

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 9, 2015, 1:00 pm ET**

**Attending:** Jean Richardson (JR), NOSB Chair; Tracy Favre (TF), Livestock Chair & NOSB Vice Chair; John Foster, NOSB Vice Chair Emeritus, Harold Austin (HA), Handling Chair & NOSB Secretary; Materials/GMO ad hoc Chair; Carmela Beck (CBe), CACS Chair; Zea Sonnabend (ZS), Crops Chair; Calvin Walker (CW), Materials Chair; Colehour Bondera (CBo) - sitting in, Jay Feldman (JFe) - sitting in

**Absent:** Mac Stone (MS), PDS Chair & NOSB Secretary Emeritus

**Staff:** Michelle Arsenault (MA), Emily Brown Rosen (EBR)

**Agenda**

- **Approve notes of December 12, 2014**
- **Advisory Board Specialist (ABS) update** - MA
- **NOP news and update**
- **Subcommittee Reports** (5 minutes each)
  - Materials/GMO ad hoc (MS/GMO) - CW
  - Compliance, Accreditation, & Certification (CACS) - CBe
  - Crops (CS) - ZS
  - Livestock (LS) - TF
  - Policy Development (PDS) – MS
  - Handling (HS) - HA
- **Additional Items**
- **Adjourn**

**Discussion**

- **Call to Order** - JR
- **Approval of Notes:** Notes from December 12, 2014 were approved as is
- **Chairs Report**
  - **NOSB internal process and practice of formal reprimand/censure policy** - Over the last year, two Board members have shared or released confidential or draft information, which has resulted in both internal and external ramifications. The NOSB members have discussed this informally, and members expressed the need to have a process in the Policy and Procedures Manual (PPM) whereby members could censure or reprimand fellow members. The NOP sent a response to this informal inquiry indicating that it is the agency's responsibility to address any conduct issues with Board members. The NOP suggested a conference call on this issue in January. A member discussed two possible procedures the NOSB could adopt; Censure or a vote of no confidence, noting the critical difference between the two. Censure is a formal expression of discontent with no expectation of removal from office, while a vote of no-confidence would entail removal from office. The same member noted his disagreement with the NOP position to not take immediate action and feels that the NOSB should have language in the PPM. Another member asked if the Policy Development Subcommittee could work on a document or resolution asking the NOP to take action. Others supported his approach and added that

measures must be taken to prevent this from happening again, since disclosure of draft information offers, among other things, an unfair advantage to some community members and not others. A member noted that NOSB documents are subject to FOIA, so does not see an issue with public sharing of information.

- **Staff assistance on sunset templates** (Jan/Feb and May/Jun/Jul). - The Chair acknowledged the immense amount of work the NOP staff is doing in preparation for the sunset reviews, and asked that the NOP dedicate extra staff to help. She also asked that this request be relayed to the Deputy Administrator. A new Board member asked whether NOP has the budget to hire grad students to help with NOSB work. While the NOP cannot use funds to hire graduate students, they can contract work if necessary. A member added three points: Though the workload is heavy now, the templates will make it easier for future reviews and are important; the release of information through non-NOSB sources is a concern and; the process of searching for documents and conducting the review is an important part of the learning process. The NOSB Chair asked for updates from the NOP on the status of the templates and the NOP indicated that they should be done by next week.
- **Training update.** A member expressed his concerns with the upcoming new member training being held in DC in February. His primary concern is that only the 4 new members and the NOSB Officers are attending and not the entire Board. Several current members offered counter views, feeling that attending the training would not be beneficial since they had the same training last year. The Chair assured him that the NOP would be conducting the training and the content was very similar or identical to what was presented last year. The NOSB Vice Chairs, both present and emeritus, asked that the training include several components: A review of the materials' checklists, and a review and hands on activities using the sunset review templates. JFo noted that there is value in walking through the forms and templates with the newbies.
- **Advisory Board Specialist (ABS) update - MA**
  - 2016 Sunset review - The templates for the second posting are completed and will be finalized once the Subcommittees complete the reviews and votes.
  - 2017 Sunset template prep - MA indicated that the templates, while helpful, are not necessary for the members to conduct their review, as they have access to all of the necessary information. While the templates are being populated the members will continue to complete their reviews and can forward the info to MA, who will then incorporate it into the template for posting.
  - Spring deadlines - February 25 is the deadline to submit proposals so they can be posted to Regulations.gov by March 9
- **NOP news and update - EBR**
  - Update on TR statuses. Most are due back in mid-January or February. The normal 60-day sufficiency window pushes the deadline to March 9, which is after the proposal deadline. The NOP asked if it was feasible for the NOSB to have a shorter window (perhaps 30 days) in which to review the TRs for sufficiency. MA will add materials on the Subcommittee agendas as the TRs are received.
  - Origin of LS proposed rule. Currently under review by the Office of Management and Budget (OMB). Likely to publish early in 2015.
  - Aquaculture rule is under legal review.
  - Animal welfare document is being drafted and must undergo an economic analysis.
  - Training prep - The NOP is in the midst of prepping for the February NOSB new members training, which will be nearly identical to last year's training.
  - Certifier training - scheduled for mid-February.

- NOP hiring/staff changes are ongoing. Melissa Bailey, Standards Division Director, has taken a position with AMS/Fruit and Vegetable, and will not be returning to NOP. Jenny Tucker, Associate Deputy Administrator, will be acting Standards Division Director until a replacement is hired.
- A member of the Materials Subcommittee asked about a prior request for a Seed Panel at the spring 2015 meeting. She noted that they would like to have 3 individuals on the panel and get a definitive answer before the next MS call, which is scheduled for February 10.
- **Subcommittee Reports** (5 minutes each)
  - **Materials/GMO ad hoc (MS/GMO)** - CW. The MS Chair emphasized the importance and need for the seed panel, and urged the NOP to approve this request. In addition to the Prevention Strategy Guidance for Excluded Methods in Crops and Handling (for which the MS is seeking to hold a panel), the MS is also working on a discussion document on Excluded Methods Terminology.
  - **Compliance, Accreditation, & Certification (CACS)** - CBe. The CACS is completing two documents for the spring meeting: Assessment of Soil Conservation Practices and Peer Review. The Peer Review proposal is scheduled to be discussed and voted upon during the next call.
  - **Crops (CS)** - ZS. The sunset reviews are moving along and the CS added extra calls in order to complete them. There are several petitions in the work queue and two new petitions were just received. The Contamination Issues in Farm Inputs was transferred from an outgoing member to a continuing member.
  - **Livestock (LS)** - TF. The LS scheduled two additional meetings so they could work through the MET proposal, which has been a complex topic. They are also working on numerous sunset materials and the aquaculture legacy discussion document. The LS Chair will incorporate comments from the NOP and send the document to the entire NOSB for review before the spring 2015 meeting. The purpose of the document is to capture the history of the aquaculture review, which the LS feels will be invaluable to future Boards since there will be so much attrition between now and 2017 this was invaluable to future boards if the AQ rule is not published before then. Vote on MET in early Feb.
  - **Policy Development (PDS)** - MS. No update. EBR noted that the NOP is preparing the document, as it is currently in separate pieces.
  - **Handling (HS)** - HA. The HS Chair and NOSB Vice Chair conveyed his observation that there is a lack of participation by some of the existing Board members which places a burden on other Board members. The HS is working diligently on many 2016 and 2017 sunset reviews. Ancillary substances has been challenging and using microorganisms as the test pilot material has provided a good example of the complexity. The NOP is revising the ancillary substance template as per a request from the HS.
- **Additional Items** - none
- The meeting was adjourned

