake Lewin: --we just encourage (inaudible).

Jay Feldman: --have a quick question on copper; is that okay? Is asking you on cop--something on copper?

Jake Lewin: The absolute best person to ask about copper is her.

Jay Feldman: Okay.

Jake Lewin: Uh, Zia Sonavand for the record.

Jay Feldman: Thank you.

Tracy Miedema: Steve?

Steve DeMuri: Just a quick one, Jake. Thanks for coming and making comments. Are your, uh, unannounced inspections risk-based or are they totally random?

Jake Lewin: We use a combination of, um, random, risk-based and complaint-generated. About 20 percent of our unannounced inspections are complaint-generated and the remainder are periodic based on a variety of different reasons. And we--and we think certifiers are well-equipped to choose the reasons why.

Tracy Miedema: Calvin?

C. Reuben Walker: I was trying to write, Jake, and I didn't quite write everything--

Jake Lewin: Um-hum.

C. Reuben Walker: --you had mentioned about minimum qualifications, uh, that you-- did I hear you say should only be ag experience?

Jake Lewin: Right. Um, so our minor quibble with the qualifications document is that it states that, um, beginning organic inspectors should have organic ag or organic food processing experience. And we simply think that they should have ag or food processing experience because the requirement for the organic experience is not necessarily desirable and frankly not workable.

Tracy Miedema: Thank you.

Jake Lewin: Thanks.

Tracy Miedema: Zia Sonavand is up next. Ed Meyer is on deck.

Zea Sonnabend: Thank you. Um, I'm Zia Sonavand with CCOF, Inc. I'm here today to talk about three, um, Crops Committee material subjects as quickly as I can. Um, inerts, copper sulfate and rice and odorized propane.

Um, on the subject of inerts, please, adopt the language in 40CFR180.1122 for the List 3 inerts in f--um, pheromone products, um, however instead of the word semiochemicals as is in the EPA rule, please,

try to define what we now consider to be a passive pheromone, um, dispenser so it is more limited than the general semiochemicals rule.

Um, you need to do better outreach on this type of, um, announcement because you did not reach the people who make the pheromone traps and maybe you could work with OMRI or WSDA or someone to--when you have this type of, um, subject to do better outreach to the companies who are affected.

On copper sulfate, um, please, notice that this issue affects about 120 of our clients who are involved in producing and handling of rice and rice products. Most of them cannot travel this far to speak to you today. And so we are representing their fairly universal opinion that drill seeding is not an option for them and there was no force of evidence presented, um, in the Sunset Review to, um, substantiate this change in the annotation.

This is a material that is used sparingly and in a very, targeted time of year but when it is necessary in certain weather conditions it is really needed. You will have some rice producers speaking on this, um, later today who can give you more details on rice production systems. But we, as certifiers, uh, can make sure that this product is only used in the context of their OSPs and is not abused.

For odorized propane, um, I am the petitioner and I did so because, um, most growers who we talk to ha--list rodents as their number one control problem or at least right up there in their top three control issues. We, um, have a diverse amount of public comment that came in. Almost all of that from growers was in support of approving an additional tool for rodent control.

You'll notice I'll say it's a tool because, once again, it should fit in the context of someone's OSP and be among one of many other methods that are used. We urge at the outset of discussion tomorrow that you ask the NOP for an opinion about our written suggestion that this be added to 205.206B inste--as a concussive device, as a mechanical control driven by fuel.

Uh, we submitted the petition only because petition was the only way to get it front of you for the National List. But we do not believes, uh, belongs on the National List. Thank you.

Tracy Miedema: Thank you, Zia. Any questions for Zia Sonavand? Jay Feldman?

Jay Feldman: Thanks, Zia. Um, on copper sulfate--

Zea Sonnabend: Um-hum.

Jay Feldman: --um, I'm trying to get an understanding about the current practices. Uh, there seems to be some disagreement as to the proper interpretation of the current annotations regarding its annual or, um, two-year restriction on use. Uh, obviously there's the al--algae use and there's a tadpole shrimp use. What is your understanding about how those can be used?

Zea Sonnabend: Yeah, um, right now it is only used when the weather conditions are very specifically such that, um, it creates the conditions that the scum disease will develop, uh, which is caused by algae. Scum is the disease caused by the algae, um, and--or the conditions that would encourage the hatching of the tadpole shrimp.

These conditions which some of the rice growers could give you more specifics about but have to do with exactly how wet it is, how warm it is and whether there's a certain amount of wind between the s--seeding time and the, uh, actual rice development.

Uh, this may occur in up to 50 percent of the years but does not necessarily follow an every other year pattern so you might have five years without these conditions but then you might have two years in a row with these conditions. And it's only in those conditions and it's only in about the first 20 days from seeding to rice establishment that it is ever used.

Jay Feldman: Right. My question--my question goes to whe--whether it can be used every year, alternating years between hatching and tadpole shrimp or whether it can only be used every two years?

Zea Sonnabend: Well, it has a current listing that it could be used every other year for algae and every other year for tadpole shrimp. So if a grower has both of those problems, and not all growers do but some do, then it would be a--allowed to be used every other year for one or the other.

Jay Feldman: Okay. So it could be used every year then.

Zea Sonnabend: If the grower had both problems and documented that and had those weather conditions two years--

Jay Feldman: Right. Okay. Just a few more questions. This'll help clarify, I think.

Zea Sonnabend: Um-hum.

Jay Feldman: What are the export restrictions currently, uh, for those growers that are using copper sulfate?

Zea Sonnabend: Okay. Um, perhaps Eric Lundberg will dir--be able to address this better but, um, right now, um, the EU and Japan and possibly other countries do not recognize a di--a use for tadpole shrimp or for algae, per se. And theref--they do recognize the use of copper sulfate for disease and therefore the scum disease is what growers who export, um, have on their organic system plans as the need for treatment with copper sulfate.

Jay Feldman: And as a certifier do you distinguish between scum and algae? This is a great, uh, conversation.

Zea Sonnabend: Um, scum--scum is a disease caused by algae and we--that's what we acknowledge. We, um, because we know a lot of rice is exported if they want to call it scum and we think of it as algae that's fine.

Jay Feldman: Okay. Thank you.

Tracy Miedema: Thank you, Zia. Joanne Baumgartner is up next and just a moment, Joan, (inaudible). Eric Lundberg is on deck.

Jo Ann Baumgartner: Hello. I'm Joanne Baumgartner, Director of Wild Farm Alliance. I wanted to talk to you today about biodiversity conservation and the NOP regulations um, uh, and that's because some of the NOSB Board Members are sort of new and wanted to make sure that you're all aware of this issue.

Biodiversity conservation is part of the definition of organic farmers. Farmers must maintain or improve the natural resources of, uh, their farm including soil, water, wetlands, woodlands and wildlife. The preamble says that farmers must initiate practices to conserve biodiversity. And there's been two NOSB recommendations, the latter one in 2009, um, said that the, um, biodiversity should be, uh, comprehensively addressed both through materials review, through certification and through implementation by farmers.

Um, we feel, uh, or we agree with the NOSB recommendation that copper sulfate should be curtailed. We're concerned about amphibians like these that show up in California rice fields and amphibians are in decline worldwide.

Um, we also think that the biodiversity issue needs to be clearly addressed in s--the Sunset Review process because, um, while it is addressed with copper sulfate the other Sunset Review issues that are before you are not looking at biodiversity and the environment and they need to be.

Uh, I wanted to just show you some products that are touting, rightfully so, biodiversity. Kashi says that their methods maintain and enhance ecological harmony. Cascadian says their organic farming methods help protect and nurture the environment. Lundberg says their, um, protecting the earth for future generations through their environmental stewardship. Nature's Path talks about less groundwater pollution, improved farm biodiversity.

Um, I wanted to mention that some people say food safety and conservation can't go hand-in-hand. We've just had this publication I sent around to you all and there's some out, um, for the audience.

Uh, the NOP recently put out a new OSP and they addressed how farmers can, um, deal with biodiversity conservation from soil building to native habitat restoration to wetland and riparian area protection to hedgerows and other plantings that check erosion and foster habitat, establishing grassed waterways, promoting wildlife corridors, mo--monitoring and controlling invasive species, wildlife friendly fencing, non-lethal livestock predatory--predator control, planting diverse pastures, inclusion of diversity of flowering plants, habitat for beneficials, beneficials like these insects, birds, bats and, um, other predators.

Two more slides, water conservation for the benefit of native and domestic species and biodiversity needs to be in material review, um, certification and implementation by farmers. Thank you.

Tracy Miedema: Thank you. Any questions for Ms. Baumgartner? Barry?

Barry Flamm: Thank you, Joanne, and thank you for the great work you and the Wild Farm Alliance has done and is doing for biodiversity conservation. Uh, could you, um, you mentioned the recommendation that was approved in 2009; could you give a quick assessment of, uh, the progress that has been made on that and, uh, and sort of concentrate on what-- what you think is the most important things we ought to be doing and the-- and the Program ought to be doing to follow up?



Jo Ann Baumgartner: Well, I guess the best, uh, thing that's happened is what I mentioned before, that, um, OSP that has come out where it has, uh, been updated from a previous one where the NOSB did say biodiversity needed to be addressed and so that's great.

But as far as the NOP doing more that really hasn't happened. It's great that the materials review, um, is looking at new materials, um, in relation to biodiversity but as I said the--the, uh, Sunset process is--ha--has its problems.

Um, we currently are, uh, just finishing a draft guidance, um, on biodiversity that we'll be giving the NOP and hope that that will get them further along the path. Um, but there are some certifiers in the audience and, um, across the country that are addressing biodiversity conservation really well and there's other certifiers that don't have a clue. So it really needs--we really do need to have a concerted effort to get everybody on the same page.

Tracy Miedema: Jay?

Jay Feldman: Thank you, Joanne, for being here. Um, obviously we're gonna hear from a lot of growers who basically are telling us that, "We cannot grow rice, um, with the kind of annotation where we--we proposed or we cannot rice without copper sulfate." What do you say to them? I mean what--h--how do you effect a transition, um, and is there any middle ground here that could be reached that moves us more toward the kinds of systems that you're advocating?

Jo Ann Baumgartner: Well, the California rice growers are really good stewards. They are--there's something, like, over 200 species that occur on their farmlands and I think around 30 of them are rare. And so, uh, I think, you know, it's hard for--for us to come up here and say, "No, they can't have these materials," when they say they really need them.

But on the other hand copper sulfate is really toxic and amphibians are in decline for multiple reasons; it's not just because of chemicals. But if organic farming is gonna put those species further, you know, down the path to getting listed that's not a good thing. And so, what to do? Well, at--at--at least the NOSB should recommend that there's research.

We heard this morning from Miles that, um, it was really important for NOSB to--to identify what kinds of research needs to be, um, taken

because the funders that are paying for that want to know ho--that it's really important.

Um, then beyond that, um, y--yeah, I'm not a rice farmer; I don't know the intimate details.

Jay Feldman: Thank you.

Tracy Miedema: Any other questions? Thank you very much.

Jo Ann Baumgartner: Thank you. Eric Lundberg is up next. Janecky Dijong is on deck.

Eric Lundberg: Hi, I'm Eric Lundberg. I am here today to express to you the importance of allowing organic rice growers to continue to use copper sulfate as a treatment for algae and tadpole shrimp. Copper sulfate has been a common treatment used on my farm since I started growing rice in 1987. It has shown effective control of algae and tadpole shrimp and I have never obser--observed any toxic response to the environment.

It is applied only when necessary. Copper sulfate may only be used on an average every 24 months but if a field is grown two years in a row and needs treatment both years a grower's in danger of damaging or destroying the rice crop. As stated in the annotation a key concern of copper sulfate usage is that the baseline soil values of copper not be increased. Next. Oops. Go back to the--the baseline.

Okay. So those are them. I have included some soil samples for copper for two of my fields dating back to 1994. You can see that the copper parts per million are very low and that even though the var--levels vary they do not appear to be rising. Next.

I've prepared some photos of our farm to help you gain an understanding of the timing and the use of copper sulfate and the process of water-seeded planting. Next.

Groundwork usually begins by incorporating a winter cover crop, next, and then continue until we have a dry seedbed, ready to be flooded for water sowing. Once the field is flooded seed is sown by aircraft into the water. From the time when rice starts to sprout until it is out of the water the field is monitored closely. Tadpole shrimp can damage or destroy the seedling while algae has a potential of smothering the stand.

Water grass is one of rice's most aggressive competitors in California. Seeding in water has been the only effective method of gaining the upper hand on this aggressive weed. Mandating growers to drill seed is both unrealistic and potentially v--devastating. I have submitted to--a letter to you dated November 9, which I have included in your packet that goes into more detail on drill-seeded issue.

According to the Department of Pesticide Regulations there has never been negative impacts attributed to the copper--the use of copper sulfate in rice fields. In addition, California Rice Commissions results of the mandated water monitoring shows that there are no toxicity related to copper sulfate due to its use in rice.

I hope I have conveyed to you that copper sulfate is still valid to the organic rice system. Water-seeded rice as opposed to drill-seeded rice is the only proven technique to kill water grass. And recognizing the value of copper sulfate I would also submit to you that the once in 24 months restriction be removed from the annotation as it is superseded by the soil sampling for baseline values. Thank you.

Tracy Miedema: Thank you, Mr. Lundberg. Any questions? Jay?

Jay Feldman: Thanks. Hi, how you doing, Eric? Um, appreciate you being here and making the trip. I--I, um, wanted to first ask you about the 24 months and w--what I'm understanding now is that based on the particular, uh, use, whether it's tadpole or--or, you know, the algae you could ine--you could use it every year but the 24 months you're referring to is only for the tadpole shrimp or is that incorrect?

Eric Lundberg: In the regulation that you're reviewing there's two--two annotations--  
-

Jay Feldman: Right.

Eric Lundberg: --both of them have 24 months in them.

Jay Feldman: Right.

Eric Lundberg: There's also an application for disease in the regulation that's not before the Board today. And that, uh, is, like, Zia had commented that, uh, disease is also another treatment in rice.

Jay Feldman: So if you were to average it out would you say you're using copper sulfate every year generally?

Eric Lundberg: Uh, you know, those averages are very difficult and, you know, I--I, uh, I don't have them in front of me. Sure, that's what was presented, uh, or the, uh, NOSB interpreted that by some things that I think were said in the past. It's, uh, something that we didn't like that you averaged it and gave it only every other year. Uh, I think some data could show, uh, something else but, uh, we are not recommending the, um, 24 months. We want that removed.

Jay Feldman: Okay. In terms of the exportation issue are--are there any limitations on export given current use patterns?

Eric Lundberg: Yeah, Zia had, uh, I think correctly, uh, stated that, uh, disease is the only use of copper sulfate for, uh, rice in other countries.

Jay Feldman: And, you know, one of the, um, a--and, you know, one of the things that was encouraging in terms of organic rice production, um, as--as you cite and Bryce is--will he be speaking, Bryce? No.

Eric Lundberg: No. He won't be here today or won't be here.

Jay Feldman: Okay. Uh, comments on, um, the history of drill-seeded rice, uh, planting and the success that's been achieved, which was both documented in the 1989 book, the NAS, Alternative Agriculture, but also as late as last month on your--on your website, which is no longer on the website, um, but you did, in fact, at that time, uh, I'm bringing this up only 'cause Bryce had this in his comments. So was--am I reading that correctly, was indeed the website changed or update the information?

Eric Lundberg: Yeah, Jay is referring to Lundberg Family Farms' website. I'm representing B&E Lundberg as a grower but you're right, Lundberg Family Farms changed it because that had been research that we have done or Lundberg Family Farms has done, um, over 30--35 years, that, um, shows that, uh, there can be, uh, alternatives if they could overcome water grass.

Uh, as of now I think it was used against us because overcoming water grass has not been done with drill-seeded rice.

Jay Feldman: Can you talk about crop, uh, uh, rotation and--and the effect of rotations on, uh, adequate control of--of these, uh, species, the organisms?

Eric Lundberg: Um, I think, uh, c--if you're talking about tadpole shrimp I think, uh, there are, um, unlimited, uh, eggs in the soil ready to be hatched so I don't

think rotation is one that, uh, will get rid of tadpole shrimp. According to algae I tried to show you cover crops that we do incorporate, I think, uh, the more organic matter you have in the soil the more algae and, uh, more problems you're gonna have with algae.

Jay Feldman: Are there any incentives for you as--as a farmer or generally rice growers to move away from copper sulfate and if they are, what are they?

Eric Lundberg: Well, as--as far as a timing-wise, uh, I don't know if your questioning is to go to different alternatives--materials, um, I think you have received letters that have showed alternatives that were tried and, uh, but planting techniques, uh, it--I would say that water-seeded right now is the only successful way that California can grow rice.

Jay Feldman: And just one, last thing. Uh, when you all started, uh, experimenting with organic without copper sulfate was copper sulfate allowed, uh, for use in organic, uh, rice as--this is prior to the--

Eric Lundberg: Sure.

Jay Feldman: --Organic Foods Production Act.

Eric Lundberg: Copper sulfate has always been used in organic systems. It only came up in 2001 when the limitations have come up.

Jay Feldman: Okay. Thank you.

Tracy Miedema: Thank you, Mr. Lundberg. Any further questions? Oh, Mr. Lundberg, sorry, we did have one more question. Calvin?

C. Reuben Walker: Um, could you educate me on the use of--is copper sulfate used in, uh, conventional rice production?

Eric Lundberg: It's used some--very similar, uh, as--

C. Reuben Walker: Okay.

Eric Lundberg: --I tried to show you the pictures there--

C. Reuben Walker: Right.

Eric Lundberg: --that conventional, uh, rice in California is grown the first, uh, 30 days or 25 days similar in the water-seeded system except that organic rice kills water grass by deep water, conventional rice they spray their weeds and organic does not.

C. Reuben Walker: Okay. 'Cause if we are trying to--like in Louisiana we boast of being number one in rice production, uh, would you see, uh, the copper--copper sulfate annotation being an impediment to trying to get farmers to transition to, uh, organic rice production?

Eric Lundberg: Well, I think anytime that you cannot control weeds that's, uh, the problem. It's not the copper sulfate issue, it's weed control and if you can't control weeds in rice you're not gonna grow rice.

Tracy Miedema: Sorry, one more. I'm not catching these quickly enough. Barry Flamm.

Barry Flamm: Hello? Uh, thank you for your comments. Um, I have a question; you mentioned that the, um, Department of Pesticide Regulations had never found any, uh, any negative impacts on the use of copper sulfate. I wonder, uh, what--do you know what parameters they look--looked at?

Eric Lundberg: No. I got that quote from a letter you received from the Calro--California Rice Commission. Uh, if you go back to their letter I--I just quoted from that. Uh, I--I'm not an authority there on their procedures.

Barry Flamm: So you don't know whether--ex--excuse me, you don't know whether they just addressed perhaps water quality and--and didn't look at biodiversity and the things that, uh, Joanne Baumgartner, uh, had brought up. You--you don't know where they--

Eric Lundberg: I can't--can't comment to that. I don't know.

Barry Flamm: --so it may be, um, uh, a limited look at negative impacts then. Okay. Thank you.

Tracy Miedema: Yanica Deyoung is up next. Mike Ferry is on deck.

Yanica DeYoung: Good afternoon. Uh, my name is Yanica Deyoung and my husband, Ari, and our five children are dairy farmers in Bonanza, Oregon. We became certified in 2004. It's--that's about eight years ago. Um, I recently completed a six-year term on the OMRI Board of Directors on which I served as Board Chair for two years. I currently serve on the CCOF, LLC Management Committee.

I would like to thank all, um, NOSB members for their commitment to organic and I also would like to thank the NOSB Livestock Committee for preparing the Animal Welfare Recommendations. However, I do believe

that the current organic standards ensure the welfare of the animals to be of great importance during an inspection.

I also believe that if we are to attract the next generation of organic dairy farmers and keep the ones we have we need to be very careful in implementing the correct requirements on organic farmers so that we are ascertaining compliance with the regulations and not just requiring more, duplicate or unnecessary paperwork in regulation.

In light of these statements I would like to make some comments on the regulatory recommendation and guidance recommendation. In the regulatory recommendation the Committee suggests that one stall be provided for each animal as well as one feeding space.

I would assume that the intent is not to decertify a farm if they had one or two extra cows in the barn due to miscalculations, in freshening or something of that sort. A dairy herd is always changing. My suggestion is therefore to have this language in the guidance recommendation only.

Although I appreciate the concern of the Livestock Committee to verify animal welfare I believe that the species-specific animal welfare scorecards are not the answer. It would require intense training on the part of the inspectors. The cards do not take into consideration the differences between geographical locations and the photographs and breeds are limited. I believe this to be an example of when all the existing parts of the NOSB are in place animals will fare well.

Lastly, I, um, want to show my support for the Handling Committee's recommendation to add algal oil to the National List. The Handling Committee has found DHA to be non-GMO, non-synthetic and non-hexane extracted. So if it meets the requirements for organic use it supports sustainability and even growth of the organic dairy industry and it provides consumers with a vegetarian source of DHA, which they obviously demand based on sales I believe it should be added to the National List. Thank you very much.

Tracy Miedema: Thank you, Yanica. Any questions for Ms. DeYoung? Wendy?

Wendy Fulwider: Your reference to the one stall per animal, I assume you're talking about the dairy cows so--

Yanica DeYoung: Um-hum.

Wendy Fulwider: --if we took that away what would--you're talking about a free stall barn?

Yanica DeYoung: Correct.

Wendy Fulwider: Okay. Tell me what you think we should do instead.

Yanica DeYoung: Um, I don't think you should take it away; I think you should provide it as guidance and, uh, because like I said, if--if an inspector would come and there's this strict one s--cow per stall but there happens to be, uh, a few extra animals I--I don't know that that would be ground for decertification so I would more use it as a guidance.

Tracy Miedema: Any other questions? Thank you. Mike Ferry is up next and Liana Hoods is on deck.

Mike Ferry: Hi, I'm Mike Ferry, President of Horizon Organic. I worked in the food and beverage world for about 20 years and I'm also the father of two sons who are big consumers of organic milk with DHA algal oil.

As you know, DHA algal oil has been allowed in organic products since at least 2006. At the time we started supplementing our milk with DHA in 2007 we were told by USDA we couldn't petition the algal oil as it was already approved. Then in April, 2010 we learned that it would need to be reaproved.

At Horizon we respect the organic regulatory process so we quickly worked with our supplier and 16 months ago submitted a petition to have DHA algal oil added to the National List. We were very pleased when the Handling Committee unanimously determined DHA to be non-synthetic and recommended it for listing.

Yet I've heard there are still activists opposing its use. However, all the reasons they state are either not true or are contrary to what's stated in the organic regs. The algae is not GMO. The product we use is not hexane extracted and it's not synthetic.

Yes. The DHA algal oil does have other substances used in the processing and commercialization like many other items on the National List, including fish oil DHA. But those substances were very clearly called out in the pun--petition and the technical review and were considered by the Handling Committee when unanimously recommending addition to the National List.



Importantly, the proxy signatures that Cornucopia presented earlier do not represent the material in our product, which is not GMO, not hexane extracted and not synthetic. I fear that what was once a simple process of petitioning an ingredient appears to become an increasingly political. It seems some are attempting to change the rules in the middle of the game. It would be disappointing to see politics get in the way of providing healthy, nutritious products for families and kids lives.

We hope the Board chooses instead to focus on the facts; DHA is safe, it's not GMO, it meets all OFPA and NOP requirements for addition to the National List. Our organic milk with DHA is purchased by millions of consumers because they know it benefits their children's health. Since launch--launching our organic milk with DHA five years ago we've been able to double the number of farmer partners that help to provide Horizon Milk, which means growth for the organic community and all the positive benefits associated with it.

Our packaging very clearly calls out which of our milk contains DHA and which does not. We give consumers a clear choice and organic consumers are voting for plant-based DHA algal oil. I ask you to do the right thing for farmers, consumers and the organic movement by approving DHA algal oil for continued use in organic products.

Finally, I'd like to thank you for your time today, for all you do to support the organic community and the principles on which it was founded. And, lastly, also in the audience today are a couple of experts that I'd just like to introduce, uh, that could help the Board in their deliberations. We have Dr. Allen Green, a well-known pediatrician who can speak on the health benefits of DHA. We also have Martin Haun, an attorney with Hogan Lovell's who has extensive experience in all sorts of regulatory matters including the FDA's treatment of DHA from algal sources since the FDA first considered it. Thanks.

Tracy Miedema: Thank you, Mr. Ferry. Any questions for Mike Ferry? Calvin?

C. Reuben Walker: As a new Board Member, um, could you kind of expound quickly, briefly on--I'm reading and--and hearing you say there was politics coming into this process.

Mike Ferry: Yeah, I would just say that--that, you know, we have attempted to comply with the, um, all of the aspects of the law to make sure that this is appropriately, um, put on the National List and--and, you know, we've--we

actually filed our petition 16 months ago. Um, and, you know, a-- additional issues seem to keep coming up that aren't necessarily related to DHA but that ke--seem to be--keep kind of lengthening the process.

C. Reuben Walker: That's--then it's being political?

Mike Ferry: Yes. Um-hum.

Tracy Miedema: Nick and then Jay.

Nick Maravell: Uh, yes. I was wondering if you could comment on, um, why this particular product is what you're using in your milk, uh, the DHA, the Martek product and how, um, other sources of DHA, uh, would not be or would, uh, well, why you're not using other sources of DHA, which may already be approved, uh, for organic use?

Mike Ferry: Sure. So the DHA algal oil, which we use, was obviously the first to market in the organic industry several years ahead of DHA fish oil. Um, and obviously we feel strongly about the benefits. I think they were spelled out pretty well in--in both the technical review and in the public comments. Um, we also know that--that this is a sustainable source. Uh, and we know that many consumers prefer a vegetarian source.

Um, so those three things combined and--and frankly what we're seeing in the marketplace is we've got, you know, two and a half to three million consumers buying their--two and a half to three million consumers buying this, uh, annually. Um, and--and that number is growing at about 30 percent per year so consumers are clearly voting for it

Tracy Miedema: Nick, go ahead.

Nick Maravell: Uh, with regard to the consumer's pr--uh, preferring a vegetarian source what is your, um, basis for--for that? In other words, how have you ascertained that?

Mike Ferry: Sure. Well, I guess, you know, I--what I could tell you is there are DHA--there's organic milk with DHA in the marketplace that has an algal source and there's organic milk with DHA in the marketplace that has a fish source. The v--the vast majority, the lion share of the sales are the algal oil source. In addition, I think if you--if you did a study there's a pretty good correlation between presence of vegans and vegetarians and choosing to--to adopt an organic lifestyle.

Tracy Miedema: Jay and then Mac.

Jay Feldman: Hi, good to see you.

Mike Ferry: Hey, Jay.

Jay Feldman: Um, hopefully this isn't a political process that we're trying to get to our authority and--and how this particular petition meets or does meet the underlying standards; hopefully we can have that discussion.

Mike Ferry: Um-hum.

Jay Feldman: I--I think we, as a Board, have to address the essentiality question. You h--I sound like a broken record on this, I know, but the--do you--my understanding is t--is this correct that FDA does not identify this as an essential ingredient?

Mike Ferry: I'm not--I'm not expert, Jay, to answer--

Jay Feldman: Okay.

Mike Ferry: --that question. There probably (inaudible).

Jay Feldman: Well, maybe some of the experts out there can but that--that's my understanding so we have to--we have a threshold here of essentiality, uh, in the product. Uh, I think that we have to discuss so if we can get information on that it would be helpful. The other issue is that there seems to be some discrepancy between what you're describing as the material you use in the product of the algal oil and the petitioned material that is, uh, before us.

And I understand the--the--the Handling Committee made a small change to, uh, what it's proposing to the Board but if you read the document that Martek presented on--on November 13 and this is where I--I need your help--

Mike Ferry: Sure.

Jay Feldman: --they're saying, um, that the petition substances are safe as manufactured by the petition process. And the petition process that's described here is hexane extracted and does involve, uh, other ingredients. We--I don't want to go into that whole discussion but--

Mike Ferry: Sure.

Jay Feldman: --it does involved other--so how do--how do we as a Board reconcile, uh, that? And--and finally, I should--if you read further, uh, on--

in this document they are saying that alteration in Martek's manufacturing process would result in a materially different infant formula ingredient.

Mike Ferry: Yeah.

Jay Feldman: So the presumption there is that, number one, what they're presenting to us appears to be different from what you're describing--

Mike Ferry: Right, sure.

