

Note: Subcommittee notes may include preliminary discussions regarding substances considered for addition to or removal from the National List. They do not represent official National Organic Program (NOP) policy or regulations. Please see the NOP website for official NOP policy, regulations, and status of substances used in organic production and handling.

**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, January 11, 2013, 1:00 pm EST**

**Attending:** Mac Stone (MS) (Chair), John Foster (JFo) (Vice-Chair, Handling Chair), Jay Feldman (JFe) (Crops Chair), and Zea Sonnabend (ZS) (Materials Chair), Joe Dickson (JD) (CACCS Chair), Tracy Favre (TF) (Livestock Chair), Jennifer Taylor (JT) (GMO ad hoc Chair), Colehour Bondera (CBo) (PDS Chair), Calvin Walker (CW) (Secretary)

**Absent:** None

**Staff:** Miles McEvoy (MM), Michelle Arsenault (MA)

**Agenda**

- Call to Order - MS
- Approval of Notes – December 14, 2012
- Chairs Report
  - Aquaculture education plan and petitions
  - Portland meeting: Sub-committee prep meetings, 3-day schedule, time estimates for discussion/public comment
- Advisory Board Specialist (ABS) update - MA
- NOP news and update - MM
- Subcommittee Reports (5 minutes each)
  - Handling (HS) - JFo
  - Policy Development (PDS) - CBo
  - GMO ad hoc- JT
  - Compliance, Accreditation, & Certification (CACCS) - JD
  - Materials (MS) - ZS
  - Crops (CS) - JFe
  - Livestock (LS) - TF
- Additional Items
- Adjourn

**Discussion**

- Notes from December 14, 2012 were approved with no changes.
- Chair's Report - MS
  - Aquaculture education plan and petitions – The NOSB will invite the head of the Aquaculture Working Group (AWG) to the spring meeting and will set up a series of calls for the Livestock and Crops Subcommittees. The NOSB will work with the AWG to develop content for the presentation at the meeting. Additionally, the AWG will be able to provide experts to answer specific questions. A member asked how Crops should

move forward with regard to the impending regulation, and the NOP indicated that there was no need to have regulations for aquatic plants for the Subcommittee to proceed with their review. The group discussed the differences between hydroponics and aquatic plants. A member noted that if the Subcommittees don't consider the hydroponics recommendations they are not honoring a previous NOSB recommendation. The group asked if the NOP will issue a statement regarding this and the chair asked that the members and the NOP have a future conversation.

- The group discussed logistics and travel for the spring meeting in Portland. Although the Subcommittee prep meetings are not mandatory it is strongly recommended that everyone attend. The consensus from the group is that the prep meeting schedule needs to be expanded beyond 4 hours. Several members added that flying the morning of the meeting may be difficult for many, and the NOP indicated that travel details would be worked out to minimize expenses and as the budget allowed. Several members added that they would not support reducing the amount of time for oral public comment to accommodate a shorter meeting. Another member added that face-to-face time for Board members is extremely valuable and there is no other opportunity for that, whereas the public has an alternate vehicle for submitting written comments (via regulations.gov).
- Advisory Board Specialist (ABS) update - MA
  - Ethics/New member training will occur in early February via a webinar.
  - MA asked that any completed proposals be submitted so they can be readied for posting.
  - Fall work-plan schedules should be sent to the NOP by March 1 so the NOP can provide feedback in time for the spring meeting.
- NOP news and update - MM
  - The Secretary made his decision about the new Board member and it should be announced in the next week or two.
  - Topics that will be covered at the Accredited Certifying Agents (ACA) training next week in FL include sound and sensible certification, penalty matrix, responding to residue testing, settlement agreements and mediation, record keeping, OSP updates.
  - MM noted that the National Organic Coalition met with Secretary Vilsack this past week and the meeting went well.
  - A member asked about the Board recommendation and subsequent implementation of that recommendation on Sodium Nitrate because the sunset date has passed and the community is discussing it. MM indicated that it has been submitted to the Office of General Council (OGC), and expects it would be a few more months until it is published.
- Subcommittee Reports (5 minutes each)
  - Handling (HS) – JFo. The Subcommittee is progressing smoothly with review of the workplan items and doesn't anticipate any problems. JFo also noted that the time slot on the draft agenda was adequate.
  - Policy Development (PDS) – CBo. The PDS has three items for the spring meeting: The public communication proposal is almost finalized and should be voted on soon; the updates to the Policy and Procedures Manual (PPM) seem more complex and some of the changes might need more time and evaluation; and the updates to the New

Member Guide are in progress. The chair indicated that the PDS would like to add the material initiation policy and inclusion in the PPM as a discussion item for the spring meeting.

- GMO ad hoc- JT. The chair requested that more members join the GMO ad hoc Subcommittee, as they currently only have 5 members. The group is working on several items and making good progress. MS noted that he is going to participate on the GMO calls.
- Compliance, Accreditation, & Certification (CACS) – JD. The Subcommittee is on track with one agenda item: Calculating the percentage of organic ingredients. The CACS is anticipating there will be some public comment but perhaps not an excessive amount. MM noted that this is a topic that will be discussed at the ACA training.
- Materials (MS) – ZS. The MS is working on several documents including Confidential Business Information (CBI), production aids, and an update of petition and TR process.
- Crops (CS) – JF. Several items are moving forward for the spring meeting, while several will be delayed due to the timing of Technical Reports (TRs). JFe gave an update on the Inerts Working group, who proposed 16 groupings and 9 individual chemicals that didn't lend themselves to grouping. The group discussed several aspects of the spring draft agenda: The absence of the streptomycin proposal, which they requested be added, in case the TR is received in time; moving Crops to the end of the day so if the meeting runs long the discussion can be continued, and the invitation of the Aquaculture Working Group to present. A member expressed his discomfort with having a petitioner present at the meeting, since this is prohibited in the PPM, to which the NOP responded that the petitioner in question was chosen by the NOP to lead the working group and does not have a financial interest. The group discussed tetracycline and indicated that the discussion isn't far enough along yet to have a sense of what the proposal will look like. The CS is working on an annotation, which is the most difficult part, and is working with as many stakeholder groups as possible before completing the document. The feeling among the Subcommittee members is that there are legitimate differences of opinion. A member added that streptomycin and tetracycline are used and administered differently, and are used in different geographic regions and should be discussed separately and not grouped together. The CS chair invited those who want to continue the discussion to participate on the next Crops calls.
- Livestock (LS) – TF. Pet food amino acids and GMO vaccines WG update are the two items for spring and are moving forward. Aquaculture will be a large portion of the fall workplan, along with methionine. The LS is no longer presenting a discussion document for aquaculture at the spring meeting.
- Additional Items
  - A member asked about aquaculture-expert panels for the spring meeting to which the chair responded that the panels would most likely be scheduled for the fall 2013 meeting.
  - The members discussed further the comparison of aquatic plants and hydroponics, and the fact that hydroponics is not a soil-based system. A member thought that since

aquatic plants are not a soil based system, then farmed aquatic plants should be the reference, and indicated that they would use the previous NOSB recommendation for guidance since the NOP has not issued any rules pertaining to this. MM and ZS will review the farmed aquatic plants recommendation to determine the next steps.

- The meeting was adjourned by the Chair

## **FUTURE CALLS**

February 8, 2013 1:00pm EST

March 8, 2013 1:00pm EST

March 29, 2013 1:00 EST (last call before spring meeting)

<b>Spring 2013 Milestones</b>	<b>Target date</b>
NOP – Complete tentative agenda	February 8, 2013
Spring 2013 proposals due to NOP	February 12, 2013
NOP - Post proposals, Publish FRN, Open public comment	February 19, 2013
Subcommittees submit tentative workplans to NOP	March 1, 2013
Discuss workplans on ES call	March 8, 2013
NOP provides written comments on workplans to NOSB	March 11, 2013
Public comment closes	March 19, 2013
NOP - Send compiled public comments to NOSB	March 25, 2013
Workplans finalized on ES call	March 29, 2013
Spring 2013 NOSB Meeting – Portland, OR	April 8-11, 2013

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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, February 1, 2013, 1:00 pm EST**

**Attending:** Mac Stone (MS) (Chair), John Foster (JFo) (Vice-Chair, Handling Chair), Jay Feldman (JFe) (Crops Chair), and Zea Sonnabend (ZS) (Materials Chair), Tracy Favre (TF) (Livestock Chair), Colehour Bondera (CBo) (PDS Chair), Calvin Walker (CW) (Secretary), Jennifer Taylor (JT) (GMO ad hoc Chair)

**Absent:** Joe Dickson (JD) (CACs Chair),

**Staff:** Miles McEvoy (MM), Michelle Arsenault (MA)

**Agenda**

- Call to Order - MS
- Approval of Notes – January 11, 2013
- Chairs Report
  - Agenda update – Draft agenda attached
  - Appropriate time allocation for each Subcommittee (SC) at Spring meeting
  - Pre-planning for pre-meeting
  - SC make up with new member
  - Declaration of Interest (COIs)
  - Email subject lines: Informative and appropriate
  - Process for joint subcommittees – Confusing/needs clarification
  - Sound and Sensible Initiative
- Advisory Board Specialist (ABS) update – MA
  - Review schedule leading up to spring mtg, including work plans for fall
  - Status of votes in Subcommittee
  - Checklist revisions – in progress (HS, CS/LS)
  - Travel authorizations update
  - ES notes will be sent to all NOSB members
  - Reminder: Ethics/COI training rescheduled to February 20, 3:00 - 4:00 EST
- NOP news and update - MM
- Subcommittee Reports (5 minutes each)
  - Policy Development (PDS) - CBo
  - GMO ad hoc- JT
  - Compliance, Accreditation, & Certification (CACs) - JD
  - Materials (MS) - ZS
  - Crops (CS) - JFe
  - Livestock (LS) – TF
  - Handling (HS) - JFo
- Additional Items
- Adjourn

## Discussion

- Notes from January 11, 2013 were approved with no changes
- Chairpersons Report
  - Agenda update – The chair discussed various components of the spring meeting agenda, including plans for site visit/field trip, and the Antibiotics expert panel for Crops)
  - Each Subcommittee Chair was asked to make sure they have an appropriate amount of time allocated at the spring meeting
  - Pre-planning for pre-meeting. The public has indicated that they would like to hear how or why people arrived at their decisions, and since we are having pre-meetings to discuss the proposals, the group needs to be cognizant of transparency. The Chair asked that the members pre-read the docs (especially the long ones in PDS) so we do not have to use time during the meeting to word smith.
  - SC rosters with new member. The Subcommittees have a large number of members, so we may revisit that and reduce the number as necessary. The chairperson will speak with people offline about this
  - Aquaculture update: LS is scheduling 3 or 4 calls on which they will invite various experts to answer questions.
  - Email subject lines should be informative and appropriate, and the Chair reminded group about good e-management practices
  - Process for joint subcommittees – The process is not well defined and needs some clarification. The chair asked that the group think about this issue. For the upcoming meeting, the agenda items that were joint efforts will be voted on and presented by the lead Subcommittee only.
  - Sound and Sensible Initiative – The chair noted that there will be more discussion about this in the coming months.
- Advisory Board Specialist (ABS) update – MA
  - Reminder of the target dates leading up to spring meeting, including work plans for fall
  - Status of votes in Subcommittee - (Comprehensive spreadsheet attached)
  - Checklist revisions – in progress (HS, CS/LS)
  - Travel authorizations are available, and the members can proceed with their flight arrangements.
  - ES notes will be sent to all NOSB members from this date forward, so everyone knows what was discussed
  - Reminder: Ethics/COI training rescheduled to February 20, 3:00 - 4:00 EST
- NOP news and update - MM
  - The NOP Cell fusion memo will be published very soon. The regulation includes a definition of the use of excluded methods (GMOs) which in turn includes cell fusion as both allowed and prohibited, so the NOP felt this needed clarification.