### [Previous ES Notes](#)

#### **Future call schedule:**

January 9, 2015 1:00 ET

February 13, 2015 1:00 ET

March 13, 2015 1:00 ET

April 10, 2015 1:00 ET (last meeting before Spr 2015 NOSB meeting)

May 8, 2015 1:00 ET

June 12, 2015 1:00 ET  
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Spring 2015 Milestones	Target date
NOSB Training	Feb 4-5, 2015
NOP - Complete Spring 2015 NOSB meeting tentative agenda	Feb 7, 2015
NOSB - Spring 2015 proposals due to NOP	Feb 25, 2015
NOP - Post proposals, Publish FRN, Open public comment	Mar 9, 2015
Discuss work agendas on ES call	Mar 13, 2015
Public comment closes	Apr 6, 2015
Work agendas finalized on ES call (last call before spring mtg)	Apr 10, 2015
NOP - Send compiled public comments to NOSB	Apr 13, 2015
Spring 2015 NOSB meeting - La Jolla, CA	Week of April 27 - 30

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**Attending:** Jean Richardson (JR), NOSB Chair; Tracy Favre (TF), Livestock Chair & NOSB Vice Chair; Harold Austin (HA), Handling Chair & NOSB Secretary; Materials/GMO ad hoc Chair; Carmela Beck (CBe), CACS Chair; Zea Sonnabend (ZS), Crops Chair; Calvin Walker (CW), Materials Chair; Tom Chapman (TC) - sitting in; Colehour Bondera (CBo) - sitting in; Jennifer Taylor (JT) - sitting in

**Absent:**

**Staff:** Michelle Arsenault (MA), Emily Brown Rosen (EBR), Miles McEvoy (MM)

**Agenda**

- **Approve notes of January 9, 2015**
- **Chairs Report** - JR
- **Advisory Board Specialist (ABS) update** - MA
- **NOP news and update** - MM
- **Subcommittee Reports** (5 minutes each)
  - Compliance, Accreditation, & Certification (CACS) - CBe
  - Crops (CS) - ZS
  - Livestock (LS) - TF
  - Policy Development (PDS) - MS
  - Handling (HS) - HA
  - Materials/GMO ad hoc (MS/GMO) - CW
- **Additional Items**
- **Adjourn**

**Discussion**

- **Call to Order** - JR
- **Approval of Notes:** Notes from January 9, 2015 approved as written.
- **Chairs Report** - JR.
  - NOSB training update. The Chair indicated that the training went very well, and was found to be very helpful. While in DC, the NOSB Officers had the opportunity to meet with Natural Resources Conservation Service (NRCS) and National Institute of Food and Agriculture (NIFA) staff, and also met with Secretary Vilsack's Chief of Staff to talk about the Origin of Livestock and animal welfare guidance.
  - The entire Board has been very busy working on sunset materials' reviews.
  - The Chair noted that she continues to travel around the country giving presentations about the NOSB. In March she will attend the IOIA training and this week will speak at NOFA VT.
  - The NOSB Secretary noted that he too has been giving talks to various groups.
- **Advisory Board Specialist (ABS) update** - MA
  - Draft agenda - the draft agenda was circulated and MA asked for feedback about time blocks and organization
  - The proposal deadline is February 25, and the Subcommittees are on target to complete all proposals and documents.

- Members were reminded to update their email distribution lists with the new NOSB member contact info.
- MA informed the group about the changes to the travel system, and let them know that they will be able to start making travel reservations for the spring meeting soon.
- **NOP news and update – MM**
  - The New Member training last week went very well.
  - A representative from NIFA will speak at the NOSB meeting about research at the USDA and the NOSB research priorities.
  - Design for the Environment (DfE) - review of Inerts presentation. The Environmental Protection Agency (EPA) and NOP will host a webinar for the Board in the March, and may also have the EPA present at the April NOSB meeting.
  - Seed panel for spring. The panel will be 90 minutes long, consist of 3-4 panelists, and will include presentations and Questions and answers from the Board.
  - Hydroponics/aquaponics Task Force - The NOP will seek nominations for the task force that will report to the NOSB Crops Subcommittee. The nomination period will be open for 60 days and the NOP is seeking diversity with regard expertise, affiliations, geography and demographics. The task force will be a non-voting group and will be tasked with writing a report to present to the NOSB via the Crops Subcommittee. A liaison to the Crops Subcommittee will be determined soon.
  - The Origin of Livestock is in clearance at the Office of Management and Budget (OMB)
  - The Nanotechnology Policy is near completion and should be published soon. Nanotech materials are not allowed in organic.
  - The Aquaculture Rule is in departmental clearance which may take from 6 to 12 weeks, and then will be sent to OMB.
  - The Certifier training in Arkansas went very well, and the grower group training was well received.
  - Private labels. The 2006 NOSB recommendation is difficult to implement because private labels do not typically list the name of the certified handlers. The NOSB Chair asked about potentially adding this to the work agenda for the CACS if it is need of updating.
  - A member asked about the status of bio-based mulch. After the NOSB made a recommendation on bio-based mulch, it was discovered that there are no qualifying bio-based products that meet the criteria; the products that were petitioned contained petroleum resins and less than 25% biobased materials. The NOP subsequently published a clarification memo indicating that product feedstocks must be biobased.
  - The Deputy Administrator is speaking at a VT organic conference tomorrow, where there has been a lot of interest in mulch and hydroponics.
- **Subcommittee Reports (5 minutes each)**
  - **Compliance, Accreditation, & Certification (CACS) – CBe**
    - The CACS expressed her appreciation that the officers were able to meet with NRCS, because the new information they gleaned was taken into consideration for the Soil conservation document. The CACS will delay the document until the fall 2015 meeting so they can incorporate this new information. The Peer Review proposal will be discussed at the April 2015 meeting. The Subcommittee has discussed a couple of potential work agenda items including changing the name of the CACS to include an international component, which did not receive much support in Subcomm, and a project to consider the 100% organic category. The Deputy Administrator added that the NOP may consider having the CACS review International Agreements. The CACS

Chair asked that the NOP write a summary clarifying their role so they can discuss it on the next call.

- **Crops (CS) - ZS**
  - The Crops Subcommittee will present two 2016 sunset review, 54- 2017 sunset summaries, a couple of petitioned materials and the report on Contamination in Farm Inputs at the April meeting. The CS will be the liaison to the hydroponics task force, which will be seated this year. It will likely be a year before the task force submits a report.
- **Livestock (LS) - TF**
  - The Livestock Subcommittee is working on 2017 sunset summaries, and the Chair noted that they are waiting for TRs. In addition to the sunset materials, they will also be presenting the MET proposal, the Aquaculture Legacy document and several petitioned materials.
- **Policy Development (PDS) - MS.** The PDS has not met because the updated draft PPM has been delayed. The next PDS call is scheduled for March 10. .
- **Handling (HS) - HA**
  - The HS will have five petitioned materials, 104 - 2017 sunset summaries, 10 - 2016 sunset materials, and a proposal on Ancillary substances in microorganisms for the April 2015 meeting. The review for ancillary substances in microorganisms was a pilot project for reviewing ancillary substances. The HS has also discussed the annotation process since they cannot now make annotation changes as part of the sunset process. The NOSB will be able to propose annotation changes at the same meeting, but as a separate proposal. A statement about the Subcommittees intent to propose an annotation change was included in the summary of any proposal for which this is a consideration, so the public will be alerted to the potential for an annotation change. A member asked about adding this process idea to the work agenda. The NOP will elucidate this process and provide more guidance. The goal is to make it clear that the annotation process and sunset process are separate, but can and might be done at the same NOSB meeting. Another member asked about changes that were not necessarily annotations changes but are changes in classification of substances.
- **Materials/GMO ad hoc (MS/GMO) - CW**
  - The MS has two discussion documents and is convening a Seed Panel at the April meeting. Seed panel details will be finalized at the next MS call. The panel will likely be 90 minutes long and consist of 3-4 panelists.
- **Additional Items** - A member asked about the NOSB nominations for 2016. The announcement is scheduled to be released in April and will be open for 60 days. The NOP encouraged members to encourage their respective communities to apply.
- The meeting was adjourned