Jay Feldman: --and that, um, if in fact, we as a Board approve the petition they're telling us, their lawyer's telling us that we are indeed approving their manufacturing process whether we make that word change or not so--

Mike Ferry: Yeah, so there--there are folks in the room who will be able to answer this in greater depth than I can. Um, but my understanding is in the petition it act--actually describes there are two forms of the DHA algal oil. The form that--that, uh, Horizon uses in our milk is not hexane extracted.

Jay Feldman: Okay. Thank you.

Tracy Miedema: Mac? Thank you, Mr. Ferry.

Mike Ferry: Thank you.

Tracy Miedema: I hear stomachs growling there. It's about lunchtime so we do have an address from, uh, the city of Savannah that we will hear before we go on break today. And that will be from Ms. Rochelle Small-Toney. Please, approach the podium.

Rochelle Small-Toney: Good morning, everyone. I was having a very engaging, uh, conversation with, uh, one of your participants and I heard something about City Manager report so here I am. But, um, really, um, it certainly is, um, my distinct honor and pleasure to welcome, uh, the board and all of the participants, um, to Savannah, Georgia for this conference.

Um, we're certainly honored to have you here. Uh, Cynthia Hayes, who I think most of you if not all of you know, is a real, hard charger. Unfortunately she's not able to be here but I was just talking with her, as well, and, um, you really owe her, uh, uh, a great debt of, um, thanks for, uh, bringing this conference, um, to Savannah.

I don't know if this is your first opportunity to visit our fair city. I tried to order up really, good weather for you and that didn't work too well but

hopefully you'll stay around, uh, for a couple days and take in, uh, what we do here.

Cynthia and, uh, her group has certainly been, uh, a leader, uh, for our community as it relates to, um, farmers markets and in particular, uh, issues, uh, related to small, um, business farmers. And, um, as you move about in the city, uh, perhaps you will also pick up on the fact that there are parts of our urban area that we would consider a food desert. And, uh, we have been working in conjunction with Chatham County officials to try to overcome that.

So Savannah is one of these places and one of the interesting things that I was learning out there is that Savannah was actually one of the first or the first experimental farm in this country. So when Oglethorpe, uh, came over he had the notion, had the idea that we need to trade, we need to be able to, um, be in business. And of course, at that time, uh, the only thing that was around was dirt, soil and agriculture.

And, uh, even though some of those experiments failed it still is noteworthy I think that even today what we're talking about, uh, still holds true. You have to be able to live from the earth, uh, that has been given to us. And I think that's really the significance of what, uh, you do, your leadership in many of the communities, city managers and county managers and administrators really do depend on you to help guide us in all of our policies that we, um, try to bring forward.

Uh, I will also share with you that even here in Savannah, uh, we have an interesting, uh, discussion going on or at least it's gonna become even more public, uh, Savannah is both urban and rural. And, um, the beekeepers and, uh, and others, uh, have now, uh, come forward and asked that the city consider ordinances that will allow for the raising of livestock, uh, within their backyards or on their properties.

Needless to say, that will be a very, interesting debate, uh, because there are people who believe that, um, that's very important and then there are those who will say, um, that's a nuisance. So I'm not quite sure where all of that is gonna end up. Uh, I certainly look forward to, uh, that discussion.

Uh, but I do think that it's important that, um, your leadership, again, back in your communities to policy administrators and those who make, uh, decisions about what is community is very important. So whatever you

take from, uh, this conference just know that administrators like myself, uh, certainly depend on you to give good guidance.

I have no idea what, um, will be served, uh, for lunch today. I do hope that it is organic. Uh, I'm sure that if Cynthia Hayes had anything to do with it, it probably is.

But, again, uh, I just wanted to, uh, personally come in and thank the Board for its leadership, uh, and also to thank you, all of you participants no matter where you're coming from, first of all, welcome to Savannah, secondly, do the good work that you do and know that people who may not be right next to you while you're having these discussions still depend on your very valuable expertise and guidance. So welcome once again to Savannah. Spend lots of money. I'm trying to get a budget adopted this week so thank you again. (applause)

Tracy Miedema: Thank you, Ms. Small-Toney, for the warm welcome. It is lunchtime. It's five minutes to 1:00. We will adjourn until--or recess until 2:10 so that's an hour and 15 minutes from now.

[LUNCH]

Miedema: We have quorum and we'll proceed with the matters before the Board. Liana Hoodes is up next and I'll announce the, uh, next person after Liana. We don't have our list up yet. Liana, go on ahead.

Liana Hoodes: All right. Thanks. Uh, this--I'm Liana Hoodes. I'm the Director of the National Organic Coalition. We're a national alliance of organizations representing farmers, environmentalists, other organic industry members and consumers concerned about the integrity of national organic standards.

The goal of the coalition is to assure that organic integrity is maintained, that consumers' confidence is preserved and that policies are fair, equitable and encourage diversity of participation and access. Um, I want you to note that I'm not gonna say anything, uh, any different than what you h--already have from us so you can ask me questions about the written comments.

I want to thank the outgoing members, Tracy, Steve, Katrina and Tina, amazing work and thank you. Um, so my f--uh, first item is animal welfare standards. We really appreciate the massive work on this, uh, Wendy and your committee.

We're very concerned, however, about relying on heavily prescriptive or quantifiable measures to define the limits of animal welfare standards. Instead our suggestion is to write the standard as a list of mostly qualitative, descriptive measures based on the principles of organic production and then rely on the use of comprehensive organic--organic system plan to allow a producer to explain the details of a specific production system to a certifier. This can be done, it can be im--um, implemented, enforced, um, and inspected.

Uh, numerics are not a guarantee of, uh, quality animal welfare standards. Statement on genetic engineering, do it. Go ahead and make a statement to the Secretary. Let him know that it's an important topic. You don't need to solve it a--uh, in any way, shape or form. If you could, go ahead, but, um, uh, just get a statement to the Secretary from this meeting.

Uh, DHA ARA, we stand by our opposition to the--both petitions. Uh, these are for multi-ingredient, compounded formulations. They don't belong on the List, if indeed we could figure out what it is that those petitions are actually for. And despite the fact that there are such formulated products on the List we believe it's not proper and should not be continued and if there are consequences, so be it.

Um, sulfites in wine, we, uh, oppose the petition to change the annotation. We support organic, uh, uh, wineries and organic grape-growing. Uh, transparency, error on the side of sunshine. Give us some information about how the discussion is going. The more we can see the more we can understand how you, uh, come to your decisions and committees.

Uh, inerts discussion paper, we support the indu--entire discussion laid out by the working group paper and the excellent comments submitted by Beyond Pesticides. In addition, NOC thinks that the NOSB's policy on inerts should include provisions that foster reformulation of brand name products with less toxic inerts.

As part of this effort we think it's important for NOSB to set a timeline for the Board to evaluate all substances that are used as inerts in products now approved for use in, uh, organic operations.

Uh, conflict of interest policy, uh, shed more light on it, just let us know, um, what your interests are. Uh, you all have, uh, interests, that's why you're on the Board, so just, uh, we agree with the proposal to add more,

um, information to us all, uh, to get u--to--so we understand the conflict of interest. It doesn't have to be onerous.

Aquaculture, expand organic standards in aquaculture to address only the scope of systems that raise orb--orbivorous fish in inland enclosures su--such systems can provide experience with or--organic aquaculture systems while maintaining, uh, minimizing known problems associated with aquaculture systems outside of the scope and look at the comments from Food and Water Watch and CFS. Okay.

Tracy Miedema: Thank you, Liana. Who has questions for Liana Hoodes? Jay?

Jay Feldman: Thanks, Liana. Boy, what amo--tremendous amount of work and I, um, was hoping you could help clarify this--I mean wh--the DHA/ARA thing. I know we're gonna hear from others about this but in terms of the petition itself, just so we can get some clarity on that and the processes?

Liana Hoodes: Yeah, well, so we f--we feel that the petitions, um, were not appropriate actually to come before you, uh, because they're f--it's unclear what they're for. And I think a perfect example is the white wave, uh, comments just before lunch, which is that they're talking about their product, which is not hexane extracted. And if they indeed have that product, which is not hexane extracted, um, it should be petitioned because the petition that exists is for both hexane extraction and non-hexane extracted DHA.

In addition, it's unclear from those petitions that, uh, that whether or not the petition is for, uh, name brand DHA, which may be called DHA algal oil. So, uh, um, our main point is it's extremely unclear what is being petitioned and therefore it'd be really hard for you i--if you approve the petition, uh, it--it would either, I would say, violate, uh, s--several parts of, um, OFPA in that you'd allow some, uh, hexane extraction, et cetera, but you--but I think that no one would be clear about what was approved. So that's our problem with it is the, um, is that parti--those parti--those pet--two petitions, not the DHA or the ARA per se.

Jay Feldman: Can I--you started your, um, written statement with a statement on genetic engineering and it--as you know it's not on the agenda although it will be discussed in other business. Um, given that NOC is, uh, an organization that brings together the organic community to a large degree, can you make your best case to this Board as to why we can and should act on genetic engineering?



Liana Hoodes: Absolutely. First of all, the action as I noted is not, um, is not proposing a solution; it's, uh, it's really bringing to the attention of the Secretary that you, as a body that oversees organic, um, uh, has s--some specific concerns a--about what's going on in terms of genetic engineering in this country, agriculture that is, uh, uh, contaminating organic agriculture and, uh, that you think it's important enough to do something.

Now, uh, Miles noted that the Secretary has convened the AC21 Committee, um, and that is a good step but it's not the only step. And the--and I believe that that Committee would, uh, would benefit from hearing a sense of the Board. That means--and so--and what we're saying is, sense of the Boards have been done throughout NOSB's history and that you say, "This is an important issue, Secretary, w--this--this is our purview as organic. Please, do something about it to support organic agriculture."

Jay Feldman: Thank you.

Tracy Miedema: Calvin, Calvin?

C. Reuben Walker: Could you edu--educate me, I'm trying to learn more about the different stakeholder groups? The National Organic Coalition, what type of membership, uh, do y'all consist of?

Liana Hoodes: Uh, well, we actually have, um, 13 members. And, um, our purpose is to s--um, um, advocate for organic integrity, uh, in federal policy arena specifically in Washington. Um, and our groups include farmer groups, environmental groups, consumer groups, um, and industry groups, uh, s--out of those members. And I, uh, t--altogether, uh, the--it re--the membership reach of our members is hundreds of thousands, um, of consumers and farmers.

Tracy Miedema: Thank you. Sir, before you start speaking, uh, you know what? Go ahead and, uh, and pass out your document and I'll announce your name and then I have a couple other housekeeping announcements.

I do want to let everyone know that we are about an hour and a half, um, off-schedule. The reason this matters is because people do fly a very, long way and sometimes they have late in the day appointments and we've had people have to rush off and miss their reason for being here because we were so off-schedule. So we owe it, um, out of fairness to everyone to do the best job we can being very concise with our questions, et cetera, to keep things moving along.

Um, and another announcement is that the SAAFON Group has invited everyone here, all members and participants, attendees, to a social this evening, uh, in the Cumberland Sapello Room from 6:00 to 8:00 P.M. So, again, that's here at the hotel, 6:00 P.M. and, uh, another good reason for getting done on time.

So we will, uh, proceed with public comments. Mr. Joel Kroin is up next. Maybelle Rivas is on deck.

Joel Kroin: My name is Joel Kroin. I'm President of HortisUSA. I'm the petitioner for IBA and wrote the petition. A little bit of history of what IBA is all about; IBA was discovered in 1935. It's the close relative of the natural plant growth substance in dole E acidic acid IAA. And as your technical report says, researchers have found that the IBA is, in fact, a natural component also of plant growth.

And what is IBA? It stimulates pran--plant growth, enlargement, cell division, incruscs root--increases root mass on rooted plants and is the most, uh, used substance to stimulate root initiation on stem-cuttings. And it's been used by both organic and non-organic growers to propagate plants from cuttings and to re--and to re--improve the quality of crops, reduce production time and increase the number of crop varieties.

There are no natural sources of either, uh, IBA or, um, IAA, uh, all sources must be, uh, derived synthetically. Uh, used as directed IBA containing, uh, end-use products have been used for more than 70-odd--five years and have a proven safety to humans, animals, plants and the environment. There are no other alternatives to, uh, for organic growers for root, uh, initiating substances.

Um, I wish to make a, um, a comment, um, Mr. Mc Evoy, uh, made a comment earlier about the November 23, uh, statement about inert ingredients. And this was brought up in the initial recommendations that were made, uh, prior to this meeting. And I wish to make a, um, a comment that I'm planning to make a change to the petition to limit the scope of IBA for use.

And, in particular, um, all, uh, parts, uh, containing IBA, whether it be in United States or elsewhere, are regulated by the U.S. EPA and as such, uh, I believe that the statements of, um, inert ingredients fall within the scope of your comments relative to--well, what if, uh, a large amount of inert ingredient is present?

Well, according to U.S. EPA regulations the amount of, um, inert ingredients or unspecified ingredients is extraordinarily s--uh, small, as is shown by some documents that I've included, um, in this packet that I gave you.

Uh, in addition to that I wish to, um, reduce the im--a lack, uh, the maximum allowable concentrations of use, which would also, um, eliminate a lot of the problems concerned with inert ingredients.

Um, in addition to that the U.S. EPA has a very strict regulation with regard to, um, the amount of, um, inert ingredients and other ingredients that are contained in the product. All, um, such amounts are within, uh, .1 percent of the, uh, in--of the, uh, content of the material, which is extraordinarily small. I'm also asking for only one-time use for the active ingredient to be used on the plant cuttings.

Tracy Miedema: Sir, your three minutes is up. Any questions for Mr. Kroin?  
Katrina?

Katrina Heinze: I'm gonna show my ignorance with this question but, uh, can organic farmers do cuttings today? And so what, um, I'm trying to understand what is, um, driving the need for this material to be used now when it hasn't been in the past?

Joel Kroin: Excellent. Thank you very much for that question because it didn't take away from my three minutes. The, uh, the question is, yes, certain plant cuttings, in particular herbaceous plants, can be propagated from cuttings without the addition of stimulation from an external substance, meaning IAA or one of the other, um, root, uh, substances.

In a particular case, for example, of, um, a n--most plants, let's say you tried to root. At certain times of the year it's absolutely impossible to do any rooting of cuttings. In many cases you'll get extraordinarily low-cu--low-cut--low percentages of, uh, cuttings that are able to strike.

And what happens, in fact, is the quality of roots become extraordinarily poor. Uh, you might get only one or two roots initiating and the plant might not, in fact, develop into a full, developed plant. When you're using a--a substance like IBA you develop a very, fine, uh, very, high root mass system. So I believe that would answer--okay.

Tracy Miedema: Katrina with a follow up and then John Foster.

Katrina Heinze: Um, so what does that mean? So today those plants that can't be propagated by cutting aren't available in organics so this would bring new plants?

Joel Kroin: Yes.

Katrina Heinze: Could you give me some example of what those would be? But you really need to make this layman's terms for the city girl.

Joel Kroin: Okay. Okay. Absolutely. How often have you seen certain varieties of a seedless tomato or a seedless cucumber available in the supermarket? Probably no organic. There might be some varieties but the seed companies would lead you to believe that all of the food production of the seedless crop came from a, uh, F1 hybrid.

But what happens in Florida or in California, how did they produce a seedless crop? They must use a rooting hormone; they do it by cuttings. And there are many crops like that, the seedless squash, uh, how do you produce a seedless watermelon? Now, there are ways that they g--do get around it.

Let's say the Driscoll, uh, strawberry people out in California, what they'll do is they produce a, um, their strawberries are produced with a cutting that have been produced by this particular material. But according to the regulations the first year of that particular crop, that crop will sit in the field and be, uh, produced as an organic crop. The food crop that's produced is actually gonna be sold as a non-organic crop.

The second year of keeping that particular crop in the ground will allow them to produce the, uh, the organic crop. Well, that doesn't make any sense because they should be able to produce 100 percent of their crop as an organic crop because they're producing it in organic field. That's not the case today.

Tracy Miedema: John Foster?

John Foster: Thanks. Could you speak to the v--um, kind of, uh, the value of this material, if it has any, that--that leav--that emerges out of that enhanced root mass relative to disease tolerance, particularly in greenhouse conditions? Um, I used to make my living, uh, propagating plant material.

Joel Kroin: Um-hum.

John Foster: And it--it wasn't organic but, um, I found there were some materials that--some, uh, plant materials that really benefited from some sort of, uh, rooting hormone. You--do you have any kind of data or numbers that reflect how much more robust cuttings can be relative to their disease, um, resistance, pythium phytophthora, things like that in a--in a transplant or, uh, a cutting setting?

Joel Kroin: You're talking about after the root formation. Now, I don't believe that there would be any, um, direct relationship--if a plant is a very, weak plant, if it has a very, weak root system will it be more resistive to these pathogens? Well, during normal, uh, pest control or environmental control in the greenhouse the--the grower will inspect for those things and perhaps dispose of the plants.

If the str--if a plant is stronger, if you've, uh, developed a resistum and you're maintaining good nutrition on it, yes, that's--that plant will be able to overcome some of the problems but not all of them, but not all of them. There's no relationship actually between what happens with this rooted plant and, uh, the pathogens, uh, that might affect it only it--with regard to being a stronger plant.

John Foster: I--excuse me, are you from horticulture? Okay. Most of what we--we work with presently because we don't have organic customers is, uh, the perennial plants and in particular, relating to, um, the herbs. Uh, some of the things like rosemaries are extraordinarily difficult to root if they do--if they're not done with, uh, rooting hormones but they're not sold necessarily as an organic crop.

Tracy Miedema: Thank you. Mabell Rivas is up next. Brad Samuelson is on deck.

Mabell Rivas: Good afternoon. I'm Mabell Rivas and I'm the Certification Program Director at, uh, Pennsylvania Certified Organic. We serve, uh, organic operators in, uh, the mid-Atlantic region in the U.S.

Uh, PCO would like to, uh, thank the NOSB committee--Livestock Committee for the intensive research and analysis work this Committee has done since 2009 on animal welfare. The recommendation has definitely, uh, evolved since 2009. It is now more detailed and complete allowing, uh, the (inaudible), the stakeholders to have a--the chance to contribute through these years has been key.

Um, PCO supports, uh, the proposed regulatory and guidance recommendations on animal welfare and its stocking rates as well as, uh,

the alcom base recommendations and recommendations animal handling and tr--and (inaudible) slaughter.

Uh, PCO has identify a few specific areas that could be clarified to support better enforcement, uh, practices by certification agencies. However, uh, it is time to move forward. Um, the sooner this proposed recommendations are implemented the better for the organic marketplace. Um, these or (inaudible) verifications should not be allowed to delay progres--progress to where adoption of this recommendations by the NOP. Uh, this verification could be made just as well at the time of rule-making.

Um, we have included a list of these possible clarifications in our written comment. Um, there is a lot of inconsistency out there in the way the term organic is being interpreted and implemented as applied to livestock. This recommendations are a good starting point for defining what organic livestock means, uh, in specifically when talking about livestock living conditions and a stockings rate for poultry.

Uh, from a certification standpoint it is simply impossible to implement imform--enforcement policies based on the current standards. Uh, thank you, Livestock Committee, for a job well done on a very complex subject.

Tracy Miedema: Thank you, Ms. Rivas. Any questions?

Mabell Rivas: Thank you.

Tracy Miedema: Thank you. Next up is Brad Samuelson. Michelle Sandy is on deck.

Brad Samuelson: Good afternoon, Chairperson Miedema and Members of the Board. My name is Brad Samuelson and I work for the Fagundes Brothers Dairy in Merced, California. My background is in environmental land use planning and I began working for the Fagundes family six months ago. It's been a pleasure to bridge my interests in family farming and environmental stewardship.

Ra--Lloyd, Ralph and Fred Fagundes own and operate three organic dairy farms and have been certified by CCOF since 2002. I would like to thank the Members of the National Organic Standards Boards for taking the time away from their jobs and families to be here. The work you do is vital to the success of the national organic program and is appreciated by the organic farming community.

Innovation in organic dairy farming has allowed the Fagundes family to become better stewards of the land. The introduction of organic--Horizon Organic Milk with DHA algal oil is one of the innovations that has also enabled many other farmers to enter the organic industry. We strongly support allowing DHA algal oil on the National List because a lot of people buy organic milk because of the nutrients from this oil.

DHA algal oil is not synthetic and is not GMO. Supplementing organic products with nutrients has been allowed in organic processing for more than five years.

We would like to thank the National Organic Standards Board for their detailed recommendations on animal welfare. I can see that several of the farmers' comments have been addressed. In addition I would like to urge the National Organic Standards Board to complete their rule-making on origin of livestock so that the rules are evenly applied to all farmers. Thank you for my--considering my comments.

Tracy Miedema: Thank you. Any questions for Mr. Samuelson? Jay Feldman?

Jay Feldman: Thank you. Um, do you think you'd feel differently if, uh, the product you were using was, um, a synthetic product that was, uh, you know, contained other ingredients that were not organic?

Brad Samuelson: My--my personal point of view with regard of that is that I think people prefer Horizon Organic Milk because it tastes better without fish taste.

Jay Feldman: Thank you.

Tracy Miedema: Michelle Sandy is up next. Walter Tollerec is on deck.

Michelle Sandy: Hi, I'm Michelle Sandy. I'm the Chair for the International Organic Inspectors Association. Um, thank you very much for this opportunity to provide comment on the CACC's recommendation on Inspector Qualifications.

IOIA's mission is to address issues and concerns of organic inspectors, provide quality inspector training and promote integrity and consistency in the organic certification process.

IOIA supports the CACC's proposed recommendations for inspector qualifications in spirit and in principle. As noted in this recommendation,

inspectors themselves are a critical link between the certified operators and the accredited certifiers.

The language in--in general the language lacks specificity and the recommendations may be too general to bring about any desired change in inspector qualifications. As written they offer too little change from the status quo in the attempt to create a baseline that can be reasonably attained this recommendation does not go far enough.

It is clear that you have attempted to address the appropriate assignment of inspectors to inspections and appropriate levels of complexity. However, if there is not a clear and consistent definition of different levels of inspectors there will not be a level playing field between certifier--between certifiers.

We recognize that the request from the NOP was only to address the issues of qualifications of inspectors. However, IOIA believes that the qualifications of reviewers who do initial and final reviews are equally important.

IOIA believes that the fo--in section A, excuse me, IOIA believes that the formulation of a comprehensive inspector bo--body of knowledge, whether developed by private sector or government and sanctioned by NOP is needed to truly achieve a more level playing field for certifiers.

In the A1A baseline prerequisite knowledge and expertise for initial organic inspector status we request the following revision; a minimum two years of combined work experience, education and training in agricultural production or processing applicable to the scope of the inspections to be performed, crops, handling or livesco--stock.

This should include both organic and non-organic experience, education, excuse me, education, as well. We s--in section B we support the emphasis of continuing education in B1B but we believe that the eight hours is excessive if applied for each scope. If this applies to all scopes combined it is more reasonable. We encourage its--encourage clarification. If is--it is intended per scope we suggest five hours as an alternative.

We disagree with the recommendation that in-house training by the certifiers should not count as continuing education. Though training on use of certifier forms, invoicing protocol, et cetera should not count toward the requirements.



In section C, this section only refers to the actions needed from certifiers to monitor and insure com--competent inspectors. It does not request that the ACAs only work with inspectors holding inspector accreditation or licensing involving third party.

IOIA believes that this is a very important omission. Third-party accreditation and licensing could involved the endorsement of an existing program such as IOIA inspector accreditation, a governmental licensing program or the adoption of a similar process from outside the organic sector.

Tracy Miedema: Thank you, Ms. Sandy. Any questions? Barry?

Barry Flamm: Thank you for these comments but I'm unclear why you think, uh, that, um, uh, non-organic agriculture experience is vital. I--I know, for example, uh, a Board--well, he was a Board Member that, uh, many generations of, uh, of farming, uh, all in the family and all organic so, uh, in certain parts of the country I think you might find that so why do you think, uh, uh, conventional, uh, org--um, agricultural experience is essential?

Michelle Sandy: Uh, I don't think that we stated that it was essential; I--I--I think we've stated that it should be included, as well, and not just the organic experience.

Barry Flamm: I read--is it on? I read your comments as suggesting that, uh, it's--it's required, that they need--that they need both so--

Michelle Sandy: Uh, no, uh, we were stating either/or, that not just--not to just--just to include somebody who has organic an--experience but also to include somebody such as myself who started in the conventional industry and moved on to the organic industry.

Barry Flamm: Okay. Thank you.

Tracy Miedema: Jay Feldman?

Jay Feldman: I--I'm interested in your position on the requirement or your advocating, I guess, requirement for accreditation. Um, I--did I read correctly that there's disagreement among the certifiers on that point and--

Michelle Sandy: I'm sorry, which section are you--can you give me the section you're in?

Jay Feldman: I don't remember. Let's see.

Michelle Sandy: That's a lot to remember for three minutes.

Jay Feldman: Uh, I was working off your original page, uh, five, first full p--first paragraph in the middle, "as long as each certifier's responsible entirely for accrediting their inspectors the playing field will not be level," and then you go on to explain accredita--but I--I--I read that, that there's disagreement in the community; is that true, um, o--on this point and if so could you explain why in a little more detail why this is i--important?

Michelle Sandy: Um, I--for IOIA I certainly may. Um, it--we just--we believe that, um, there should be an independent, third-party that gives the accreditation to the inspectors.

Jay Feldman: Okay. Thank you.

Tracy Miedema: John Foster and then Calvin.

John Foster: I have a question why--why is five hours preferable to eight?

Michelle Sandy: I think we were, um, trying to compromise on that point.

John Foster: Okay. So then nothing magical about five hours necessarily.

Michelle Sandy: No.

John Foster: Okay.

C. Reuben Walker: You mentioned qualifications other than what we had shared. You mentioned qualification based on professional--professionalism and ethics; could you quickly--

Michelle Sandy: I did. That is page two, I believe.

C. Reuben Walker: Uh, page 2, section A.

Michelle Sandy: Well, all right. Well, we'll, uh, could you repeat your question for me, please?

C. Reuben Walker: You mentioned, uh, other types of qualifications and you said, "we encourage you to mention other aspects of inspectors' qualification such as professionalism and ethics."

Michelle Sandy: Uh, yes. Um, a--and as we stated in our experience, um, the training does not definitely y--um, guarantee a competent inspector. Um, i--if you get somebody out there who's a rogue inspector--

C. Reuben Walker: Okay.

Michelle Sandy: --and has absolutely no personality and is on a witch hunt you're not gonna have a good inspector. And you also have to look at their final results, if the reports that they're writing, you know, they maybe be great in training and--and great in their qualifications on paper but they just may not be able to do the job once they get out into the field.

C. Reuben Walker: Okay. Thank you.

Tracy Miedema: Thank you very much.

Michelle Sandy: Thank you.

Tracy Miedema: Next up is Walter Tallorek and Darryl Williams is on deck.

Walter Talarek: Okay. Uh, good afternoon. Uh, my name is Walter Talarek and I'm a--I'm here representing the W. Neudorff Company, which is a, uh, registrant and manufacturer of ferric phosphate-based slug and snail baits. Um, the reason I'm here today is to oppose the petition to delist ferric phosphate, which was filed by Stepyl and Johnson, uh, LLP, which is a large, international Washington-based D.C. law firm.

And, uh, the step to a petition is, uh, nearly identical to a petition filed in Germany with the German regulatory authority a couple of years ago. And that petition was filed, uh, on behalf of Lonza. Uh, Lonza is the, uh, producer of metaldehyde-based slug and snail baits.

Um, after Stepyl filed its petition, uh, Neudorf on several occasions dating back to February of 2010 submitted, uh, written comments to both NOP and this Board opposing the, uh, Stepyl petition and then, uh, appeared at the Woodland, California April 2010 meeting to give both, uh, oral and written testimony opposing the petition.

Um, the, uh, there's a technical evaluation report on the delisting petition, which was written in September of, uh, 2010. The, uh, technical evaluation report was made available to the public approximately a year later. Uh, upon review of the technical evaluation report by Neudorf, uh, we discovered that none of the comments both written and oral were considered by the contractor who wrote the report for NOP.