- Sound and Sensible Initiative –The meeting with certifiers at the ACA meeting was very successful and the NOP will be providing more detail for certifiers about how it will work.
- The aquaculture proposed rule will be out later this year.
- The Seed and Planting stock guidance will be out soon, as it is currently in clearance.
- Subcommittee Reports (5 minutes each)
  - Policy Development (PDS) – CBo. The PDS has 4 documents for the spring meeting: Public Communications proposal, Material Initiation Policy discussion document, PPM update, and the New Member Guide update. All documents are nearly complete. Members discussed the process for joint proposals such as the Material Initiation Policy, CBI and Examining and Updating the Petition and TR Review Process, and acknowledged that as we move forward, is that it might be a more useful and manageable process if the supporting Subcommittee didn't vote on the document, but instead provided input to the lead Subcommittee.
  - GMO ad hoc- JT. The Chair announced two new Subcommittee members; Francis Thicke and Calvin Walker. The Subcommittee is working on several documents for the spring meeting and thinking beyond that.
  - Compliance, Accreditation, & Certification (CACS) – JFo gave update for JD. The Subcommittee has one agenda item for spring on Calculating percentage of organic ingredients, and the document is nearly complete. The "Retail Certification" agenda item was delayed pending an OIG review.
  - Materials (MS) – ZS. The Materials Subcommittee has 3 items on the agenda; CBI is done and voted on, Definition of Production Aids, and Two-stage TR Review Process. The chair indicated that the time allotment on the agenda was adequate.
  - Crops (CS) – JFe. Crops has voted on 3 petitioned materials, and will present an update on the Inerts Working Group. The Inerts update will include information about the screening process, which was already passed in a previous recommendation, the new TR template, and the categories for inert ingredients.
  - Livestock (LS) – TF. The Pet Food Amino Acids proposal is nearly ready for a vote. Many workplan items have shifted from spring 2013 to fall 2013. The Methionine petition was moved to fall to allow time for consideration of public comments.
  - Handling (HS) – JFo – all 5 petitioned items have been voted on. The Chair indicated that the time allotted for public comment seems adequate and may be too much.
- The meeting was adjourned by the Chair

## FUTURE CALLS

March 8, 2013 1:00pm ET

March 29, 2013 1:00 ET (**Note date change.** Last call before spring meeting)

May 10, 2013 1:00 ET – Finalize workplans

June 14, 2013 1:00 ET

Spring 2013 Milestones	Target date
NOP – Complete tentative agenda	February 8, 2013
Spring 2013 proposals due to NOP	February 12, 2013
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**Absent:** Calvin Walker (CW) (Secretary)

**Staff:** Miles McEvoy (MM), Michelle Arsenault (MA), Lisa Brines (LB)

**Agenda**

- Call to Order - MS
- Approval of Notes – February 1, 2013
- Chairs Report
  - NOSB April 2013 Agenda update
  - Pre-meetings/Field trip plans
  - Discuss workplans
  - Disclaimer on top of proposals and discussion documents
  - Declaration of Interest (COIs) - form was sent March 7
  - Process for joint subcommittees - Confusing/needs clarification
  - Subcommittee rosters
- Advisory Board Specialist (ABS) update – MA
  - Missed ethics training
  - May 2012 and Oct 2012 transcripts for approval at Spring 2013 meeting
  - Checklist revisions
  - Travel update- flights, hotel check in/out?
  - Travel Mugs
  - Comment status
- NOP news and update – MM
- Subcommittee Reports (5 minutes each)
  - GMO ad hoc- JT
  - Compliance, Accreditation, & Certification (CACs) - JD
  - Materials (MS) - ZS
  - Crops (CS) - JFe
  - Livestock (LS) – TF
  - Handling (HS) - JFo
  - Policy Development (PDS) - CBo
- Additional Items

- Adjourn

### **Discussion**

- Notes from February 1, 2013 approved with no changes.
- Chairpersons Report
  - NOSB April 2013 Agenda update – Pre-meetings/Field trip plans. The group will visit approximately 3 growers in an effort to see a breadth of situations with apple/pear growers. Updates to agenda since last version: Antibiotics Panel, Aquaculture Update, Director of Oregon Department of Agriculture address, change to PDS, LS, CS, CACS
  - Workplans - The workplan schedule can slide a little as long as they are approved by NOP and ready for approval on March 29 call.
  - Disclaimer on top of proposals and discussion documents - group agreed to edit this language and the NOP and NOSB agreed to work together going forward
  - Declaration of Interest (COIs). ZS would like to declare her interests at the beginning of the meeting. MM noted that there is a memo stating the process for declaration under legal review and it should be out soon. A member asked about the reasons for the public declaration and noted that the answer to that question could help inform the best way to proceed. The general consensus is that declarations should be made prior to each Subcommittee block at the meeting. The decision will be made by next ES call.
  - Process for joint subcommittees - Confusing/needs clarification. ES will determine what project will be placed where since it can sometimes be confusing logistically to have joint Subcommittees working on one project.
  - Subcommittee rosters- The chair will converse with each member about reorganizing the Subcommittees and reducing the size of each.
  - A member asked about the process for proposing workplan items to accommodate issues that come up at meeting. The NOP indicated that it is feasible to do so.
- Advisory Board Specialist (ABS) update – MA
  - Ethics training: PowerPoint was sent to all in case anyone needs to review it. Please forward any questions to MA or Jenny Tucker.
  - May 2012 and Oct 2012 transcripts for approval at Spring 2013 meeting – Will be included with the meeting materials and linked on agenda
  - Checklist revisions – in progress (HS, CS/LS) – A member asked about having the checklists reflect specific questions, but the checklists are based on OFPA and Regulations and are not meant to be tailored to specific materials
  - Travel update- MA asked that the members make their flight arrangements if they have not already made them.
  - Travel Mugs – please bring with you to the meeting so we can reduce our environmental footprint.
  - Comment status: Written: 197 Oral: 27
- NOP news and update - MM

- Based on some recent comments received, the NOP wanted to clarify that simplified standards and regulations are preferable, and if the NOSB chooses to include annotations, the NOP and the USDA feels it is important to not make them complex, and instead observe the government mandate of “plain language” which will aid in to implementation, understanding and enforcement. Annotations on sunset materials are much more complex than imagined, so the NOP requests that annotation changes occur separate from sunset (i.e. Recommendation of removal of annotation could be submitted as part of the rulemaking process separately). A member asked about separating these two processes, and noted that this is difficult and may not be very effective. MM also noted the OIG milk audit, posted database report about modernized organic operations, draft guidance on retail certification, sound and sensible, and revision of the penalty matrix. A member asked about the NOP response to the October 2012 NOSB recommendations, noting that the NOP didn’t provide specificity about the 7 infant formula petitions. MM noted that there were many parts involved and the NOP is trying to reconcile all the pieces in an effort to move forward. For now, the interim rule is the operating principle for processors.
- Subcommittee Reports (5 minutes each)
  - GMO ad hoc- JT. Expressed her enthusiasm for receiving public comment and had one item to add to the workplan which they are still discussing in Subcommittee.
  - Compliance, Accreditation, & Certification (CACs) - JD – one document for Spring 2013 meeting, and have not yet finalized workplan for fall 2013. With regard to “Retail certification”, the NOP noted that the OIG has it on their workplan but may not get to it, so CACS could work on it without the OIG audit. With regard to “Sound and Sensible”, there will be discussions prior to spring meeting, and MS recommended placing a work item with the CACS as a vehicle to get the information to the public. “Sanitizers in 100% organic products” is delayed waiting for NOP to complete memo.
  - Materials (MS) – ZS. Examine and update TR process was originally a PDS workplan item but was then sent to Materials. The MS requests that they be lead on the overall project, even though some smaller portions fit within the PDS, noting that LB who is instrumental in this process, participates in the MS conference calls. Several items will be on the fall workplan, including Research priorities, CBI (proposal), and production aids.
  - Crops (CS) – JFe noted that several items are awaiting TRs, and the group will proceed when those are available. The subcommittee just received information from the EPA regarding the CO exhaust gas petition, which has become very complex. The CS would like to add a workplan item about compost, noting that they are currently working on a document that they will bring to the ES on the next call. The group is also working on the perceived conflict from previous Board recommendations between aquatic plants/hydroponics. Guidance for biodegradable mulch: the group would like to add this to the workplan beyond 2013 (perhaps spring 2014). The group asked for NOP input about projected workplan items, such as compost, so they do not expend effort working

on something that will not go forward. NOP offered to have this conversation, as it would be very useful.

- Livestock (LS) – TF. The Livestock Subcommittee is immersed in aquaculture topics, and has been seeking input from a variety of groups and stakeholders to glean as much information as possible before moving forward. TF asked for NOP input and advice about the Livestock guidance documents put forth in 2012 and how to move forward. NOP has not had resources to move forward with these recommendations, so would prefer that the Board not create additional guidance until they can work on the animal welfare guidance. As for a timeline, the implementation of the animal welfare recommendations might not occur until at least 2014. The NOP is interested in hearing if the community feels there is a need for guidance.
  - Handling (HS) – JFo. The workplan is progressing as planned. A couple of items have been removed, and the group is moving ahead with the glycerin review. LB noted that glycerin is also on 205.603 for Livestock use (as glycerin) and asked that the group keep that in mind.
  - Policy Development (PDS) – CBo. The PPM updates will be pushed to the fall meeting. PDS would like to revise the procedure for joint subcommittee reviews, which have been attempted before without success.
- The meeting was adjourned by the Chair

## FUTURE CALLS

March 8, 2013 1:00pm ET

March 29, 2013 1:00 ET (**Note date change.** Last call before spring meeting)

May 10, 2013 1:00 ET – Finalize workplans

June 14, 2013 1:00 ET

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**Absent:** John Foster (JFo) (Vice-Chair, Handling Chair)

**Staff:** Miles McEvoy (MM), Michelle Arsenault (MA), Melissa Bailey (MB)

**Agenda**

- Call to Order - MS
- Approval of Notes – March 8, 2013
- Chairs Report
  - Meeting agenda review
  - Oral comment management plan
  - Declaration of interest plan
  - Work plans
  - Sound and Sensible
  - Other stuff I think of after sending agenda
- Advisory Board Specialist (ABS) update – MA
  - Update about meeting materials (May 2012 and Oct 2012 transcripts for approval)
  - Hotel/flights/meeting logistics
  - Oral Commenter status
- NOP news and update – MM
- Subcommittee Reports (5 minutes each)
  - Policy Development (PDS) - CBo
  - GMO ad hoc- JT
  - Compliance, Accreditation, & Certification (CACS) - JD
  - Materials (MS) - ZS
  - Crops (CS) - JFe
  - Livestock (LS) – TF
  - Handling (HS) - JFo
- Additional Items
- Adjourn