### [Previous ES Notes](#)

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**National Organic Standards Board (NOSB)  
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Friday, March 13, 2015, 1:00 pm ET**

**Attending:** Jean Richardson (JR), NOSB Chair; Tracy Favre (TF), Livestock Chair & NOSB Vice Chair; Harold Austin (HA), Handling Chair & NOSB Secretary; Materials/GMO ad hoc Chair; Carmela Beck (CBe), CACS Chair; Zea Sonnabend (ZS), Crops Chair; Calvin Walker (CW), Materials Chair; Tom Chapman (TC) sitting in; Colehour Bondera (CBo) - sitting in

**Absent:** Mac Stone (MS) PDS Chair

**Staff:** Michelle Arsenault (MA), Emily Brown Rosen (EBR), Miles McEvoy (MM)

**Agenda**

- **Approve notes of** February 13, 2015
- **Chairs Report** - JR
  - Proposed Interim Minority Opinion policy - can the Exec adopt an Interim Policy?
  - Bio-mulch discussion
- **Advisory Board Specialist (ABS) update** – MA
  - Zea CS in Dropbox
  - Proposal posting/comment status
  - Meeting Materials/DOI spreadsheet
  - Travel logistics for spring
- **NOP news and update** - MM
- **Subcommittee Reports** (5 minutes each)
  - Crops (CS) - ZS
  - Livestock (LS) - TF
  - Policy Development (PDS) - MS
  - Handling (HS) - HA
  - Materials/GMO ad hoc (MS/GMO) - CW
  - Compliance, Accreditation, & Certification (CACS) - CBe
- **Additional Items**
- **Adjourn**

**Discussion**

- **Call to Order** - JR
- **Approval of Notes:** Notes from February 13, 2015 were not available for review yet
- **Chairs Report** - JR
  - Proposed Interim Minority Opinion policy - can the Executive Committee adopt an Interim Policy? The Board members provided feedback about best practices on minority opinions in the proposals. The NOP will forward some information regarding this, which came from Robert's Rules of Order and is currently in the PPM. Members are supportive of the work project since there is not a clear detailed process in place, and it is important to codify this for future Boards. The project will be added to the Policy Development Subcommittee's work agenda. As for adopting an interim process, the NOP feels that the current process should be used until the

PDS proposal is finalized. The current process involves having the minority opinion discussed in Subcommittee then submitted as a separate document. At the time of posting, the minority opinion document will be linked within the proposal

- The Chair noted that the meeting materials are posted, and the NOSB community is disappointed that the comment period was not extended given that it opened later than expected.
- Biomulch. As discussed during the last Executive call, there are currently no biomulches that qualify as organic. The Crops Chair asked about adding this to the Crops work agenda so they can reconsider the previous proposal. She noted the need for a TR; likely a supplemental TR. The CS Chair noted that if a TR is contracted, it may not be back in time to develop a proposal for the fall meeting, so they may target spring 2016. A member asked about an alternative to this approach, which involved asking the petitioners to re-petition this material, so they could highlight information that was not clear in the first petition.
- The request for nominations for the task force on hydroponics/aquaponics was published this week. The NOSB Chair has received requests for clarification from the public about qualifications for task force members and wording.
- **Advisory Board Specialist (ABS) update - MA**
  - Proposal posting and public comment. The comment period has been open for a few days and there are less than 10 comments.
  - Meeting Materials/DOI spreadsheet - MA will be preparing the meeting materials' binders and a spreadsheet listing all the documents so members can review the proposals and declare any potential COIs.
  - Travel logistics for spring - MA urged the members to make flight arrangements.
  - Field trip at NOSB meeting. Members were supportive of a field trip to a local hydroponic farm, while acknowledging the time and workload constraints. The NOP will discuss this further and let the group know the outcome.
- **NOP news and update - MM**
  - The draft PPM will be sent to the Policy Development Subcommittee in early April. This version is an integration of work from various entities (NOSB members and NOP) and is reorganized, updated, and contains standardized language.
  - Inerts webinar - EPAs Design for the Environment webinar is scheduled for the end of the month.
  - GMO - Seed panel is being organized for the Spring meeting
  - The Nano-technology policy memo will be published soon.
  - Electrolyzed water. The NOP may ask the Handling Subcommittee to look at this topic.
  - The NOP has new Standards staff working on materials, as well as new staff working in Accreditation and International Activities (AIA). MA will send a new staff directory when it is updated.
  - Rulemaking. There are several projects in different stages of progress including aquaculture, apiculture, pet food and animal welfare.
  - Methionine (MET) - The group briefly discussed the comparison between the US and EU rules.
- **Subcommittee Reports (5 minutes each)**
  - Crops (CS) - ZS. The CS is awaiting public comments, and is looking forward to beginning work with the aquaponics task force. The petition for Ally Isothiocyanate (AITC) was withdrawn at the proposal posting deadline. The group discussed the current policy on petition withdrawals and would like to refer this topic to the PDS for updating. The Crops Chair will update the group on the next call about the USDA Coexistence meeting she is currently attending.

- Livestock (LS) - TF. In addition to completing all of the sunset materials, the LS also completed several non-sunset reviews for the April 2015 meeting.
  - Policy Development (PDS) - TF provided update. The PDS will be undertaking work on the PPM and the Member Guide, and fusing the two. The Member Guide would include templates and forms, while the PPM would contain the policy and procedures. The goal is to make the document a true resource for the Board.
  - Handling (HS) - HA. The HS has a large portion of the 2017 sunset materials, as well as 2016 sunset reviews and petitioned materials. And there are 3 new members on the Handling Subcommittee. The HS is moving forward with sunset and TR reviews while they await public comment. The HS added 5 calls to their regular schedule over the summer in order to prepare for the fall meeting. MA will send the members an example of a material review (from JR) for the 2<sup>nd</sup> posting of the 2017 sunsets.
  - Materials/GMO ad hoc (MS/GMO) - CW. On the last call the MS discussed the seed panel and logistics for the NOSB meeting. The Subcommittee also has several other projects on the schedule for the spring meeting.
  - Compliance, Accreditation, & Certification (CACs) - CBe. The CACS has one document for the April meeting: Peer Review. The CACS is continuing work on the Soil document, while they wait for public comments. The CACS Chair thanked the new Board members for taking on this project immediately after being appointed to the Board and Subcommittee.
- **Additional Items** - none
  - **The meeting was adjourned**

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**Attending:** Jean Richardson (JR), NOSB Chair; Tracy Favre (TF), Livestock Chair & NOSB Vice Chair; Harold Austin (HA), Handling Chair & NOSB Secretary; Materials/GMO ad hoc Chair; Zea Sonnabend (ZS), Crops Chair; Calvin Walker (CW), Materials Chair; Carmela Beck (CBe), CACS Chair; Tom Chapman (TC) sitting in; Colehour Bondera (CBo) - sitting in