Uh, and that leads me to the, uh, primary reason why I'm here today and that is to request that you ask NOP to, uh, go back and revise that report based on the significant scientific and technical data, which was about this

thick, that was submitted by Neudorf, uh, on the delisting petition as well as on the, uh, the issue of whether ferric phosphate should continue to be listed for the next five years, the Sunset Review provision.

Um, and, uh, we make that request respectfully, uh, but, uh, there is a lot of scientific information available. Uh, it's summarized in our comments, uh, to the docket, uh, this--and for--for that matter, for the docket for this meeting. Um, all of it was resubmitted electronically as well as in hardcopy quite recently.

Um, Neudorf feels that ferric phosphate continues to meet the criteria for listing on the National List. And, uh, we also feel there's a continued need by organic growers for this--this product. And, uh, it is used in, as I said, the slug and snail baits.

Tracy Miedema: Thank you, Mr. Talarek.

Walter Talarek: Okay.

Tracy Miedema: Question from Jay Feldman.

Jay Feldman: Thank you. I realize this isn't on the agenda but you may be able to help clarify something that we're struggling with as a Crops Committee. Um, and correct me if I'm wrong on the actual ingredients 'cause I'm working off my memory here; I believe the ferric phosphate, uh, formulation that we're talking about, snail bait, includes, um, what was originally, uh, identified as inert ingredients to the NOSB, uh, EDTA and that the petitioner in this case is saying they're--they're replacing that ingredient with EDDS and is making--am I incorrect on that?

Walter Talarek: Uh, okay. Uh, currently the, uh, slug and snail baits registered in the U.S. do contain EDTA as a dispersant. Uh, there are no, uh, slug and snail baits registered in the U.S., uh, which contain EDDS and there's no plans to substitute EDDS for EDTA.

Jay Feldman: Okay.

Walter Talarek: Okay. Uh, EDDS is used in--in Europe, some slug and snail baits.

Jay Feldman: Okay. Thank you. I just--the--that wasn't my actual--I had another question or that wasn't my point--my primary question. The--so the question that we struggle with is whether indeed you as a company intended to bring that formulation slug bait to the NOSB with the

disclosure of that ingredient or that you were choosing to exercise your proprietary interests in it being an inert.

And I ask you that in the context having looked at the patent on slug bait, which as--as I read it includes--you've listed all the ingredients actually including EDTA and I'm, uh, just to give you a little bit more background the reason I'm raising this in addition to our own struggle is we--we had a reading out of the office general council on this question which had claimed that because you declared it an inert ingredient that we as a Board couldn't discuss--discuss it, um, and that it--I'm--I'm oversimplifying. So you could clear this up for us by saying, "Have at it, uh, it's a disclosable ingredient, we don't exercise proprietary, uh, CBI con--you know--"

Walter Talarek: Okay.

Jay Feldman: --interests and you're welcome to review it on those--on those terms."

Walter Talarek: Okay. Well, have at it. Uh, we did disclose this to the public at the, uh, Woodland, California meeting in April 2010. We disclosed all the ingredients, uh, to you, to the public, uh, for consideration but when you consider EDTA in the formulation consider these issues--

Jay Feldman: Okay

Walter Talarek: --that go with it; uh, EDTA can be substituted for. Okay. Ferric phosphate per se is an effective molluskicide. However, it has to be delivered to slug--

Jay Feldman: Right, right.

Walter Talarek: --to make it ingestible and digestible.

Jay Feldman: Right.

Walter Talarek: Other things can be used. Okay. And also, uh, and lastly, uh, during the formulation process for the slug bait, um, ferric phosphate and EDTA do not react and form a compound. OKAY.

Jay Feldman: Okay.

Walter Talarek: They're not there, uh, it is not a, uh, the active ingredient is not ferric EDTA; it remains ferric phosphate.

Jay Feldman: Okay. Thank you.

Walter Talarek: Okay. Okay.

Tracy Miedema: Thank you, sir. Darryl is up next. Darryl Williams and Ed Zimba is on deck.

Darryl Williams: Good afternoon. Uh, Darryl Williams with Oregon Tilth Certified Organic. I'm in the processing program, Technical Specialist. Um, I'd like to start with the sulfur dioxide recommended annotation. Um, under the U.S./Canada Equivalency Agreement it is possible for wines to be produced in Canada with added sulfites either with organic grapes grown in Canada or from the U.S. and then be represented as organic and bear the USDA organic seal.

This could provide a notable marketing advantage for Canada wines. While the new annotation would level organic wine marketing between U.S. and Canadian wineries the U.S. organic wine sector has demonstrated its ability to produce quality organic wine without added sulfites.

We ask that the NOSB take these thoughts into consideration when contemplating this new annotation. We ask for clarification on pest materials for use in handling facilities. Part C of 205.271 states that the practices provided in paragraphs A and B of this section are not effective to prevent or control pests, a non-synthetic or synthetic substance consist of--with the National List may be applied.

For handling we look to 205.605 as this is the National List for processed products but this only provides minimal substances, which could possibly be used for pest control. By contrast, 205.601 lists many pest control materials which can be used but s--this list states that it's for organic crop production.

We'd also like further clarification on external and internal use and then internally, um, storage and production areas versus, um, office space. Providing guidance for pests materials for use by handling facilities l--in compliance with, uh, 2--205.271C would provide much-needed continuity among certifiers.

Request for clarification of other ingredients in processed organic products. Oregon retil--Oregon Tilth has received many 605 supplier ingredient statements with one other ingredient and other with as many as

ten other ingredients that a manufacturer will state are all there for a needed, technical effect. It has been Oregon Tilth's understanding that the other ingredients have been considered by the NOSB when recommending a substance for listing on 205.605.

These have been seen in TAP reviews in the past under how the ingredient was manufactured. Thus, it has been our understanding that unless otherwise noted by the annotation the other ingredients were allowed as long as it provides a clear, technical effect.

Evaluating and clearly identifying the other ingredients in future additions to 605 would be valuable and ensure consistency among--amongst certifiers. We look forward to this clarification and the ability to comment on these clarifications.

Oregon Tilth strongly supports and values the recommendations for inspector qualifications and unannounced inspections recommended by the accreditation and Compliance Committee. These changes will strengthen the organic certification system significantly and the need for unanticipated review on organically certified operations. Additionally, it will provide enhanced consistency amongst ACAs.

It is imperative that guidelines for inspector qualifications be well-defined so confidence and quality can be ensured. Work experience, education, training, continuing education and monitoring thereof by the accredited certifier are imperative to inspector qualifications and the accredited certifier respectively.

We have submitted comments on both of these issues and appreciate your time in looking over these.

Tracy Miedema: Thank you, Darryl. Any questions? Thank you very much. Ed Zimba is up next. Patty Burstendoische is on deck. Okay. Um, and it looks like maybe Patty's maybe not here; do you mind scrolling down, please? That means Kaylen Kirscher is on deck.

Ed Zimba: The big picture. My name is Ed Zimba and first I'd like to thank the NOSB Board for the time and effort they put in preparing for this meeting. I was proud to have testified before the board in 2006 for--for the pasture rule and I'm equally proud to be here today on the DHA algal oil.

I'm a very, passionate organic livestock and cash crop farmer. I farm 20 f--2800 acres with my wife and I've been farming for over 30 years and I

thank the Lord that he has lead me to organic farming. I'm also a proud member of NAPA and also a member of NOC that enjoyed hosting tours for consumers, retailers and children on my farm.

I support listing the DHA algal oil on the National List. I'm aware that the Cornucopia Institute sent out proxy letters falsely tel--telling consumers that all DHA algal oil is GMO, hexane-extracted, contains unimproved synthetic and is dangerous to babies. However, algal oil used by Horizon Organic does not fall into these criteria.

I find it disheartening an organization would completely disregard the technical review and the sound work of the Handling Committee who anonymously voted in favor of listing DHA as a non-synthetic. I would also like to review that I used to donate to the Cornucopia Institute, however, I dis--akin my res--discontinued my resp--support after witnessing the disturbing methods of attacking companies.

I found their (inaudible) alert to consumers to be irresponsible, exploiting the public, which further served to undermine consumer confidence. It was my belief that organic--organic farmers suffer the most from these un--unscientific attacks.

For example, I heard that denying DHA algal oil in organic would cause nobody to be deprived but millions of people are buying an organic milk with DHA algal oil. Farmers like me are able to sell more organic milk because of it. There are many people that will be deprived. It is my understanding consumers' demand for organic milk with DHA algal oil has increased overall organic milk sales, which mean an increase overall organic milk produced.

Fifteen years ago I was the only organic dairy producer in Michigan. Thankfully Horizon Organic was willing to pick my milk up, come out--come out to Michigan, pick me my milk up. I was glad to say that there are now numerous organic dairy producers and thousands that are farm (inaudible) Michigan because of that. Increased demand for our product has served to encourage more farmers to transition to organic production thereby multiplying the benefits to our environment and add more acres to the organic role.

I would like to encourage the Board to add DHA algal oil to say that although I am not--to say that although I am proud to be a producer of organic--Horizon Organic I would be here fighting for the truth, make known



on this issue even if my milk went to another milk company. The heart of the organic program is in place. It is important that we do not miss this big picture, which could be devastating results for everyone involved in providing healthy, organic products for the consumer.

I would like to express my appreciation (inaudible) and I--I--the big picture is this; this whole thing is moving, this whole organic moving is big and it's right from the vegetable farmers to the crop farmers, the livestock farmers. Everything and--and this--we have a chance to change this whole nation and w--and this is the big picture.

And don't miss the big picture and you guys make s--and--and comment, I mean, um, make a decision this week on certain thing that's gonna hurt the whole markets is going ahead. I--we still want the integrity, we still want all that but don't make decision this week that's gonna devastate the market somehow when we got economy that's faltering and this whole movement is--this whole movement is e--is everything from the t--from the consumers to the farmers to e--to retailers. Don't miss it, you guys.

Tracy Miedema: Thank you. Does anyone have any questions for Mr. Zimba? Jay Feldman?

Jay Feldman: Thank you. We like the passion. It's good. Um, let me try this question again; uh, if--if you knew that the DHA algal oil that you were--that was being used in your product contained hexane extracted chemicals or was extracted with hexane, depending on how you want to look at it, would you have a different opinion about its use?

Ed Zimba: I don't understand that part of it but I understand the part that Horizon is doing and if it's on the same basis as a fish I understand it and I'm okay with that.

Jay Feldman: Okay. Thank you.

Tracy Miedema: Thank you. Any other questions? Thank you, sir. Callyn Kircher is up next and Troy Aykan is on deck.

Callyn Kircher: Hello, my name is Callyn Kircher, Farm Program Technical Specialist with Oregon Tilth. Today I'm going to stick to the Livestock Committee documents having to do with animal welfare and transport and handling. There was a lot of information to review and it was a very apparent the amount of work that has been done by the Livestock Committee. So thank you so much for that.

I would like to start with a broad view of this type of quantitative regulation. Oregon Tilth very much agrees with the National Organic Coalition written comments. They highlighted the difference between qualitative and quantitative regulations clearly and concisely. As a certification agency we are able to see diverse livestock operations throughout the U.S. And we have found that quantitative regulations such as parts of the pasture rule, um, had unintended consequences including longer inspection and file review time. This translates directly to cost to our producers and the inspection time and review time done by our agency.

The National Organic Program stated this morning that record-keeping requirements must be adequate to confirm compliance but it also must be reasonable for producers to handle. Uh, we believe that there is a way to achieve the same goal, a comprehensive animal welfare standard using quant--qualitative c--compliance markers, those words are just too close together, that support the unique challenges of each operation.

This is an interesting day of the week to be presenting public comment because we have not yet heard your discussions on this topic. I hope that during that time we are able to, um, that you're able to clarify the reasoning for both regulatory requirements, um, for submitting both regulatory requirements and guidance documents on the same topic at the same time.

Organizationally we are used to having the regulatory language be stand-alone, the discuss--discussion section contain some information on the committee's visions for the subject and supporting regulation and then guidance should help to explain the regulatory language if there are concerns with clarity.

In the Livestock Committee documents the discussion section explains many requirements that are not in the regulatory language and the guidance contains different requirements for species that are not contained in the regulatory language. Therefore, it was unclear to us as a certification agency just what the Committee's vision was for proper enforcement of the recommendations. Um, what is--what exactly is intended as a rule change and what is intended as guidance?

Um, a couple examples, um, in the animal welfare regulatory document the poultry stocking densities are contained within the regulatory language while the other species are contained in the guidance document. Um, further the scorecards document example only covers milk cows.

However, poultry cleanliness and health scoring was noted in the species specific guidance document.

Um, just two minor examples having to do with the clarity of the documents. Um, in our written comments we also highlighted some concerns, excuse me, with the livestock transport and handling. It has been confirmed that the recommendation language does not match FSIS re--requirements exactly. Further, the recommendation does not comment--comment on state inspected slaughter plants and each state can have different requirements.

Callyn Kircher: For certification agencies that inspect--it's my time.

Tracy Miedema: I wouldn't mind if you finished your sentence.

Callyn Kircher: Okay. Where was it? Okay. Um, therefore it will be required that certification agencies assess all slaughter plants for compliance, not just review documentation from other, uh, from other audits that were conducted. One more sentence if that's okay, um, again this translates, um, to the increased cost for our slaughter plant producers and may not be cost effective for some small processing plants.

Tracy Miedema: Thanks, Callyn. Any questions from the Board? Thanks very much.

Callyn Kircher: Thank you.

Tracy Miedema: Troy Aykan is up next and Mary Kay Brown is on deck.

Troy Aykan: Good afternoon. I'll be making, uh, comments on DHA and ARA in organic and made with organic products, especially including infant formula. Again, my name's Troy Aykan. I'm a lawyer and a food scientist. I'm regulatory and legal counsel for Hain Celestial Group. I also teach food laws and regulation at Cali Poly, Pomona since 2002.

As you all know, uh, Section 605 governs the, uh, non-organic and non-agricultural ingredients that may be added to "made with organic" or organic products. Oops. Could you, uh, DHA and ARA meet all the requirements of this section for inclusion, uh, in, uh, 605.

Uh, when it comes to, uh, organic infant formula our goal is to most closely match breast milk on an organic offering. And--and as a fact we all know that breast milk naturally contains DHA and ARA. The leading experts

agree that DHA and--DHA and ARA are vital for human health and development, especially for infants.

Uh, we've conducted a consumer survey on FaceBook and posed the following question to the, uh, consumers of organic infant formula: would you purchase an organic formula without the DHA? Over two-third responded, "No," stating that they would not purchase an organic infant formula without the DHA. As such, consumers recognize the importance of DHA. Next one, please.

Uh, we have, uh, s--fish oil listed in s--uh, Section 606 off the NOP. This might be a possible alternative source of DHA for some products but not for infant formula as, uh, powdered fish oil has not been approved by the FDA for use in infant formula. Therefore the algal DHA is the only available option for a powdered organic, infant formula.

Uh, the oth--there are other minor concerns about fish oil, uh, that may not be acceptable by vegetarians and certain--some allergen concerns, uh, that might be present. In conclusion, uh, not approving the, uh, petition for DHA would essentially eliminate organic infant formula as we would have no approved source of DHA.

It's--we also have a responsibility to provide the best possible nutrition for babies and, uh, therefore, based on the most credible scientific evidence, regulations and the technical review we urge the Board to approve the petitions for DHA and ARA. Thank you.

Tracy Miedema: Thank you. Any questions? Nick?

Nick Maravell: Yes. Uh, I was wondering if you had some opinion about, uh, the suitability of DHA from, uh, egg yolk products for, uh, infant formula?

Troy Aykan: Uh, a--as far as egg yolk, um, uh, DHA source from egg yolk, although I'm not familiar with, uh, uh, what the actual ingred--ingredient is but as a food scientist and--and a, uh, regulatory scientist, as--as a lawyer I could comment that as far as I know there is no, uh, FDA approved versions of it, uh, as far as I know.

And--and, uh, which means that infant formula is heavily regulated; it's not like other products where you might be able to add any grass ingredient. Anything you add to infant formula must specifically be approved by the FDA for use in infant formula. The, uh, substances, uh, petition by the petitioner have been approved as safe by the U.S.A. as--as generally

recognized safe for use in infant formula. However, as far as I know there is no egg yolk, uh, uh, sourced DHA available.

Uh, I would also be concerned about introducing an allergen to a baby at an earlier age or month but I'm--that's not my specialty, I would just be concerned about that, too.

Tracy Miedema: Nick Maravell, was that--any follow-up? Jay Feldman, did you still have a question?

Jay Feldman: Yeah, Thank you for your comments.

Troy Aykan: You're welcome.

Jay Feldman: Um, in terms of the actual manufacturing processes that are b--in the petition, are--are you familiar with those and the--the distinction between the hexane extraction and the, uh, enzyme extraction?

Troy Aykan: I--I am--as--as I'm not the, uh, the actual petitioner, I'm just one of the users, uh, wouldn't call myself an expert, uh, to--to get into, like, process details but--

Jay Feldman: Okay. Do you--you--so you don't--you don't discriminate when you--when you as a user buy this DHA you don't discriminate on the manufacturing process.

Troy Aykan: The manufacturing process, uh, we do discriminate, uh, and--and--and--and we are obligated by law and--and the NOP to--to make sure that, uh, the prohibits--prohibited practices were--were not exercised, which are the three br--uh, genetically modified or--organisms, uh, uh, s--industrial slight general radiation and aside from that we do ask them about, uh, the--the, uh, uh, the--the--any prostates used or--or solvents that might be used. So we're not indiscriminate; we do ask those questions.

Jay Feldman: Okay. Because, as you know, we've heard from other manufacturers that they ex--ex--you know, explicitly are not using a--a product that is derived through a--a--the hexane process so I was just wondering if you also believe you're using the--the product that is not derived from hexane?

Troy Aykan: Uh, yeah, we--we're, uh, using the only available option for powdered, organic infant formula. In other applications may say milk or it could be something else, yogurt, you might be able to use other versions that you

mentioned like fish oil version but that is not the powdered version is not approved by the FDA as grass for use in infant formula.

Tracy Miedema: Thank you, Mr. Aykan. Any other questions? Board Members, do, please, turn off your mic after you've asked your question and, uh, wait to be recognized for additional follow-up questions. Thank you.

Troy Aykan: Thank you.

Tracy Miedema: David Bruce is up next. Lisa Bunin is on deck. Oh, I'm sorry, Mary Kay--Mary Kay Brown is up next. David Bruce is on deck.

Mary Kay Brown: Good afternoon. I have been, uh, a sales representative for organic wines for ten years, both sulfited and non-sulfited and have experienced significant growth. We--I have witnessed, I should say, um, tremendous growth. It's been very exciting.

Within that category of growth, in the wine category of stores, organically g--organically grown wines are well-represented. I would say as much as 50 percent of those wines in the organic wine category are organically grown. So the fact that th--that they do not have the USDA seal on them has not hurt them.

In that wine department of stores there is a large range starting with natural, eco-friendly, sustainable, organically grown, finally, ultimately, organic wine with the USDA organic seal. That is the gold standard and the petition to add sulfites at this point would actually lesson that standard. And because we have so successfully sold wines that have no sulfites added there seems to me no reason to lower the standard.

In that organic wine department is a lot of confusion. People don't know exactly what is what. Even wine managers tell me they are calling for stricter guidelines, clearer definitions, um, more qualifications. Consumers whom I meet on an ongoing basis tell me the same thing; there is a lot of confusion out there.

One of the biggest confusions that I encounter is the notion that wines made with organically grown grapes and their accompanied warning label that that label is referring to naturally occurring sulfites. That could be a real problem for somebody who has serious health reactions to sulfites. So one of the points I wanted to make here today was I think we need to be more clear about the fact when a wine-maker adds sulfites that, in fact, they are added sulfites.

To simply state “contains sulfites” to the consumer oftentimes means naturally occurring. They see organic in the front, they right away associate that with an organic product, as they should, and one that does not have any artificial synthetic additives. So I think truth in labeling calls for that disclosure.

The notion that sulfites are essential in wine-making in my ten years of representing no sulfite added wines has simply not born out; it is not true. I have customers, restaurants that have been great customers of mine, they have no sulfite added wines, some of them '04, '05. We have had no serious issues--we have had no issues. We represent both sulfited and non-solve--non-sulfited wines and, um, there really is no significant difference between that category as far as spoilage.

Tracy Miedema: Ms. Brown, your three minutes are up. Any questions for Mary Kay Brown? Thank you very much.

Mary Kay Brown: Thank you.

Tracy Miedema: David Bruce is up now and Lisa Bunin is on deck.

David Bruce: Good afternoon. I work with Crop Cooperative, which markets under the Organic Valley label. We're the nation's largest organic val--organic farmers' cooperative with 1800 members in 36 states. We now have 84 egg producers with a total of 99 layer barns in five states which practice outdoor access by providing five square feet outdoors when seasonally appropriate. Even that may not be enough but it is really about management and not a particular square footage.

Standards need to be qualitative and result-oriented, not some arbitrary number determined more by passion than practical application in a production setting. My farmers are very frustrated with the increasing paperwork burden and the cost of certification. We've had producers go to natural or conventional markets because of this issue and we need to address this as soon as possible.

We must all keep in mind that we are trying to promote organics and expand the organic share of the food system. We are not serving our end goal by making things more convoluted and difficult to comply with. Arguing amongst ourselves only confuses the consumer and waters down the inherent strength of the USDA organic seal.

I'm part of forming a group called the Organic Egg Farmers of America. We've come to the table agreeing to disagree on most subjects including defining outdoor access. Yet even in that group I think there's a general agreement on pullets not being required to go outdoors at 12 weeks and a number of other issues. We would welcome working with the Livestock Committee and the NOP to explore best management practices.

It's discouraging to be not all that much further than we were six months ago in Seattle on animal welfare and instead have a minority opinion coming out of the Livestock Committee rather than consensus. I would encourage passage in some form or another of the animal welfare document so that the NOP can get on with rule-making and the farmers and marketers of organic livestock operations can move forward and continue to grow the supply of organic food. Thank you.

Tracy Miedema: Thank you very much. Any questions for David Bruce? John Foster.

John Foster: Thanks for your comments. Can you in a minute elucidate a little bit more on what you said at the very beginning about, um, management being more important than square footage?

David Bruce: What we find is really that even at five square feet, which tends to be more than other organizations that I know of providing an outdoor basis, even at that level it really depends on the year and the weather and how, uh, the size of the outdoor access openings, for instance so that how the birds utilize that area. And so it's really about managing that area, what areas you might block off and reseed or what areas that you leave open or how you rotationally graze those square footages rather than an actual number, this many square feet per bird.

Tracy Miedema: Joe Dickson and then Calvin.

Joe Dickson: So I definitely heard in your comments that you have some substantial reservations about the content of the animal welfare recommendations and the work of the Livestock Committee. But you're also urging that we pass the recommendation to the NOP at this meeting. Could you elaborate a little bit on, you know, what you'd like to see the Livestock Committee do to get from where we are right now to where we need to be in just a day or two?

David Bruce: I realize after the experience six months ago that it's really hard to make every change in response to what you hear but to me I would pull the



square footage or the density requirements out of there and pass it as--as is. I think we all know that no matter what gets passed and what the NOP does there's gonna be a big struggle in terms of office management and budget or, uh, the FDA SCE program ahead of--ahead of actually getting an outdoor access that we're all comfortable with.

So I think, you know, rather than micro cleaning it up as much as you can just pull that section and go forward and pass it is the best thing.

Tracy Miedema: Calvin.

C. Reuben Walker: A couple questions, uh, first, what is the name of your organization? Uh, about how many livestock representatives, uh, is covered in that and could you outline--I think you mentioned something that John had asked, some of those qualitative measurements which, uh, I agree that we need to look at some form of qualitative measurement to abide for good animal welfare?

David Bruce: Yep. The--our organization is called the Cooperative Regions of Organic Producer Pools Cooperative or CROP Cooperative. You might know--know us as Organic Valley on the dairy side, egg side. We market under Organic Prairie on the meat side.

Um, your question about qualitative rather than quantitative; is that the next part? To me that might be about percentage of the flock that goes outdoors or, um, that's--that's more--that's not a very good one but the fact that the birds are, uh, looking healthy and that there's still vegetation in the outdoor area, for example, um, that kind of thing rather than debeaking under ten days, just the fact that is--do the birds--are the birds able to eat and forage well, for example. Right.

Tracy Miedema: Nick Maravell.

Nick Maravell: Yes. At the beginning of your statement you eluded to, um, increasing complexity in paperwork burdens and that, uh, this was driving perhaps some producers into natural or conventional markets. Uh, do you have any--and--anything concrete on that data, anecdotal information that would give, uh, some indication of the trend and then second, how do you see the livestock recommendations playing into that concern?

David Bruce: Um, we as part of our cooperative when people exit we do an exit interview with them and so I get the paperwork each month that shows the number of people leaving and the reason they're leaving and, uh, you

know, it--naturally there's gonna be some attrition in an organization of our size but it's always discouraging when the reason is just, "This was all great but I can't handle the paperwork and tracking; I want to farm." Uh, what was the second part of your question?

Nick Maravell: Well, how do you see the Committee's recommendation on livestock, uh, animal welfare, um, uh, playing into that concern that you're--you're just referring to?

David Bruce: I realize it's hard to come to qualitative statements and have a line in the sand to judge onto but the pasture rule has been a great example for us of that, that some of the paperwork and the formulas for determining dry matter intake gets to be really tough and builds up in terms of the num--the number of pages you have to do. You might at least come with a common form or if you're--if you're having to me--tape measure out the size of the building and then count the number birds I just worry that that gets, uh, you're missing the main point there; does that answer your question?

Tracy Miedema: Calvin.

C. Reuben Walker: Uh, could you elaborate briefly on--you mentioned vegetation cover on the outside--

David Bruce: Um-hum. Uh--

C. Reuben Walker: --and protection for birds?

David Bruce: --yep. What we--we have what we find they call the moonscape sometimes, as in the birds are so excited to get outside and utilize that area they denude the area of all plants and so I think you need to be able to manage that area by numerous areas to--for the birds to go into, reseed the pasture areas, that kind of thing.

Tracy Miedema: Any other questions for David Bruce? Thank you. Lisa Bunin is up next. Katrina Frey is on deck.

Lisa Bunin: Good afternoon. My name is Lisa Bunin and I'm the Organic Policy Coordinator at the Center for Food Safety. My remarks will address GE contamination of organic, sulfites in wine, aquaculture and animal welfare.

GE contamination of organic: we know that unauthorized releases of GE crops have occurred and so has GE contamination of food, animal feed and the environment. We also know that GE contamination will continue

in the absence of government initiated prevention measures that extend beyond those already being used by organic farmers. This is why nearly 100 stakeholders from all sectors of the organic community expressed their concern at the NOSB meeting in Seattle about GE contamination of organic and asked the NOSB to take action to protect organic integrity.

CFS urges the NOSB to adopt a sense of the Board's statement on genetically engineered crops at this meeting and to begin a conversation with the Secretary of Agriculture about how I can help prevent GE contamination of organic.

Sulfites in wine petition: sulfites are prohibited in organic food because they can cause allergic reactions. This is also why a warning label is required when sulfite preservatives are added to foods and alcoholic beverages at levels higher than 10 ppm. Sulfites are not essential for organic wine production. U.S. sales of certified organic wine and wines made with organic grape reached \$8 million in 2005 and sales continue to rise.

Clearly the requirement to label wines made with organic grapes if they contain added sulfites has neither hindered organic wine market expansion nor inhibited farmers from growing organic grapes. Changing the organic wine label would unfairly damage existing markets of wineries that do not add sulfites and that adhere to the letter and the intent of OFPA. The change would also compromise organic integrity. We urge the NOSB to vote against the petition.

Aquaculture: CFS supports the careful development of organic aquaculture standards beginning with standards for open--open fish and closed recirculating inland facilities. We believe that such systems have the potential to prevent the environmental impacts associated with existing industrial and open ocean facilities and supply and--and efficiently produce source of human food protein. As such, organic aquaculture systems must be managed in accordance with the principles of organic from facility siting to fish harvesting. And I refer you to our written comments for the de--more details.

CFS recommends that a trial period is required to test and evaluate organic model of system and species before they are allowed to be fully commercialized.

Animal welfare: CFS agrees with the minority opinion that a whole farm system approach to organic livestock production is needed, that it's inextricably linked with good land--land stewardship and I think that the gentleman who spoke before me I think he did a really good job of--of beginning to lay some of that out. Uh, we support standards that allow flexibilities for farmers to develop innovative farm-specific and scale appropriate practices. We also believe that certain practices must be required on all farms, particular with respect to the development of criteria that allows and encourages animals to exhibit their natural instinctive behavior and that address allowable physical alterations.