**Discussion**

- Notes from March 8 call approved with no changes

- Chairs Report
  - Meeting agenda review
  - Oral comment management plan - Currently each speaker has 5 minutes: 4 minutes for comment and only 1 for questions. This will fluctuate based on the comments, and will expand and contract as needed.
  - Declaration of Interest plan – The NOP memo was sent to Board members March 29, 2013. A member added that the memo seemed to be lacking in criteria, and abundant in discretion. The Chair suggested that the PDS might work on an internal policy that augments the memo
  - Work plans- The workplans are fairly solidified
  - Sound and Sensible – Will be discussed further in the coming months. There is some confusion among Inspectors/certifiers for providing technical assistance versus consulting, education, etc. The NOP will be releasing an Instruction memo on this topic. (Note: Done on April 8, 2013)
- Advisory Board Specialist (ABS) update – MA
  - Update about meeting materials including May 2012 and Oct 2012 transcripts for approval.
  - Hotel/flights/meeting logistics
  - Oral Commenter status
- NOP news and update (MM)-
  - The COI memo presents the NOP perspective and the program appreciates the comments from the Board and looks forward to additional follow up comments.
  - The material classification memo was released and there is a 60-day comment period. MA will send the memo to group on Monday.
  - TRs might be limited due to availability of funds, so the NOP is looking at alternatives.
  - MM asked that the Board keep in mind that the NOP staff workload is daunting and we need to actively implement ways to reduce burnout and late nights. This could include limiting meeting to 3 days, not adding extra calls, etc.
- Subcommittee Reports (5 minutes each)
  - Policy Development (PDS) - CBo: Discussed workplan items and how the group will proceed with items
  - GMO ad hoc- JT: Noted that JFe and CBo will present seed purity doc at meeting, and ZS will present Excluded Methods. The group is looking forward to hearing public comment
  - Compliance, Accreditation, & Certification (CACS) – JD: only one agenda item for this meeting which has received about 15 written comments. The group has discussed these comments and integrated them into the presentation for the meeting. Retail certification will be on the workplan and will be the focus for the fall. Waiting for Sound and Sensible to determine what role, if any, the CACS will play.
  - Materials (MS) – ZS: There are 3 items on agenda for the spring meeting including; CBI, which people were generally supportive of; Definition of Production Aids, which solicited some very helpful comments; and Limited Scope TRs which received considerable negative comments indicating that it was not needed or was too

prescriptive. ZS will send an email to the group asking about this document and how to proceed at the meeting based on comments. If it is withdrawn it will be folded into the item entitled "Update TR process". The MS expects that the two discussion documents will proceed to proposals for fall 2013.

- Crops (CS) – JFe: Crops has 3 items for the spring meeting, and received lots of comments for tetracycline. The inerts presentation will be delivered by the NOP with input from JFe and ZS. MS or JFe will introduce the antibiotics panel. Members will compile questions for the panelists and send them to MA by Wednesday so she can forward them to the panelists with time to review. The CS would like to get the program’s perspective on a proposed workplan item involving Contamination issues, before committing resources and time to this item. Would like to work together to determine what items are viable before too much time and effort goes into it, especially in light of the limited ability to request TRs. MM indicated that this could be introduced in fall 2013, with solicitation for information from public in spring and a discussion document for fall 2014. Added that we could save money and resources if we reconsider the limited scope TRs. The NOP noted that the Board already has the ability to request limited TRs without having the new proposals.
- Livestock (LS) – TF. The LS has two items on spring agenda: pet food amino acids and the Vaccines Working Group interim report. It was noted that there are many agenda items for the fall meeting, so it’s going to be a busy summer. George Lockwood, chair of the Aquaculture Working Group, will be presenting at the spring meeting, since most likely the aquaculture materials will be reviewed at the fall meeting
- Handling (HS) – HA substituting for JFo, noted that they have four petitioned materials and aux/other ingredients. It was noted that the Public Comments on aux/other were varied.
- No additional Items

**FUTURE CALLS**

March 29, 2013 1:00 ET (Note date change. Last call before spring meeting)

May 10, 2013 1:00 ET – Finalize workplans

June 14, 2013 1:00 ET

Spring 2013 Milestones	Target date
NOP – Complete tentative agenda	February 8, 2013
Spring 2013 proposals due to NOP	February 12, 2013
NOP - Post proposals, Publish FRN, Open public comment	February 19, 2013
Subcommittees submit tentative workplans to NOP	March 1, 2013
Discuss workplans on ES call	March 8, 2013

NOP provides written comments on workplans to NOSB	March 11, 2013
Public comment closes	March 19, 2013
NOP - Send compiled public comments to NOSB	March 25, 2013
Workplans finalized on ES call	March 29, 2013
Spring 2013 NOSB Meeting – Portland, OR	April 8-11, 2013

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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, May 10, 2013, 1:00 pm ET**

**Attending:** Mac Stone (MS) (Chair), John Foster (JFo) (Vice-Chair, Handling Chair), Jay Feldman (JFe) (Crops Chair), and Zea Sonnabend (ZS) (Materials Chair), Colehour Bondera (CBo) (PDS Chair), , Jennifer Taylor (JT) (GMO ad hoc Chair), Wendy Fulwider (WF) - sitting in, Jean Richardson (JR) - sitting in, Harold Austin (HA) - sitting in

**Absent:** Joe Dickson (JD) (CACs Chair), Tracy Favre (TF) (Livestock Chair), Calvin Walker (CW) (Secretary)

**Staff:** Miles McEvoy (MM), Michelle Arsenault (MA), Melissa Bailey (MB)

**Agenda**

- Call to Order - MS
- Approval of Notes – March 29, 2013
- Chairs Report
  - Portland Mtg recap
  - Significant changes to recommendations at Board mtg
  - Finalize fall work plans
  - Subcommittee make up
  - NOP proposed rule on list 3 inerts, cellulose, carrageenan
  - Proposal disclaimer
- Advisory Board Specialist (ABS) update – MA
  - Update about recommendations and transcripts
  - Missing oral commenters in Portland
  - Schedule for fall
- NOP news and update – MM
- Subcommittee Reports (5 minutes each)
  - GMO ad hoc- JT
  - Compliance, Accreditation, & Certification (CACs) - JD
  - Materials (MS) - ZS
  - Crops (CS) - JFe
  - Livestock (LS) – TF
  - Handling (HS) – JFo
  - Policy Development (PDS) - CBo
- Additional Items
- Adjourn

**Discussion**

- Notes from the March 29 call approved with no changes
- Chair's Report

- Spring 2013 meeting recap.
    - The NOP suggested replacing the prep meetings with longer public Subcommittee sessions so that the discussions are open to the public. Many members and the NOP felt that the round-robin on tetracycline was useful and would like to see this model used at future meetings so such conversations are in the public record. Several members urged the NOP to lengthen the Board meeting to make up for the elimination of the pre-meeting. In addition to losing time for conversation and administrative organization, the prep meeting was also a time for members to familiarize themselves with all the proposals up for vote, and not just the ones in their particular Subcommittees. Many members feel that the in-person face time is very important resulting in better, more productive, and more respectful communication. A member also reminded the NOP that fall elections will require extra time. One proposal was to have a pre-meeting webinar or conference call to discuss logistics and administrative processes. The NOP will consider whether this is feasible.
    - The expert panel on tetracycline worked really well. There seemed to be a misunderstanding among some of the panel members regarding the use of PowerPoint, but the guidance that was sent to them by the Chair of Crops subcommittee and the NOP didn't preclude it. MA will make sure the instructions are more explicit in the future.
    - A member asked about the possibility for field trips and, depending on the issues at the NOSB meeting, the NOP will consider whether field trips would be beneficial.
    - A member added support for the round-robin approach, but asked that the Board members be informed ahead of time. He also added that the process for receiving public comment seemed unfair because some commenters were asked for their affiliation while others were not. Other members disagreed, noting that the commenters that were asked about their affiliation did not volunteer that information as is required.
  - Significant changes to recommendations - The amendment process for proposals was questioned by some members of the public and the Board, but the NOP feels that as long as an item is on the agenda, amending and re-voting are part of the process and the Board has the right to make changes. The group discussed what constitutes a significant change to a proposal and how to handle that situation when it arises. A member suggested having a backup plan ready.
  - Subcommittee make-up - The Chair decided to leave the Subcommittee rosters as is for now, and not reduce the numbers until the next administration.
  - Proposal disclaimer - MA will replace the old proposal disclaimer with the new one that was agreed upon by the admin team and the NOP.
- Advisory Board Specialist (ABS) update – MA
    - Recommendations and transcripts are now posted on NOSB website.
    - Missing oral commenters in Portland - Sent an email requesting feedback about clarity of process and only received 3 responses out of 45.
    - Schedule for fall is noted at the bottom of the Subcommittee notes. August 27 is the proposal deadline.
  - NOP update

- The NOP is making good progress with Sound & Sensible, and is currently revising instructions and creating new instructions for certifiers and auditors. Auditor training was conducted at the end of May; certifiers will be provided training via webinars in the coming months. The new AMS Administrator, Anne Alonzo, started this week and will be at the OTA policy conference. The NOP might be able to schedule a call with the Board so she can introduce herself. The Farm Bill is working its way through the Senate and House, and the NOP noted that people could view the pre-marked up version of the bill on the Senate agricultural committee's website. Members discussed funding for organic, but there is not specific information available yet.
- The NOP checked with APHIS about the Board request for consideration of the Emergency Spray for tetracycline. APHIS indicated that because fire blight is endemic, such a program would be inconsistent with their policy of regulating quarantine pests. The NOP will provide a formal response to the Board concerning the emergency spray recommendation. JFe noted that there are four types of emergency exemptions governing Section 18 of EPA's FIFRA: (specific, quarantine, public health and crisis) and it seems like APHIS may have responded to only one scenario (quarantine). A member asked if the USDA could collaborate with other agencies and perhaps reference other statutes and not just the crops statute for emergency spray. Another member asked when the NOP determination will be public; NOP noted that as soon as it's written and sent to the Board.
- Proposed Rule: Sunset Review 2013. The proposed rule is posted for public comment and the NOP is now in ex-parte communication, so NOSB members are welcome to comment as part of the comment process but cannot discuss it further with NOP.
- Draft plan for Sunset 2015. The current sunset review process is detailed in a 2007 Federal Register (FR) notice. The NOP provided a draft plan for Sunset 2015 that was discussed with the Board. The draft includes a plan to eliminate the ANPR (Advanced Notice of Proposed Rulemaking) component of sunset and replace it with a longer public comment period, because a sunset material will be reviewed over the course of two NOSB meetings. The NOP emphasized the importance of the NOSB working on a revised petition process that makes it easier for those who would like changes to a substance's annotation.
- Subcommittee Reports (5 minutes each)
  - GMO ad hoc (JT) - The group assigned workplan items during the last call, and is now working on specific documents.
  - Compliance, Accreditation, & Certification (CACS) (JR) – There are several items on the workplan that the CACS would like to get feedback and guidance for: Sound & Sensible, Retail Certification, Sanitizers, and Exclusion of water (would like additional info about this or some guidance about this). CACS will talk further with MM to see how best to proceed.
  - Materials (MS) (ZS) - The MS has 3 workplan items for fall: revising the petition and TR process, which includes CBI; Definition of Production aids; and Research priorities. MS will also assist with the Sound & Sensible flowchart. MM will send the NOSB an official memo regarding Sound & Sensible.
  - Crops (CS) (JFe) – Crops attempted to use the limited scope TR model for Vinasse, and found that it wasn't helpful. Also working on Streptomycin, Aquaculture petitions, Mg Oxide, and Inerts for the fall meeting. Waiting for FR notice with inert groupings before they can move

forward, and would like some feedback from NOP. Inerts WG meeting is next week and they will discuss timeline.