**Absent:** Mac Stone (MS) PDS Chair

**Staff:** Michelle Arsenault (MA), Emily Brown Rosen (EBR), Miles McEvoy (MM)

**Agenda**

- **Approve notes of** February 13 and March 13, 2015
- **Chairs Report** - JR
  - Withdrawn Petitions:
    - Will be discussed at April meeting
    - Revision of policy will be sent to PDS as work agenda
  - Research Priorities
- **Advisory Board Specialist (ABS) update** - MA
  - Tentative Internal agenda (attached)
  - Secretary's Report, Acceptance of [October 2014 Meeting Summary](#) and Voting Results as Official Record
  - Comments (oral and written) update
  - Travel logistics questions?
  - Presentations for meeting
- **NOP news and update** - MM
- **Subcommittee Reports** (5 minutes each)
  - Livestock (LS) - TF
  - Policy Development (PDS) - MS
  - Handling (HS) - HA
  - Materials/GMO ad hoc (MS/GMO) - CW
  - Compliance, Accreditation, & Certification (CACS) - CBe
  - Crops (CS) - ZS
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of** February 13, 2015 approved with no changes.
- **Notes of** March 13, 2015 were not available for review
- **Chairs Report** - JR
  - Withdrawn Petitions:
    - Two petitions were withdrawn immediately before the meeting. The NOSB Chair indicated that the Subcommittees (Crops and Handling) will mention them at the April

meeting so the public is aware that they were reviewed and then removed. This will also provide a history to future Boards in case they are resubmitted.

- The PDS will be working on a revision of the petition withdrawal procedure/policy.
- Research Priorities - The NOSB Chair asked that each of the Subcommittees compile a list of 3 priorities and send them to the Materials Subcommittee in a timely manner prior to the fall NOSB meeting. The priorities should be reasonable, contain new ideas, and should be specific enough for research. As a starting point members will refer to last year's research priorities.
- A lawsuit was filed against the NOP requesting a halt to the current sunset review process. The NOP noted that the Department of Justice is handling the case, and the NOSB should proceed with business as usual.
- **Advisory Board Specialist (ABS) update - MA**
  - The tentative NOSB agenda was sent to the members prior to the call for final review.
  - The NOSB Secretary's report, will include the acceptance of the [October 2014 Meeting Summary](#) as official record
  - Comments (oral and written) update. In order to allow each commenter 4 minutes for comment, The NOSB will need to add 3 extra hours onto the agenda. Members discussed several ways in which to extend the time for comments and MA will adjust the agenda.
  - MA asked that members send her any presentations for the meeting by Sunday April 26
- **NOP news and update - MM**
  - The Deputy Administrator updated the Executive Committee about several items the NOP is working on: the Origin of Livestock and Aquaculture rules are both currently in departmental clearance, the Animal Welfare rule is currently undergoing legal and economic analysis review, and the Pet Food rule is in progress.
  - The NOP has a new Standards Director who begins April 20. Andrew Perry came from the Office of Budget and Program Analysis (OBPA) and has extensive expertise in the clearance process for regulations within USDA.
  - Sodium Nitrate. A member asked for clarification and direction about how the NOSB should proceed on Sodium Nitrate, since it is not part of sunset review. Should the NOSB revisit the issue or wait for the NOP? She noted that certifiers are unsure how to interpret the [2010 NOP memo on Sodium Nitrate](#) and asked if the NOP could provide an update at the spring NOSB meeting to clarify for stakeholders.
  - The NOP will present updates at the NOSB meeting on the following: budget, rulemaking changes, departmental initiatives, rules in the pipeline, compliance actions, requests from the NOSB, hydroponic task force, and nominations.
- **Subcommittee Reports (5 minutes each)**
  - Livestock (LS) - TF. The LS has scheduled the 2017 sunset reviews for the spring/summer calls and is working on several other projects.
  - Policy Development (PDS) - TF. The PDS recently received the latest draft version of the PPM from the NOP and will discuss it on the April 14 call. The PDS will be working with the NOP on various sections so there is no overlap in effort and the PDS does not spend time on projects that fall under the purview of the NOP. The NOSB member guide will also be updated.
  - Handling (HS) - HA. The time block for Handling will now shift and be shortened to accommodate the time needed for public comment. All TRs, save for one, have now been received, and the HS will begin work on the 2017 sunset reviews immediately after the spring 2015 NOSB meeting.
  - Materials/GMO ad hoc (MS/GMO) - CW. The MS has been engaged with the four seed panelists as they prep for the NOSB meeting panel. The MS members provided questions ahead of time

so the panelists could prepare presentations. The panel will be 90 minutes long with 30 minutes for Q & A from the Board.

- Compliance, Accreditation, & Certification (CACs) - CBe. The CACS will discuss public comment on its next call as well as continue the conversation about the soil conservation document
- Crops (CS) - ZS. There are three petitioned items and one report on Contamination in Farm Inputs on the spring NOSB agenda. The CS originally had four petitioned items, but one was withdrawn after the proposal posting deadline.
- **Additional Items** - none
- **The meeting was adjourned**

[Previous ES Notes](#)

**Future call schedule:**

March 13, 2015 1:00 ET

April 10, 2015 1:00 ET (last meeting before Spr 2015 NOSB meeting)

May 8, 2015 1:00 ET

June 12, 2015 1:00 ET

July 10, 2015 1:00 ET

August 14, 2015 1:00 ET

September 11, 2015 1:00 ET

October 9, 2015 1:00 ET

November 13, 2015 1:00 ET

December 11, 2015 1:00 ET

Spring 2015 Milestones	Target date
NOSB Training	Feb 4-5, 2015
NOP - Complete Spring 2015 NOSB meeting tentative agenda	Feb 7, 2015
NOSB - Spring 2015 proposals due to NOP	Feb 25, 2015
NOP - Post proposals, Publish FRN, Open public comment	Mar 9, 2015
Discuss work agendas on ES call	Mar 13, 2015
Public comment closes	Apr 6, 2015
Work agendas finalized on ES call (last call before spring mtg)	Apr 10, 2015
NOP - Send compiled public comments to NOSB	Apr 13, 2015
Spring 2015 NOSB meeting - La Jolla, CA	Week of April 27 - 30

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, May 8, 2015, 1:00 pm ET**

**Attending:** Jean Richardson (JR), NOSB Chair; Tracy Favre (TF), Livestock Chair, PDS Chair & NOSB Vice Chair; Zea Sonnabend (ZS), Crops Chair; Calvin Walker (CW), Materials Chair/GMO ad hoc Chair; Tom Chapman (TC) acting HS Chair; Colehour Bondera (CBo) - sitting in; Jennifer Taylor (JT) - sitting in

**Absent:** Harold Austin (HA), Handling Chair & NOSB Secretary; Emily Brown Rosen (EBR), Carmela Beck (CBe), CACS Chair

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

**Agenda**

- **Approve notes of March 13, 2015**
- **Chairs Report - JR**
  - Mechanism for getting public comment late summer - e.g. open call that can be recorded for record.
  - Review of Meeting - suggestions/changes for October?
- **Advisory Board Specialist (ABS) update - MA**
  - Travel reimbursement vouchers
  - Fall timeline
  - Transmittal of Sunset reviews to NOP for posting
- **NOP news and update - MM**
- **Subcommittee Reports (5 minutes each)**
  - Policy Development (PDS) - TF
  - Handling (HS) - TC
  - Materials/GMO ad hoc (MS/GMO) - CW
  - Compliance, Accreditation, & Certification (CACS) - CBe
  - Crops (CS) - ZS
  - Livestock (LS) - TF
- **Additional Items**
- **Adjourn**