Um, in conclusion CFS does not believe the Livestock Committee's recommendations are ready and we encourage the Committee to further develop the whole farm system approach to animal welfare as preliminarily discussed (inaudible) opinion. Thank you.

Tracy Miedema: Thank you, Lisa. Any questions? John Foster.

John Foster: Thanks for that info. So I've heard a few times that \$8 million figure for organic wine. I have a couple questions on that; one, over--is that you--

Lisa Bunin: It's an \$80 million sales figure and it's from the OTA website.

John Foster: --Okay. Is that U.S. or global?

Lisa Bunin: U.S., U.S.

John Foster: Okay. And then quick follow-up--

Lisa Bunin: And that was in 2005, that was in--latest figure I could find.

John Foster: --Okay. Yeah, that's fine and, um, then lastly what is the increase in sales for wine made with organic grapes over that same period?

Lisa Bunin: Um, I would re--I would defer to some of the, um, wineries for that information.

John Foster: Okay. Okay. I'll look it up but--but that would be--that would be relevant for me.

Lisa Bunin: But, um, there is an increase in acreage of--of, um, organic wine, uh, grapes, like, in--in California, for example, as noted by CCOF.

Tracy Miedema: Any other questions? Joe Dickson.

Joe Dickson: Hi, Lisa. Um, on animal welfare in advocating an approach with sort of more flexibility and sort of a--a--I might be hearing more of an outcome-based or--or different approach; are you advocating an approach that doesn't include numbers for stocking density or--

Lisa Bunin: Um, I--I think that it needs to be in context. I'm talking about whole farm system approach where we're looking at what--what constitutes animal welfare in terms of, well, when you're out what kind of shade structure, for example, is there, uh, what kind of vegetative cover, um, how can the animals exhibit their natural behavior? I think that it has to be, um, discussed within a context.

Joe Dickson: Thank you.

Tracy Miedema: Wendy.

Wendy Fulwider: What about square footage; do you want that to be pulled for the-- for the poultry, square feet per bird?

Lisa Bunin: Um, and again I would say that, um, just at this point I'm not willing to, like, settle in on a--on a square footage number. I think that--that, um, more discussion needs to be talked about, um, a systems approaching and, uh, I think that once we are able to hammer that out I--I think that that's a much better way to--way to approach the issue.

Wendy Fulwider: I just don't think that two f--two square feet, you know, or a piece of paper is really--really enough but, you know, let's take a look at what-- what a, um, an organic system approach looks like and maybe that will become less important.

Tracy Miedema: Thank you. Any other questions? Thanks very much.

Lisa Bunin: Thank you.

Tracy Miedema: Thank you. Katrina Frey is up next. Ben Carter is on deck.

Katrina Frey: I guess I'm gonna have to ask you. Oh, okay. Hi, I'm Katrina Frey, Executive Director of Frey Vineyards. This year Frey shipped over a million dollars--million bottles of wine. U.S. organic wines reached nearly four million bottles and ten million bottles were produced world-wide. No sulfites added wine is where the action is. Thanks to the USDA symbol, which is actually eliminating consumer confusion, we're vibrant, growing and winning awards, proof that sulfur dioxide is not an essential ingredient to wine.

The NOP emphasizes that all producers strive to get away from synthetics. Our cutting edge, USDA organic wine industry is doing that and it's rocking. Talented, out-of-the-box winemakers have risen to the NOP challenge of making award-winning wines without the use of this synthetic preservative.

Sorry, can you--can you advance two? Um, the organic wine consumer is focused on food purity. Another slide, you can see that Frey sales are great. And another slide, it's a touch economy for luxury products such as wine. There is a worldwide wine glut and I can understand the frustration of the petitioners who have great made with organically grown grapes wine to sell.

Your Board is dedicated to the growth of organics. However, it's not up to the NOSB to solve the current problems of the wine industry. The OTA reports 4.7 percent growth in the combined organic and made with organic wine sector. Our statistics suggest that much of this comes from within the no sulfite added categories. Organic ketchup, the OTA says, only grew 1.4 percent. Organic salad dressings actually dropped by 3 percent. Yet there's no discussion of relaxing organic standards in these products to improve their marketability. Slide.

An underlying argument of the petitioners is that sulfur dioxide is essential to quality and therefore non-sulfited wines are holding back the advancement of organics. This is disparaging of organic wine producers and it flies in the face of increasing demand. Slide.

Uh, please, note the results of two professional blind competitions. No sulfite wines won exactly the same awards and also a higher award than the made with sulfited wines. Slide.

The U.S. is a world leader in the production of organic wines. The NOSB should be proud of these producers who have played by the NOP continuous improvement rule as new ingredients and methods become available. The NOSB should also be proud that the U.S. has set the bar for wine standards. There is nothing that stands in the way of other wineries from investigating the techniques of organic integrated winemaking and beginning to produce the line of USDA non-sulfited wines. Another slide, please.

Um, and one more, the organic wine movement is healthy, thriving. Let's keep organic organic.

Tracy Miedema: Thank you very much. Any questions for Ms. Frey? Mac Stone.

Robert Stone: Are you seeing competition from non-organic commercial wineries marketing a wine without sulfites to--to capture this market?

Katrina Frey: Um, I wouldn't necessarily call it a competition but there are conventional wineries now that are making wines without sulfites. Sulfites sometimes actually can bring problems to winemaking so those wineries are using very modern techniques, as do we in our industry, and--and feel that they're actually improving the quality of their wines.

Tracy Miedema: Any other questions? Thank you.

Katrina Frey: Thank you.

Tracy Miedema: Ben Carter is up next. Jeffrey Otin is on deck.

Ben Carter: Good afternoon, Madam Chairman and members of the Board. Thank you very much for this opportunity to comment on the Crop Committee's recommendation on copper sulfate in organic rice fields. My name is Ben Carter and I am from Colusa, California. My wife and I, Denise, uh, own and operate Benden Farms, which is a diversified farming operation in the Sacramento Valley.

We grow row crops, field crops, orchard and livestock. We have been growing organic rice in Colusa County for a little over a decade in addition to organic vegetable seed and beans. We use a water-seeded method for growing our rice production because it's the only consistently successful method of planting organic rice in the Sacramento Valley.

For us drill seeding will not work due to the moisture subbing from our--from the flooded fields from our surrounding neighbors and then the subsequent flush of grasses and broadleaf weeds that result from that. Given that we're limited to water seeding copper sulfate is the best tool we have to suppress algae, scum and tadpole shrimp.

We have tried other mess--methods such as a product called Green Clean Pro, which is a sodium carbonate perhydroxide--peroxyhydrate. We've tried mechanically breaking up the algae with airboats. Uh, we've tried draining and reflooding, all to disappointing results. Our experience indicates that a product like Green--Glean C--Green Clean Pro is best as a pre--preventative, which really is inconsistent with our integrated pest management philosophy and on top of that it has no activity on shrimp.

We do monitor the--the, uh, copper levels in our soil annually and we have not seen an increase in those levels. The California Rice Commission administers extensive net--a network of water quality manage--uh, monitoring stations and to my knowledge has not seen any reported issues with copper in the tail water.

Ms. Baumgartner earlier this morning mentioned that, uh, California rice growers are excellent stewards and--and I agree. As the Rice Commission points out our fields are incredible living ecosystems. We have not seen a degradation in that as a result of the use of copper sulfate. As a grower I make choices of how and when to use the tools available to me and there are always trade-offs. The essence of the question for me as a grower is what practices are most environmentally and economically sustainable?

Copper sulfate is a very, important tool for Benden farms, without which we would likely not be able to economically produce organic rice. I urge you to continue to allow its use in organic rice production as an algacide and for con--control of tadpole shrimp with the annotation that it be used in a manner that minimizes accumulation in the soil.

Tracy Miedema: Thank you, sir. Any questions? Nick Maravell.

Nick Maravell: Yes. You say, um, and we heard from other speakers, that you don't see any, uh, accumulation or increase in copper in the--in the, uh, soils and you also said you didn't, um, have any indication that the copper was leaving in the water. Uh, where is the copper going or how do you explain this?

Ben Carter: I, uh, don't have an answer for that, sir. I'm not a scientist I--so I don't know.

Tracy Miedema: Any other questions? Steve Demuri.

Steve DeMuri: Are you aware of any other research being done to, uh, eliminate copper sulfate? We've heard that, uh, the drilling technique does not work for most of you but is there anything else being looked at right now?

Ben Carter: There are, uh, in terms of eliminating copper sulfate, uh, the--the Green Clean Pro is a relatively new product on the market and we have tried that and, as I s--as I mentioned it, uh, with--with, uh, disappointing results. Um, our practice is to closely monitor the fields for problems and then treat those problems.



Uh, by the time we have, um, a--an algae problem in--in our rice fields, uh, at the time of the--the rice stage the Green Clean Pro product will limit the growth but it does not eliminate or it does not suppress it and so it does not--it's not a great tool for us.

Tracy Miedema: Barry Flamm then John Foster then Calvin Walker. John Foster then Calvin.

John Foster: Uh, what's the--typically what's the application rate per acre of the material?

Ben Carter: Uh, when it's appl--it--it varies depending on--on, uh, what problem you're going after. Uh, for, uh, algae it's typically anywhere from 10 to 15 pounds of the product, the, uh, and I would have to translate that into the active ingredient or the elemental sulfur but--but for, uh, like a (inaudible) product, uh, which is, uh, copper sulfate crystals, it's about 10 to 15 pounds to the acre.

Tracy Miedema: Calvin Walker.

C. Reuben Walker: Are there any research at some of the California Land Grand schools are looking at alternatives that you know of?

Ben Carter: There--there's constant research in terms of cultural practices, um, which I guess you--you could call tools as far as, uh, alternatives to copper sulfate, um, the ones that have been mentioned s--so far today, uh, dry down the, uh, the Green Clean Pro product, um, are, um, the only--only ones that I'm aware of.

And incidentally we're--I--from my reading on the, uh, from the Committee's report and analysis that we're--what we're really trying to in--is eliminate toxicity to--to fish or to aquatic organisms. One of the--one common practice that--that organic producers use for control of broad leaves is dry down. That's equally toxic to--to any aquatic organisms that are there; does that mean that we should eliminate water management as a--as a tool?

Tracy Miedema: Any follow-up question there? Okay. Thank you. Okay. Um-hum. Just a moment, sir. It's n--okay. All right. We'll make an announcement of who's on deck here in a--in a few moments. Sir, please, proceed and do state your name.

Jeffrey Oetjen: Okay. Thank you. Thank you for allowing my comments this afternoon; I appreciate it. Uh, my name is Jeffrey Oetjen. I own a wine and spirits shop in Newtown, Connecticut so my perspective on this issue comes from that of a retailer. And, um, I had some images but we have a little technical difficulty. But, um, I have h--the images that I was hoping to show up here in my phone so anyone who comes to the tasting you can see them, okay?

Okay. My business is very grass roots and personal. I speak with my customers often about organic and non-organic wines. I'm trusted to know what I'm talking about so proposed changes to the USDA organic wine standards, which would significantly weaken the integrity of the coveted organic seal or on the face of it disturbing. From where I stand with my customers these proposed changes will be confusing at the least and certainly misleading. The status quo is working quite well and must not be watered down.

One phrase you'll be hearing quite frequently, uh, at this conference is in the U.S. organic wine has always been defined as made with organically grown grapes with no added sulfites. It's simple and clear; you cannot have the USDA organic seal on your label if you don't follow this straightforward guideline. Over the past couple of weeks I have had the opportunity to learn a great deal about sulfur dioxide, more than I care to share.

The one use of sulfur dioxide which raised a big, red flag for me is that it is currently allowed for use in underground rodent control. It's rat poison and we put this substance in our wine; does this not seem completely illogical to you, even dangerous?

I want to tell you a quick story about a customer of mine named Dana. We--you'll see his picture later hopefully. Ironically enough Dana came into my shop last Friday seeking organic wine and he had a horror story he wanted to share.

Dana has been drinking wine basically with sulfites and not for years and he noticed that occasionally when he would drink a sulfited wine he would experience itching of his hands and his feet and swelling mostly. But it never caused him alarm, it wasn't a pr--wasn't a problem, that is, until recently. He had some time off so he was working around his house and drinking a bit of white wine.

At some point during the day he went into his bathroom and got a look at himself. His lips had swollen to at least twice or more their size and he noticed his throat was beginning to swell and his breathing was being restricted. It turns out he was having a severe reaction to the sulfites in his wine. He learned later that he was having a severe reaction to the sulfites.

He--he, uh, was experiencing a condition called angioedema, which is triggered by sulfites. He also later learned that approximately five percent of the population suffer on occasion from angioedema without really being aware of it. That's millions of people. Dana's now a true convert to organic wine with no organic sulfites. What's at stake here in my opinion is the truth and truth in labeling calls for full disclosure; you've heard that before.

I strongly urge the USDA to keep the standards which currently exist for the privilege of using the USDA organic seal on a bottle of wine. The consumer must be protected; that's my job. I speak to the consumer every, single day so let's keep organic organic. Thank you.

Tracy Miedema: And thank you. Any questions from the Board? Katrina Heinze.

Katrina Heinze: For your consumers who are looking for, um, wines made without sulfites, do they care about organic or do they care about sulfites?

Jeffrey Oetjen: Both.

Katrina Heinze: So what about consumers who don't care about sulfites but ma--

Jeffrey Oetjen: They're welcome to drink what they like but if they come to me and they want an organic--a true, organic wine with no added sulfites I've got many to choose from.

Katrina Heinze: --are they all 95 percent or--

Jeffrey Oetjen: Some of them have naturally occurring sulfites but that's organic.

Katrina Heinze: --no. I mean, um, percentage of organic grapes?

Jeffrey Oetjen: A hundred percent.

Katrina Heinze: All of them?

Jeffrey Oetjen: I think so. That's my belief.

Katrina Heinze: Thanks.

Tracy Miedema: Any other questions from the Board? Thank you, sir.

Jeffrey Oetjen: Thanks for your time.

Tracy Miedema: You go ahead. Okay. Moshe Schuchman is up next and Diane Wilson is on deck. Mr. Shuman, go ahead whenever you're ready.

Moshe Schuchman: My name is Moshe Schuchman. I'm here today as a representative of the Star K Kosher Certification, which is a nonprofit organization. Besides certifying food as complying with kosher standards for the past three and a half years we've partnered with Quality Assurance International, QAI, to provide organic certification, as well.

Personally, I've been conducting organic audits for the past two years. My purpose in appearing before the Board today is simply to say thank you. We're very grateful that the members of the Livestock Committee, who clearly are--have a heavy workload and are busy with many, pressing matters that require their attention they've taken the time to address the issue of ritual slaughter and concluded that ritual slaughter that's practiced by the Jewish community for kosher meat and also by the Muslim community for Halal meet is indeed compatible with organic standards because today kosher organic certified meat and poultry suppliers, you know, they number a handful but the market clearly has potential for dramatic growth: Empire, Kosher Poultry, Wise Organic Pastures in the Shammah, these are just among the companies that currently offer this dual--dual certification.

But there's also widespread interest currently among consumers for meat, Kosher consumers. That's antibiotic, hormone-free, vegetarian-fed, humanely raised and processed. And to fill this demand many of the suppliers already maintain standards that comply with organic requirements and they're potential candidates for the USDA seal. I would like--just like to emphasize that the religious slaughter, um, provision, it's not just an exception but it's an expression of reality.

Former legislation for the humane treatment began as an institution not more than 200 years ago. But already 800 years ago, uh, there's something called the Sefer ha-Chinuch it's a compendium of a Jewish law and philosophy written in Spain in the 1200s and it highlights of the ancient laws of Kosher slaughter are divinely crafted to minimize any pain

felt by the animal. And this thesis continues to be supported by the science of our century, as well.

A swift, smooth, uninterrupted incision with a carefully honed, sharp knife that doesn't have the slightest nick severs the jugulars and the carotids in a specific region of the neck and rapidly lowers the animal's blood pressure to zero induces m--unconsciousness within seconds. A good comparison is, if you think about a paper cut a person might get on their finger, that--a person might not realize you got the cut until after he feels the blood dripping down.

The knife that's used for ritual slaughter is much, much sharper than a paper edge or even a surgical knife. Thus the animals have little to no sensation of the cut. Dr. Temple Grandin, the world's famous expert on humane slaughter practice, once commented during a visit to a kosher slaughter house, "I was relieved and surprised to discover that the animals don't even--even feel the super-sharp blade as it touches their skin. They made no attempt to pull away."

The Committee also recommends that during ritual slaughter animals be held in a comfortable upright position. While this is not a requirement for kosher such device has already been implemented by the Star K slaughterhouses in Baltimore and we encourage their use wherever slaughter takes place.

Independently and I'll end with this, the American Halal Foundation also endorses the Livestock Committee's recommendation for ritual slaughter and provided a beef statement of their own, which I have attached to my documentation. And for further background information about kosher slaughter a paper submitted to the NOSB in the Fall 2010 has also been attached. Thank you very much.

Tracy Miedema: Thank you, sir. Any questions? Calvin?

C. Reuben Walker: I believe I'm hearing good news. Uh, what you have shared with us is in support of what we have done--

Moshe Schuchman: Correct.

C. Reuben Walker: --as it relates to Kosher.

Moshe Schuchman: Correct.

C. Reuben Walker: Wendy?

Moshe Schuchman: All right. Thank you.

Tracy Miedema: Thank you, sir. Diane Wilson is up next. Sally Keefe is on deck.

Diane Wilson: Good day. My name is Diane Wilson. I am a registered dietician and I am also the Nutrition Director for Nature's One, the manufacturer of organic, pediatric medical nutritional products. We are based in Louis Center, a suburb of Columbus, Ohio. I thank the Board Members for the opportunity to comment on the DHA algal oil petition. I have also submitted extensive written comments for your review, which are being handed out once again.

Today I would like to provide testimony on why Board Members should not grant Martek an exemption to include its algal oil in organic pediatric foods. Firstly, Martek DHA algal oil used presently in pediatric nutritionals are processed with the environmentally toxic hexane chemical and other ingredients not allowed under current organic standards.

Martek is requesting this Board to ignore longstanding organic standards regarding hexane processing. Martek claims that hexane is removed from the product because it meets their definition of undetectable. This point is mute. Organic standards presently do not allow oils processed with hexane. By granting Martek's petition a serious and disastrous precedent will be set. Organic consumers need to be assured that the oils and foods they purchase and consume meet organic standards as they presently exist.

Next, Martek's DHA algal oil is not considered, not considered to be an essential nutrient by the FDA or the American Academy of Pediatrics. Numerous infant clinical studies indicate and even the Technical Review of Martek's petition note the addition of DHA and ARA to an infant formula provides questionable health benefits. For this reason the FDA does not require manufactures to include DHA or ARA in infant formula and DHA and ARA are not included in the Infant Formula Act. It is completely optional.

Furthermore the prestigious Committee of Nutrition of the American Academy of Pediatrics has taken no official position on adding DHA algal oil to infant formulas. This Committee also believes it is likely that any beneficial effects of DHA supplementation will be subtle and possibly not detected with available methodology. I want to emphasize the two highest protectors of society's most vulnerable infant population, the FDA and the

American Academy of Pediatrics, do not require DHA supplementation in infant and toddler feedings.

Again, DHA is not an essential nutrient for infants, toddlers or adults. Please, do not confuse the need for increased omega 3 fatty acids with an increase in DHA. DHA is only one type of omega 3 fatty acid. The most compelling reason to deny Martek's petition is the fact that there are organic, compliant forms of DHA already available in the marketplace today. This alone--

Tracy Miedema: Thank you, ma'am.

Diane Wilson: --vacates the need for Martek's exemption.

Tracy Miedema: Thank you, ma'am.

Diane Wilson: As an example, Nature's One has introduced a USDA certified organic formula containing organic compliant DHA and ARA fatty acids.

Miedema: Ms. Wilson, your time is up. Thank you.

Diane Wilson: Thank you.

Tracy Miedema: Any questions? Calvin. Anyone else? Katrina.

Katrina Heinze: Um, so looking--thank you very much for the packet; that was very helpful. So looking at your product, which contains an egg lecithin as a source of DHA--

Diane Wilson: Yes.

Katrina Heinze: --ARA, um, this is perhaps, uh, slightly removed from the topic but have you followed the changes that are happening on the listing of lecithin on the National List, um, and how that would effect your product?

Diane Wilson: Uh, this is an egg lecithin; are you talking about soy lecithin or egg lecithin?

Katrina Heinze: Right. 'Cause lecithin is coming off 605, right? I think that's what-- what we did so I'm just wondering--'cause the lecithin that's listed right now is he--some of them are hexane extracted, as well.

Diane Wilson: Okay. Okay. This is not an--a hexane extracted lecithin.

Katrina Heinze: Okay. Thanks.

Tracy Miedema: Any other questions? Thank you very much.

Diane Wilson: Thank you.

Tracy Miedema: Sally Keefe is up now and Christy Corb is on deck.

Sally Keefe: Good afternoon. I'm Sally Keefe. I'm responsible for regulatory matters at Aurora Organic Dairy including organic certification. Aurora Organic Dairy is a leading producer of private brand organic milk and butter. We own and operate organic dairy farms in Colorado and Texas and we bottle the milk produced on those farms in our Colorado processing plant.

Like many other organic producers that provided written comments we support the petition to allow odorized propane for the control of burrowing pests. Controlling burrowing pests is a significant challenge for organic farmers and ranchers. In my experience, the physical methods, mechanical controls in synthetics currently available to organic operators are not adequate in many situations.

First about the challenge, the economic pressure of burrowing pests is substantial. Also in pastures burrows create safety hazards for livestock and people. Additionally these pests transmit disease including plague and leptospirosis.

Next about the current options, the alternatives that have been identified are problematic. Regarding, um, mechanical alternatives, tillage is not appropriate for many perennial systems while flooding is at odds with soil erosion and water conservation considerations. Regarding mechanical alternatives, hunting and trapping are only effective in small areas and only appropriate in certain locations. Regarding synthetic alternatives, FIFRA does not allow the use of vitamin D3 as a rodenticide for the common burrowing pests in the areas we farm. There are no smoke bombs available that comply with both FIFRA and the NOP regulations.

Finally, my organic certifier could and would make sure that odorized propane is used within the context of my organic system plan. Other alternatives are and would be used first. I urge the NOSB to support the odorized propane petition and reject the Crops Committee's recommendation. Thank you for your consideration.

Tracy Miedema: Thank you. Any questions for Sally Keefe? Jay Feldman.



Jay Feldman: Thank you. Um, so what are you doing now for rodent--at least for controls of these rodents?

Sally Keefe: Uh, we mostly have problems with burrowing pests in perennial areas and we req--uh, rely on mechanical alternatives including hunting and trapping.

Jay Feldman: And you don't find that that's adequate.

Sally Keefe: Um, it's most assuredly not adequate, certainly according to my neighbors. Oh, do I need--

Tracy Miedema: Thank you. Was there a follow-up question there? Okay. Any other questions for Sally Keefe? Thank you very much. Christy Corbe is up next. Christy, are you here? We'll move on. Rob Larose is up now and Nathaniel Lewis is on deck.

Rob Larose: Thank you. Uh, my name is Rob Larose. I'm the President of Biosafe Systems. We're a family company. I've been, uh, in business since 1998, part of the organic community since 1998 and we develop and manufacturer, um, crop protection products for the fruit and vegetable industry. Uh, 95 percent of our products are, uh, organic listed through OMRI. Uh, we only sell and develop, uh, products that would be able to be listed or we consider sustainable.

Uh, I'm here to support the petition to, uh, lift the restriction on, uh, ammonium nonanoate, uh, herbicide. Um, we have been asked to get involved to help develop and market this product. It is now, uh, allowed for use in horticultural applications and also for some farm, uh, farmland use on fence lines and things like that. It's a little, uh, confusing to me. It's, like, uh, it's already listed and, uh, you know, it's--it's like the products being allowed into the room but relegated to the back of the room.

Um, we--my company gets, uh, heavily involved with fruit and vegetable growers across the country. Uh, 80 percent of them are convention, 20 percent of them are organic. Um, everybody i--in this, uh, economy is looking for as many tools that they have to remain competitive.

Uh, one of the big issues of the day is food safety that's putting a major, uh, economic stress on, uh, all growers. And, uh, so the--the organic growers are looking for as many tools as they can get to be--to remain competitive. And the price points from what they're telling me, um, fro--from there, uh, retailers are--are under pressure so they need as many viable alternatives to--to, uh, manage the weeds on their farms as possible

And the alternatives right now are essentially cost prohibitive. There's--so they just need another--they--they need theirs--they need as many tools as they can get. And I, uh, have reviewed the--the information; I can't see any--any reason really why this product, uh, has not been allowed for us, uh, for, uh, for field production.

Um, the environmental, uh, footprint is--is no--negligible. And it fits within our--my--my company's standards, which we will not bring a product to market unless it leaves no footprint behind. So, um, I urge people to take a second look at this. I think the, uh, growers out there desperately need new tools and, uh, it's--we need to support the--the momentum that we have in organic, uh, fruit and vegetable production and organic farming in particular.

Tracy Miedema: Thank you. Any questions for Mr. Larose? Thank you, sir.

Rob Larose: Thank you.

Tracy Miedema: Next up is Nathaniel Lewis. Peggy Miars is on deck.

Nathaniel Lewis: Uh, my name is Nathaniel Lewis. I represent a first-generation family farm in Washington state. Um, distinguished Members of the Board, I appreciate the opportunity to provide you with my comments relating to animal welfare, specifically the confinement of poultry.

Your recommendations demonstrate how carefully you are weighing the competing interests endemic to this issue. My wife, daughter and I raise and process certified organic broiler chickens on our family farm in Galvin, Washington. We are currently transitioning our Jacob sheep, Jersey cows, Tamworth pigs and California white rabbits to be organic breeding stock for the 2012 season.

For full disclosure, I am also employed by WSDA to coordinate our material review, brand name material lists and routine periodic sampling programs. However, the views I am sharing today are only those of my own and do not represent necessarily those of the Washington State Department of Agriculture.

We have raised pasture broilers for more than ten years. During this time we have found that broiler chickens, the Cornish Rock cross do not perform well and, in fact, are negatively impacted once outdoor ambient temperatures drop below 50 degrees. Cold temperature or incimate weather could be used as justification for temporary confinement of our

broiler chickens. But our pasture-based, mobile shelter production system makes seasonal confinement of our broilers impractical.

Instead, we choose to raise these temperature-sensitive chickens at an appropriate time for our climate, from June to September and market a frozen product. Other producers supply our area with fresh, organic poultry year-round. This puts our operation at a disadvantage because many consumers are not accustomed to purchasing frozen poultry and naturally choose a more familiar product.

It is my opinion that the production of fresh poultry during times of cool, ambient outdoor temperatures is inherently non-compliant with the national organic standards. If a producer confines poultry during the winter months due to inclement weather there is the potential for these animals to have been confined for their entire production cycle, a short six to eight weeks. This practice violates two aspects of the current rule, 205.239 A1, which states that "continuous total confinement of any animals indoors is prohibited," and 205.238 A1 which states that "as part of a preventative healthcare plan a producer must select species and types of livestock with regard to suitability for site specific conditions."

Raising Cornish Rock cross chickens during the winter inherently violates the latter standard and potentially necessitates a violation of the former. I encourage the Board as you go forward with the refining of livestock production standards to consider the standards already in statute. Specific guidance to certifiers clarifying how to enforce the current standards relating to outdoor access for poultry is forthcoming from the Program. However, if the two standards I cited earlier are not addressed in this guidance document then the non-compliances inherent to year-round fresh poultry production will continue.

Before you go forward with final recommendations destined for the quagmire of federal rule-making I hope you ensure that the current regulations are fully enforced.

Tracy Miedema: Thank you, sir. Any questions? Hearing none. Thank you very much. Peggy Miars is up next. Peter Nitz is on deck. Just a moment, Peggy, want to make sure Mr. Nitz is here. Steve Peirce is on deck. Mr. Peirce, are you here?

Steve Peirce: Yes, I am.

Tracy Miedema: Okay. Thank you. Please, proceed, Peggy.

Peggy Miars: Good afternoon. I'm Peggy Miars, Executive Director of OMRI and I'd like to comment today on the recommendation regarding material review organizations or MROs. And I want to thank the CACC for your thorough research, analysis and recommendation on this topic.