- Livestock (LS) (TF) - All Aquaculture for the fall meeting. All assignments were done and they are forging ahead. Working group for Vaccines Made with Excluded Methods (VMWEM) is working on GMO documents and hopes to elucidate what the ACAs would like the NOSB to do with regard to this.
- Handling (HS) (JFo) - There are 8 materials on the workplan, including ancillary substances, and an ongoing discussion-lite around proposed guidance for decision tree, and materials classification review dialogue.
- Policy Development (PDS) (CBo) - several items on workplan are assigned and moving forward. The PDS is awaiting a memo from the NOP about decisive/indecisive votes. A member asked about Research Priorities Framework Procedure and getting the recommendations incorporated into the Policy & Procedures Manual (PPM).

**FUTURE CALLS**

May 10, 2013 1:00 ET – Finalize workplans

June 14, 2013 1:00 ET

July 12, 2013 1:00 ET

August 9, 2013 1:00 ET

September 13, 2013 1:00 ET

October 11, 2013 1:00 ET

Fall 2013 Milestones	Target date
NOP – Complete tentative agenda	August 9, 2013
Fall 2013 proposals due to NOP	August 27, 2013
NOP - Post proposals, Publish FRN, Open public comment	September 3, 2013
Subcommittees submit tentative workplans to NOP	
Discuss workplans on ES call	
NOP provides written comments on workplans to NOSB	
Public comment closes	October 1, 2013
NOP - Send compiled public comments to NOSB	~October 7, 2013
Workplans finalized on ES call	October 11, 2013
Fall 2013 NOSB Meeting – Louisville, KY	October 21-24, 2013

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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, June 14, 2013, 1:00 pm ET**

**Attending:** Mac Stone (MS) (Chair), Jay Feldman (JFe) (Crops Chair), and Zea Sonnabend (ZS) (Materials Chair), Colehour Bondera (CBo) (PDS Chair), Jennifer Taylor (JT) (GMO ad hoc Chair), Joe Dickson (JD) (CACS Chair), Tracy Favre (TF) (Livestock Chair), Harold Austin (HA), Calvin Walker (CW) (Secretary)

**Absent:** John Foster (JFo) (Vice-Chair, Handling Chair)

**Guests:** Anne Alonzo (AA) - AMS Administrator, Sara Eckhouse (SE) -AMS Chief of Staff

**Staff:** Miles McEvoy (MM), Michelle Arsenault (MA), Jennifer Tucker (JTU)

### Agenda

- Call to Order - MS
- Approval of Notes – May 10, 2013
- Chairs Report
- Advisory Board Specialist (ABS) update – MA
  - Material Evaluation Checklist update
  - Fall 2013 Meeting planning/2014 Meeting planning
  - Update bios for website
- NOP news and update – MM
- Subcommittee Reports (5 minutes each)
  - Compliance, Accreditation, & Certification (CACS) - JD
  - Materials (MS) - ZS
  - Crops (CS) - JFe
  - Livestock (LS) – TF
  - Handling (HS) – JFo
  - Policy Development (PDS) - CBo
  - GMO ad hoc- JT
- Additional Items
- Adjourn

### Discussion

- The meeting was called to order by the Chair
- Notes from the May 10, 2013 call approved with no changes
- Chair's Report
  - Chair discussed the upcoming NOSB meeting and logistics in light of the heavy workload. He also suggested including a discussion at the meeting about the larger scope of the NOSB and Organic in general. Members discussed having this broader discussion within the context of a particular recommendation, such as the sunset annotation policy, and will discuss this further as the meeting nears and they have been able to think about topics and structure.

- Advisory Board Specialist (ABS) update – MA
  - Material Evaluation Checklists are nearly done and ready to use for fall meeting. For now we can use the Handling checklist and use the old one for Crops/Livestock until the new one is finalized.
  - Fall 2013 Meeting planning/2014 Meeting planning is in progress. The FR notice will be finalized by July 2, and we will begin working on the travel request then as well.
  - Members discussed the length of the meeting and noted that it is not realistic to limit the number of items that will be voted upon if they are ready
  - MA would like to update the members bios for website and will send around the old ones
- NOP update
  - MM introduced Anne Alonzo, the new AMS administrator. Ms. Alonzo introduced herself and gave the group a little background about her career. She lauded the groups' diversity: geographic, affiliations, community. The members discussed various items with the Administrator and one member highlighted the length of time it takes to get from recommendation to rulemaking and asked if there was any way to shorten the process. For example, the Seed and Planting Stock recommendation took 2.5 years, and they are still waiting on finalization of sodium nitrate. Sara Eckhouse added that part of the problem causing the delay is the internal structure of the USDA. Ms. Alonzo added that the Secretary is aware that expediency is a problem and he feels it is an important issue. The group discussed various issues including NOSB and NOP workload, the quantity of recommendations versus the size of the NOP staff, and the importance of access to current research and science for their work. The Chair acknowledged the willingness of the administrator to meet with the Board and to engage with the organic program early in her administration.
  - FR notice about the Sunset process is being developed and the NOP will start it through USDA clearance next month. The proposed Sunset process will be a two tiered process which will allow for public comment at the first NOSB meeting prior to the NOSB Subcommittee delivering a proposal. A member asked about the proposed changes and possible alternative processes. The NOP indicated that the current Sunset process can be found in a 2007 FR notice and a draft sunset review process was provided at the last ES meeting. The NOP would welcome input from the MS or PDS about this draft. A member asked for more specific information regarding the change in how annotations will be handled during sunset.
  - The NOP recently concluded the Japan peer review and are optimistic about the equivalency arrangement. The NOP is currently completing an equivalency review with Canada which is done every two years. The Farm bill passed in the Senate, and the House is scheduled to take it up this month. The NOP is doing a lot of outreach for Sound & Sensible and the accreditation team (AIA) is making good progress recalibrating for Sound & Sensible. After completing a successful training in early May, and receiving great feedback, they are revising some instruction documents that should be completed soon and sent out to certifiers. Members discussed the open docket recommendation from the spring 2013 NOSB meeting and asked about its progress. The NOP indicated that the hope is to have it in place at the end of the year.
- Subcommittee Reports (5 minutes each)
  - Compliance, Accreditation, & Certification (CACS) – JD. CACS has three discussion documents for the fall meeting, which are currently in progress and are moving forward.

- Materials (MS) - ZS. Working primarily on comments to the classification guidance. Their overall project is a revision to the petition and TR process, which is composed of lots of separate components such as CBI, and Limited Scope TRs. The Chair noted that without the rule the group doesn't know some of the parameters, so for now only one of the three petitions is moving forward, and they are awaiting more info on the others.
- Crops (CS) - JFe. Crops is working on many aquaculture substances and has a couple of other materials under development such as chlorine and CO<sub>2</sub>. The Subcommittee is going to schedule a call with the Chair of the Aquaculture Working Group so they can get some answers to several lingering questions. Contamination Issues in Farm Inputs is a large project and is being narrowed so the Subcommittee can work on it in segments. Inerts review is progressing and there's a group within EPA interested in working with the Inerts Working Group (IWG), because there is a lot of overlap.
- Livestock (LS) - TF. Livestock has a fairly aggressive schedule with regard to Aquaculture. The group may delay some of the petitions if they are not ready to be voted on: potentially vaccines for biologics, which they didn't receive until late spring. TF talked with the NOPs Mark Bradley, who is writing the aquaculture standards, and while he couldn't share any specifics, she felt that the rule was going to help tremendously with the Subcommittees' review. MB noted that past NOSBs have reviewed materials without a rule in place and instead based it only on past Board recommendations. Members also discussed the potential for an aquaculture panel at a future meeting, and relayed their hope that there is time and budget to allow for that.
- Handling (HS) - HA. There are nine items on the workplan; seven substances in progress, one on hold (Gibberellic Acid) and Ancillary Substances. With regard to Ancillary Substances, ZS has done a large amount of work developing a spreadsheet in order to facilitate the review of these substances. Sanitizers and cleaners are on a separate spreadsheet, and the intent is to have other relevant Subcommittees review these since they are crosscutting. One issue they are facing is how to deal with generic items without delving into name brands. Members discussed having Peggy Miars from OMRI participate on a call to talk about how OMRI reviews name brand products. Members felt it would be helpful, but not necessarily for the Handling Subcommittee, since most HS members are familiar with this process already.
- Policy Development (PDS) - CBo. Looking for clarity about what topics should be worked on as part of the PPM update or as separate items in a different Subcommittee. At the fall meeting, the NOSB will be asked to approve (or not), the administrative changes to the PPM. Other topics include Conflict of Interest, Member Transition Procedures, and Workplans.
- GMO ad hoc- JT. Working on Seed Purity Document, and have solicited info from the community and guest speakers on various topics related to GMO contamination and seed purity and its relationship to organic agriculture. One other document is in progress; Terminology for Excluded Methods. The group is looking forward to the Public Communications Open Docket, because they feel that it will play an important role with items like Seed Purity.
- Additional Items – JFe reminded the group that streptomycin is on agenda for the fall meeting. The NOP added that the 2<sup>nd</sup> phase of milk audit by OIG should be out soon.
- Meeting was adjourned by the chair

**FUTURE CALLS**

June 14, 2013 1:00 ET

July 12, 2013 1:00 ET

August 9, 2013 1:00 ET

September 13, 2013 1:00 ET

October 11, 2013 1:00 ET

<b>Fall 2013 Milestones</b>	<b>Target date</b>
NOP – Complete tentative agenda	August 9, 2013
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Workplans finalized on ES call	October 11, 2013
Fall 2013 NOSB Meeting – Louisville, KY	October 21-24, 2013

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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, July 12, 2013, 1:00 pm ET**

**Attending:** Mac Stone (MS) (Chair), John Foster (JFo) (Vice-Chair, Handling Chair), Calvin Walker (CW) (Secretary), Jay Feldman (JFe) (Crops Chair), and Zea Sonnabend (ZS) (Materials Chair), Colehour Bondera (CBo) (PDS Chair), Joe Dickson (JD) (CACs Chair), Jennifer Taylor (JT) (GMO ad hoc Chair)