**Discussion**

**Agenda**

- **Approval of March 13, 2015 notes deferred to next call.**
- **Chairs Report - JR**
  - Mechanism for receiving public comment earlier in the cycle. The NOSB Chair proposed a listening session or webinar in late summer that can be recorded for the public record, in order to reduce the time needed for public comment at the fall meeting. MM suggested that the NOP and the NOSB discuss this again on the next call. Andrew Perry, the new Director for Standards, had suggestions for optional tools that could be used. Another concept proposed involved

- holding three listening sessions: One each for Livestock, Handling and Crops. Members were supportive of the idea of holding individual webinars with the understanding that commenters would present at one, not both. The group is very engaged in expanding public participation while reducing the time needed at the fall 2015 meeting for comment. This would also allow the Board members to hear comment sooner, thereby allowing them time to incorporate comments into their reviews. The Chair noted that this approach would also support the reduction of the carbon footprint. The NOP will provide the NOSB with some options one week prior to the next ES call.
- **Review of Meeting** - suggestions/changes for October meeting?
    - Voting efficiency. The NOSB Chair asked that the NOP and members think about ways to make the voting more efficient. Suggestions included the use of I-Clickers, and using a non-roll call vote.
    - Many members found the 5-6 hour blocks of public comment time tiring, and the group discussed how to break this up.
    - Time limits for Board members. Members were asked to think about this and bring any thoughts or ideas to the next ES call.
    - The Chair asked that members send any additional ideas to her or the NOP, on how to increase time at the fall 2015 NOSB meeting to insure that they complete the 2017 sunset reviews.
  - **Advisory Board Specialist (ABS) update** - MA
    - Travel reimbursement vouchers - please make sure to send in your post travel form ASAP
    - Fall timeline - the new timeline has been drafted and inserted below: Fall 2015 proposals due to NOP by August 26, 2015
    - Transmittal of sunset reviews to NOP for posting. Members discussed ways in which to make this process as efficient as possible given the large number of sunset materials.
  - **NOP news and update** - MM
    - Emails to NOSB members from the public. A member shared with the NOSB and NOP two emails he received after the NOSB meeting. The NOP expressed their support for the members and encouraged everyone to not engage with commenters who choose to communicate in an offensive, unprofessional manner. If there is a direct threat, members are urged to alert the program and authorities as needed.
    - Hydroponics task force - The call for nominations closed today. The Crops Chair will be the liaison to the task force.
    - NOSB call for nominations closes in one week and the NOP is working on extending the deadline.
    - MM thanked the NOSB members for their hard work and dedication and for a very successful NOSB meeting.
    - The Crops Chair asked about the reclassification of some materials and how the NOSB should proceed for the fall meeting. Most felt the best approach would be for a Subcommittee to put forth two separate proposals, but would like some additional guidance on the best language to use.
    - A member noted that since this is his last year and the nominations for new Board members are currently open, he appreciates the department's quest for diversity.
  - **Subcommittee Reports** (5 minutes each)
    - Policy Development (PDS) - TF. The PDS will be working on the update to the PPM over the summer.
    - Handling (HS) - TC. The HS has scheduled discussions for 103 materials across 10 meetings and has two extra meetings scheduled in case they need additional time.

- Materials/GMO ad hoc (MS/GMO) - CW.
    - The MS has two proposals for the fall 2015 meeting in addition to the research priorities proposal.
    - The Subcommittee will delay the Excluded Methods proposal until spring 2016 in order to garner more comment on this complex topic.
    - APHIS is accepting comments on its proposal to modify the regulations on GMOs, and members of the MS would like to submit comments, which they would do as individuals not as a group. A member suggested including information that the NOSB has already worked on, as well as language that was in the 2012 NOSB letter sent to Secretary Vilsack. There are 2 webinars scheduled, May 12 and 20, and the Crops Chair urged people to participate. She will forward the webinar info to the Board.
    - Research Priorities. HA is the liaison between the Materials and Handling Subcommittees and may need someone to fill in for him while he is recuperating. The lead urged each of the Subcommittee Chairs to add the research priorities to their respective work agendas. Members discussed the date by which the priorities lists should be sent to the MS so they will have enough time to prepare the document for posting.
  - Compliance, Accreditation, & Certification (CACS) - CBe. The Soil Conservation document is moving forward and will be the sole project for the fall NOSB meeting.
  - Crops (CS) - ZS. The CS is working diligently on sunset 2017 reviews and four new petitions. In addition to these materials the CS is also working on the next iteration of the Contamination of Farm Inputs, and the research priorities.
  - Livestock (LS) - TF. The LS has scheduled the discussions for the 2017 sunset reviews, and is also working on a couple of new petitions.
- **Additional Items** - none
  - **The meeting was adjourned**

[Previous ES Notes](#)

**Future call schedule:**

April 10, 2015 1:00 ET (last meeting before Spr 2015 NOSB meeting)  
 May 8, 2015 1:00 ET  
 June 12, 2015 1:00 ET  
 July 10, 2015 1:00 ET  
 August 14, 2015 1:00 ET  
 September 11, 2015 1:00 ET  
 October 9, 2015 1:00 ET  
 November 13, 2015 1:00 ET  
 December 11, 2015 1:00 ET

Fall 2015 Milestones	Target date
NOP - Complete Fall 2015 NOSB meeting tentative agenda	July 8, 2015

NOSB - Fall 2015 proposals due to NOP	Aug 26, 2015
NOP - Post proposals, Publish FRN, Open public comment	Sep 8, 2015
Discuss work agendas on ES call	Sep 11, 2015
Public comment closes	Oct 5, 2015
Work agendas finalized on ES call (last call before fall meeting)	Oct 8, 2015
NOP - Send compiled public comments to NOSB	Oct 13, 2015
Fall 2015 NOSB meeting - Stowe, VT	Oct 26 - 29, 2015

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, June 12, 2015, 1:00 pm ET**

**Attending:** Tracy Favre (TF), Livestock Chair, PDS Chair & NOSB Vice Chair; Zea Sonnabend (ZS), Crops Chair; Calvin Walker (CW), Materials Chair/GMO ad hoc Chair; Tom Chapman (TC) acting HS Chair; Carmela Beck (CBe), CACS Chair; Harold Austin (HA), Handling Chair & NOSB Secretary; Colehour Bondera (CBo) - sitting in

**Absent:** Jean Richardson (JR), NOSB Chair

**Staff:** Michelle Arsenault (MA); Miles McEvoy (MM); Emily Brown Rosen (EBR)

**Agenda**

- **Approve notes of March 13, April 10 and May 8, 2015**
- **Chairs Report - TF**
- **Advisory Board Specialist (ABS) update - MA**
- **NOP news and update - MM**
- **Subcommittee Reports (5 minutes each)**
  - Handling (HS) - TC
  - Materials/GMO ad hoc (MS/GMO) - CW
  - Compliance, Accreditation, & Certification (CACS) - CBe
  - Crops (CS) - ZS
  - Livestock (LS) - TF
  - Policy Development (PDS) - TF
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of March 13, 2015** notes approved as is.
- **Notes of April 10, 2015** notes approved as is.
- **Notes of May 8, 2015** notes approved as is.
- **Chairs Report - TF**
  - Pre-meeting webinars for public comment (target dates - Sept 22 and 29). The Executive Committee discussed the idea of hosting two 3-hour public comment periods prior to the meeting. In addition to these 6 hours of comments, the NOSB will schedule ~5 hours at the fall Board meeting. The NOSB Chair noted the benefits of this approach, which include; increased stakeholder participation, reduced carbon footprint, and expansion of time at the fall meeting for the Board to discuss and vote on the 200+ sunset reviews. The Vice Chair asked that the webinar be advertised broadly so stakeholders are aware ahead of time. A member asked about expanding the comment time in case there is more interest. The majority of the group is supportive of this idea as it would allow stakeholders who cannot participate in person, or who do not usually participate, an opportunity to do so.
  - The Chair reminded the members to complete and submit the final recommendations for April 2015