Uh, the January 2011 memo from the Deputy Administrator of the NOP to the Chairperson of the NOSB requests that the Board develop a recommendation that delineates the criteria that should be used by certifying agents and third-party organizations to evaluate materials used in organic production and handling. The memo goes on to state that criteria may include items such as standard procedures for evaluating materials, types of documentation and records needed, depth of review, frequency of review and other examples.

And so I'm a bit confused because the discussion document presented last Spring and the Committee's current recommendation seem to focus not on the criteria to be used to evaluate materials but rather on how the NOP should oversee and accredit the MROs. And after rereading the NOP memo this morning and consulting with my colleague I think the issue is that the memo's not really clear on what's being requested. Is it criteria from a material review, is it how to evaluate the MROs or is it a combination of both?

Um, in the recommendation the Committee states, "We believe that the most effective way to ensure consistency among MROs is to ensure that all organizations are operating by a consistent set of review protocols and procedures." And the Committee goes on to say that, "The CACC agrees with the NOP that there is a clear need for more uniform and consistent policies governing material review services. And we believe that all organic stakeholders would benefit from a clearly defined NOP guidance around the qualifications and activities of these organizations." So those were quotes from the Committee and we at OMRI wholeheartedly agree with those statements.

In the recommendation the, uh, Committee encourages the NOP to provide detailed guidance on the material review process in order to promote consistency and uniformity among currently operating MROs while longer term changes are undertaken. And I'm disappointed that we do not have criteria to thoroughly vet at this meeting. I was really hoping for that.

While OMRI does not see the urgent need for new accreditation scope we are ready, willing and able to undertake that process and I'm ready to add, uh, money into our budget to do that. However, we do believe that clear and consistent criteria are most important and that developing an accreditation scope can be delayed while this--these criteria are developed.

In fact, OFPA does not provide for an accreditation scope for material review; it only allows for accreditation of certifiers of farm and handling operations. And it seems that OFPA would need to be amended in order to, um, allow for this new scope. Uh, we agree with the OTA's conclusion that a lack of uniform and transparent materials review pro--a uniform and transparent materials review program has resulted in negative impacts both to organic production and to the organic marketplace in the United States and believe that this needs to be remedied soon.

Since the CACC did not recommend clear and consistent criteria for material review OMRI again encourages the NOP to establish a task force to help develop the criteria and OMRI would be happy to serve on such a task force for the benefit of the organic community. Thank you.

Tracy Miedema: Thank you, Peggy. I have a question for Mr. Deputy Administrator. Um, Miles, do you think that we missed the mark on your memo from about a year ago or--or changed the scope?

Miles McEvoy: Uh, I'd have to look at that memo again. Um--

Peggy Miars: I've got it.

Miles McEvoy: Uh, yeah, um, well, I think that the, uh, the proposal that the CACC came up with is gonna be very beneficial for the Program to move forward. I think you have answered a number of questions but I think the point that Peggy is making, uh, concerning the specific criteria is an important one and something that, uh, the CACC could take on in terms of their future work.

So I think great progress has been made and additional work in this area is certainly, um, important to do, as well. Uh, the other point about whether or not OFPA provides the authority to accredit material review organizations, uh, that's under, uh, review by the Office of General Council. Um, I tend to agree that it probably does not provide that but let's get a legal opinion on that and, uh, move forward from there, uh, once that happens.

Tracy Miedema: Thank you very much for that, Peggy. And thanks for the clarification, Miles. It sounds like, uh, the CACC may be, um, needing to forge ahead with a part two on this document to fulfill what the original memo's intent stated, not to be presumptuous or anything. Any other questions? Thank you.

Peggy Miars: Thank you.

Tracy Miedema: Steve Peirce is up next. Jessica Rolph is on deck. Jessica, are you here?

Steve Peirce: Slide one, please. Okay. Good afternoon and glad to be here. Um, you've got eleven pages on written comment that I submitted earlier. You've got some additional transcripts there in front of you today. What we're talking about is not really the, uh, the petition not for the elimination of silicon dioxide but more for the reduction in organic foods.

You know, when we look at our business we export to some 40 countries around the world on five continents. We are organic. We are part of the organic industry. Looking for the benefit of the quality of the seal and raising that standard that you've heard about a lot today.

One of the things taking place is a convergence of the Sunset Law on, um, silicon dioxide, secondly there's a petition in front of you today on the restriction of silicon dioxide bringing together the act, which the basis of putting SiO<sub>2</sub> on the act is now gone. And this placeholder that the, uh, National List created was really a temporary placeholder because if it was permanent it wouldn't be hit every five years by the Sunset.

So between what the customers need and the policy you've gotta look at information that's changed over the last five years. One point of interest, it's interesting that silicon dioxide is not allowed in organic livestock feed but we can feed it to each other and our children. The question is, it's nice that we've got an alternative; what's it doing in the marketplace and how well is it working?

Looking at sales over the last 12 months of selling both organic and natural: natural's increasing 15X faster than organic, looking at new customers coming onboard, 40X faster. And you say, "Why?" Natural is not a regulated sector or space. The consumer has to read the label more closely. You've heard today when the consumer sees that organic logo they believe everything in there is organic or that there is no natural alternative.

Here's the list of areas where silicon dioxide can be used. The one area where the organic product does not work is as a defoamer. We'll address that in just a moment. Here's some pictures of where organic users are using the ingredient. You've got examples in front of you, you've got seven pages of labels where they're specifying, um, organic rice concentrate. Natural users, some of the big companies whether it's from Mrs. Dash's to McCormick's to Bigelow Tea Company and many others. It's working.

So as we look at the convergence of the act, which says nothing goes on the National List if there is no--if there is a--no natural substitute, well, we have a natural substitute. The policy you need to align with the integrity of the industry and rather than coming in at a conflict it's more of an alignment between the consumers and the act. And we heard very loudly this morning there's a need for clarity and consistency.

The Committee has proposed that we apply the, uh, commercial availability. I applaud the effort but that will not bring about consistency. So in summary, annotating 205.605 silicon dioxide as a defoamer, that's my eleven pages boiled down to three minutes.

Tracy Miedema: Thank you very much. Any questions? Jay Feldman.

Jay Feldman: Thank you. Um, I have a two-part question. Um, I'll ask both questions upfront so the, um, sounds like you're saying to the Board that the silicon dioxide has a commercial available alternative and therefore we can replace it on the National List for the specific uses excluding the defoamer.

However, your critics, and I'm sure you've seen these comments and I want to get your sense of the voracity of this, uh, argument from your critics, says, "It will not serve, uh, as a complete replacement for anti-caking and free-flow additive due to the wide performance and technical issues," and then go on to--and is that correct? And then go on to say that the ingredient in RIBUS, uh, material that functions as an anti-caking agent is silicon dioxide but only a concentration of around 17 percent. So if you could clear those things up for us I'd be very happy. Thank you.

Steve Peirce: Uh, yes, yes and no. Uh, number one, it is natural. Um, what we say is Mother Nature as you plant the rice plant in the ground Mother Nature and the plant extracts silica out of the soil and concentrates it in the hull of the rice. When Mother Nature did this there's not 100 percent. That's what a

synthetic does. As a natural it is a combination of silica plus fiber. That's on our tech sheet, uh, that's a fact.

You get extremely similar functionality even though there are differences. However, this is the natural alternative to a synthetic, the silicon dioxide. Where we've got a 17 percent concentrated, uh, silica and we do nothing to it other than steam-sterilize it and grind it, that's it, and then package it. Um, we're using what Mother Nature gave us. Twenty percent of the rice crop that's harvested is the hull. We're taking that throwaway portion, grinding it, sterilizing it and putting it back into the human food system sustainable, 100 percent organic, certainly natural.

Tracy Miedema: Jay, you have a follow-up question?

Jay Feldman: Yeah, thank you. Um, okay. So the last question then is the 83 percent of other impurities that's referenced, uh, by your critics, what-- what are they talking about in (inaudible)?

Steve Peirce: Interesting choice of words of impurities. I would say rather than a pure synthetic this is the natural, it's fiber, is the majority, some 70 percent, 72 percent fiber, less than 4 percent moisture, a fraction of a touch of protein and a fraction of a touch of, uh, fat, but it's mainly silica, fiber and a touch of moisture.

Tracy Miedema: John Foster and then Calvin Walker.

John Foster: Is, um, is the process by which you ma--manufacture this product, um, unique to your company or, you know, which is, uh, I guess another way of saying are there multiple ways to make this product or are you it?

Steve Peirce: I would say there are multiple ways of making it. One of the things that we did five years ago before we came out with it we did file the piece of paper at the U.S. Patent and Trademark office that said we would like to harvest from the rice plant the fraction that's high in silica, uh, to be used as an anti-caking agent. Um, nothing more has taken place other than we filed the paperwork.

Tracy Miedema: Any other questions? Oh, yeah, Calvin, sorry.

C. Reuben Walker: You mentioned that, uh, silicon dioxide is, uh, used in humans and not in livestock.

Steve Peirce: Yes, sir.



C. Reuben Walker: Any particular that you share--educate me on briefly what's--what's--explain that and then, too, is the commercial availability of silicon dioxide, uh, appropriate for the industry?

Steve Peirce: Two quick answers: one, from what I've been told by our certifier is that because silicon dioxide is only on 205.605 that's only allowable for humans, That does not make it allowable for livestock and animals. We do sell to the animal industry and the livestock industry on that. Am I correct on that, Katrina? Oh, I saw you raising a hand--I didn't--

Katrina Heinze: I have a question.

Steve Peirce: Um, the other thing you asked about commercial availability. Four years ago I would've said that's great, I support the Committee 100 percent. Having been around the industry extremely closely over the last four years in and out of plants, customers, non-customers and everything else, if the commercial availability were applied it's designed for 606, if we applied it to 605 all that means is that you as a formulator or the production manager, all they have to do is make a test fail in front of their certifier and they can go back to using the synthetic.

We've heard from the wine industry how the gold standard and the organic seal how valuable it is; this is one of those ans--uh, situations we're not trying to put a synthetic on, we're looking at trying to say, okay, can we raise the bar a little bit? Do we have a natural or an organic alternative that can function in high 90s. I'm not gonna say 100 percent; I'll tell you it's not 100 percent, but high 90s to raise the integrity of the industry.

And I encourage the--the Committee and the Board that commercial availability is personal interpretation by each and every certifier. I've got faith and belief in them. However, if we're after consistency that's not gonna do it. All right. Thank you.

Tracy Miedema: Katrina?

Katrina Heinze: Thank you for your patience as we've worked through this process. I know you've been hanging around our board meetings for a long time on this topic. Um, as you are well aware we, um, have in the past and continue to get public comment that the natural alternative doesn't work in all cases and I was wondering if you could speak a little bit to that and of cases, um, with which you're aware when it doesn't work?

Steve Peirce: Sure. The first thing we heard about was the defoaming and we went to a defoaming manufacturer and said, "Hey, does it or doesn't it? We've got some people buying it for that use." As he explained to us what it was and wasn't we said, "Okay. Let's back away from that right now because we don't have enough replicated knowledge that's working." That's the first one.

The second one was when we first brought the product out and we're on generation number four. Generation number one had eight to ten percent moisture, worked well in some seasonings and spices. Anything with any sugars, any, uh, hygroscopic components, we became part of the problem rather than part of the solution. Next thing we did is we dropped it to less than four percent moisture, opened up a much bigger market to us.

The next thing we did was altered particle sizes so that we could fit more and more applications. The last thing that we did was to look at bleaching it with hydrogen peroxide, which is on the National List, mainly for natural customers but could be available for organic customers because there were public comments previously that it wasn't working in white and light-color applications.

As we know in most organics very few things are pure white like the nametags or the--the aprons up front. It's a skin color, flesh color type of material that fits more with what we see in organics. So, um, the high moisture, the color, there are some sweetener situations that I've learned that it is not working in. I will tell you we are using it in, uh, organic Stevia in the single serve pouches as an anti-caking agent. So it is working in some of those; I hear from some it's not. We're there to support with technical support where we can to try to make it work.

Tracy Miedema: Any other questions? Thank you.

Steve Peirce: Thank you very much.

Tracy Miedema: I'd like to do a time check before we proceed with more public comments. Lorraine, will you, please, tally the remaining, uh, commenters today? Okay. So we're about 30 minutes off-schedule, um, about 40 minutes off-schedule, um, and we're scheduled out to about 5:00.

So what I'd like to do is take a short break at this time, try to keep us, um, as close to, uh, 5:30 end time as possible. And so let's take--I know this is short but let's take a seven-minute break and I'll try to get back and get quorum, um, seated at 4:44.

[BREAK]

Miedema: Jessica Rolph is up now and Terry Shistar is on deck.

Jessica Rolph: Great. Hi, thank you so much. Um, my name is Jessica Rolph and I'm the COO and Founding Partner of Happy Family. Um, Happy Family is the nation's premium, leading organic brand for infants and children products. Um, my partner and I launched the company five years ago and we were selling in five stores in New York Cities and now we're in 10,000 outlets across the country so we've had a ton of success.

Um, and a lot of the reason why parents have really responded to our products, the time--the only products that were available were Gerber and Beechnut, kind of conventional foods and Earth's Best. But the reasons parents have really loved our products is because, one--number one, we're a mom-owned company. Um, I have a child and my partner does, as well, and so we're really coming from an authentic place.

Um, but we also offer super nutrient-dense foods as an alternative to a lot of the processed foods that are available for our nation's children so we really feel proud of that. Um, so that being our brand stands for only the very best. Um, so our products absolutely have to be organic. Um, and they also--the challenge is they also really need to have all the necessary fortifications that all of the other foods offer.

Um, so our consumers don't really want to have to choose between either having organic food or having a food with a lot of nutrients, um, added nutrients. So and a lot of our customers are Type A moms like moms, like--like, me who, um, who want to feel like they're doing everything they possibly can do to give their child the very best start in life. So they, you know, they want to--they want their children to be the smartest and the best and the healthiest and the happiest that they can possibly be.

And so for that we f--we feel strongly that having DHA in our organic cereals and organic foods, um, is a--is just a major selling point for consumers, um, because, you know, what parent doesn't want their kid to be the smartest and--and have great brain development and great eye development? So, um, so it's a real important thing for--for new moms.

Um, it also allows us to compete, you know, that being having DHA in our foods allows us to compete with conventional brands like Gerber and Beechnut. Um, so again I'm here because a lot of our foods contain DHA

and choline. Um, I'm gonna add choline to the--to the comment even though I know that'll be addressed at a next meeting.

Um, and I know you guys are working really hard to make the right decision on whether these nutrients should be allowed in organic foods. Um, so summarizing why this is really important for our company, number one, competition. Um, Gerber offers a conventional infant cereal with added DHA, um, and First Foods at it with choline added so we've been able to se--to successfully compete.

And that really is our selling point, that we have organic plus all these special nutrients. We have DHA and choline, um, and probiotics in our cereals and that's why our cereal is selling so well. Um, and then why--why the specific form of DHA that we're using, the Martek DHA, um, really it's because we--it's the only DHA that we can practically incorporate into our formulas. So DHA and cereal manufacturing is--can be really complex.

Gerber owns and Beechnut own their own manufacturing and then all the other manufacturing for the private label brands and for our brands and smaller companies is done by one company. And it's a really, pretty complex, specific process that involved drum-drying, um, and, uh, and just, you know, very specific kind of equipment and process around making an ensomatic slurry and making the cereal di--easily digestible for infants.

And so we need to basically--incorporating fish oil results in a lot of, like, smell, rancid problems that we've--we've experimented with that and it's really scary for us to try and--we don't want to take a risk and we've been very happy with the product that we've been incorporating.

Tracy Miedema: Ms. Rolph?

Jessica Rolph: Um, yeah.

Tracy Miedema: Your--your three minutes is up.

Jessica Rolph: Okay. Sorry.

Tracy Miedema: That's okay. Any questions for Jessica Rolph? Joe Dickson.

Joe Dickson: Thank you, Jessica. Um, I have a sort of, I guess, market dynamics kind of question I guess I'd call it. Um, if DHA were to go away and disappear from the National List and you could no longer use it, um, I'm curious

about what you think as a marketer and product developer, the typical mom's reaction would be? Would she purchase a organic formula without DHA or would she switch to a conventional formula with added DHA or how do you see that kind of effect playing out?

Jessica Rolph: Yeah, this is a really thoughtful question. I mean I think there are gonna be the very small segment of moms who are willing to buy the organic, non-fortified cereal and then find other ways to get it in their diet, either they're still nursing and so they're getting the DHA through them taking, you know, eating a lot of fish or taking supplements as a mom. But that's a--I have to say that's a pretty--that sort of extreme is a pretty small segment of our consumers.

We've grown the organic segment significantly in the stores that we're in, um, so a lot of people are coming to our product not because it's organic but because it has a lot of other added benefits. And so a majority of our thin--our consumers would actually I think go back to the--to the conventional alternatives because they know that DHA is so important for brain and eye development and they--they--that's, like, a critical buying point, you know, point of purchase decision to have that included even over organic in some cases.

Tracy Miedema: Any other questions? Thank you very much.

Jessica Rolph: Thank you.

Tracy Miedema: Terry Shistar is up now and Joan Smiley is on deck.

Terry Shistar: Hi, I'm--I'm Terry Shistar and I'm with Beyond Pesticides. I'm a member of the Board of Directors. And, uh, we've already submitted written comments on a whole no--lot of issues and I don't even have time to summarize them.

We kept in mind three things in reviewing the recommendations. The first is the section of OFPA dealing with the National List. We are concerned about materials that don't seem to fit into any of these categories. Um, in this ca--in the case of materials that are being reviewed today it's IBA propane use to explode, uh, rodent burrows and periacetic acid used for fire blight.

Um, this section of--of OFPA lists the basic criteria that substances must meet. It appears that the conjunction "and" is often, um, ignored in

discussions here and that results in people ba--um, getting involved with balancing. Wow.

Um, the second thing we keep in mind is the principles of organic production and handling. And, um, in particular we return time and again to this one and in particularly looking at, uh, the biodiversity requirements and, um, and--and thinking about how to define the equivalent of soil biological activity, for example, in case of aquaculture systems.

Um, the third thing that we kept in mind in--in looking at our, uh, comments is--is that natural pest management when it works is invisible. In the 30 years that Beyond Pesticides has been working on these issues, um, the first thing that we learned from organic farmers was that often organic farmers didn't have a solution for a problem because the problem didn't exist for them because organic farmers didn't see a problem when their system was working; they only saw it when it wasn't working.

We also learned that large interventions like spraying an area with a toxic chemical create large disturbances allowing the invasion of pests to the chemical intensive grower, lots of dead bodies signify, um, si--effective pest control but to us lots of dead bodies indicate that the material kill--kills things, not that it solves problems.

On the other hand, effective pest management interventions are not dramatic like explosions or poisons. They're often--they often tweak a system that may be out of balance. All of these considerations ecological and policy and legal lead us to look at whether using a proposed material results in a large disturbance that is contrary to our ecological and agro-ecological goals or tweaks the system back to harmony. Thank you.

Tracy Miedema: Thank you, Ms. Shistar. Any questions? Thanks. Joan Smiley is up next. Helen and Joseph Fields are on deck.

Joan Smiley: Hi. My name is Joan Smiley and I'm with Falcon Lab. I'm here today to encourage the Board to recommend allowance for the petitioned substance ammonium nonanoate. As you know, it is already an allowed synthetic substance with restrictions to non-food areas and ornamental crops.

The Technical Review states the minimal concern to the soil and non-target organisms when used as labeled. Moreover, according to the EPA it would be indistinguishable whether any drift resi--residues on crops are

there naturally or because of its use as an herbicide. Nevertheless, the petition is not even asking for the ability to spray directly on crops.

The petition specifically requests allowance for the following uses as an organic herbicide in crop production. Prior to planting food crops, directed spray at the base of grape vines and fruit trees and use using shielded, hooded sprayers between food crop rows. It has been suggested in the proposed recommendation that there are already adequate allowed weed management methods. This assessment is not consistent with the multitude of farmers we've spoken to over the years.

Farmers needs are documented in the following USDA sponsored survey of 600 organic farmers, which you all have on the slide. I didn't get them up here. In addition, another indication of the need is the over 12 universities that have sponsored research studies on organic herbicides, which included two USDA sponsored studies.

In each post-study report ammonium nonanoate proved to be more efficacious than currently allowed substance and most importantly it provides a much more economical alternative. Ammonium nonanoate occurs naturally, biodegrades very quickly and does not translocate in soil. The petition parameters are such that it would not be sprayed on the actual crop, just the weeds.

And, yes, its allowance could relieve many of the economic burdens organic farmers face with weed management. It is only synthetic in that it is not harvestable because it does biodegrade so quickly and it would be less than one-third the cost of other allowed herbicides with greater efficacy.

Lastly, you have a slide that shows a published USDA organic standards definition. Ammonium nonanoate is completely a renewable resource, it is a naturally occurring substance and would provide huge economic benefit to organic farmers without affecting organic integrity.

Tracy Miedema: Thank you. Any questions for Ms. Smiley? Thank you.

Joan Smiley: Thanks.

Tracy Miedema: Helen Fields is up now. Mary Van Elswick is on deck.

Helen Fields: Good afternoon. My name is Helen Fields and my husband, Joseph, and I operate Joseph Fields Farm, which is located on Johns Island in South

Carolina. We are certified farmers. I'm a member of the SAAFON Board, uh, Board of Directors and I am the Chairperson for the Sea Island Farmers.

I have three concerns I would like to address this afternoon. One, farm service, should a--should a disaster occur and a organic farmer must file they would paid on a conventional basis because there aren't any yields for organic production. However, extension--extensive production records are kept. I don't think that this is accurate or this is fair. We have to keep the record for recertification; I think that these practices is unfair and it needs to be addressed.

Two, NRCS. This is an excellent program. We received two high tunnels, we received a well and we're in the conservation practice with them. We're small farmers and this program has helped us tremendously. I am certain that there are many other farmers and hopefully new farmers that need to have these benefits. This program is vital and must be around for many years.

And finally, three, education. As an organic producer the public needs to know how clean and good the organic food is. They are not aware of this. We need your help in educating them about the benefits of eating organic foods.

And finally, in our state, we have agents and the agents are not reading off the same sheet of music. I'm in the Charleston County and there are several other counties that's not teaching organic farmers the same information. They don't know enough about the NRCS or the farm service like we do because the agents are not as helpful to them as they are to me. However, I am a person, I ask a lot of questions. And I feel that the agents need to all read off the same sheet of music so South Carolina can be trained on a equal basis. Thank you for listening to me.

Tracy Miedema: Thank you, Ms. Fields. Any questions? Thanks so much.

Helen Fields: Thank you.

Tracy Miedema: Mary Van Elswick is up now. Yvette Brown is on deck.

Mary Van Elswick: Thank you for the opportunity to speak to you today. My name is Mary Van Elswick. I have a PhD in nutrition from Texas A and M University and I'm a registered dietician. I've worked in the area of DHA and long-chain omega 3 fatty acids for nearly 25 years. I'm a former



employee of both Omega Tek and Martek Biosciences and currently serve as a consultant.

Millions of families benefit from DHA and ARA, benefits that are so compelling that 99 percent of infant formula contain them. The benefits and essentiality of DHA are supported by outstanding scientific evidence that continues to grow and has been reviewed by global authorities extensively.

For example, WHOFAO experts have recently concluded that DHA is essential during early life because of the limited formation of DHA from the precursor, fatty acid ALA, and DHA's critical in retinal and brain development. AFFSA, the French Food Safety Authority, has recently concluded that DHA is essential even for adults. We expect based on the current body of evidence that other agencies will follow suit. And most tellingly, for infants and young children, the European Commission has adopted regulation authorizing a health claim regarding visual function on products sold for children that contain, um, or are fortified with DHA.

For adults the European Food Safety Authority has recommended health claims for DHA related to visual and brain function as well as cardiovascular health. For pregnant, nursing women the U.S. dietary guidelines recognize the role of DHA in maternal and infant health. Women seeking a vegetarian source of DHA will choose algal DHA.

I'd also like to correct the record regarding claims that the Monsanto Corporation developed Martek's strain of algae. This is entirely false. In fact, Martek, then Omega Tek developed and owned the technology that produces DHA algal oil. Martek licensed the prod--production technology to Kelco, which was acquired by Monsanto but the license revers--reverted back to Martek. At no time during this agreement was Monsanto involved in the development or modification of the source organism.

DHA and ARA fit the criteria for inclusion on the National List of approved substances. They are limited, uh, there are limited available sources of DHA and ARA in the diet. Fatty fish is not a staple of many U.S. consumer diets. Fish intake can be further limited, um, by warnings about contaminants found in fish, fish allergy and vegetarianism. Martek supports the NOSB Handling Committee's recommendation to list vegetarian DHA from algal oil and ARA as non-synthetic substances and strongly urges the NOSB to preserve the availability of vegetarian DHA

and ARA in organic products and add them to the National List. Thank you.

Tracy Miedema: Thank you very much. Any questions? Thanks. Yvette Brown is up now and Julie Weisman is on deck.

Yvette Brown: Good afternoon, everyone. And I think--want to give special thanks to SAAFON for making it possible for me to travel this far for you to hear some of the ins--the situation that we are suffering when it comes to certified organic production within the Virgin Islands. It's costly to--for me to attend any of these hearings. Coming from the Virgin Islands to the United States can be--run an average of \$700 for a ticket. So 90 percent of the time we miss any opportunities to speak on the behalf of our Virgin Islanders.

I am working with several farmers in the Virgin Islands who are seeking to get organically certified but has come against stumbling blocks because of the limitations that we have there on the island.

Our state agency offices--most of the officers that work in such offices are limited or has no information at all when it comes to organic production or any information as far as training outline is available through them. I am not saying they're not willing to work with us because they do work with us on a regular basis as best as they can. But the limitation is in their--their--the agencies that they work with.

Most of the time when they are questioned concerning how should we move forward their answers are based on conventional production. The cost share program a year and a half ago, SAAFON through Ms. Cynthia Hayes, lobbied through Washington, D.C. and our--and our CS office through Puerto Rico in order to get the program into the Virgin Islands. The money is still sitting there. The Department of Agriculture has not the ability to handle how the money is moved or the workforce to carry out such mandate.

We set growing our produce on the call growing organically but when our customers come they're asking, "When are you going to be certified?" Our community is becoming well overwhelmed with the certification process and they're looking to buy their products from farmers who are certified because they are more concerned about their health now.

Our area has a high rate of diabetes, hypertension and other diseases and so our people are becoming quite aware of organic production and the

exemption of a lot of chemicals. Therefore they are looking for farms that are certified to guarantee them that what they're eating is good for their health.

We cannot meet the standards they are looking for because we cannot get certified. In order for us to get certified we would have to fly a certifier and an evaluator or in--slash inspector from the mainland to the Virgin Islands to be certified. That cost will fall under the farmer. So not only do we have to meet the cost of certification but we also have to pay for all of these expenses for the certifier and the inspector.

We cannot have emergency inspection. We cannot have no kind of inspection if it is left how it is today. Many times the Virgin Islands, which is territories--the territories of the U.S.--of the United States is left out of the whole agriculture field with conventional, sustainable or even organic. We would like to see some changes made when it comes to the organic production and the certification process.

We are not asking for any rules to be bent. We are not asking for any rules to be changed. We are asking that the USDA offices prepare their employees that should be working with us so that we can be properly prepared and give us the tools that are offered to everyone else so that we can become certified and we can carry out our certification when its necessary so that we can get onto the game of providing the proper food for our community. Thank you.

Tracy Miedema: Thank you, Yvette Brown. Any questions? Thanks. Julie Weismann is up now and John Brunnquell is on deck.

Julie Weisman: Hi, good afternoon. Thank you for this opportunity. Uh, my name is Julie Weismann from New Jersey. Uh, I'm a former Handling--Handling Rep on this Board from 2005 to 2010 during which time I chaired the Handling Committee for three years so let's go right into handling materials, gotta talk fast.

ARA/DHA, I agree with the recommendations for listing but I concur with other commenters that they be listed as microbial oils with annotations. Um, uh, I don't, uh, think that's it's appropriate, uh, if that was what was happening it would not be appropriate to put a brand name on the National List. Uh, a side issue to that is, uh, the definition of substance on the National List, which, uh, there's been a lot of comment about.