**Absent:** Tracy Favre (TF) (Livestock Chair)

**Staff:** Miles McEvoy (MM), Melissa Bailey (MB), Michelle Arsenault (MA)

**Agenda**

- Call to Order - MS
- Approval of Notes - June 14, 2013
- Chairs Report
  - Sunset management
  - Process if substantive changes are made to a proposal at the meeting
  - Board meetings and pace for review of materials/workplan items
- Advisory Board Specialist (ABS) update - MA
  - Fall 2013 meeting planning update/2014 meeting planning
  - Update to timeline (see table below)
  - Update on bios for website
- NOP news and update - MM
- Subcommittee Reports (5 minutes each)
  - Materials (MS) - ZS
  - Crops (CS) - JFe
  - Livestock (LS) - TF
  - Handling (HS) - JFo
  - Policy Development (PDS) - CBo
  - GMO ad hoc- JT
  - Compliance, Accreditation, & Certification (CACs) - JD
- Additional Items
- Adjourn

**Discussion**

- Notes from June 14, 2013 were approved with no changes
- Chairs Report
  - Sunset management. The group discussed the changes to the sunset process that the NOP has proposed, which will decouple annotation changes from the sunset process. The impetus for the change was the added complexity and amount of time it takes to shepherd a material through the rulemaking process when there is an accompanying annotation. After the NOP receives a recommendation from the NOSB there are several steps it goes through, including legal review

- and review for economic impacts, which adds time to the rulemaking process. The sunset process is critical and although annotation changes are important it slows the process when there are critical sunset deadlines to meet. Decoupling the annotation portion from sunset review would speed this process. The details for this are not flushed out yet, but one option is for the NOSB to create an internal process. A member feels that timing issues need to be resolved. For example it would be preferential to vote on an annotation before voting on sunset. He also noted that the Board feels under informed about the problem and the reason for the process change, and would like to make sure in the future there is more transparency, communication, and collaboration between the NOP and the NOSB. ZS noted that the ancillary substance review will require a large number of annotation changes and feels that these substances should be moved up in the schedule in an effort to get them done before they sunset. The group also discussed the fact that the Board does not have a simple, smooth mechanism for annotation changes outside of the normal petition process, and would like to focus some energy towards developing a mechanism for Board members to propose annotation changes.
- Board meetings and pace for review of materials/workplan items - the group is thinking about ways to accommodate a shorter meeting including perhaps slowing the review process. For example, putting forth a proposal for public comment but delaying the vote until the following meeting. A member noted that there is no protocol that says it has to be done quickly, and it is not prohibited, so for transparency's sake it would require shifting expectations about timelines.
  - Substantive changes to proposals at an NOSB meeting - The NOP will provide language about what is considered "substantive" and what will trigger the need to postpone a vote on a proposal. A member noted that it hasn't been very clear in the past, and having a definition will make the decision more transparent for all involved, and will help when communicating the reasons for either tabling a proposal or taking it off the agenda altogether. The language could be included in the agenda and perhaps the FR notice. Currently, the following language is included on the NOSB meeting agendas: NOTE: Agenda items may be withdrawn or votes may be postponed at the discretion of the Board.
  - Advisory Board Specialist (ABS) update - MA
    - Fall 2013 meeting planning update/2014 meeting planning - The Fall 2013 travel guidance should be ready in the next few weeks so people will be able to make flight arrangements. The 2014 meeting plans are underway. Spring 2014 was initially supposed to be in Austin, TX, but due to hotel availability, the NOP is now looking for alternatives, including San Antonio, TX and Omaha, NE. Fall 2014 is tentatively scheduled for Washington, DC. MS indicated that people should contact him for information if they are interested in spending time in Louisville prior to or after the Board meeting.
    - Update to timeline (see table below)
    - Update on bios for website - Once all of the member bios are received, MA will update the website.
  - NOP news and update – MM. AMS Administrator Anne Alonzo has been designated the lead for organic issues at USDA, and is very enthusiastic about that role. She has been interacting with many members of the organic community, as well as the NOSB and the NOP. She may attend part of the fall NOSB meeting and perhaps attend the NOC meeting just prior to the NOSB. She is considering a strategic planning meeting in an effort to draw input from the Board members. The NOP has been visiting with certifiers to talk about Sound & Sensible, and is receiving a lot of great feedback about issues such as record keeping.
  - Subcommittee Reports (5 minutes each)

- Materials (MS) - ZS. The MS is working on several proposals and will be focusing soon on collecting research proposals. The Chair asked that the other members continue to think about possible research topics and will relay that message to the Livestock Chair.
- Crops (CS) -JFe. The CS is working on a merged streptomycin proposal instead of having two separate documents - one with the majority opinion and one with the minority. Aquaculture is moving forward. Several other petitions are in the pipeline with some closer to being finished than others. The Subcommittee will continue to look at items that potentially might not be ready for the fall meeting.
- Livestock (LS). WF provided an update on TFs behalf. To date, the committee has voted on two of the aquaculture materials (chlorine and vitamins). Several others are in progress. The intention is to proceed with review and deliberation on all aquaculture materials and the LS feels there is a strong chance they will vote on materials' checklists for everything except the biologics vaccines, which will not have a TR available in time for the August deadline for proposals. Because of timing constraints at the fall meeting, we might not bring them all up for a full Board vote, but they will likely be ready in time for public comment prior to the meeting. The group also expects to have an update from industry on the Methionine question in time to provide an amended proposal for the fall meeting.
- Handling (HS) - JFo. The HS is on track with their workplan and materials, including the sunset items which will be the first sunset materials to be reviewed using the new format. The glycerin petition is gleaning outside interest as some community members are concerned about how this might affect Livestock. The group feels that the concern is unwarranted, as the Handling Subcommittee is clear about what this material is being petitioned for, and what section of the National List it pertains to.
- Policy Development (PDS) - CBo. The PDS workplan includes various PPM updates: (admin updates, workplans, transition of Chairs/VCs/members and COI). The COI proposal is a high priority and the group would like to see it completed. A member asked about having a document added to the PDS workplan regarding the sunset process so the Board can get community input. MS noted that he is supportive of having an open dialogue among the NOSB at the fall 2013 meeting on the public record, but feels that accepting public comment at this time is premature. It would be more informative once the NOSB has an idea of how they will proceed. Also, once the FR notice for the sunset process is published, then the PPM will need to be updated. A member added that the changes to the NOSB process must be presented to the public, but the NOP feels that the FR notice is the public notification. Members noted that various past procedures proposed by the NOP were not acted upon until they were vetted by the public. MM indicated that this notice will be published prior to the meeting so the public will be informed of the changes. In the interest of time, several members asked that there be a separate call to discuss this issue.
- GMO ad hoc - JT. The Subcommittee has had several seed experts join the last couple of calls to share their views about organic seed purity and conservation. MA will forward the documents they shared with the entire NOSB. The group is working on summarizing the comments regarding seed purity from the last couple of meetings for presentation at the fall meeting. They are also collecting research priorities topics from the other Subcommittees.
- Compliance, Accreditation & Certification (CACS) – JD. The CACS is moving ahead productively with no substantive changes to the last report about their workplan items.
- Additional Items - The Board Chair let the group know how appreciative he was for their hard work and passion as we get closer to the fall meeting. He also noted that he would expand the conversation about the sunset review.
- The meeting was adjourned.

**FUTURE CALLS**

July 12, 2013 1:00 ET

August 9, 2013 1:00 ET

September 13, 2013 1:00 ET

Discuss workplans

October 11, 2013 1:00 ET

Finalize workplans for fall 2013 NOSB meeting

<b>Fall 2013 Milestones</b>	<b>Target date</b>
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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, August 9, 2013, 1:00 pm ET**

**Attending:** Mac Stone (MS) (Chair), John Foster (JFo) (Vice-Chair, Handling Chair), Calvin Walker (CW) (Secretary), Jay Feldman (JFe) (Crops Chair), and Zea Sonnabend (ZS) (Materials Chair), Colehour Bondera (CBo) (PDS Chair), Tracy Favre (TF) (Livestock Chair), Harold Austin (HA), Jennifer Taylor (JT) (GMO ad hoc Chair)

**Absent:** Joe Dickson (JD) (CACCS Chair)

**Staff:** Melissa Bailey (MB), Michelle Arsenault (MA)

**Agenda**

- Call to Order - MS
- Approval of Notes - July 12, 2013
- Chairs Report
  - Expanded conversation at fall meeting
  - Scheduling/Subcommittee time allotment
  - Public comment time allotment
  - USDA Meeting facilitation contractor
  - Sunset review process
  - Fall 2013 pre-meeting webinar? 1.5 hour
- Advisory Board Specialist (ABS) update - MA
  - Fall 2013 meeting planning update/travel
  - Fall 2013 meeting agenda (attached)
  - Timeline check/Reminder about revised checklists (HS and LS/CS)
  - Bios were posted on website
- NOP news and update - MB
- Subcommittee Reports (5 minutes each)
  - Crops (CS) - JFe
  - Livestock (LS) - TF
  - Handling (HS) - JFo
  - Policy Development (PDS) - CBo
  - GMO ad hoc- JT
  - Compliance, Accreditation, & Certification (CACCS) – JD
  - Materials (MS) - ZS
- Additional Items
- Adjourn

**Discussion**

- Notes from July 12, 2013 were approved with no changes.
- Chairs Report

- Expanded conversation at fall meeting – The fall agenda includes an hour to talk about broader topics and the bigger picture. Topics for consideration could include NOP priorities, NOSB priorities, the farm bill, and organic equivalency. A member offered the following observation: the work of the Board seems to have evolved away from macro issues and is more focused on the minutiae, and in an effort to think more strategically it's a great idea to take a longer view of the community and the common goals. He added that perhaps after 20 years, the mission of the Board has shifted and warrants some discussion. MS asked that the members email any ideas for broader discussion topics. Anne Alonzo, the AMS administrator, will be at the NOSB meeting to chat with the Board members, which will dovetail nicely with the broader conversation.
- Scheduling/Subcommittee time allotment - The meeting schedule is very tight, and MS asked that each of the Subcommittee Chairs look at the time allotment for their Subcommittee to make sure it is adequate and let MA know about any concerns or issues. If there isn't enough time to present and discuss the proposals, the Board may have to adjust the public comment times. . If we have to trim time, we may have to think about adjusting the public comment blocks so the Board has enough discussion time.
- USDA Meeting facilitation contractor - MS indicated that the NOP/AMS is interested in devoting some resources to help streamline and facilitate the NOP-NOSB process. This is currently in the preliminary planning stages so it may or may not occur at the fall 2013 meeting.
- Sunset review process - ZS is working with MB and LBrines on ancillary ingredients, which is related to this process. The Final notice should be published before the fall meeting.
- Fall 2013 pre-meeting webinar – MA will work on scheduling this, perhaps on Tuesday October 15 in lieu of the Subcommittee calls. The Handling Subcommittee chair will discuss the need for their Subcommittee call with the members to determine if they can donate their hour.
- Advisory Board Specialist (ABS) update – MA
  - Fall 2013 meeting planning update/travel - travel authorizations are nearly complete and once we finalize Anne Alonzo's schedule, the members will be able to make their flight reservations.
  - Fall 2013 meeting agenda. Members will look over the details of the agenda and let MA know if there are any changes or corrections that need to be made. A member asked that at the NOSB meeting the NOP state for the public record any information about petitions that were withdrawn. LB will likely do this during her materials presentation.
  - Timeline check/reminder about revised checklists (HS and LS/CS) - MA reminded the group of the impending proposal deadline and asked that the proposals be submitted to the NOP as they are voted upon so they can be processed and bundled for posting.
  - Member bios were posted on website
  - Meeting materials - MA will resend the poll asking how members would like to receive their meeting materials
- NOP news and update – MB. The OIG published phase 2 of the milk operations audit. Overall, their findings were that NOP is successfully implementing the pasture rule. The NOP is already addressing the finding about inconsistent application of the origin of livestock requirements through development of a proposed rule. The NOP sent out a bid for a contract for a project to work with various seed organizations to support and promote the organic seed database. The NOP is currently working on the response to the Board for the April 2013 NOSB recommendations and hopes to send it to the NOSB this month. The NOP has also been working on several documents including: handler certification, a proposed rule including §606 items (curry leaves and biodegradable mulch, and the sunset 2013 final rule. All are moving forward and the NOP hopes to have them published before the fall 2013 meeting. A member asked about the guidance for handler certification and MB noted that this is final guidance pertaining to the October 2010 recommendation from the NOSB originally titled "bulk commodities".
- Subcommittee Reports (5 minutes each)