- **Advisory Board Specialist (ABS) update - MA.**
  - Submission of final recommendations. AMS also reminded members to submit the recommendations from the April 2015 meeting
  - iClickers for voting. The NOP is looking into the feasibility of using iClickers or some other electronic voting mechanism to help facilitate the voting for 200 + materials.
  - Potential 2016 NOSB meeting locations:
    - May 2016: DC, or NC (Charlotte, Asheville, Raleigh Durham). A member noted that Asheville is difficult to get to.
    - Oct 2016: Midwest (Omaha, NE; Kansas City, MO; Fayetteville, AR; Lincoln, NE; Cincinnati, OH). A member noted that Fayetteville would be a good location for a meeting
  - NOP has been looking at options such as Open Gov for ongoing submission of public comment.
- **NOP news and update - MM**
  - The 2015 Sunset renewal notice notifying the public of a rulemaking action was sent to the Federal Register and should be published next week.
  - Nominations for the NOSB close next week. To date we've received about 30 applications
  - The Aquaponics task force has garnered a lot of interest and applicants. The task Force will be charged with developing a report and will work with the Crops Subcommittee.
- **Subcommittee Reports (5 minutes each)**
  - **Handling (HS)** - TC. The HS has completed 22% of its materials reviews, with 25% of its meetings left. The 2018 sunset materials are assigned and the HS will be working on them in the coming weeks. The HS also has two petitions under review.
  - **Materials/GMO ad hoc (MS/GMO)** - CW. The MS met last week and discussed submitting comments as individuals, as opposed to as a Subcommittee, to the public comment docket regarding the Animal and Plant Health Inspection Service (APHIS) biotechnology regulations, 7 CFR Part 340. The MS is working on several documents including the Research Priorities and Excluded Methods Terminology. A member noted that they are awaiting feedback from the USDA's Organic Policy Advisor about resources to whom the NOSB can submit research priorities that focus on handling materials and food ingredients. Since NIFA and NRCS focus on agricultural topics only, many of the handling specific research priorities are not appropriate for their research programs.
  - **Compliance, Accreditation, & Certification (CACS)** - CBe. The CACS continues to work on the Soil Conservation document, which will be its only fall project. A representative from the NRCS was invited to participate on the July CACS call to provide some feedback. The lead and CACS Chair provided a brief summary of the draft document, members discussed it and provided feedback. Some specific topics in the document include crop rotation, soil conservation practices, and collaboration and information sharing. The NOP encouraged the CACS to look at the questions that were provided in the memo requesting that the NOSB take on this project.
  - **Crops (CS)** - ZS. Crops is working through 2017 sunset materials and have completed several votes. The Subcommittee is also looking at petitions and 2018 sunset materials and determining the need for TRs. The Chair noted the recent meeting with the EPAs Safer Choice Program (SCP). Currently the discussions are focused on the logistics of coordinating the two entities (The SCP and the NOSB) and in support of that the NOSB Chair was asked to join the Inerts Working group.
  - **Livestock (LS)** - TF. The LS is working to review the 2017 sunset materials, and has scheduled several additional meetings to do so. The LS also has on their work agenda a few petitioned materials, a potential addition to the AQ legacy document which was discussed at the April 2015

NOSB meeting, and a request for the formation of an organic poultry working group or task force.

- **Policy Development (PDS)** - TF. The PDS postponed the last call to June 30 while the NOP made revisions to the draft PPM. There are a couple of topics that are not currently in the PPM the PDS will work on: These projects will focus on minority opinion procedures and the appropriate timing and process for sharing work products. The goal is to have a document ready for review at the fall 2015 meeting. A member asked how to handle minority opinions until the new guidance is written and accepted. The PDS Chair noted that currently the PPM allows for minority opinions and the specific process of how it is incorporated into a proposal is up to the discretion of each of the Subcommittee chairs. The Chair welcomed feedback from the members.
- **Additional Items.**
  - HA noted that he will be able to participate on calls from this point forward.
  - A member asked about the status of the rules on animal welfare, and aquaculture. The NOP noted that the aquaculture rule is in departmental clearance and is moving forward, and the animal welfare rule is undergoing a regulatory impact analysis. This document was deemed to have significant economic impacts.
- **The meeting was adjourned**

[Previous ES Notes](#)

**Future call schedule:**

- May 8, 2015 1:00 ET
- June 12, 2015 1:00 ET
- July 10, 2015 1:00 ET
- August 14, 2015 1:00 ET
- September 11, 2015 1:00 ET
- October 9, 2015 1:00 ET
- November 13, 2015 1:00 ET
- December 11, 2015 1:00 ET

Fall 2015 Milestones	Target date
NOP - Complete Fall 2015 NOSB meeting tentative agenda	July 8, 2015
NOSB - Fall 2015 proposals due to NOP	Aug 26, 2015
NOP - Post proposals, Publish FRN, Open public comment	Sep 8, 2015
Discuss work agendas on ES call	Sep 11, 2015
Public comment closes	Oct 5, 2015
Work agendas finalized on ES call (last call before fall meeting)	Oct 8, 2015
NOP - Send compiled public comments to NOSB	Oct 13, 2015
Fall 2015 NOSB meeting - Stowe, VT	Oct 26 - 29, 2015

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, July 10, 2015, 1:00 pm ET**

**Attending:** Jean Richardson (JR), NOSB Chair; Tracy Favre (TF), Livestock Chair, PDS Chair & NOSB Vice Chair; Zea Sonnabend (ZS), Crops Chair; Calvin Walker (CW), Materials Chair/GMO ad hoc Chair; Tom Chapman (TC), HS Chair; Harold Austin (HA), NOSB Secretary; Lisa de Lima (LD), CACS Vice Chair; Colehour Bondera (CBo) - sitting in

**Absent:** Carmela Beck (CBe), CACS Chair

**Staff:** Michelle Arsenault (MA); Miles McEvoy (MM); Paul Lewis (PL); Emily Brown Rosen (EBR)

**Agenda**

- **Approve notes of June 12, 2015**
- **Chairs Report - JR**
  - Work agenda requests (Materials for annotation changes)
  - Electronic public comment webinars
  - Board member participation
  - Skype attendance for Harold
  - Nominations (NOSB & Hydroponics)
- **Advisory Board Specialist (ABS) update - MA**
  - Submission of 2017 proposals and reviews
  - 2016 NOSB meetings - as of July 8 still waiting for dates/venues
  - iClickers for voting
  - Open Gov - on hold
  - Website update
- **NOP news and update - MM**
- **Subcommittee Reports (5 minutes each)**
  - Materials/GMO ad hoc (MS/GMO) - CW.
  - Compliance, Accreditation, & Certification (CACS) – LD
  - Crops (CS) - ZS
  - Livestock (LS) - TF.
  - Policy Development (PDS) - TF
  - Handling (HS) - TC
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of June 10, 2015** notes approved as is.
- **Chairs Report - JR**
  - Work agenda requests (Materials for annotation changes).
    - The Handling Subcommittee is working on possible annotation changes for several materials, including Xanthan Gum, Carnauba Wax, Tocopherols, and Nutrient Vitamins and Minerals. Additionally, the HS is proposing to move Alginate Acid from 205.605(a) to