It has always been the case that items on the National List that were formulations including active ingredients and other substances such as a carrier and stabilizers and even things used in organic production, which are not on the National List, like, anything non-synthetic in crops and livestock have many formulations that are permitted without any petition processes.

So I hope that you can console yourselves that materials for use and handling through the petition and review process of the NOSB as it currently exists already meets a much higher bar for handling materials, um, than similar materials in crop and livestock, which are not subject to petition and board review.

Um, and--but, please, also do give consideration to rich thoyers, thoughtful and informed comments both on microbial oils and the definition of a substance with regard to the National List.

Um, sulfites, how bad i--I actually disagree with the re--recommendation of the Handling Committee to allow sulfites in wine labeled as organics. Sorry, guys. Um, but I--this is my bias. Um, it's apparent to me that organic--the--that an organic wine industry is flourishing in the U.S. without sulfites being added to wines that are being sold as organic.

And I guess my bias here is that I see a parallel in the flavor industry with--with which I'm much more familiar. Uh, it requires a lot more effort and creativity to formulate certified organic flavors. Lots of conventional flavors, I know, will say that, "Oh, they can't make good certified, organic flavors," and I think that's because they wouldn't have access to certain components that they're more comfortable using.

Um, but as with wine, it only requires a little more creativity and effort. Uh, I do want to say though that I appreciate the point made earlier that, uh, making this change that has been recommended would help put the U.S. organic wine industry on--help it compete on a level playing field with other jurisdictions and I admit that that is a valid consideration.

Annatto extract, the removal, my favorite NOSB topic 606. Another example of a point I made consistently during my time on the Board and in public comments since; placement of a material on 606 has had the effect of stimulating development of organic ingredients that were previously not available. I do caution the Board that in your zeal to make the National

List as small as possible do not allow yourselves to be used by manufactures who want to create a de facto monopoly.

During my time on the NOSB the Handling Committee routinely considered how many suppliers there were of an ingredient and I urge that the current Board do the same. I had a couple funny things I wanted to say but I guess I'll have to cut those out. Um, but I do, uh, uh, I say just briefly that I don't agree with conflict of interest, uh, as it's written. I do not com--agree with the transparency as its written.

I could say more about it, uh, and also thank you so much Katrina, Steve, Tina, wait, and Tracy, uh, great five years. I loved serving with you, uh, go now and have a life. You all deserve it.

Tracy Miedema: Thank you, Julie. Any questions for Julie Weismann? Katrina?

Katrina Heinze: Julie, your point about, um, creating a de facto monopoly is interesting to me 'cause that's something that didn't come up during our deliberations--did not. Um, could you speak a little bit more about that and how that worked when you were on the Board or--or give an example maybe?

Julie Weisman: Well, I mean I would just say in general that, um, if a petition is being made by someone who wants a material removed because they have an organic alternative and they're the only supplier of the organic alternative, um, I'm not saying it's absolute hard and fast but I think careful consideration should be given about that because a single supplier could go out of business and--and the regulatory world does not work as fast as the business world to fill in for things like that.

Um, you know, we can--I think it can also go the other way where, um, someone wants to put something on this list and they're the only su--you know, and they're the only supplier so it--it can work both in the--in the case of removing and in the case of some--of petitions to add.

I just think that it's worth always, um, uh, it's a little bit of, um, it's suspect to me when, uh, and I don't think it's the role of a--a USDA, uh, uh, body to, uh, give, um, uh, I don't--I--something doesn't sit, uh, well with that. Uh, it did not sit well with us that this advantage--that the--the rulemaking process could be used to give this advantage.

You know, on the other hand, if people are innovating and they're making the investment to come up with something, you know, which I fully believe

this--that's what the 606 process is for, um, uh, you don't want to ignore that either. But I--I think that we always felt more comfortable with it when there was more than one supplier that was able to provide it.

Tracy Miedema: Thank you. Colehour.

Colehour Bondera: Um, I actually want to ask you to make us laugh but, um, you may or may not have time so I--I think that on this topic that you were just addressing my question, um, and I--I'm actually asking for your help for me to understand this but is it essentially what one would characterize as a generic formulation, uh, as opposed to a copyrighted formulation or, yeah, clarify?

Julie Weisman: No, no. Because someone could petition, um, something that they're the only manufacturer of and it--but they might be petitioning it by its generic name but it doesn't change the fact that there's right n--that at that moment in time there's only one company that can supply it. Um, but that's--I mean that's a fair considera--I mean patent issues do, you know, come into it but that was not specifically, uh, I also don't--said it before, I don't think that brand names sh--belong on the National List.

Tracy Miedema: Any other questions?

Julie Weisman: If you ask me what was funny I'll tell you.

Tracy Miedema: John Foster.

Julie Weisman: Don't ask it.

John Foster: Hi, Julie. Um, I--I'm cu--you--you have a unique skill set here or experience set that not many people have. Enough distances having been on the Board without so much distance to have--have forgotten the nuances and, uh, the challenges. But I'm interested in your thought on the, um, actually on the conflict of interest portion. Um, I know that that's a topic you and I have talked around and--and about over the years and you have the right perspective. I'm very curious about your--your particular perspective on it.

Julie Weisman: Well, a--actually a--a lot of good things have alre--have--have been said about that. W--um, so I wasn't gonna repeat those but it might be enough just that I think that the practice of asking prior to each vote is a practice that should certainly continue. I--I do think that it is important, there's a point at which it is--before we take a vote it is important to stay in

this public arena recorded for posterity, you know, what peoples' conflict of interests are.

And sometimes that--even that, you know, we've had to, like, kick ourselves and be diligent. Sometimes it was forgotten, sometimes I was, you know, I actually created a little stir myself once with that. Um, so it is important but the practice, um, anything be--for anything beyond that, what we're currently doing to be codified would be burdensome for you guys.

You're already overburdened, um, uh, i--it would--it--what I was reading sounded like, um, uh, l--and I read that there, uh, a form to fill out and, uh, I think it's actually more important to ask it before each specific issue than to have some blanket form that you fill out, you know, each year of your service. Um, uh, the only thing I thought that, you know, could be useful is if you--if there was a list of, uh, affiliations, you know, 'cause that probably wouldn't change from year to year. But--but more, even more importantly what I felt is that there's no substitute for you guys actually getting to know each other. If you do that you will know well enough what each of you is bringing to the table.

Tracy Miedema: Thank you, Julie. Any other questions? Thanks. One quick announcement here, uh, the Accredited Certifiers Association has a meeting this evening at 5:30, which is right about now in the Pulaski room. They said just go straight out this room and turn left. We are at 5:30 so let's do stay very focused and, um, pay close attention to our last three presenters of the day here.

Thanks very much. One last announcement again on the s--the SAAFON social that's from 6:00 to 8:00 P.M. They wanted me to let people know that that's set up and ready now. Sorry, sir. You can go ahead and proceed, Mr., um, Mr. Brunnquell.

John Brunnquell: Good afternoon. I'm John Brunnquell, I'm the President and Founder of Egg Innovations. We're a larger scale organic egg producer in the United States with several hundred thousand organic chickens. Today I'm speaking, uh, for the direction you're going on the animal welfare standards although it will mean significant new investment by our organization and changes in some of the practices we do.

We believe it's the right direction to go. However, we have a fear that some of our colleagues that may give testimony later in the week may not

share that that's the correct direction. We have a fear that you're gonna hear that the going outside with animal welfare and--and pasture is a food safety issue.

We want to share with you we do that regularly and that we test our pastures for, uh, SE and we've never had an SE positive. We don't see that food safety issue from a database point of view. We have a fear that you'll hear that costs are gonna be driven up. Since I joined the organic industry, uh, our cost production have droven (sic) up probably over 60 cents a dozen and any costs of these new standards bring pale in comparison to the volatility we have of grain costs on an annual basis, which is our largest cost of production in a production.

We have a concern that you're gonna hear that's gonna be a dirrupti--a disruption of the marketplace. Um, first, we don't see that happening because traditionally you do phase-ins and during those phase-ins the marketplace corrects itself and--and brings appropriate production to the market. And second on that is I don't know if it's germane.

Right is right and keeping the concept of organic being the gold standard of animal welfare is really the driver because it's not about us in the industry; it's about what the consumer expects when they pick up that carton with that USDA shield.

Having said that the, uh, last concern I think you're gonna hear is about aviaries. I think you're gonna hear large producers say, "We have a very sum cost on these large investments." I think if you polled them you will find that everyone that has an aviary in organic production also is in the cage-free world, which the aviaries are very compliant with and are recognized as an acceptable form of production. So there are alternatives to those sum costs.

In closing, though, we do have two concerns that we bring to the table. One is an ongoing concern you've heard from our community over the last many years. Methianine's scheduled to Sunset next Fall. Please, don't lose sight of that. At this point there still is not an alternative as there has not been an alternative for many years.

And the second that we'd raise as a concern for your long-term consideration is from our perception the inconsistency of how certifiers interpret the rules. Um, I could give you examples of certifiers on aviaries where some simply won't certify them and others embrace them. I could



give you examples on methianine inclusion rates where some look at it as a whole flock basis as others look at it as an individual diet basis. Those are the types of issues that I think you need to address with the certifying community so that we're consistent from our end. Thank you.

Tracy Miedema: Thank you very much. Any questions? Wendy.

Wendy Fulwider: You were talking about the outdoor status and, uh, the standards as we have them now. How would--what would you like to see changed?

John Brunnuell: Well, I think the broader issue is this; I think if you poled many of us on a line item by line item basis we would probably tweak it one way or the other. Uh, where we're very comfortable in heading is the two square feet. We think we can start talking five square feet and beyond and you simply realize that there's six or eight million organic chickens in the United States, what five square feet means, it becomes, uh, a pretty, large number.

However, what we're more broadly saying is, if it's two feet, if it's a foot and a half, if it's two and a half feet, we may disagree within our community. Pick a direction, we'll live with it. It's more important for us to have clarity of the direction than to micromanage a specific parameter.

Tracy Miedema: Any other questions? Thank you.

Jonathan Tescher: Good late afternoon. Uh, my name's Jonathan Tescher. I work as the Farmer Services Coordinator for Georgia Organics. Um, we're not for profit here in the state, it's been around for about 30 years, started out as primarily a growers' organization. We have about 1100 members ranging from farmers, consumers, restaurant tours, distributors, retailers. Um, we do everything from one-on-one mentoring technical assistance with farmers through helping develop markets and grow our industry in the state.

Uh, I'm glad that y'all are here; it's giving me opportunity to learn and kind of see as an organization how I think in the future we can be more involved and engaged in the process. Um, we just brought on or developed an advocacy capacity within our organization this year, mostly focused on state issues like on the farm poultry processing and urban agriculture as it relates to zoning. But I think there's ways that we can represent our constituency better by being more engaged in the process so I've learned a lot by being here.

I will say what I have learned from kind of reading and--and listening or maybe my thoughts is that, you know, maybe technically it--it would be allowed within the NOP to use, you know, hexane, you know, in development of a product that's used in organic foods or to use, uh, uh, a synthetic preservative like sulfur dioxide that's not essential to organic production, you know, putting it in bottles of wine but it doesn't seem to me within the--the spirit of what the standard is about or why it was created.

Um, I get the idea of wanting to grow the industry. I spend a lot of time trying to do that but, you know, if you look at what happens in nature there is nothing that grows unlimited indefinitely. Um, and organic being, uh, a standard that's based in natural practices you can't expect that unlimited growth forever. So, you know, to the--the point about having, you know, taking thing--the--what--looking at the List or looking at what--what kind of things are allowed or not allowed I mean, yeah, there'll be times where maybe it creates difficulties for people in the industry but I think you need to be able to drive innovation.

And so, you know, if you're creating situations where people have to adapt then you're getting people having to think, well, how I can create--cr--how I can develop creative solutions to those problems and how can I be entrepreneurial about it? So I think, you know, it's okay to--to push those issues to try to--to grow our industry in a more sustainable way. Thank you for your time.

Tracy Miedema: Thank you.

Jonathan Tescher: I don't think you have any questions.

Tracy Miedema: Any questions? Oh, we do have a question. John Foster.

John Foster: Forgive my--my ignorance of Georgia's organic program. Um, I don't get down here much.

Jonathan Tescher: That's all right.

John Foster: But approximately how many operators do you certify and how are they divided amongst growers, livestock including that subdivision of livestock versus poultry, if you would, and handlers--

Jonathan Tescher: Yeah, we're not--

John Foster: --specific to handlers versus food manufacturing processors.

Jonathan Tescher: --yes.

John Foster: Those numbers would be helpful for me.

Jonathan Tescher: So we're not a certifier. We gave that up ten years ago when we gave up state certification but to answer your question, there's 72 certified organic farms in the state, about 4400 acres. I think maybe 1600 acres are pasture, the rest is either in production or just idle land. We don't have any organic, uh, chicken production in the state. We don't have any organic livestock in the state. Our two largest producers of livestock have certified organic land but they do not certify organic their product.

They are animal welfare approved and American Grass-Fed approved and they just don't find the--it's not worth their time and effort to do it for the--the value they get in the marketplace.

I mean we do have the largest abetoix east of the Mississippi in southwest Georgia, um, who, you know, basically sells markets through Public's, Whole Foods and that re--you know, these region's relatively large but doesn't find the need to do that and also just developed, uh, chicken abetoix, the only one in the state that's independent, um, and they have 30,000 birds--broilers on the ground in 500 houses so they're--they're kind of doing something innovative in the state in that regard. As it relates to handlers I don't remember. Sorry.

Tracy Miedema: Any other questions? Thanks. Our last speaker today is Mr. Ed Meyer from Rodenator.

Ed Meyer: Rodenator. Thank you for letting me have the last word of the day. Um, I am, uh, from Idaho, flew out here to address all of you. I appreciate your time. And I wanted to come here and give you an opportunity to ask some questions firsthand about a product I developed about 11 years ago for killing burrowing animals. I grew up on a cattle ranch. We had a terrible problem with gophers on our place, raised commercial alfalfa and we could find no control over these animals.

They were destroying our crops, destroying our equipment so we came up with, uh, a device to take care of them and it turned out that other people had problems with it, as well. Today I export it to about 15 other countries. Uh, the rodinator injects about a 97 percent pure oxygen and 3 percent propane mixture into a rodent's tunnel system and then it ignites it.

It produces about 10,000 PSI that crushes the body down--the animal's body instantly. Um, I've had documented studies showing it is an extremely humane way to kill an animal. It disrupts their tunnel system stopping a lot of erosion issues and people that use it seem to have a pretty good time using it, as well.

See, I thought I could make you laugh, some of you anyway. Um, it's a very, clean product. Um, the small amount of propane that's in it, the odorant that's in that small amount is more than likely burns up but that's not the issue that the odorant is the issue. Um, hydrogen will work just as well, I just hadn't wanted to put the effort into a developing that product. However, it does work and I have used it.

I would like to, um, have you support the petition that CCOF wrote up on, uh, odorant in propane and thank you for giving me your time. Do you have any questions?

Tracy Miedema: Thank you. Any questions for Mr. Meyer? John Foster.

John Foster: I would love to see your R&D facility. Um, my question is about, um, do you have a, um, knowledge or a sense from trials, which I'm sure you've done a lot of, that the efficacy as a function of compression concussive force versus, uh, um, uh--

Ed Meyer: It's not a flame that's killing them.

John Foster: --construction of the tunnel?

Ed Meyer: Yeah.

John Foster: Yeah, no. I--I get it's not the f--the flame thing but is it, uh, an immediate--

Ed Meyer: Yes, it is.

John Foster: --concussive force that does the job relative to--to mortality?

Ed Meyer: It's instant. Yeah, it--yeah, if you were ever to be next to it and witness it in person you would have no question. I've killed animals--

John Foster: Right. Oh, I've s--no, no, no. I've seen it.

Ed Meyer: --yeah.

John Foster: I've se--I haven't been underground when it's happened but--

Ed Meyer: Yeah.

John Foster: --but I've seen it in application. Um, but so the difference between the concussive force of the--of, uh, versus the collapse of the tunnel, that was my distinction.

Ed Meyer: The collapse of the tunnel is a side effect of the concussion.

John Foster: Okay.

Ed Meyer: You don't need to collapse the tunnel. By using a smaller amount of gas you can--you can kill the animal without destroying the tunnel.

John Foster: Okay.

Ed Meyer: And the tunnels are only destroyed on closed animal systems like moles and pocket gophers. Prairie dogs and ground squirrels that have open tunnel systems it does not collapse their tunnel systems.

Tracy Miedema: Katrina?

Katrina Heinze: My understanding is that, uh, use of your tool maybe or this tool, um, was allowed in organic until 2007 and then, um, the NOP said it wasn't allowed. Do you have some more background on that?

Ed Meyer: No, I'd like some. I'd like to have a clear understanding why it was taken away and as well as the numerous phone calls I get from farmers all across the country upset that it was taken because they've le--been left with very few options to control the problems they have on their farms. Having one or two acres of an organic farm is one thing but when you're in--when you're in large-scale production it's a totally different thing.

And cats and dogs and owl boxes can't take care of the problem. They can help control the problem but these people need controls so that they can manage their crops and harvest their crops and get the highest dollar for them.

Tracy Miedema: Jay Feldman.

Jay Feldman: Hi, thanks for coming. Um, have you studied the impact on, uh, whole ecosystems affected by the device, uh, including other, uh, organisms that live in the burrows?

Ed Meyer: I've worked with the University of Fresno in California, U.C. Davis and, um, U.S. San Luis Obispo on (inaudible), um, control and that's never been a question that's coming up--that's come up. I know it does not work on

hardbodied exco--exoskeleton animals like ants, um, only softbodied animals it works on. Occasionally when you, um, blow up a tunnel system and you have dirt clouds around there you see worms. I've never seen worms affected by it.

It's a quick flash through the tunnel; there's no heat generated. Um, I've never once had anybody comment in any way that it was creating any type of ill effect to any type of ecosystem. I think that animals that you're getting rid of left alone there's more of an ill effect to an ecosystem than the product.

Tracy Miedema: Do you have a follow-up question, Jay?

Jay Feldman: I wanted to ask you about, um, you know, whether there are return gr--any--any assessment or study of the rate of return to the disrupted area and then I want to finish off if you like the movie Caddy Shack?

Ed Meyer: Well, I'll answer your second one first. That's probably the most--most, uh, asked about thing is, uh, it's either a comment about Caddy Shack or where were you in Vietnam? Um, the product reinfestation has everything to do with how well the customer follows the training manual or video that comes with it. The product works only as well as the guy using it. So if you have your mixture set right and you're using it accurately the reinfestation will happen but it will be very low.

I can kill what's in there but I can't stop something from coming back in there. Pocket gophers and moles when it destroys their tunnel system it prevents them from coming back and moving into that particular tunnel system. Open-holed animals, groundhogs, prairie dogs, ground squirrels, when you treat the tunnel systems you'll shovel it shut but they will come in and dig in and they are carnivorous. They will feed on their dead even though people say they don't I've witnessed it many times firsthand. Um, so there is that fact, that's why you need to go back over it after you treated.

If you ever see an open hole you know that something's moved back in there. But you can kill what's on your property but you can't control what's coming over the fence and that's where a lot of organic farmers have issues is they can't control what's on their side of the fence and the people on the other side of the fence had enough and they want them to take care of the problem.

Tracy Miedema: Thank you, sir.

Ed Meyer: Thank you.

Tracy Miedema: Any other questions? Okay. Thank you. We will now recess until 8:00 A.M. tomorrow morning. Tomorrow's schedule, just a reminder, is Committee presentations and we will go to 5:30 tomorrow. Thank you.

**A**

Accreditation, 24  
See Also  
Compliance  
Accreditation, 24  
Accredited Certifiers  
Association, 165  
See Also  
Certifiers, 165  
Act, 36, 37  
See Also  
Infant Formula Act,  
36, 37  
Organic Food  
Production Act,  
36, 37  
Organic Foods  
Production Act,  
36, 37  
Production Act, 36,  
37  
Additional, 142  
Additionally, 118  
Advisory, 17, 21, 47  
Advisory Board, 17  
See Also  
Board, 17  
Advisory Committee, 21  
See Also  
Co, 21  
Com, 21  
Committee, 21  
African American, 40, 49  
See Also  
America, 40, 49  
American, 40, 49  
Southeastern  
African  
American  
Farmers Organic  
Network, 40, 49  
African Americans, 40  
See Also  
America, 40  
American, 40  
Agricultural Marketing  
Service, 18  
See Also  
Se, 18  
Agriculture, 3, 8, 79, 129,  
145, 160  
See Also  
Alternative  
Agriculture, 3, 8,  
79, 129, 145, 160  
Century  
Agriculture, 3, 8,  
79, 129, 145, 160  
Community  
Supported  
Agriculture, 3, 8,  
79, 129, 145, 160  
Al, 41  
See Also  
Wild Farm Alliance,  
41  
Alabama, 41, 47, 49  
Alaska, 64  
Allen Green, 96  
See Also  
Green, 96  
Allowed, 23  
Aloha, 8  
Alternative Agriculture,  
91  
See Also  
Agriculture, 91  
America, 49, 80, 126  
See Also  
African American,  
49, 80, 126  
African Americans,  
49, 80, 126  
Native American,  
49, 80, 126  
Native Americans,  
49, 80, 126  
North America, 49,  
80, 126  
Southeastern  
African  
American  
Farmers Organic  
Network, 49, 80,  
126  
American, 19, 41, 42, 140,  
141, 169  
See Also  
African American,  
19, 41, 42, 140,  
141, 169  
African Americans,  
19, 41, 42, 140,  
141, 169  
Native American,  
19, 41, 42, 140,  
141, 169  
Native Americans,  
19, 41, 42, 140,  
141, 169  
Southeastern  
African  
American  
Farmers Organic  
Network, 19, 41,  
42, 140, 141, 169  
American Academy, 141  
See Also  
Ac, 141  
American Grass, 169

American Halal  
Foundation, 140  
See Also  
Halal, 140  
American Indian  
Mothers, 42  
See Also  
Indian, 42  
Mother, 42  
Ammonium, 157, 158  
Andy, 58, 63, 65  
Andy Sponseller, 58, 63  
See Also  
Sponseller, 58, 63  
ANDY SPONSELLER  
Speaking, 63, 64, 65,  
66, 67  
Animal, 7, 25, 93, 130  
Animal Care, 7  
Animal Livestock, 25  
See Also  
Livestock, 25  
Animal Welfare  
Recommendations, 93  
See Also  
Wel, 93  
Annatto, 163  
Antonio, 20  
Appendix, 72  
April, 9, 11, 12, 13, 16, 18,  
27, 34, 95, 116  
See Also  
California April, 9,  
11, 12, 13, 16, 18,  
27, 34, 95, 116  
April Board, 34  
See Also  
Board, 34  
Aquaculture, 6, 102, 130  
Arguing, 126  
Arry, 93  
Associate Administrator,  
18  
Associate Deputy  
Administrator, 18  
See Also  
Deputy  
Administrator, 18  
Assume, 10  
Atlanta, 47  
Atlantic, 108  
Attendees, 39  
August, 18, 21, 27  
Aurora Organic Dairy,  
142  
See Also  
Organic, 142  
Aye, 9  
Aykan, 124  
See Also  
Troy Aykan, 124

**B**

Baltimore, 140  
Bandeles, 41  
See Also  
Owusu Bandele, 41  
Barry, 5, 8, 64, 87, 93, 112,  
135  
Barry Flamm, 5, 93, 135  
BARRY FLAMM  
Speaking, 5, 65, 87, 93,  
112  
Batcha, 71, 76  
See Also  
Laura Batcha, 71,  
76  
Baton Rouge, 40  
Baumgartner, 87, 134  
See Also  
Joanne  
Baumgartner, 87,  
134  
Beechnut, 153, 154  
Ben Carter, 132, 133, 134  
BEN CARTER  
Speaking, 133, 135,  
136  
Benden, 134  
Benden Farms, 134  
See Also  
Farm, 134  
Beverly Collins, 41  
See Also  
Co, 41  
BEVERLY COLLINS-  
HALL  
Speaking, 41, 43  
Beverly Hall, 41  
See Also  
Hall, 41  
Bigelow Tea Company,  
149  
See Also  
Co, 149  
Com, 149  
Bill, 55  
Bill Welsh, 55  
See Also  
Wel, 55  
Biodiversity, 86  
Biosafe Systems, 143  
Biotechnology, 21  
Board, 3, 4, 5, 6, 7, 8, 10,  
11, 12, 13, 14, 15, 16,  
17, 18, 19, 20, 21, 27,  
28, 29, 30, 31, 32, 33,  
34, 35, 36, 37, 38, 39,  
40, 44, 50, 51, 52, 57,  
58, 65, 69, 70, 71, 72,  
73, 74, 75, 76, 77, 82,  
86, 90, 93, 96, 98, 99,





Meeting Of The National Organic Standards Board  
November 29, 2011

- 112, 114, 115,  
118, 119, 122,  
123, 124, 129,  
132, 133, 137,  
138, 140, 144,  
145, 146, 150,  
152, 156, 157,  
158, 161, 163, 164  
Omri Board, 3, 4, 5,  
6, 7, 8, 10, 11, 12,  
13, 14, 15, 16, 17,  
18, 19, 20, 21, 27,  
28, 29, 30, 31, 32,  
33, 34, 35, 36, 37,  
38, 39, 40, 44, 50,  
51, 52, 57, 58, 65,  
69, 70, 71, 72, 73,  
74, 75, 76, 77, 82,  
86, 90, 93, 96, 98,  
99, 101, 102, 103,  
104, 109, 110,  
112, 114, 115,  
118, 119, 122,  
123, 124, 129,  
132, 133, 137,  
138, 140, 144,  
145, 146, 150,  
152, 156, 157,  
158, 161, 163, 164  
Saafon Board, 3, 4,  
5, 6, 7, 8, 10, 11,  
12, 13, 14, 15, 16,  
17, 18, 19, 20, 21,  
27, 28, 29, 30, 31,  
32, 33, 34, 35, 36,  
37, 38, 39, 40, 44,  
50, 51, 52, 57, 58,  
65, 69, 70, 71, 72,  
73, 74, 75, 76, 77,  
82, 86, 90, 93, 96,  
98, 99, 101, 102,  
103, 104, 109,  
110, 112, 114,  
115, 118, 119,  
122, 123, 124,  
129, 132, 133,  
137, 138, 140,  
144, 145, 146,  
150, 152, 156,  
157, 158, 161,  
163, 164  
Board Chair, 93  
See Also  
Chair, 93  
Board Dairy Sub, 50  
Board Member, 6, 33, 39,  
40, 75, 86, 96, 112, 124,  
140  
See Also  
Nosb Board  
Members, 6, 33,  
39, 40, 75, 86, 96,  
112, 124, 140  
Board Members, 6, 33,  
39, 75, 86, 124, 140  
See Also  
Members, 6, 33, 39,  
75, 86, 124, 140  
Nosb Board  
Members, 6, 33,  
39, 75, 86, 124,  
140  
Boards, 12, 73, 104  
See Also  
Facca Boards, 12,  
73, 104  
National Organic  
Standards  
Boards, 12, 73,  
104  
Bonanza, 93  
Brad Samuelson, 108,  
109  
See Also  
Samuelson, 108,  
109  
BRAD SAMUELSON  
Speaking, 109, 110  
breast, 122  
Brines, 17, 26, 31, 34, 35,  
39  
See Also  
Lisa Brines, 17, 26,  
31, 34, 35, 39  
Brown, 126  
See Also  
Emily Brown, 126  
Mary Kay Brown,  
126  
Yvette Brown, 126  
Bruce Heimann, 56, 58  
See Also  
Heimann, 56, 58  
BRUCE HEIMANN  
Speaking, 58, 59, 60,  
61, 62, 63  
Brunquell, 165  
See Also  
John Brunquell, 165  
Bryce, 91  
Business, 4  