- Crops (CS) – JFe. Crops has voted on two items –streptomycin and magnesium oxide, and they have five aquaculture proposals to go. The streptomycin vote is 3-3, and they are awaiting two members to cast votes. JFe asked about moving ahead with the aquaculture materials without a system plan in place, to which the Chair replied yes, that’s the plan, although the group shouldn’t rush the proposals if they aren’t ready for full Board consideration. The group discussed the benefit of submitting the documents for public comment, as opposed to waiting for a TR. Crops is also compiling a list of Research Priorities for the Materials Subcommittee.
- Livestock (LS) – TF. The Subcommittee is working on aquaculture materials, and has voted on 3 and has 3 more to vote on before the deadline. The group is confident they have enough background to complete their review. MS noted that the aquaculture tour was very valuable and they will have a report soon. The members had a very good discussion on last call about methionine in organic poultry feed, and will submit a research priorities topic on methionine alternatives. One petitioned material for animal aquaculture (lignin sulfonate) - was withdrawn.
- Handling (HS) – JFo. The HS is working on PGME and glycerin – which have been voted on but due to lack of quorum on the last call, the vote was left open. The Subcommittee will have some information to post for the sunset 2015 materials at the fall meeting. The HS is also making good progress on ancillary substances, and is just waiting for the NOP response. ZS asked to speak with MB soon about this to touch base. The group also feels confident that they have identified research priorities topics.
- Policy Development (PDS) – CBo. The PDS is working on several proposals to update the PPM (admin and misc updates) and the COI proposal. Two other items (Workplans and Transition of Chairs) will be delayed because they are not far enough along.
- GMO ad hoc- JT. The group is making good progress on the seed purity proposal, which they feel might be controversial. In the proposal, they will express the intention to move forward with a seed purity standard that includes placing financial burden for testing on patent holders and purveyors of GM seed.
- Compliance, Accreditation, & Certification (CACs) – JD. The ACA working group provided input about Sound and Sensible, which MS will circulate to the Subcommittee for the August 13 call. The group has 3 discussion documents in the works.
- Materials (MS) – ZS – MS has 4 proposals on the fall agenda: 2 updates to the Petition and TR process (CBI and misc updates), Definition of production aids, and the Research Priorities proposal. The group is proposing to not accept CBI, which will then be folded into the update to the petition and TR process.
- Additional Items.
  - MB summarized the process for presenting the sunset materials, which replaces publishing an Advanced Notice of Proposed Rulemaking (ANPR). The NOP will publish a list of the Sunset materials with links to technical information and past NOSB recommendations. The Subcommittee chair would simply summarize the materials and any comments that were received. A member asked that a notation be added to the listing for the Sunset items regarding the status of any TRs, so commenters know to check the website for additional information. Another member noted that the language in the ANPR indicated a preliminary stage of review and that more work will be done at a later date. To this end, a member asked about adding a sentence to the fall agenda indicating that the Sunset items would not be voted upon at this meeting.
  - A member asked about the 1 hour time block for the expanded conversation and asked that because it isn’t very much time, it be somewhat structured. Members also briefly discussed the structure of the pre-meeting webinar to maximize their time.

- MB informed the group that the research recommendations from the last NOSB are now packaged and ready to be sent to the USDA chief scientist which would likely lead to the formation of a formal working group, although the farm bill and budget need to move forward in order to support research in this area.
- A member noted that the Handling Subcommittee had a variety of research topics that were not necessarily materials related, and were more social in nature.
- The meeting was adjourned

**FUTURE CALLS**

August 9, 2013 1:00 ET

September 13, 2013 1:00 ET

Discuss workplans

October 11, 2013 1:00 ET

Finalize workplans for fall 2013 NOSB meeting

Fall 2013 Milestones	Target date
NOP – Complete tentative agenda	August 9, 2013
Fall 2013 proposals due to NOP	August 27, 2013
NOP - Post proposals, Publish FRN, Open public comment	September 3, 2013
Subcommittees submit tentative workplans to NOP	September 11, 2013
Discuss workplans on ES call	September 13, 2013
NOP provides written comments on workplans to NOSB	September 23, 2013
Public comment closes	October 1, 2013
NOP - Send compiled public comments to NOSB	~October 7, 2013
Workplans finalized on ES call	October 11, 2013
Fall 2013 NOSB Meeting – Louisville, KY	October 22-24, 2013

Note: Subcommittee notes may include preliminary discussions regarding substances considered for addition to or removal from the National List. They do not represent official National Organic Program (NOP) policy or regulations. Please see the NOP website for official NOP policy, regulations, and status of substances used in organic production and handling.

**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, September 13, 2013, 1:00 pm ET**

**Attending:** Mac Stone (MS) (Chair), John Foster (JFo) (Vice-Chair, Handling Chair), Jay Feldman (JFe) (Crops Chair), and Zea Sonnabend (ZS) (Materials Chair), Colehour Bondera (CBo) (PDS Chair), Wendy Fulwider (WF), Harold Austin (HA), Jennifer Taylor (JT) (GMO ad hoc Chair), Joe Dickson (JD) (CACS Chair), Jean Richardson (JR), Calvin Walker (CW) (Secretary)

**Absent:** Tracy Favre (TF)

**Guests:** Kevin Bryan (KB) ([Meridian Institute](#))

**Staff:** Miles McEvoy (MM), Melissa Bailey (MB), Michelle Arsenault (MA)

**Agenda**

- Call to Order - MS
- Approval of Notes - August 9, 2013
- Chairs Report
  - Evaluation
  - Workplans
  - Pre-meeting webinar Oct 16
  - Plans for Monday & Friday (pre-and post- meeting)
  - Board dinner plans/OMRI Reception
  - NOSB meeting with USDA/AMS Administrator Anne L. Alonzo
  - Broader Organic discussion (Tuesday AM)
- Advisory Board Specialist (ABS) update - MA
  - Fall 2013 meeting planning update/travel
  - Fall 2013 meeting agenda (attached)
  - Public comment-oral (attached) and written
  - 2014 Meeting plans (San Antonio and DC)
  - COI/DOI spreadsheet
  - Webinar-test link for ReadyTalk
- NOP news and update - MB
- Subcommittee Reports (5 minutes each)
  - Livestock (LS) - TF
  - Handling (HS) - JFo
  - Policy Development (PDS) - CBo
  - GMO ad hoc- JT
  - Compliance, Accreditation, & Certification (CACS) – JD
  - Materials (MS) - ZS
  - Crops (CS) - JFe
- Additional Items
- Adjourn

## Discussion

- The meeting was called to order
- Notes from August 9, 2013 were approved with no changes
- Chairs Report
  - The Chair noted that Kevin Bryan of the Meridian Institute will participate on the call to discuss the evaluation/assessment that they will conduct to review the NOP-NOSB processes.
  - Workplans. There was a discussion during the Policy Development call about using a process by which early draft proposals or executive summaries could be reviewed by the NOP to pre-vet them before work progresses.
  - Pre-meeting webinar Oct 16 (1.5 hours). The Subcommittee Chairs should decide which proposals to discuss since our time is limited. The goal is to make sure everyone is familiar with all the proposals and is aware of any that might need more in-depth discussion. The Chair will confirm on the October 11 Executive call what will be presented.
  - Plans for pre-and post- NOSB meeting. The Board members will meet with the Agricultural Marketing Service (AMS) Administrator, Anne Alonzo (AA). MS will work with AA to structure the discussion so we can maximize our time. MS also discussed opportunities for a visit to the Kentucky State University aquaculture facility, as well as other tour opportunities if people have free personal time.
  - OMRI is planning a reception that will occur the Monday evening before the NOSB meeting
  - One-hour long broader organic discussion Tuesday morning. MS asked the members to think about topics or ideas on which to focus. MS will then send a list to the members as far in advance as possible so they can provide feedback and prepare. The intention is for the NOP and NOSB to participate in this discussion. The Board Vice Chair suggested the group think strategically and not transactionally, and think about topics such as future directions for the Board, and where the NOSB should be in 10 years: Bigger, philosophical ideas that they rarely have time to think about. MS noted that the conversation with Administrator Alonzo could help inform this discussion, and so they may not have the discussion fleshed out until the night before. A member suggested thinking about the various stakeholder groups and the intersection between that and the law, because it is important for members of the public to recognize that they are represented. MM added that they could also have a broad conversation about the Secretary's initiative on organic agriculture.
  - The Chair announced that WF will not be able to attend the fall meeting
- Advisory Board Specialist (ABS) update - MA
  - Fall 2013 meeting planning update/travel
  - Fall 2013 meeting agenda - will be revised once the public comment period closes and the oral commenters schedule is compiled.
  - Public comment: oral and written. So far there aren't many comments, or people signed up to give oral testimony yet.
  - 2014 Meeting plans (San Antonio and DC). MA posted the tentative hotel information on the NOSB website
  - COI/DOI spreadsheet. MA will have this ready and sent to the Board members in the next week so they can declare any interests or identify any conflicts of interest. Additionally, this spreadsheet will contain a complete list and links to all of the items to be discussed at the fall meeting and will be a good resource as members review the proposals.
  - Webinar. MA asked that the members test the webinar link (ReadyTalk) prior to the pre-meeting webinar to make sure it works, and if it doesn't they have enough time to call the HelpDesk number which was included in the email invitation.