- (b). The NOP asked that the HS make a list of these materials and bring it to the August 14 Executive call for discussion.
- The Livestock Subcommittee is proposing 3 annotation changes on the following materials: Lidocaine, Procaine, and Parasiticides. The annotation changes involve a reduction of the withdrawal period, which the NOSB Chair noted has wide support from a broad range of stakeholders. The discussion document for the parasiticides annotation change will not be presented at the fall 2015 meeting, but likely spring 2016.
  - The LS requests that the NOP convene an Organic Poultry working group or task force, to look at a systems approach and to identify gaps in research, primarily around MET. The LS emphasized the need to get it on the work agenda so the stakeholders are aware of it. The NOP will consider the request to form an Organic Poultry working group (OPWG), but due to limited resources, the NOP may defer this item until after the fall 2015 meeting.
  - The NOP would like the NOSB to add Biodegradable biobased mulch to the workplan, and will send a memo in support of that. The NOP asked that the NOSB address the memo, read the technical supplement, and determine if additional work needs to be done.
  - The NOSB Chair noted that even though the fall 2015 meeting is extremely busy, the additional annotation reviews will be brief and can be completed at the meeting.
  - The NOP asked for a summary of all the items for which the NOSB is proposing annotation changes.
- **Electronic public comment webinars.** Some NOSB members are worried that the NOP is decreasing the total time for comments, which is not the case. The current plan is to schedule a total of 11 hours of public comment, which is equivalent to what was scheduled at the last NOSB meeting, which will be divided among a virtual webinar and the in-face meeting. Details about logistics are forthcoming.
  - **Board member participation.** Several members have been absent for many or all of the Subcommittee calls this past year. The PDS will address this via a proposal to add consequences for members who do not participate. A member also suggested adding language about leaves-of-absence and duration of those absences, since such accommodations hamper the work of the rest of the Board members. Another member asked about seating alternates for Board members in the case of a resignation or removal.
  - **Skype attendance for Harold Austin-** Due to health related travel restrictions HA will likely participate in the fall 2015 meeting electronically. Overall the members were supportive of this idea and there were no objections. The group discussed the notion of virtual participation and stressed the need for a valid reason to do so. The NOP would also consider a virtual follow-up Board meeting if the sunset materials are not completed at the fall meeting.
- **Advisory Board Specialist (ABS) update - MA.**
    - iClickers for voting - I Clickers do not have all the features we want/need. Could still be a good option but would not be able to display the individual votes in real time. Only the overall result. However, the individual votes could be captured in the transcripts.
    - Open Gov - On hold until the USDA decides whether or not to use this feature again.
    - Public Comment Webinars - Working on logistics for webinars which will tentatively be held September 22 and 29. More details forthcoming.

- **NOP news and update – MM**
  - **Nominations (NOSB & Hydroponics).** The NOP received more than 60 applications for the hydroponics task force. There was a diverse representation of the community. The NOP hopes to make appointments in August. The task force will report to the Crops Subcommittee Chair. The NOP received ~ 40 applications for NOSB nominations. The appointments will hopefully be announced prior to the fall meeting.
  - A member asked about the **security breach at the Office of Management and Budget (OMB)** and whether or not their background info was compromised. MA will find out and respond to this inquiry.
  - **Equivalency arrangement with Switzerland.** Switzerland has one of the highest percentages of organic consumption in world. While it is integrated with the EU, it is not part of the EU so this equivalency arrangement will open up a lot of opportunity between the US and Switzerland.
  - **Mexico equivalency.** USDA and Mexico are discussing equivalency, and Mexico has extended the enforcement date for all organic products sold or represented in Mexico to be compliant to the Mexican regulations.
  - The department is working on a **policy memo regarding ionizing radiation.** The instructions will provide clarification about what is and isn't allowed in the organic regs. e.g. Irradiation is prohibited while X-rays, UV and microwaves are not.
  - **Substance Review Instructions.** The NOP is currently working on substantive revisions to this document, which specifies the criteria and process that certifiers must follow when approving substances for use in organic production and handling. Currently the NOP has a number of mechanisms for oversight but no regulation authority.
  - **Animal welfare rule.** This is a high priority for the USDA and the proposed rule is making substantive progress through the approval chain. It will undergo OGC review next.
  - The members were introduced to the new Standards Director, Paul Lewis.
  
- **Subcommittee Reports (5 minutes each)**
  - **Materials/GMO ad hoc (MS/GMO) - CW.** The Materials Subcommittee has several proposals for fall 2015 meeting, including the Research Priorities.
  - **Compliance, Accreditation, & Certification (CACS) - LD.** The CACS is working on the Soil Conservation Assessment Proposal. In support of that they will host a guest speaker from the NRCS on the next call.
  - **Crops (CS) - ZS.** The CS is working on many materials: 2017 sunset reviews and several petitions. They have requested TRs for some of the petitioned materials. The CS also has several projects they would like to add to the workplan including an annotation change for micronutrients. The Chair indicated that there was strong support from stakeholders for this. Other substances that they may submit for annotation changes are copper, and inerts. The NOP noted that they will review the list of requests for consideration as workplan items.
  - **Livestock (LS) - TF.** The LS is on schedule with sunset reviews. The Subcommittee has several proposals for annotation changes, and will be completing its research priorities to pass along to the Materials' Subcommittee.
  - **Policy Development (PDS) - TF.** The PDS is making good progress on the PPM edits and is currently about 1/3 of the way through the document. The goal is to bring it to the fall 2015 meeting as a discussion document/ working draft.
  - **Handling (HS) - TC.** The Handling Subcommittee is about 1/3 the way through its sunset materials. They also have several petitions to review, have completed the 2018 sunset TR requests, and sent the Research Priorities to the Materials Subcommittee. They will also be

requesting an additional TR for phosphates.

- **Additional Items.**
  - In response to a question by a member regarding procedures for removing a Board member, the NOP said that the Secretary has that discretion, since the Secretary makes Board appointments. Members are concerned that NOSB members who are not participating in Subcommittee calls and are not informed about the materials, are then attending the Board meeting and voting on those items. The Policy Development Subcommittee will be drafting guidance on this issue for consideration by the full Board.
  - The NOSB Chair suggested that there may not be a need for time on the fall 2015 agenda for deferred votes. MA will send the draft agenda to the Subcommittee members for review once it is ready.
- **The meeting was adjourned**

[Previous ES Notes](#)

**Future call schedule:**

June 12, 2015 1:00 ET  
July 10, 2015 1:00 ET  
August 14, 2015 1:00 ET  
September 11, 2015 1:00 ET  
October 9, 2015 1:00 ET  
November 13, 2015 1:00 ET  
December 11, 2015 1:00 ET

Fall 2015 Milestones	Target date
NOP - Complete Fall 2015 NOSB meeting tentative agenda	July 8, 2015
Request for TRs for 2018 sunset materials	July 15, 2015
NOSB - Fall 2015 proposals due to NOP	Aug 26, 2015
NOP - Post proposals, Publish FRN, Open public comment	Sep 8, 2015
Discuss work agendas on ES call	Sep 11, 2015
Public comment webinars	Sep 22 & 29, 2015
Public comment closes	Oct 5, 2015
Work agendas finalized on ES call (last call before fall meeting)	Oct 8, 2015
NOP - Send compiled public comments to NOSB	Oct 13, 2015
Fall 2015 NOSB meeting - Stowe, VT	Oct 26 - 29, 2015