<b>C</b>
----------

  
C. REUBEN WALKER  
Speaking, 6, 41, 43, 45,  
51, 62, 74, 75, 76, 78,  
79, 83, 92, 96, 104,  
113, 127, 129, 136,  
140, 151  
Caddy Shack, 172  
Cali Poly, 122  
California, 6, 7, 17, 22, 47,  
57, 77, 79, 86, 88, 89,  
90, 92, 93, 107, 109,  
114, 116, 131, 134, 136,  
145, 172  
California April, 114  
See Also  
April, 114  
California Certified  
Organic Farmer, 57  
See Also  
Farm, 57  
Organic, 57  
California Land Grand,  
136  
California Rice  
Commission, 90, 93,  
134  
See Also  
Co, 90, 93, 134  
Com, 90, 93, 134  
Rice Commission,  
90, 93, 134  
California Rice  
Commissions, 90  
See Also  
Co, 90  
Com, 90  
Rice Commission,  
90  
Calro, 93  
Calvin, 43, 50, 73, 75, 76,  
78, 83, 92, 96, 104, 113,  
127, 129, 135, 140, 141,  
151  
Calvin Walker, 135, 151  
See Also  
Walker, 135, 151  
Campbell Soup  
Company, 6  
See Also  
Co, 6  
Com, 6  
Soup Company, 6  
Canada, 21, 81, 116, 117  
Canada Equivalency  
Agreement, 116  
Canada Organic  
Equivalency  
Arrangement, 21  
See Also  
Organic, 21  
Canadian, 79, 117  
Carmichael, 6  
Cascade, 6  
Cascadian, 87  
Castell, 51, 55, 56  
Cathy Calfo, 57  
Center, 129  
See Also  
Louis Center, 129  
Southern University  
Ag Center, 129  
Century Agriculture, 21  
See Also  
Agriculture, 21  
Certification Committee,  
7  
See Also  
Co, 7  
Com, 7  
Committee, 7  
Certification Compliance  
Committee, 5  
See Also  
Co, 5  
Com, 5  
Committee, 5  
Compliance, 5  
Compliance  
Committee, 5  
Certification Program,  
108  
See Also  
Pro, 108  
Program, 108  
Certifiers, 80  
See Also  
Accredited  
Certifiers  
Association, 80  
Chair, 3, 5, 7, 8, 9, 15, 32,  
110  
See Also  
Board Chair, 3, 5, 7,  
8, 9, 15, 32, 110  
Livestock Chair, 3,  
5, 7, 8, 9, 15, 32,  
110  
Madam Chair, 3, 5,  
7, 8, 9, 15, 32, 110  
Madam Chair  
Katrina, 3, 5, 7, 8,  
9, 15, 32, 110  
Madam Chairman,  
3, 5, 7, 8, 9, 15,  
32, 110  
Chairperson, 109, 146,  
158  
Chairperson Miedema,  
109  
Chairs, 5  
Charleston County, 158  
See Also  
Co, 158  
Charlotte Valais, 63, 67  
See Also  
Valais, 63, 67  
CHARLOTTE VALAIS  
Speaking, 67, 68, 69,  
70  
Chatham County, 100

See Also	Livestock	Campbell Soup	6, 7, 8, 11, 21, 34,
Co, 100	Committee Ccof,	Company, 73	36, 50, 51, 58, 64,
Chatham House Rules,	8	Certification	70, 72, 73, 77, 93,
71, 72	Llc Management	Committee, 73	94, 95, 98, 104,
Cherokee, 43	Committee, 8	Certification	108, 118, 120,
Chief Certification	Lorraine Coke, 8	Compliance	121, 127, 128,
Officer, 79	Martek Biosciences	Committee, 73	130, 136, 139,
See Also	Corporation, 8	Crop Committee, 73	141, 146, 147,
Office, 79	Materials	Crops Committee,	149, 151, 152,
Christy, 142, 143	Committee, 8	73	160, 162, 163, 173
Christy Corb, 142, 143	Mendocino County,	European	Cacc Committee, 3,
See Also	8	Commission, 73	4, 6, 7, 8, 11, 21,
Co, 142, 143	Monsanto	Executive	34, 36, 50, 51, 58,
Christy Corbe, 143	Corporation, 8	Committee, 73	64, 70, 72, 73, 77,
See Also	National List	Executive	93, 94, 95, 98,
Co, 143	Coordinator, 8	Committees, 73	104, 108, 118,
Circleville, 50	National Organic	Livestock	120, 121, 127,
Clinton University, 42	Coalition, 8	Committee, 73	128, 130, 136,
See Also	Neudorf Company,	Livestock	139, 141, 146,
University, 42	8	Committee Ccof,	147, 149, 151,
Closing Remarks, 4	Nosb Committee, 8	73	152, 160, 162,
Co, 8	Nosb Livestock	Llc Management	163, 173
See Also	Committee, 8	Committee, 73	Certification
Ac Committee, 8	Organic Policy	Materials	Committee, 3, 4,
Advisory	Coordinator, 8	Committee, 73	6, 7, 8, 11, 21, 34,
Committee, 8	Organic Producer	Neudorf Company,	36, 50, 51, 58, 64,
Beverly Collins, 8	Pools	73	70, 72, 73, 77, 93,
Bigelow Tea	Cooperative, 8	Nosb Committee,	94, 95, 98, 104,
Company, 8	Policy Committee, 8	73	108, 118, 120,
Cacc Committee, 8	Policy	Nosb Livestock	121, 127, 128,
California Rice	Development	Committee, 73	130, 136, 139,
Commission, 8	Committee, 8	Policy Committee,	141, 146, 147,
California Rice	Quality Standards	73	149, 151, 152,
Commissions, 8	Coordinator, 8	Policy	160, 162, 163, 173
Campbell Soup	Raising Cornish, 8	Development	Certification
Company, 8	Rice Commission, 8	Committee, 73	Compliance
Certification	Soup Company, 8	Rice Commission,	Committee, 3, 4,
Committee, 8	Cody, 7	73	6, 7, 8, 11, 21, 34,
Certification	Cold, 145	Soup Company, 73	36, 50, 51, 58, 64,
Compliance	Colehour, 8, 164	Committee, 3, 4, 6, 7, 8,	70, 72, 73, 77, 93,
Committee, 8	Colehour Bondera, 8	11, 21, 34, 36, 50, 51,	94, 95, 98, 104,
Charleston County,	COLEHOUR BONDERA	58, 64, 70, 72, 73, 77,	108, 118, 120,
8	Speaking, 8, 164	93, 94, 95, 98, 104, 108,	121, 127, 128,
Chatham County, 8	Colleagues, 9	118, 120, 121, 127, 128,	130, 136, 139,
Christy Corb, 8	Colorado, 142	130, 136, 139, 141, 146,	141, 146, 147,
Christy Corbe, 8	Columbia, 40, 44	147, 149, 151, 152, 160,	149, 151, 152,
Crop Committee, 8	Columbus, 140	162, 163, 173	160, 162, 163, 173
Crop Cooperative,	Colusa, 134	See Also	Certification
8	Colusa County, 134	Ac Committee, 3, 4,	Compliance
Crops Committee, 8	Com, 73	6, 7, 8, 11, 21, 34,	Committee, 3, 4,
European	See Also	36, 50, 51, 58, 64,	6, 7, 8, 11, 21, 34,
Commission, 8	Ac Committee, 73	70, 72, 73, 77, 93,	36, 50, 51, 58, 64,
Executive	Advisory	94, 95, 98, 104,	70, 72, 73, 77, 93,
Committee, 8	Committee, 73	108, 118, 120,	94, 95, 98, 104,
Executive	Bigelow Tea	121, 127, 128,	108, 118, 120,
Committees, 8	Company, 73	130, 136, 139,	121, 127, 128,
Farmer Services	Cacc Committee,	141, 146, 147,	130, 136, 139,
Coordinator, 8	73	149, 151, 152,	141, 146, 147,
Livestock	California Rice	160, 162, 163, 173	149, 151, 152,
Committee, 8	Commission, 73	Advisory	160, 162, 163, 173
	California Rice	Committee, 3, 4,	
	Commissions, 73		

Meeting Of The National Organic Standards Board  
November 29, 2011

- Crop Committee, 3, 4, 6, 7, 8, 11, 21, 34, 36, 50, 51, 58, 64, 70, 72, 73, 77, 93, 94, 95, 98, 104, 108, 118, 120, 121, 127, 128, 130, 136, 139, 141, 146, 147, 149, 151, 152, 160, 162, 163, 173
- Crops Committee, 3, 4, 6, 7, 8, 11, 21, 34, 36, 50, 51, 58, 64, 70, 72, 73, 77, 93, 94, 95, 98, 104, 108, 118, 120, 121, 127, 128, 130, 136, 139, 141, 146, 147, 149, 151, 152, 160, 162, 163, 173
- Executive Committee, 3, 4, 6, 7, 8, 11, 21, 34, 36, 50, 51, 58, 64, 70, 72, 73, 77, 93, 94, 95, 98, 104, 108, 118, 120, 121, 127, 128, 130, 136, 139, 141, 146, 147, 149, 151, 152, 160, 162, 163, 173
- Executive Committees, 3, 4, 6, 7, 8, 11, 21, 34, 36, 50, 51, 58, 64, 70, 72, 73, 77, 93, 94, 95, 98, 104, 108, 118, 120, 121, 127, 128, 130, 136, 139, 141, 146, 147, 149, 151, 152, 160, 162, 163, 173
- Livestock Committee, 3, 4, 6, 7, 8, 11, 21, 34, 36, 50, 51, 58, 64, 70, 72, 73, 77, 93, 94, 95, 98, 104, 108, 118, 120, 121, 127, 128, 130, 136, 139, 141, 146, 147, 149, 151, 152, 160, 162, 163, 173
- Livestock Committee Cof, 3, 4, 6, 7, 8, 11, 21, 34, 36, 50, 51, 58, 64, 70, 72, 73, 77, 93, 94, 95, 98, 104, 108, 118, 120, 121, 127, 128, 130, 136, 139, 141, 146, 147, 149, 151, 152, 160, 162, 163, 173
- Lic Management Committee, 3, 4, 6, 7, 8, 11, 21, 34, 36, 50, 51, 58, 64, 70, 72, 73, 77, 93, 94, 95, 98, 104, 108, 118, 120, 121, 127, 128, 130, 136, 139, 141, 146, 147, 149, 151, 152, 160, 162, 163, 173
- Materials Committee, 3, 4, 6, 7, 8, 11, 21, 34, 36, 50, 51, 58, 64, 70, 72, 73, 77, 93, 94, 95, 98, 104, 108, 118, 120, 121, 127, 128, 130, 136, 139, 141, 146, 147, 149, 151, 152, 160, 162, 163, 173
- Nosb Committee, 3, 4, 6, 7, 8, 11, 21, 34, 36, 50, 51, 58, 64, 70, 72, 73, 77, 93, 94, 95, 98, 104, 108, 118, 120, 121, 127, 128, 130, 136, 139, 141, 146, 147, 149, 151, 152, 160, 162, 163, 173
- Nosb Livestock Committee, 3, 4, 6, 7, 8, 11, 21, 34, 36, 50, 51, 58, 64, 70, 72, 73, 77, 93, 94, 95, 98, 104, 108, 118, 120, 121, 127, 128, 130, 136, 139, 141, 146, 147, 149, 151, 152, 160, 162, 163, 173
- Livestock 149, 151, 152, 160, 162, 163, 173
- Policy Committee, 3, 4, 6, 7, 8, 11, 21, 34, 36, 50, 51, 58, 64, 70, 72, 73, 77, 93, 94, 95, 98, 104, 108, 118, 120, 121, 127, 128, 130, 136, 139, 141, 146, 147, 149, 151, 152, 160, 162, 163, 173
- Policy Development Committee, 3, 4, 6, 7, 8, 11, 21, 34, 36, 50, 51, 58, 64, 70, 72, 73, 77, 93, 94, 95, 98, 104, 108, 118, 120, 121, 127, 128, 130, 136, 139, 141, 146, 147, 149, 151, 152, 160, 162, 163, 173
- Communication, 17
- Community Supported Agriculture, 44
- See Also Agriculture, 44
- Compliance, 7, 17, 118
- See Also Certification Compliance Committee, 7, 17, 118
- Compliance Accreditation, 7
- See Also Ac, 7 Accreditation, 7
- Compliance Committee, 118
- See Also Certification Compliance Committee, 118
- Committee, 118
- Conflict, 74
- Congress, 9, 17, 75
- Connecticut, 136
- Consumer, 31
- Consumers, 125
- Controlling, 142
- Coop, 42
- See Also Crop Cooperative, 42
- Organic Producer Pools Cooperative, 42
- Cooperative Regions, 128
- Coordinator, 8
- See Also Farmer Services Coordinator, 8 National List Coordinator, 8 Organic Policy Coordinator, 8 Quality Standards Coordinator, 8
- Copper, 89, 92, 134
- Cornish, 145
- See Also Raising Cornish, 145
- Cornucopia, 55, 67, 95, 118, 119
- Cornucopia Institute, 55, 67, 118, 119
- Cost Share Program, 19
- See Also Pro, 19 Program, 19
- Council, 148
- Counsel, 26
- Crohen, 106
- See Also Joel Crohen, 106
- Crop Committee, 133
- See Also Co, 133 Com, 133 Committee, 133
- Crop Cooperative, 7, 126
- See Also Co, 7, 126 Co, 7, 126 Coop, 7, 126
- Crops, 4, 5, 6, 7, 8, 16, 83, 115, 143
- Crops Committee, 4, 5, 7, 8, 83, 115, 143
- See Also Co, 4, 5, 7, 8, 83, 115, 143 Com, 4, 5, 7, 8, 83, 115, 143 Committee, 4, 5, 7, 8, 83, 115, 143
- Cumberland Sapello Room, 104
- Cynthia, 42, 44, 99, 100, 160
- Cynthia Hayes, 42, 44, 99, 100, 160

**D**

Dana, 137  
Darryl, 114, 116, 118  
Darryl Williams, 114, 116  
DARRYL WILLIAMS  
Speaking, 116  
Dash, 149  
David Bruce, 124, 126,  
127, 129  
DAVID BRUCE  
Speaking, 126, 127,  
128, 129  
Davis, 172  
Dean Foods, 55  
See Also  
Food, 55  
Foods, 55  
December, 21  
Denise, 134  
Department, 8, 33, 79, 82,  
90, 93, 160  
See Also  
Livestock  
Department, 8,  
33, 79, 82, 90, 93,  
160  
United States  
Department, 8,  
33, 79, 82, 90, 93,  
160  
Washington State  
Department, 8,  
33, 79, 82, 90, 93,  
160  
Deputy Administrator, 17,  
18, 32, 33, 35, 146, 147  
See Also  
Associate Deputy  
Administrator,  
17, 18, 32, 33, 35,  
146, 147  
Deyoung, 94  
See Also  
Yanica Deyoung,  
94  
Diane Wilson, 138, 140  
See Also  
Wilson, 138, 140  
DIANE WILSON  
Speaking, 140, 141,  
142  
Directors, 57, 93, 156, 158  
Discuss, 78  
Distinguished Board, 41  
See Also  
Board, 41  
Division, 6  
See Also  
Enforcement  
Division, 6

Standards Division,  
6

Dixon, 44, 46  
See Also  
Janie Dixon, 44, 46  
Rocky Dixon, 44, 46  
Don, 120, 164  
Dr, 17, 26, 31, 34, 35, 39,  
41, 96, 139  
DR. LISA BRINES  
Speaking, 35, 38, 39  
Driscoll, 107

**E**

Earth, 153  
Earthbound Farm, 7, 9  
See Also  
Farm, 7, 9  
Ed Meyer, 83, 169  
See Also  
Meyer, 83, 169  
ED MEYER  
Speaking, 169, 170,  
171, 172, 173  
Ed Zimba, 116, 118  
See Also  
Zimba, 116, 118  
ED ZIMBA  
Speaking, 118, 120  
Egg Innovations, 165  
See Also  
Innovation, 165  
Elmwood Stock Farm, 8  
See Also  
Farm, 8  
Emily Brown, 18  
See Also  
Brown, 18  
Empire, 139  
Enforcement Division, 17  
See Also  
Division, 17  
Environmental, 8  
Environmentalist, 31  
Eric, 86, 89, 90  
Eric Lundberg, 86, 89  
See Also  
Lundberg, 86, 89  
ERIC LUNDBERG  
Speaking, 89, 90, 91,  
92, 93  
Estherville, 55  
Europe, 54, 115  
European Commission,  
159  
See Also  
Co, 159  
Com, 159  
European Food Safety  
Authority, 159  
See Also  
Food, 159

Food Safety, 159  
European Union, 21  
Evaluating, 117  
Executive, 5, 6, 9, 17, 57,  
132, 146  
Executive Committee, 6,  
9  
See Also  
Co, 6, 9  
Com, 6, 9  
Committee, 6, 9  
Executive Committees, 6  
See Also  
Co, 6  
Com, 6  
Committee, 6

**F**

Fagundes, 109  
See Also  
Fred Fagundes,  
109  
Fagundes Brothers  
Dairy, 109  
Falcon Lab, 157  
Family, 91, 153  
See Also  
Lundberg Family  
Farms, 91, 153  
Fantastic, 43  
Farm, 6, 8, 42, 67, 120  
See Also  
Benden Farms, 6, 8,  
42, 67, 120  
California Certified  
Organic Farmer,  
6, 8, 42, 67, 120  
Earthbound Farm,  
6, 8, 42, 67, 120  
Elmwood Stock  
Farm, 6, 8, 42, 67,  
120  
Huckleberry Hill  
Farm, 6, 8, 42, 67,  
120  
Joseph Fields  
Farm, 6, 8, 42, 67,  
120  
Lundberg Family  
Farms, 6, 8, 42,  
67, 120  
Ohio Century Farm,  
6, 8, 42, 67, 120  
Organic Egg  
Farmers, 6, 8, 42,  
67, 120  
Sea Island  
Farmers, 6, 8, 42,  
67, 120  
Sisters Farm, 6, 8,  
42, 67, 120  
Sisters Research  
Farm, 6, 8, 42, 67,  
120  
Southeastern  
African  
American  
Farmers Organic  
Network, 6, 8, 42,  
67, 120  
Wild Farm Alliance,  
6, 8, 42, 67, 120  
Farm Muir Glen, 6  
Farm Program, 8, 120  
See Also  
Pro, 8, 120  
Program, 8, 120  
Farm Programs, 8  
See Also  
Pro, 8  
Program, 8  
Programs, 8  
Farmer Services  
Coordinator, 167  
See Also  
Co, 167  
Coo, 167  
Coordinator, 167  
Se, 167  
Farmers, 86, 119, 157  
See Also  
Organic Egg  
Farmers, 86, 119,  
157  
Sea Island  
Farmers, 86, 119,  
157  
Southeastern  
African  
American  
Farmers Organic  
Network, 86, 119,  
157  
Fatty, 160  
February, 114  
Federal Register, 11  
Feed, 28  
Feldman, 38  
See Also  
Jay Feldman, 38  
Ferric, 116  
Ferry, 96, 99  
See Also  
Mike Ferry, 96, 99  
Fields, 41, 159  
See Also  
Helen Fields, 41,  
159  
Joseph Fields, 41,  
159  
Joseph Fields  
Farm, 41, 159

Fingerlakes International, 64  
See Also  
International, 64  
Fish, 160  
Florida, 8, 17, 58, 107  
Food, 7, 67, 103, 129  
See Also  
Dean Foods, 7, 67, 103, 129  
European Food Safety Authority, 7, 67, 103, 129  
French Food Safety Authority, 7, 67, 103, 129  
Organic Food Produ, 7, 67, 103, 129  
Organic Food Production Act, 7, 67, 103, 129  
Organic Foods Production Act, 7, 67, 103, 129  
Plant Foods, 7, 67, 103, 129  
Food Policy, 67  
Food Safety, 7, 129  
See Also  
European Food Safety Authority, 7, 129  
French Food Safety Authority, 7, 129  
Foods, 7, 154, 169  
See Also  
Dean Foods, 7, 154, 169  
Organic Foods Production Act, 7, 154, 169  
Plant Foods, 7, 154, 169  
Foods Market, 7  
Former, 139  
Founder, 165  
Founding Mother, 42  
See Also  
Mother, 42  
Founding Partner, 153  
Fray, 51, 52, 54  
See Also  
Jonathan Fray, 51, 52, 54  
Fred Fagundes, 109  
See Also  
Fagundes, 109  
French Food Safety Authority, 159

See Also  
Food, 159  
Food Safety, 159  
Fresno, 172  
Frey, 132, 133  
See Also  
Katrina Frey, 132, 133  
Frey Vineyards, 132  
Friday, 8, 137

**G**

Galvin, 145  
Generation, 152  
Gentlemen, 63  
Georgia, 3, 17, 40, 99, 167, 168, 169  
Georgia Organics, 167  
See Also  
Organic, 167  
Organics, 167  
Gerber, 68, 153, 154  
German, 114  
Germany, 114  
Glean, 134  
Google Rocks, 14  
Green, 134, 135, 136  
See Also  
Allen Green, 134, 135, 136  
Groundwork, 89  
Group, 5, 18, 104  
See Also  
Hain Celestial Group, 5, 18, 104  
Saafon Group, 5, 18, 104  
Guernsey, 51  
Gwendolyn Wyard, 70

**H**

Hain Celestial Group, 122  
See Also  
Group, 122  
Halal, 138  
See Also  
American Halal Foundation, 138  
Hall, 43  
See Also  
Beverly Hall, 43  
Handler, 31, 77  
Handler Certification, 77  
Hawaii, 8, 64  
Heimann, 59  
See Also  
Bruce Heimann, 59  
Helen, 41, 157, 158  
Helen Fields, 41, 158  
See Also  
Fields, 41, 158

HELEN FIELDS  
Speaking, 158, 159  
Help, 74  
Hispanics, 49  
Hogan Lov, 96  
Hogs, 55  
Honaunau, 8  
Hoop, 47, 48  
Hoop Tunnel, 47  
Horizon, 55, 95, 96, 99, 109, 110, 118, 119, 120  
Horizon Milk, 55, 96  
Horizon Organic, 95, 109, 110, 118, 119  
See Also  
Organic, 95, 109, 110, 118, 119  
Horizon Organic Milk, 109, 110  
See Also  
Organic, 109, 110  
Huckleberry Hill Farm, 47  
See Also  
Farm, 47

**I**

Idaho, 169  
Importantly, 95  
Inc, 57, 83  
Increased, 119  
Independently, 140  
Indian, 41, 42  
See Also  
American Indian Mothers, 41, 42  
Indy, 64  
Inerts, 4, 5  
Infant Formula Act, 141  
See Also  
Ac, 141  
Act, 141  
Innovation, 109  
See Also  
Egg Innovations, 109  
Product Innovation, 109  
Inspector, 22, 23, 110  
See Also  
International Organic Inspectors Association, 22, 23, 110  
Inspector Qualifications, 110  
Interest, 31  
International, 30, 57, 110  
See Also  
Fingerlakes International, 30, 57, 110

Quality Assurance International, 30, 57, 110  
International Organic Inspectors Association, 30, 110  
See Also  
Inspector, 30, 110  
Organic, 30, 110  
Irrigation, 47  
Isn, 56  
Italy, 63

**J**

Jack, 6  
Jacob, 145  
Jaime, 41  
Jake, 79, 81, 83  
Jake Lewin, 79, 81  
JAKE LEWIN  
Speaking, 79, 81, 82, 83  
Janecky Dijong, 89  
Janie, 41, 43  
Janie Dixon, 41, 43  
See Also  
Dixon, 41, 43  
JANIE DIXON  
Speaking, 43, 45, 46  
January, 15, 20, 146  
Japan, 86  
Jay, 5, 34, 46, 52, 57, 61, 64, 69, 71, 73, 81, 84, 88, 90, 91, 97, 98, 103, 110, 112, 115, 120, 123, 143, 149, 150, 171, 172  
Jay Feldman, 5, 46, 52, 61, 69, 71, 84, 110, 112, 115, 120, 123, 143, 149, 171  
See Also  
Feldman, 5, 46, 52, 61, 69, 71, 84, 110, 112, 115, 120, 123, 143, 149, 171  
JAY FELDMAN  
Speaking, 5, 33, 34, 35, 38, 46, 52, 53, 54, 57, 58, 61, 65, 69, 71, 72, 81, 82, 83, 84, 85, 86, 88, 89, 90, 91, 92, 97, 98, 99, 103, 104, 110, 112, 113, 115, 116, 120, 123, 124, 143, 150, 172  
JEFFERY OETJEN  
Speaking, 136, 138  
Jeffrey Otin, 133  
Jeffry Oetjen, 136  
Jennifer Taylor, 8  
JENNIFER TAYLOR

Speaking, 8  
Jenny Tucker, 18  
Jersey, 145  
See Also  
New Jersey, 145  
Jessica, 148, 153, 155  
Jessica Rolfe, 155  
Jessica Rolfe, 148, 153  
See Also  
Rolfe, 148, 153  
JESSICA ROLFE  
Speaking, 153, 155  
Jewish, 138, 139  
Joan, 86, 155, 157  
Joan Smiley, 155, 157  
See Also  
Smiley, 155, 157  
JOAN SMILEY  
Speaking, 157, 158  
Joanne, 86, 87, 88, 93  
Joanne Baumgartner, 86, 93  
See Also  
Baumgartner, 86, 93  
JOANNE  
BAUMGARTNER  
Speaking, 86, 87, 88, 89  
Jody, 70, 77, 78  
Jody Biergiel, 70, 77  
JODY BIERGIEL  
Speaking, 77, 78, 79  
Joe, 7, 75, 76, 78, 127, 131, 155  
Joe Dickson, 7, 75, 78, 127, 131, 155  
JOE DICKSON  
Speaking, 7, 76, 78, 79, 127, 131, 155  
Joel Crohen, 105  
See Also  
Crohen, 105  
JOEL CROHEN  
Speaking, 105, 106, 107, 108  
John, 4, 7, 8, 81, 106, 107, 113, 127, 130, 135, 151, 161, 164, 165, 168, 170  
John Brunquell, 161, 165  
See Also  
Brunquell, 161, 165  
JOHN BRUNQUELL  
Speaking, 165, 167  
John Foster, 7, 81, 106, 107, 113, 127, 130, 135, 151, 164, 168, 170  
JOHN FOSTER  
Speaking, 4, 7, 81, 107, 108, 113, 127, 131, 135, 151, 164, 168, 169, 170, 171  
Johns Island, 158

Johnson, 114  
Jon, 54  
Jonathan Fray, 50, 52, 54  
See Also  
Fray, 50, 52, 54  
JONATHAN FRAY  
Speaking, 51, 52, 53, 54, 55  
Jonathan Tessier, 167  
JONATHAN TESSIER  
Speaking, 167, 168, 169  
Joseph, 157, 158  
Joseph Fields, 157, 158  
See Also  
Fields, 157, 158  
Joseph Fields Farm, 158  
See Also  
Farm, 158  
Fields, 158  
Julie, 160, 161, 163, 164, 165  
Julie Weisman, 160, 161, 163  
Julie Weismann, 161, 163  
JULIE WEISMANN  
Speaking, 161, 163, 164, 165  
July, 23  
June, 145

**K**

Kalen, 120, 122  
Kalen Kircher, 120  
KALEN KIRCHER  
Speaking, 120, 122  
Kashi, 87  
Katrina, 4, 6, 9, 18, 33, 36, 39, 44, 48, 60, 101, 106, 129, 132, 137, 141, 151, 152, 163, 171  
See Also  
Madam Chair  
Katrina, 4, 6, 9, 18, 33, 36, 39, 44, 48, 60, 101, 106, 129, 132, 137, 141, 151, 152, 163, 171  
Katrina Frey, 129, 132  
See Also  
Frey, 129, 132  
KATRINA FREY  
Speaking, 132, 133  
Katrina Heinze, 4, 6, 9, 18, 137  
KATRINA HEINZE  
Speaking, 6, 9, 45, 48, 60, 106, 107, 138, 142, 151, 152, 163, 171  
Kaylen Kirscher, 118

Kelco, 159  
Kentucky, 7  
Kiwi Magazine, 69  
Klutz, 50  
See Also  
Perry Klutz, 50  
Kosher, 138, 139, 140  
Kosher Certification, 138  
Kosher Poultry, 139