- NOP news and update - MM
  - An evaluation/organizational assessment will be conducted over the next few months. Kevin Bryan (KB) of the Meridian Institute, who will be conducting the assessment, introduced himself and noted the main goals for the assessment and the process by which it will unfold. It will include such things as strengths of the NOSB, areas for improvement, and the relationship between the NOP and NOSB. They hope to complete the interviews before the October Board meeting, and will attend the meeting to observe the process. After the meeting they will provide a draft report with feedback.
  - The NOP just published revised certificate instructions after conversations with certifiers.
  - The trade agreement with Japan is moving forward, and the NOP will likely be able to announce it at Expo East next week in Baltimore
- The Chair indicated that the members will have more discussion about agenda items that were removed from the fall agenda by the NOP, non National List topics, and workplan items.
- Subcommittee Reports (5 minutes each)
  - Livestock (LS) - WF. There are 4 aquaculture proposals and two others for fall 2013 meeting. There are three projects for the spring 2014 meeting.
  - Handling (HS) - JFo. HS proposed several items for the fall 2013 meeting. For 2014 there are four sunset proposals for the spring, and ~10 to be summarized in the fall (which will be voted on in the spring of 2015). The HS is ahead of the sunset schedule and reviewing these ahead of time will help future Boards. In addition to the Sunset materials, they are also reviewing ancillary substances.
  - Policy Development (PDS) - CBo highlighted the COI proposal and urged all members to review it so they are familiar with the document and are ready to discuss it at the meeting. Additionally there are two other proposals for the fall 2013 meeting: Administrative updates to the PPM as well as Miscellaneous updates. CBo noted that in light of the new Sunset Policy, one of the items on the workplan (Decisive/Indecisive votes) would have to be reviewed. The PDS proposed the following workplan items for 2014 workplan: an update to the New Member Guide; Subcommittee procedures for development of proposals, which would include the NOP criteria for determining whether or not a proposal should go forth; communication strategies for communicating with the Secretary of Agriculture; and an update to the Subcommittee workplan procedures.
  - GMO ad hoc- JT. The GMO ad hoc Subcommittee will review the comments about GMOs at the meeting even though they do not have a document to present. There are several items proposed on the future workplan: A discussion document on the Terminology for Excluded Methods; a document to define the impact of GMOs and farming; Prevention Strategy Guidance for Excluded Methods in Crops and Handling, Tracing GMOs in the Input/Ingredient Chain, Seed Purity, and Farmers Choice. JD asked for clarification about this item.
  - Compliance, Accreditation, & Certification (CACS) - JD. There are three discussion documents for the fall agenda; Retail Certification, Sound & Sensible, and the use of 205.206(e). Each was written to elicit public comment for the development of proposals for the spring 2014 meeting. A member noted that he sent an email to CACS about potentially adding an item on biodiversity to the CACS workplan. JD noted that the CACS will discuss this document on the next conference call. The NOP asked for a copy of this document, because the department is also working on biodiversity with a focus on the responsibilities of certified operations and certifiers. The goal is to streamline how organic operators, who are already doing conservation planning under NRCS to meet the organic requirements for biodiversity/natural resources, can also meet the organic requirements. MM noted the NOP is also looking at the peer review process and will send a

memo to the Board about such. He indicated that the Board could have a role in developing this document.

- Materials (MS) - ZS. The group expressed concern about the NOP’s decision not to post the Production Aids document. MS recognized the political realities but also would like to find a way to not be reactionary. JFe feels that the justification that was cited about why the document was pulled was not robust and is upset that there was no chance for discussion prior to this action by NOP. No well-developed WP for spring 2014. There may be a WP item depending on outcome at fall meeting. LB suggested that the MS might meet once a month instead of twice based on the impending workload. The Subcommittee Chair expressed concern that we are talking about reducing the number of people on the Subcommittees and reducing the number of calls. Often MS doesn’t make quorum. Uniformity in Subcommittee size varies based on Workload.
- Crops (CS) – JFe. Crops has a very full spring 2014 agenda, including the aquaculture petitions that were deferred from the fall 2013 meeting, and contamination issues in farm inputs. The Subcommittee would like to report at the fall meeting on their progress about this issue, and would also like to get more feedback from the NOP. The thought is to develop either a discussion document or proposal for the spring 2014 meeting. All of the aquaculture proposals were “tabled” and are not moving forward for the fall meeting. There are several items on the workplan for spring 2014: Sulfurous acid, sodium carbonate perhydroxide, aqueous potassium silicate, carbon monoxide and 3 sunset 2015 materials. Biodegradable mulch guidance seems to have dropped off the agenda, but the Subcommittee would still like to provide guidance to the NOP even though the NOP has already published guidance, if there is an opportunity to. MB discussed the proposed rule and the public comment period.
- Additional Items –MA asked that the Subcommittee chairs submit their proposed workplans so the NOP can provide clear feedback about what they can and can’t allow prior to the last ES call before the fall meeting.
- The meeting was adjourned.

**FUTURE CALLS**

August 9, 2013 1:00 ET

September 13, 2013 1:00 ET

Discuss workplans

October 11, 2013 1:00 ET (CANCELLED DUE TO GOVERNMENT SHUTDOWN)

Finalize workplans for fall 2013 NOSB meeting

November 8, 2013 1:00 ET

December 13, 2013 1:00 ET

Fall 2013 Milestones	Target date
NOP – Complete tentative agenda	August 9, 2013
Fall 2013 proposals due to NOP	August 27, 2013
NOP - Post proposals, Publish FRN, Open public comment	September 3, 2013
Subcommittees submit tentative workplans to NOP	September 11, 2013

Discuss workplans on ES call	September 13, 2013
NOP provides written comments on workplans to NOSB	September 23, 2013
Public comment closes	October 1, 2013
NOP - Send compiled public comments to NOSB	~October 7, 2013
Workplans finalized on ES call	CANCELLED DUE TO GOV'T SHUTDOWN
Fall 2013 NOSB Meeting – Louisville, KY	CANCELLED DUE TO GOV'T SHUTDOWN

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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, November 15, 2013, 1:00 pm ET**

**Attending:** Mac Stone (MS) (Chair), John Foster (JFo) (Vice-Chair, Handling Chair), Jay Feldman (JFe) (Crops Chair), and Zea Sonnabend (ZS) (Materials Chair), Colehour Bondera (CBo) (PDS Chair), Harold Austin (HA), Jennifer Taylor (JT) (GMO ad hoc Chair), Jean Richardson (JR), Tracy Favre (TF), Wendy Fulwider (WF), Joe Dickson (JD) (CACs Chair), Calvin Walker (CW) (Secretary)

**Absent:** none

**Staff:** Miles McEvoy (MM), Michelle Arsenault (MA)

**Agenda**

- Call to Order - MS
- Approval of Notes - September 13, 2013
- Chairs Report
  - Draft workplans
  - February Training agenda
  - Subcommittee assignments
  - Fall/Spring timeline
- Advisory Board Specialist (ABS) update - MA
  - Travel/logistics for February training
  - New conference number reminder
- NOP news and update - MM
- Subcommittee Reports (5 minutes each)
  - Handling (HS) - JFo
  - Policy Development (PDS) - CBo
  - GMO ad hoc- JT
  - Compliance, Accreditation, & Certification (CACs) – JD
  - Materials (MS) - ZS
  - Crops (CS) - JFe
  - Livestock (LS) - TF
- Additional Items
- Adjourn

**Discussion**

- The meeting was called to order
- Notes from September 13, 2013 were approved without changes
- **Chairs Report**
  - **Draft workplans.** Workplans were circulated prior to the call.
  - **February Training agenda.** Both the NOSB and NOP are aware of the fact that the meeting is for training and not to make deliberations and recommendations. It will be an opportunity to have a group discussion about NOSB/NOP processes. Members discussed specifics about the agenda,

- including such things as who will be leading particular sections, the overall structure of the training and if the AMS Deputy Administrator Anne Alonzo as well as other AMS or USDA officials would be able to attend. The training will be structure as a workshop and will include short presentations and time for discussion and questions. Since this is a training there will be no formal minutes recorded. A member asked that MS and JT, who will be facilitating the training, solicit questions ahead of time to better focus the presentations. MM asked for additional suggestions from the Board members so they can be incorporated into the agenda.
- **Subcommittee assignments.** The group discussed various components of the new Subcommittees such as criteria for workplans, transparency, and public involvement. A member noted that it would be helpful to know what is considered public and what is internal as sometimes it is not clear and is open to interpretation. The group discussed the proposed Subcommittee assignments and the decision to hybridize Subcommittees: GMO ad hoc/Materials, and Livestock/Aquaculture. The NOSB Chair noted that there were several factors that informed this decision such as current workload, and asked for additional feedback from the members. Several members noted some assignments that needed to be corrected, which the NOSB Chair will fix. A member asked about the timing of the transition, which will occur after the next set of Subcommittee meetings. The NOSB Vice Chair added that it was not critical that the Subcommittees change January 24, when the leadership of the Board transitions, and it seems more functional to do it sooner to maximize the work time between meetings. A member asked about the Crops aquaculture proposals and how they will be evaluated in light of the newly designated Livestock/AQ Subcommittee. The Board Chair noted that since the two committees overlap in membership it will not affect the workflow.
  - **Fall/Spring timeline.** The new timeline was added to the meeting notes for each Subcommittee and the Chair asked that everyone review it.
  - **Advisory Board Specialist (ABS) update - MA**
    - Travel/logistics for February training - Everyone should have received their GovTrip authorizations and can proceed with making their flight arrangements.
    - New conference number reminder
  - **NOP news and update** - MM gave a very brief update, as he was travelling and did not have a stable connection. The NOP will schedule a one hour phone call with the Board prior to the training to talk about Sunset so during the February training the conversations can be more targeted.
  - **Subcommittee Reports**
    - **Handling (HS) - JFo.** There are four materials that would have been completed at the fall 2013 meeting that was cancelled, and will go forward to the spring meeting. The workplan that includes the 2016 sunsets is progressing. Potentially the Handling Subcommittee may need more time on the spring agenda than what was allotted to them for the fall 2013 meeting.
    - **Policy Development (PDS) - CBo.** The PDS Chair noted an item that was removed from the workplan regarding updating the process by which workplans are developed. The PDS requested further discussion about codifying and clarifying the workplan criteria so the members know what is expected. MM noted that the NOP already provided information about criteria in response to the workplan. The NOP has drafted additional clarification regarding workplans and will send that to the NOSB soon. MM added that the memo about ancillary substances is nearly ready and will be sent to Board.
    - **GMO ad hoc - JT.** The GMO ad hoc Subcommittee met yesterday and discussed the need for clarity from the program about what they will and won't allow on the workplan, and the criteria they use to make those decisions. The Subcommittee would also like to develop a mechanism to account for documents that are developed but are not carried through to the recommendation stage, for transparencies sake. The GMO ad hoc Chair emphasized that it's important to convey

the sentiment of the Subcommittees and Board whether or not a document becomes a recommendation.

