

Formal Recommendation
From: National Organic Standards Board (NOSB)
To: the National Organic Program (NOP)

Date: October 30, 2020

Subject: Wild, Native Fish for Fertilizer Production

NOSB Chair: Steve Ela

The NOSB hereby recommends to the NOP the following:

Rulemaking Action: X

Statement of the Recommendation:

The NOSB recommends changes to the USDA organic regulations sections 205.601 and 205.2. The board recommends an additional annotation to liquid fish products at 205.601(j)(8) to limit use to fish sourced from waste left over after market food fish are processed for human consumption, bycatch, and invasive species. The board recommends the addition of definitions at 205.602 for fish waste and bycatch. These definitions are based on language in the Technical Report (TR) and in response to clarifying language from stakeholders. The definition of bycatch, in particular, is a fusion of federal definitions and wording from the TR.

The board recommends a phase-in period of at least two years. Additionally, the NOP should provide explicatory information regarding verification and attestation that materials are sourced according to the annotation language.

Global impacts of commercial fisheries on marine ecosystems include documented declines and, in some cases, collapses due to overharvesting. Liquid fish products are derived from a number of sources, including fish waste, bycatch/mortalities, and to a lesser extent, fish harvested for meal, oil, and solubles (also known as the wet reduction process). Large-scale population declines have occurred with at least three species harvested for meal, oil, and soluble production. The board agrees with public comments that fertilizers derived from fish harvested for the wet reduction process, while not harvested exclusively for fertilizer, is not in keeping with organic principles as both the meal and solubles are used in dry and liquid fertilizers. Although fish harvested for human consumption has ecological impacts as well, the parts used in fertilizer are considered waste products that would not otherwise have a use.

Rationale Supporting Recommendation:

The National Organic Standards Board advises the National Organic Program (NOP) and the United States Secretary of Agriculture by assisting in the development of standards affecting the implementation of the Organic Foods Production Act (OFPA). Particularly, § 6518 of OFPA, K Responsibilities of the Board, 2 National List states “The Board shall develop the proposed National List or proposed amendments to the National List for submission to the Secretary in accordance with section 6517 of this title”.

OFPA Section 6517 [National List] (c) [Guidelines for Exemptions or Prohibitions] (1)(a)(i) and (2)(a)(i) allow for the prohibition of synthetic or nonsynthetic substances, respectively, that would be “harmful to ... the environment.”

In its 2016 recommendation to allow squid in fertilizers, the board voted to limit the listing to squid byproducts. The limitation to byproducts reflected the board's desire to ensure that squid are not harvested for fertilizer and that materials used in organic production contain only waste products left over after processing for human consumption.

Harvesting wild native fish for use in meal, oil, and solubles is not essential for organic farming as alternative products using fish waste, bycatch, or even invasive species exist. The majority of fish fertilizers used by U.S. farmers comes from fish waste and byproducts. Organic farmers often assume these products come from waste and byproducts. To avoid contributing to population declines of fish and the associated species within the ecosystems dependent on them, liquid fish products made from fish harvested for meal, oil, and solubles are not compatible with a system of sustainable agriculture. This recommendation takes a step toward reducing the impact of organic farming inputs on marine fisheries.

NOSB Vote:

Motion to amend Section 205.601(j)(8) as follows:

(8) Liquid fish products—**sourced only from fish waste, bycatch, or invasive species**—can be pH adjusted with sulfuric, citric or phosphoric acid. The amount of acid used shall not exceed the minimum needed to lower the pH to 3.5.

Motion by: Emily Oakley

Seconded by: Dave Mortenson

Yes: 15 No: 0 Abstain: 0 Absent: 0 Recuse: 0

Motion passed

Motion to add the following definitions to Section 205.2 Terms defined:

Fish waste. Waste or byproduct left over after market food fish are processed for human consumption (such as skins, frames, and viscera).

Bycatch. Incidental or discarded catch that have low economic value, fish that must be discarded because of management regulations, or fish that are unintentionally killed by fishing gear (mortality).

Motion by: Emily Oakley

Seconded by: Steve Ela

Yes: 13 No: 1 Abstain: 1 Absent: 0 Recuse: 0

Motion Passed

[\[Fall 2020 Original Subcommittee Proposal - Wild, Native Fish for Fertilizer Production\]](#)