**L**

Lack, 63  
Larabar, 6  
Larocca, 56, 57  
See Also  
Phaedra Larocca, 56, 57  
Larocca Vineyards, 56  
Larose, 144  
See Also  
Rob Larose, 144  
Lastly, 40, 94, 158  
Laura, 67, 70, 71, 76  
Laura Batcha, 67, 70  
See Also  
Batcha, 67, 70  
LAURA BATCHA  
Speaking, 70, 71, 73, 74, 75, 76  
Liana, 101  
Liana Hoodes, 101  
Liona, 95, 103  
Liona Hoodes, 103  
LIONA HOODES  
Speaking, 101, 103, 104  
Liona Hoods, 95  
Lisa, 17, 35, 38, 124, 126, 129, 130, 131  
Lisa Ahromjian, 17  
Lisa Brines, 35  
See Also  
Brines, 35  
Lisa Bunan, 124, 126, 129  
LISA BUNAN  
Speaking, 129, 131, 132  
List, 10, 11, 14, 23, 25, 28, 29, 32, 35, 36, 38, 83, 84, 94, 95, 102, 160, 162, 168  
See Also  
Epa List, 10, 11, 14, 23, 25, 28, 29, 32, 35, 36, 38, 83, 84, 94, 95, 102, 160, 162, 168  
National List, 10, 11, 14, 23, 25, 28, 29, 32, 35, 36, 38, 83, 84, 94, 95, 102, 160, 162, 168

National List  
Coordinator, 10, 11, 14, 23, 25, 28, 29, 32, 35, 36, 38, 83, 84, 94, 95, 102, 160, 162, 168  
Usda Listing, 10, 11, 14, 23, 25, 28, 29, 32, 35, 36, 38, 83, 84, 94, 95, 102, 160, 162, 168  
Livestock, 6, 7, 8, 15, 50, 51, 55, 56, 77, 78, 93, 94, 108, 109, 120, 121, 126, 127, 130, 138, 140  
See Also  
Animal Livestock, 6, 7, 8, 15, 50, 51, 55, 56, 77, 78, 93, 94, 108, 109, 120, 121, 126, 127, 130, 138, 140  
Nosb Livestock Committee, 6, 7, 8, 15, 50, 51, 55, 56, 77, 78, 93, 94, 108, 109, 120, 121, 126, 127, 130, 138, 140  
Ohio Livestock Care Standards, 6, 7, 8, 15, 50, 51, 55, 56, 77, 78, 93, 94, 108, 109, 120, 121, 126, 127, 130, 138, 140  
Livestock Chair, 7  
See Also  
Chair, 7  
Livestock Committee, 6, 7, 8, 50, 55, 77, 93, 94, 108, 109, 120, 121, 126, 127, 130, 138, 140  
See Also  
Co, 6, 7, 8, 50, 55, 77, 93, 94, 108, 109, 120, 121, 126, 127, 130, 138, 140  
Committee, 6, 7, 8, 50, 55, 77, 93, 94, 108, 109, 120, 121, 126, 127, 130, 138, 140  
Nosb Livestock Committee, 6, 7,

8, 50, 55, 77, 93,  
94, 108, 109, 120,  
121, 126, 127,  
130, 138, 140  
Livestock Department, 78  
See Also  
Department, 78  
Livestock Proposal, 56  
See Also  
Pro, 56  
Lloyd, 109  
Lonza, 114  
Lord, 118  
Lorraine, 17, 40, 56, 153  
Lorraine Coke, 17, 40  
See Also  
Co, 17, 40  
Louis Center, 140  
See Also  
Center, 140  
Louisiana, 40, 43, 92  
Lovell, 96  
Luis Obispo, 172  
Lundberg, 87, 90, 91, 92  
See Also  
Eric Lundberg, 87,  
90, 91, 92  
Lundberg Family Farms,  
91  
See Also  
Family, 91  
Farm, 91

**M**

Mabell Rivas, 108  
See Also  
Rivas, 108  
MABELL RIVAS  
Speaking, 108, 109  
Mac, 7, 97, 99, 133  
Mac Stone, 7, 133  
MAC STONE  
Speaking, 7, 133  
Madam Chair, 16, 39, 55,  
133  
See Also  
Chair, 16, 39, 55,  
133  
Madam Chair Katrina, 16  
See Also  
Chair, 16  
Katrina, 16  
Madam Chairman, 55,  
133  
See Also  
Chair, 55, 133  
Madam Secretary, 9  
See Also  
Se, 9  
Secretary, 9  
Makers, 57  
MALE

Speaking, 4, 6, 7, 39,  
49, 54, 69, 70  
Manager, 99  
Mandating, 89  
MARK CASTELL  
Speaking, 55, 56  
Markets, 68  
Martek, 55, 56, 67, 68, 70,  
97, 98, 140, 141, 154,  
159, 160  
Martek Bioscience, 55,  
56, 67, 159  
Martek Biosciences, 55,  
67, 159  
Martek Biosciences  
Corporation, 67  
See Also  
Co, 67  
Martek Factory, 68  
Martin Haun, 96  
Mary Kay, 122, 124, 126  
Mary Kay Brown, 122,  
124, 126  
See Also  
Brown, 122, 124,  
126  
MARY KAY BROWN  
Speaking, 124, 126  
Mary Vanallswick, 158,  
159  
MARY VANALLSWICK  
Speaking, 159  
Materials Committee, 5,  
6, 7, 8, 9, 15, 34, 37, 38  
See Also  
Co, 5, 6, 7, 8, 9, 15,  
34, 37, 38  
Com, 5, 6, 7, 8, 9, 15,  
34, 37, 38  
Committee, 5, 6, 7,  
8, 9, 15, 34, 37, 38  
Materials Policy, 34  
Maybelle Rivas, 105  
See Also  
Rivas, 105  
Mc Evoy, 105  
Members, 31, 39, 109, 144  
See Also  
Board Members,  
31, 39, 109, 144  
Nosb Board  
Members, 31, 39,  
109, 144  
Nosb Members, 31,  
39, 109, 144  
Mendocino County, 64  
See Also  
Co, 64  
Merced, 109  
Methianine, 166  
Methionine, 15  
Mexico, 82

Meyer, 170  
See Also  
Ed Meyer, 170  
Peggy Meyers, 170  
Mic, 17  
Michelle Sandy, 109, 110  
See Also  
Sandy, 109, 110  
MICHELLE SANDY  
Speaking, 110, 112,  
113, 114  
Michigan, 55, 119  
Mike Ferry, 93, 95, 96  
See Also  
Ferry, 93, 95, 96  
MIKE FERRY  
Speaking, 95, 96, 97,  
98, 99  
Miles, 9, 17, 33, 45, 73, 88,  
104, 147, 148  
See Also  
Deputy  
Administrator  
Miles Mcevoy, 9,  
17, 33, 45, 73, 88,  
104, 147, 148  
MILES MCEVOY  
Speaking, 17, 32, 34,  
35, 148  
Millions, 159  
Mills, 6  
Mississippi, 42, 169  
Missoula, 63  
Monsanto, 55, 159  
Monsanto Corporation,  
159  
See Also  
Co, 159  
Montana, 5, 63, 65  
Morning, 8  
Morrill, 57  
See Also  
Phaedra Morrill, 57  
Moshe Schuchman, 138  
MOSHE SCHUCHMAN  
Speaking, 138, 140  
Mother, 150  
See Also  
American Indian  
Mothers, 150  
Founding Mother,  
150  
Motion, 9  
Muslim, 138

**N**

Nathaniel Lewis, 143, 144  
NATHANIEL LEWIS  
Speaking, 144  
National Institute, 22, 23  
National List, 10, 11, 12,  
13, 14, 16, 18, 23, 24,

25, 28, 29, 35, 36, 37,  
38, 67, 78, 80, 84, 94,  
95, 96, 109, 115, 117,  
118, 142, 149, 150, 152,  
155, 156, 160, 162, 163,  
164  
See Also  
List, 10, 11, 12, 13,  
14, 16, 18, 23, 24,  
25, 28, 29, 35, 36,  
37, 38, 67, 78, 80,  
84, 94, 95, 96,  
109, 115, 117,  
118, 142, 149,  
150, 152, 155,  
156, 160, 162,  
163, 164  
National List  
Coordinator, 18  
See Also  
Co, 18  
Coo, 18  
Coordinator, 18  
List, 18  
National Organic  
Coalition, 33, 50, 101,  
104, 120  
See Also  
Co, 33, 50, 101, 104,  
120  
Organic, 33, 50, 101,  
104, 120  
National Organic  
Program, 17, 19, 35,  
120  
See Also  
Organic, 17, 19, 35,  
120  
Pro, 17, 19, 35, 120  
Program, 17, 19, 35,  
120  
National Organic  
Standards Board, 3, 7,  
17, 18, 23, 25, 27, 63,  
109, 110  
See Also  
Board, 3, 7, 17, 18,  
23, 25, 27, 63,  
109, 110  
Organic, 3, 7, 17, 18,  
23, 25, 27, 63,  
109, 110  
Standards, 3, 7, 17,  
18, 23, 25, 27, 63,  
109, 110  
National Organic  
Standards Boards,  
109  
See Also  
Board, 109  
Boards, 109



- Organic, 109
  - Standards, 109
  - National Organics Standards Board, 19, 21
    - See Also
    - Board, 19, 21
    - Organic, 19, 21
    - Organics, 19, 21
    - Standards, 19, 21
  - Native, 42, 49
  - Native American, 42, 49
    - See Also
    - America, 42, 49
    - American, 42, 49
  - Native Americans, 42
    - See Also
    - America, 42
    - American, 42
  - Natives, 42
  - Neudorf, 114, 115
  - Neudorf Company, 114
    - See Also
    - Co, 114
    - Com, 114
  - New Jersey, 161
    - See Also
    - Jersey, 161
  - New York Cities, 153
  - Newtown, 136
  - Nick, 7, 54, 58, 66, 73, 74, 97, 123, 128, 135
  - Nick Maravell, 7, 123, 128, 135
  - NICK MARAVELL
    - Speaking, 7, 54, 55, 58, 66, 67, 73, 97, 123, 128, 135
  - Nitz, 146
    - See Also
    - Peter Nitz, 146
  - North, 41, 42, 70, 79
  - North America, 70, 79
    - See Also
    - America, 70, 79
  - North Carolina, 41, 42
  - Northeast Organic Dairy Producers Association, 50
    - See Also
    - Organic, 50
    - Pro, 50
    - Producer, 50
  - Northwest Wine Summit, 64
  - November, 32, 37, 89, 98, 105
  - Nutrition, 140, 141
- O
- October, 26, 74
  - Office, 8, 26, 148
    - See Also
    - Chief Certification Officer, 8, 26, 148
    - Commissioner Office, 8, 26, 148
    - Oglethorpe, 100
    - Ohio, 50, 140
    - Ohio Century Farm, 50
      - See Also
      - Farm, 50
    - Omega Tech, 55
    - Omega Tek, 159
    - Opposed, 9
    - oral, 76, 114
    - Oregon, 7, 9, 19, 93, 116, 117, 118, 120
    - Oregon State University, 19
      - See Also
      - University, 19
    - Oregon Tilth, 116, 117, 118, 120
    - Oregon Tilth Certified Organic, 116
      - See Also
      - Organic, 116
    - Organic, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - See Also
      - Aurora Organic Dairy, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - California Certified Organic Farmer, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - Canada Organic Equivalency Arrangement, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - Georgia Organics, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - Horizon Organic, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - Horizon Organic Milk, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - International Organic Inspectors Association, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - National Organic Coalition, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - National Organic Program, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - National Organic Standards Board, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - National Organic Standards Boards, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - National Organics Standards Board, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - Northeast Organic Dairy Producers Association, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - Oregon Tilth Certified Organic, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - Pennsylvania Certified Organic, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - Southeastern African American Farmers Organic Network, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - Usda Certified Organic Operations, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - Usda Organic, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142
      - Usda Organic Regulations, 4, 7, 9, 18, 19, 20, 22, 23, 26, 28, 30, 35, 50, 55, 56, 68, 70, 79, 92, 110, 126, 128, 129, 133, 140, 142

128, 129, 133,  
140, 142  
Wise Organic  
Pastures, 4, 7, 9,  
18, 19, 20, 22, 23,  
26, 28, 30, 35, 50,  
55, 56, 68, 70, 79,  
92, 110, 126, 128,  
129, 133, 140, 142  
Organic Egg Farmers,  
126  
See Also  
Farm, 126  
Farmers, 126  
Organic Fertilizer Law,  
80  
Organic Food Produ, 22,  
23, 26, 28  
See Also  
Food, 22, 23, 26, 28  
Pro, 22, 23, 26, 28  
Organic Food Production  
Act, 22, 23, 28  
See Also  
Ac, 22, 23, 28  
Act, 22, 23, 28  
Food, 22, 23, 28  
Pro, 22, 23, 28  
Production Act, 22,  
23, 28  
Organic Foods  
Production Act, 9, 35,  
92  
See Also  
Ac, 9, 35, 92  
Act, 9, 35, 92  
Food, 9, 35, 92  
Foods, 9, 35, 92  
Pro, 9, 35, 92  
Production Act, 9,  
35, 92  
Organic Integrity, 7  
Organic Policy  
Coordinator, 129  
See Also  
Co, 129  
Coo, 129  
Coordinator, 129  
Organic Prairie, 128  
See Also  
Prairie, 128  
Organic Producer Pools  
Cooperative, 128  
See Also  
Co, 128  
Coo, 128  
Coop, 128  
Pro, 128  
Producer, 128  
Organic Research  
Service, 30

Organic Trade  
Association, 70  
See Also  
Tr, 70  
Trade Association,  
70  
Organic Valley, 68, 126,  
128  
Organics, 56  
See Also  
Georgia Organics,  
56  
National Organics  
Standards  
Board, 56  
Organizationally, 121  
Owusu, 40, 42  
Owusu Bandele, 40  
See Also  
Bandele, 40  
OWUSU BANDELE  
Speaking, 40, 41  
**P**  
Pacific, 25  
Pasture, 23  
See Also  
Wise Organic  
Pastures, 23  
Patent, 151  
Path, 87  
Patty, 118  
Patty Burstendoische,  
118  
Pediatrics, 141  
Peggy, 144, 146, 147, 148  
Peggy Meyers, 144, 146  
See Also  
Meyer, 144, 146  
PEGGY MEYERS  
Speaking, 146, 148  
Peirce, 146  
See Also  
Steve Peirce, 146  
Pennsylvania Certified  
Organic, 108  
See Also  
Organic, 108  
Perdue University, 64  
See Also  
University, 64  
Perry Klutz, 46, 50  
See Also  
Klutz, 46, 50  
PERRY KLUTZ  
Speaking, 50, 51  
Pesticide Regulations,  
90, 93  
Pesticides, 5, 102, 156  
Peter Nitz, 146  
See Also  
Nitz, 146

Phaedra Larocca, 56  
See Also  
Larocca, 56  
PHAEDRA LARocca-  
MORRILL  
Speaking, 56, 57, 58  
Phaedra Morrill, 55, 56  
See Also  
Morrill, 55, 56  
Plant Foods, 6  
See Also  
Food, 6  
Foods, 6  
Plastic Culture, 47, 48  
Pocket, 172  
Policy Committee, 5, 6, 8,  
70, 74  
See Also  
Co, 5, 6, 8, 70, 74  
Com, 5, 6, 8, 70, 74  
Committee, 5, 6, 8,  
70, 74  
Policy Development  
Committee, 5, 7, 8, 33,  
34  
See Also  
Co, 5, 7, 8, 33, 34  
Com, 5, 7, 8, 33, 34  
Committee, 5, 7, 8,  
33, 34  
Pomona, 122  
Prairie, 171  
See Also  
Organic Prairie, 171  
President, 95, 105, 143,  
165  
Prime, 56  
Pro, 134, 135, 136  
See Also  
Certification  
Program, 134,  
135, 136  
Cost Share  
Program, 134,  
135, 136  
Farm Program, 134,  
135, 136  
Farm Programs,  
134, 135, 136  
Livestock Proposal,  
134, 135, 136  
National Organic  
Program, 134,  
135, 136  
Northeast Organic  
Dairy Producers  
Association, 134,  
135, 136  
Nosb Materials  
Review Process,  
134, 135, 136

Nrcs Equips  
Program, 134,  
135, 136  
Organic Food  
Produ, 134, 135,  
136  
Organic Food  
Production Act,  
134, 135, 136  
Organic Foods  
Production Act,  
134, 135, 136  
Organic Producer  
Pools  
Cooperative,  
134, 135, 136  
Vegetable  
Program, 134,  
135, 136  
Producer, 31  
See Also  
Northeast Organic  
Dairy Producers  
Association, 31  
Organic Producer  
Pools  
Cooperative, 31  
Product Innovation, 8  
See Also  
Innovation, 8  
Production Act, 26  
See Also  
Ac, 26  
Act, 26  
Organic Food  
Production Act,  
26  
Organic Foods  
Production Act,  
26  
Program, 17, 18, 20, 22,  
23, 24, 25, 26, 28, 29,  
30, 31, 32, 35, 36, 37,  
38, 45, 47, 48, 78, 87,  
146, 148  
See Also  
Certification  
Program, 17, 18,  
20, 22, 23, 24, 25,  
26, 28, 29, 30, 31,  
32, 35, 36, 37, 38,  
45, 47, 48, 78, 87,  
146, 148  
Cost Share  
Program, 17, 18,  
20, 22, 23, 24, 25,  
26, 28, 29, 30, 31,  
32, 35, 36, 37, 38,  
45, 47, 48, 78, 87,  
146, 148

Farm Program, 17,  
18, 20, 22, 23, 24,  
25, 26, 28, 29, 30,  
31, 32, 35, 36, 37,  
38, 45, 47, 48, 78,  
87, 146, 148  
Farm Programs, 17,  
18, 20, 22, 23, 24,  
25, 26, 28, 29, 30,  
31, 32, 35, 36, 37,  
38, 45, 47, 48, 78,  
87, 146, 148  
National Organic  
Program, 17, 18,  
20, 22, 23, 24, 25,  
26, 28, 29, 30, 31,  
32, 35, 36, 37, 38,  
45, 47, 48, 78, 87,  
146, 148  
Nrcs Equips  
Program, 17, 18,  
20, 22, 23, 24, 25,  
26, 28, 29, 30, 31,  
32, 35, 36, 37, 38,  
45, 47, 48, 78, 87,  
146, 148  
Vegetable  
Program, 17, 18,  
20, 22, 23, 24, 25,  
26, 28, 29, 30, 31,  
32, 35, 36, 37, 38,  
45, 47, 48, 78, 87,  
146, 148  
Program Handbook, 23,  
25  
Programs, 42  
See Also  
Farm Programs, 42  
Prohibited Substances,  
23  
Providing, 117  
Puerto Rico, 160  
Pulaski, 165

**Q**

Quality, 7, 22, 23, 24, 138  
Quality Assurance  
International, 138  
See Also  
International, 138  
Quality Management  
System, 22, 24  
Quality Manual, 23  
Quality Standards  
Coordinator, 7  
See Also  
Co, 7  
Coo, 7  
Coordinator, 7  
Standards, 7

**R**

Ra, 109  
Raising Cornish, 145  
See Also  
Co, 145  
Cornish, 145  
Ralph, 109  
Regarding, 77, 143  
Rep, 161  
See Also  
Secretary Report,  
161  
Usda  
Representatives,  
161  
Representative, 7  
See Also  
Usda  
Representatives,  
7  
Repute, 78  
Request, 117  
Resources, 15  
Reuben Walker, 6  
See Also  
Walker, 6  
Review, 9, 86, 141, 157  
See Also  
Nosb Materials  
Review Process,  
9, 86, 141, 157  
Sunset Review, 9,  
86, 141, 157  
Sunset Reviews, 9,  
86, 141, 157  
Rice Commission, 134  
See Also  
California Rice  
Commission, 134  
California Rice  
Commissions,  
134  
Co, 134  
Com, 134  
Rick Perry, 6  
Rivas, 109  
See Also  
Mabell Rivas, 109  
Maybelle Rivas, 109  
Rob Larose, 143  
See Also  
Larose, 143  
ROB LAROSE  
Speaking, 143, 144  
Rochelle, 99  
ROCHELLE SMALL-  
TONEY  
Speaking, 99  
Rocky, 41, 43  
Rocky Dixon, 41, 43  
See Also

**S**

Dixon, 41, 43  
Rodinator, 169  
Rolfe, 155  
See Also  
Jessica Rolfe, 155  
Ruihong Guo, 18  
Sacramento Valley, 134  
Sally Keefe, 140, 142, 143  
SALLY KEEFE  
Speaking, 142, 143  
Samuelson, 110  
See Also  
Brad Samuelson,  
110  
Sandra Simone, 40, 41,  
43, 46, 47  
See Also  
Simone, 40, 41, 43,  
46, 47  
SANDRA SIMONE  
Speaking, 47, 48, 49  
Sandy, 112  
See Also  
Michelle Sandy, 112  
Santa Cruz, 7  
Savannah, 3, 17, 40, 41,  
99, 100, 101  
Scientist, 6, 31  
Scum, 85  
Sea Island Farmers, 158  
See Also  
Farm, 158  
Farmers, 158  
Seattle, 4, 9, 27, 34, 39,  
68, 126, 129  
Secretary, 9, 21, 26, 73,  
102, 103, 104, 129  
See Also  
Madam Secretary,  
9, 21, 26, 73, 102,  
103, 104, 129  
Secretary Vilsack, 21  
Section, 122  
Seeding, 89  
September, 18, 19, 25, 33,  
114, 145  
Shammah, 139  
Shistar, 157  
See Also  
Terry Shistar, 157  
Shuman, 138  
Simone, 48, 49, 50  
See Also  
Sandra Simone, 48,  
49, 50  
Slide, 14, 133, 148  
Smiley, 158  
See Also  
Joan Smiley, 158

Society Wine Educators,  
59  
Soup Company, 6  
See Also  
Campbell Soup  
Company, 6  
Co, 6  
Com, 6  
South, 17, 40, 41, 42, 43,  
44, 45, 158, 159  
South Carolina, 40, 41,  
42, 43, 44, 45, 158, 159  
South Carolina  
University, 42  
See Also  
University, 42  
Southeastern African  
American Farmers  
Organic Network, 40  
See Also  
African American,  
40  
America, 40  
American, 40  
Farm, 40  
Farmers, 40  
Organic, 40  
Southern Universities, 49  
Southern University, 40,  
49  
See Also  
University, 40, 49  
Southern University Ag  
Center, 49  
See Also  
Center, 49  
University, 49  
Southern University  
Calvary Walker, 40  
See Also  
University, 40  
Walker, 40  
Spain, 139  
Specific, 146  
Sponseller, 64  
See Also  
Andy Sponseller, 64  
Spring, 15, 16, 146  
Standards, 18, 22, 23, 35,  
50, 110, 126  
See Also  
National Organic  
Standards  
Board, 18, 22, 23,  
35, 50, 110, 126  
National Organic  
Standards  
Boards, 18, 22,  
23, 35, 50, 110,  
126  
National Organics  
Standards

Board, 18, 22, 23,  
35, 50, 110, 126  
Ohio Livestock  
Care Standards,  
18, 22, 23, 35, 50,  
110, 126  
Quality Standards  
Coordinator, 18,  
22, 23, 35, 50,  
110, 126  
Standards Division, 18,  
35  
See Also  
Division, 18, 35  
Star, 138, 139  
Statement, 102  
Steptyl, 114  
Stepyl, 114  
Steve, 3, 6, 7, 18, 83, 101,  
135, 146, 148, 163  
Steve Demuri, 135  
STEVE DEMURI  
Speaking, 4, 6, 83, 135  
Steve Peirce, 146, 148  
See Also  
Peirce, 146, 148  
STEVE PEIRCE  
Speaking, 146, 148,  
150, 151, 152, 153  
Stevia, 153  
Stoneyfield, 68  
Strategic, 23  
Sulfites, 129, 133  
Sunset, 10, 11, 12, 14, 15,  
16, 25, 27, 34, 84, 86,  
88, 114, 148, 166  
Sunset Law, 148  
Sunset Review, 10, 11,  
12, 16, 84, 86, 114  
See Also  
Review, 10, 11, 12,  
16, 84, 86, 114  
Sunset Reviews, 10  
See Also  
Review, 10  
Supplementing, 110

**T**

Tadpole, 89  
Talented, 132  
Tallorec, 115  
See Also  
Walter Tallorec, 115  
Tamworth, 145  
Technology, 22, 23  
Temple Grandin, 139  
Terry Shistar, 153, 155,  
156  
See Also  
Shistar, 153, 155,  
156

TERRY SHISTAR  
Speaking, 156  
Texas, 142, 159  
Thanksgiving, 32  
Thursday, 57, 70  
Timing, 32  
Tina, 4, 6, 8, 18, 59, 66,  
101, 163  
Tina Ellor, 4, 8, 18  
TINA ELLOR  
Speaking, 8, 59, 66  
Tom Vanderhoff, 55  
Toney, 99, 101  
Tracy, 3, 6, 8, 18, 101, 163  
Tracy Miedema, 3, 8, 18  
Tracy Miedema  
Speaking, 3, 4, 5, 8, 9,  
16, 32, 33, 35, 38, 39,  
41, 43, 44, 45, 46, 48,  
49, 50, 51, 52, 54, 55,  
56, 57, 58, 59, 60, 61,  
62, 63, 64, 66, 67, 68,  
69, 70, 71, 73, 75, 76,  
78, 79, 81, 83, 84, 86,  
87, 88, 89, 90, 92, 93,  
94, 95, 96, 97, 99,  
101, 103, 104, 106,  
107, 108, 109, 110,  
112, 113, 114, 115,  
116, 118, 120, 122,  
123, 124, 126, 127,  
128, 129, 130, 131,  
132, 133, 135, 136,  
137, 138, 140, 141,  
142, 143, 144, 146,  
147, 148, 149, 150,  
151, 152, 153, 155,  
157, 158, 159, 160,  
161, 163, 164, 165,  
167, 168, 169, 170,  
171, 172, 173  
Trade Association, 72  
See Also  
Organic Trade  
Association, 72  
Trademark, 151  
Transcripts, 75  
Troy Aykan, 120, 122  
See Also  
Aykan, 120, 122  
TROY AYKAN  
Speaking, 122, 123,  
124  
Type, 154

**U**

Unfortuna, 79  
United States, 3, 19, 64,  
66, 105, 147, 160, 161,  
166, 167

United States  
Department, 3  
See Also  
Department, 3  
University, 8, 40, 57, 159,  
172  
See Also  
Clinton University,  
8, 40, 57, 159, 172  
Oregon State  
University, 8, 40,  
57, 159, 172  
Perdue University,  
8, 40, 57, 159, 172  
South Carolina  
University, 8, 40,  
57, 159, 172  
Southern  
University, 8, 40,  
57, 159, 172  
Southern University  
Ag Center, 8, 40,  
57, 159, 172  
Southern University  
Calvary Walker,  
8, 40, 57, 159, 172  
Usu Vandaley, 40

**V**

Valais, 68, 70  
See Also  
Charlotte Valais,  
68, 70  
Vegetable Program, 30  
See Also  
Pro, 30  
Program, 30  
Vice, 7  
Vietnam, 172  
Virgin Islanders, 160  
Virgin Islands, 41, 160,  
161

**W**

Walker, 41  
See Also  
Calvin Walker, 41  
Reuben Walker, 41  
Southern University  
Calvary Walker,  
41  
Walter Taleric, 114  
Walter Tallorec, 114  
See Also  
Tallorec, 114  
WALTER TALLOREC  
Speaking, 114, 115,  
116  
Walter Tollerec, 110  
Washington, 18, 21, 44,  
104, 114, 144, 145, 160

Washington State  
Department, 145  
See Also  
Department, 145  
Water, 89, 90, 103  
Wel, 55  
See Also  
Animal Welfare  
Recommendatio  
ns, 55  
Bill Welsh, 55  
Wendy, 7, 94, 101, 131,  
140, 167  
Wendy Fulwider, 7  
WENDY FULWIDER  
Speaking, 7, 94, 131,  
132, 167  
Whoa, 48  
Wild Farm Alliance, 86,  
87  
See Also  
Al, 86, 87  
Farm, 86, 87  
Wilson, 141  
See Also  
Diane Wilson, 141  
Wisconsin, 7, 55  
Wise Organic Pastures,  
139  
See Also  
Organic, 139  
Pasture, 139  
Women, 159  
Woodland, 114, 116

**Y**

Yanica, 93, 94  
Yanica Deyoung, 93  
See Also  
Deyoung, 93  
YANICA DEYOUNG  
Speaking, 93, 94, 95  
Yvette Brown, 41, 159,  
160, 161  
See Also  
Brown, 41, 159, 160,  
161  
YVETTE BROWN  
Speaking, 160

**Z**

Zia, 79, 82, 83, 84, 86, 90,  
91  
Zia Sonavand, 79, 82, 83,  
84  
ZIA SONAVAND  
Speaking, 83, 84, 85,  
86  
Zimba, 120  
See Also  
Ed Zimba, 120