- **Compliance, Accreditation, & Certification (CACS) - JD.** The CACS has not met yet since the fall meeting was cancelled and as such had no update.
- **Materials (MS) - ZS.** The Research Priorities were postponed and will be undertaken at the spring 2014 meeting. The Subcommittee received very few comments on the fall proposals except for Confidential Business Information (CBI), and will discuss whether or not they will revise it. The Materials Subcommittee chose to conduct calls once a month instead of twice, based on a smaller workload.
- **Crops (CS) - JFe.** The Crops Chair discussed the workplan for the time leading up to the spring 2014 NOSB meeting. The Subcommittee had to reschedule two speakers to discuss aquaculture; will review three 2015 sunset materials, and two 2016 sunsets; review several petitions still in the queue, and also move forward with several projects such as contaminations in farm inputs. The Crops Subcommittee has submitted a summary to the NOP about Contaminants in Farm Inputs and is awaiting a response. It's possible that because of a large workload Crops may need more time on the agenda for the spring 2014 NOSB meeting.
- **Livestock (LS) - TF.** The Livestock Subcommittee has several items in the queue from the last meeting, and several items that will need to be reassigned based on the new committee structure.
- **Additional Items.** The NOSB Chair expressed his gratitude and appreciation to the group for their professionalism and willingness to work productively with each other during this time of transition.
- The meeting was adjourned

**FUTURE CALLS**

- October 11, 2013 1:00 ET (CANCELLED)  
Finalize workplans for fall 2013 NOSB meeting
- November 15, 2013 1:00 ET
- December 13, 2013 1:00 ET
- January 10, 2014 1:00 ET
- February 14, 2014 1:00 ET
- March 14, 2014 1:00 ET
- April 11, 2014 2014 1:00 ET
- May 9, 2014 2014 1:00 ET

Fall 2013 Milestones	Target date
NOP – Complete tentative agenda	August 9, 2013
Fall 2013 proposals due to NOP	August 27, 2013
NOP - Post proposals, Publish FRN, Open public comment	September 3, 2013
Subcommittees submit tentative workplans to NOP	September 11, 2013
Discuss workplans on ES call	September 13, 2013

NOP provides written comments on workplans to NOSB	September 23, 2013
Public comment closes	October 1, 2013
NOP - Send compiled public comments to NOSB	~October 7, 2013
Workplans finalized on ES call	CANCELLED DUE
Fall 2013 NOSB Meeting – Louisville, KY	CANCELLED

<b>Spring 2014 Milestones</b>	<b>Target date</b>
Subcommittee requests technical reports for Sunset 2016 substances	Jan 15, 2014
NOSB Training meeting	Feb 4 - 5, 2014
NOP – Complete tentative agenda	Feb 7, 2014
Fall 2013 proposals due to NOP	Feb 26, 2014
NOP - Post proposals, Publish FRN, Open public comment	Mar 10, 2014
Subcommittees submit tentative workplans to NOP	Mar 12, 2014
Discuss workplans on ES call	Mar 14, 2014
NOP provides written comments on workplans to NOSB	Mar 28, 2014
Public comment closes	Apr 8, 2014
Workplans finalized on ES call	Apr 11, 2014
NOP - Send compiled public comments to NOSB	Apr 14, 2014
Spring 2014 NOSB Meeting – San Antonio, TX	~Apr 28- May 1, 2014

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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, December 13, 2013, 1:00 pm ET**

**Attending:** Mac Stone, Chair (MS), John Foster, Vice Chair (JFo), Materials/GMO ad hoc Chair (CW), Zea Sonnabend, Crops Chair (ZS), (Materials Chair), Jean Richardson, PDS Chair (JR), Harold Austin, Handling Chair (HA), Tracy Favre, Livestock/Aquaculture Chair (TF), Carmela Beck, CACS Chair (CBe), Colehour (CBo) - sitting in, Jay Feldman (JFe) - sitting in

**Absent:** Calvin Walker, Secretary (CW)

**Staff:** Miles McEvoy (MM), Michelle Arsenault (MA)

**Agenda**

- Call to Order - MS
- Approval of Notes - November 15, 2013
- Chairs Report
  - Workplans: Plans for spring 2014
  - SC Transition
  - February training - suggestions for agenda/topics/pre-questions?
  - Sunset process follow up
- Advisory Board Specialist (ABS) update - MA
  - Travel/logistics for February training
- NOP news and update - MM
- Subcommittee Reports (5 minutes each)
  - Policy Development (PDS) - JR
  - Materials/GMO ad hoc (MS/GMO) - CW
  - Compliance, Accreditation, & Certification (CACS) – CBe
  - Crops (CS) - ZS
  - Livestock/Aquaculture (LS/AQ) – TF
  - Handling (HS) - HA
- Additional Items
- Adjourn

**Discussion**

- The meeting was called to order
- Notes from November 15, 2013 were approved with no changes.
- **Chairs Report**
  - Workplans: Each of the Subcommittees has been working on their plans for the spring 2014 meeting, and the NOSB Chair noted that sunset review materials will dominate the workplans for Handling, Crops, and Livestock over the next couple of years. The PDS is working to update the Policy and Procedures Manual and will let the members know about the planned changes. MA will add a separate table with future possible ideas for projects to Subcommittee notes as a

way to keep track of mid- and long-term ideas. This idea was discussed on the CACS call and approved by the NOP. These lists will be kept separate from approved workplan items.

- Subcommittee Transition: The Chair thanked everyone for a smooth transition of Subcommittee assignments and organization.
- February training: MS and MM asked that the members send them suggestions for topics, questions and desired goals for the February training, so that they can be incorporated into the agenda. Please send that information to MS and MA.
- Sunset-process follow up: The group will discuss this again at the February training.
- **Advisory Board Specialist (ABS) update - MA**
  - Travel/logistics for February training. MA asked that the members please make their flight arrangements as soon as possible. The training will likely be held in two different locations: one day in the USDA Building and one day in the conference room at the hotel.
- **NOP news and update**
  - The USDA/Secretary's award was given to NOP in partnership with FAS for their work on the US/EU equivalency arrangement.
  - The new Korean organic regulations are scheduled to go into effect January 1, 2014 which will stop U.S. organic products that don't have Korean certification from being imported into Korea. There is a lot of interest in the Korean market; the USDA is working on a strategy to continue market access.
  - This past week, the NOP sent two memos to the NOSB. One addressed the eligibility of petitions for non-organic substances to the National List for use in personal care products. The second memo requested that the NOSB review the use of phosphoric acid for pH adjustment of liquid fish products. This substance was petitioned for addition to the National List in 2002 and at that time the NOP determined that the petition was not necessary and did not send it to the NOSB for review.
  - A member asked about the substances used in personal care products, specifically potassium hydroxide. She noted that there are some "organic" soaps that contain up to 30%, which is higher than the allowance levels for food, and it seems that the NOSB could clarify that allowance discrepancy. The NOP acknowledged that the personal care issue is complicated and suggested that perhaps 'standards for personal care items' would be a worthwhile topic for the NOSB to address.
  - The NOP and NOSB will engage in a more in-depth discussion about the Sunset review timeline at the February training.
  - The NOP is currently working on several memos and guidance documents: a memo about ancillary substances that will likely be available in January; a memo about peer review panels, which are required under OFPA and the Regulation, for which the department is considering utilizing the expertise of the NOSB; instruction about Organic System Plans (OSPs), which should be published next week; and final guidance on handling unpackaged organic products..
  - Currently the NOP is undergoing an accreditation program peer review which is required as part of its quality system plan. The audit is being conducted by ANSI (American National Standards Institute) and should be completed in the summer of 2014. A summary of results will be released in a public document.
- **Subcommittee Reports**
  - Policy Development (PDS) - JR. The Subcommittee agreed to not present the three fall 2013 documents at the spring 2014 NOSB meeting. Instead the PDS, along with the NOP, will develop two documents for spring 2014 describing a plan for the separation of the Policy and Procedures Manual into two documents: (1) A member guide containing policy and administrative materials driven by NOP; and (2) a manual containing policy and procedures under the purview of the

NOSB that would be subject to public comment and voting. For the spring 2014 meeting, the PDS will write a discussion document outlining the goals for these two documents and the NOP will write a similar document with the department's perspective and thoughts. The PDS Chair acknowledged the effort that the Subcommittee members put into the previous documents and noted that the past work will be incorporated into the new documents and would not be lost. The PDS will only meet as needed but will leave the scheduled call dates on the calendar.

- Materials/GMO ad hoc (MS/GMO) - ZS. A new draft of the Seed Purity document was developed and both the MS and NOP are currently reviewing it. The group is planning on submitting it as a report, not a proposal, for the spring 2014 meeting. The fall 2013 agenda items will be carried forth to the spring meeting and the members are working on a discussion document about Excluded Methods Terminology for fall 2014. The Subcommittee has moved to once-a-month calls.
- Compliance, Accreditation, & Certification (CACs) - CBe. The CACS plans to bring all three fall 2013 discussion documents to the spring 2014 meeting. The retail certification discussion document will be revised and may be put forth as another discussion document or possibly a proposal. The group may add some questions to the Best practices - How certifiers apply 205.206(e) discussion document and turn it into a proposal. The subject of Sound & Sensible will be updated verbally at the meeting.
- Crops (CS) - ZS. The Subcommittee is organizing the spring workplan, and the Chair indicated that Crops will have a few additional items beyond what was supposed to go to the fall 2013 meeting. They have reviewed several TRs and sent some back for additional work. The group is currently working with the NOP on a discussion document about "Contaminants in Farm Inputs". The NOP would like this initial document to be a literature review.
- Livestock/Aquaculture (LS/AQ) - TF. The newly merged Subcommittees had a really useful discussion on the last call and are working on integrating the aquaculture materials into the workplan. Lead reviewers were assigned to the aquaculture materials and the members discussed the preparation of the checklists so they are more uniform and represent both the minority and majority opinions. A guest speaker from Oregon Tilth will participate on the next call to discuss plant aquaculture and the LS Chair asked that the members send her specific questions so she can forward them. The Subcommittee is also prepping for the 2017 sunset reviews.
- Handling (HS) - HA. JFo accepted the Vice Chair position of Handling. The group has a very heavy workload for 2014 including summarizing the fall 2013 public comments, and review of the 2015 and 2016 Sunset Materials. They are currently awaiting a TR for microorganisms, which is one of the 2015 sunset materials and will be the test material for the new ancillary substances review process. The Chair noted that the TR requests for the 2016 sunsets need to be requested by mid-January 2014 and the due date for 2017 TR requests is July 2014. Since there are many materials and a short time frame, the NOP will help identify which ones might need TRs and which may not. The Chair asked for volunteers to help with the Sunset reviews as the work progresses. Please send HA and MS an email.
- **Additional Items.**
  - All of the Subcommittee rosters have been set including the designation of all Vice Chairs. FT is Vice Chair for Crops, JFe for PDS, JD for CACS and LS, JFo for HS, and ZS for MS.
  - A member reminded the group that a recent email was sent containing information about [National Institute of Food and Agriculture \(NIFA\) research grants](#). The grants will support organic livestock and crop producers. MM noted that the NOSB's Research Priorities recommendation has contributed to this initiative.
- The meeting was adjourned

## FUTURE CALLS

November 15, 2013 1:00 ET

December 13, 2013 1:00 ET

January 10, 2014 1:00 ET

February 14, 2014 1:00 ET

March 14, 2014 1:00 ET

April 11, 2014 2014 1:00 ET

May 9, 2014 2014 1:00 ET

Spring 2014 Milestones	Target date
Subcommittee requests technical reports for Sunset 2016 substances	Jan 15, 2014
NOSB Training meeting	Feb 4 - 5, 2014
NOP – Complete tentative agenda	Feb 7, 2014
Fall 2013 proposals due to NOP	Feb 26, 2014
NOP - Post proposals, Publish FRN, Open public comment	Mar 10, 2014
Subcommittees submit tentative workplans to NOP	Mar 12, 2014
Discuss workplans on ES call	Mar 14, 2014
NOP provides written comments on workplans to NOSB	Mar 28, 2014
Public comment closes	Apr 8, 2014
Workplans finalized on ES call	Apr 11, 2014
NOP - Send compiled public comments to NOSB	Apr 14, 2014
Spring 2014 NOSB Meeting – San Antonio, TX	~Apr 28- May 1, 2014