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, August 14, 2015, 1:00 pm ET**

**Attending:** Jean Richardson (JR), NOSB Chair; Tracy Favre (TF), Livestock Chair, PDS Chair & NOSB Vice Chair; Zea Sonnabend (ZS), Crops Chair; Carmela Beck (CBe), CACS Chair; ; Tom Chapman (TC), HS Chair; Harold Austin (HA), NOSB Secretary; Calvin Walker (CW), Materials Chair/GMO ad hoc Chair; Ashley Swaffar (AS) - sitting in; Colehour Bondera (CBo) - sitting in

**Absent:** Emily Brown Rosen (EBR)

**Staff:** Michelle Arsenault (MA); Miles McEvoy (MM); Paul Lewis (PL); Lisa Brines (LB)

**Agenda**

- **Approve notes of July 10, 2015**
- **Chairs Report** - JR
  - **Draft agenda fall 2015**
  - **Reminder** - Attend the September 29 webinar run through.
  - **Advisory Board Specialist (ABS) update** - MA
  - Submission of 2017 proposals and reviews
  - 2016 NOSB meetings: April in DC, October in Midwest (TBD)
  - Travel for fall meeting
- **NOP news and update** - MM
- **Subcommittee Reports** (5 minutes each)
  - Materials/GMO ad hoc (MS/GMO) - CW.
  - Compliance, Accreditation, & Certification (CACS) - CBe.
  - Crops (CS) - ZS.
  - Livestock (LS) - TF.
  - Policy Development (PDS) - TF.
  - Handling (HS) - TC.
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of July 10, 2015** notes approved as is.
- **Approve notes of July 10, 2015**
- **Chairs Report** - JR
  - **Draft agenda fall 2015** (attached) - The ES discussed edits to the fall 2015 agenda. Changes included clarifying language in the opening paragraph regarding the public comment webinars and the fact that there are three opportunities for public comment, as well as the addition of that info to the Meeting-at-a-glance table. MA will make some other modifications and redistribute the agenda for review.

- **Reminder** - The Chair reminded the NOSB members about the September 29 webinar run-through, which will allow everyone to familiarize themselves with the software and process that we will use for the webinars.
- **Advisory Board Specialist (ABS) update - MA**
  - Submission of 2017 proposals and reviews. The NOP asked that the Subcommittee Chairs please submit the proposals for the fall meeting as soon as possible.
  - 2016 NOSB meetings: April in DC, October in Midwest (Exact location TBD).
  - Travel for fall meeting. Group discussed flights and possible logistical challenges for flights into Vermont.
- **NOP news and update - MM.**
  - The Aquaculture proposed rule has been sent to the Office of Management and Budget (OMB) for review. OMB has a 90-day review period. The NOP hopes to be able to publish the proposed rule by the fall.
  - The Hydroponic task force members should be appointed soon.
  - The Standards Division Director noted that the Standards staff would be providing admin support for the fall 2015 NOSB meeting documents and comments.
- **Subcommittee Reports (5 minutes each)**
  - Handling (HS) - TC. The Handling Subcommittee has completed the majority of its sunset reviews, and has one more call before the proposal deadline. The HS is requesting several additional items for the work agenda including: Reclassification proposals for Alginic Acid, Xanthan Gum, Carnauba Wax, and Tocopherols; an annotation change discussion document for Nutrient Vitamins and Minerals (NVM); and ancillary substance proposals for Dairy Cultures (part of microorganisms), Pectin, and Yeast. The NVM document has not yet been approved for the work agenda. The Livestock Subcommittee also has a petition for tocopherols in aquaculture, and the HS will keep them abreast of any possible classification changes. The NOP will send confirmation that all of the requested work agenda items can go forward with the exception NVM.
  - Materials/GMO ad hoc (MS/GMO) - CW. Moving forward with Prevention Strategy Guidance and Research Priorities, which were voted on this week. The MS separated the seed purity piece from the Prevention Strategy Guidance document, and will likely work on it for the spring 2016 meeting
  - Compliance, Accreditation, & Certification (CACS) – (CBe). The CACS hosted a representative from the NRCS on last call to talk about the soil conservation assessment document. The CACS, in consultation with the NRCS and NOP, chose to not put forth a discussion document for the fall meeting, but instead to provide a verbal report. Because this is a complex topic, the CACS is considering requesting a TR to assess the current state of tools used to assess soil health. This will assist the Subcommittee in its effort to provide more robust guidance to the NOP about its request. A CACS member discussed inviting other experts to participate on CACS calls. The CACS Chair notified the other members and the NOP about a stakeholder group's request to add an item to the CACS agenda regarding transition time to convert non-farmland to organic. The CACS discussed this on the last call and decided that the topic is very broad, and the CACS may not be the correct venue. Another member noted the difficulty of enforceability by certifiers. The Chair will respond to the request on behalf of the group. With regard to the spring 2016 work agenda items, a member suggested adding the previously discussed topic of the 100% organic category and how it is used.
  - Crops (CS) - ZS. The Chair listed the following items for the fall 2015 work agenda: Annotation changes for EPA List 4 Inerts, and Micronutrients. Originally the CS was going to propose an annotation change on sodium carb peroxyhydrate as a pilot material, but it will be removed

from the agenda. The CS requested a TR for Anaerobic Digestates, but for a broader category of products, and not just the specific item that was petitioned. The CS Chair noted that she and the NOP have been working with the Inerts Working group and the Safer Choice Program, and would like to begin discussions at the fall 2015 in an effort to keep the momentum going. This would be an addition to the work agenda and the NOP will respond to this request.

- Livestock (LS) - TF. The Livestock Subcommittee has been working diligently on its sunset materials and thus far all completed documents have been submitted to the NOP. The LS will be presenting two discussion documents at the fall meeting. The spring 2016 LS work agenda will include the following: a handful of petitioned materials and an annotation change (name change) for trace minerals. The LS would also like to propose an annotation change for NPEs, and feels strongly that if they propose a ban on NPEs in organic, a long lead time and plenty of notice is essential. Likely this will be a project for the fall 2016 meeting. The LS discussed the aquaculture proposals, as the aquaculture rule is progressing through the clearance process and should be published later this year. The NOSB suggested the addition of an ad hoc Subcommittee to review the AQ proposals.
  - Policy Development (PDS) - TF. The PDS completed its work on the draft Policy and Procedures manual updates. The updated document will be posted for public feedback. The intention is to bring it to the Board for a full vote in spring 2016. The new draft includes language about electronic meetings, minority opinions, and lack of participation by members.
- **Additional Items**
  - **The meeting was adjourned**

[Previous ES Notes](#)

**Future call schedule:**

- July 10, 2015 1:00 ET
- August 14, 2015 1:00 ET
- September 11, 2015 1:00 ET
- October 9, 2015 1:00 ET
- November 13, 2015 1:00 ET
- December 11, 2015 1:00 ET

Fall 2015 Milestones	Target date
NOP - Complete Fall 2015 NOSB meeting tentative agenda	July 8, 2015
Request for TRs for 2018 sunset materials	July 15, 2015
NOSB - Fall 2015 proposals due to NOP	Aug 26, 2015
NOP - Post proposals, Publish FRN, Open public comment	Sep 8, 2015
Discuss work agendas on ES call	Sep 11, 2015
Public comment webinars	Oct 13 & 20, 2015
Public comment closes	Oct 5, 2015

Work agendas finalized on ES call (last call before fall meeting)	Oct 8, 2015
NOP - Send compiled public comments to NOSB	Oct 13, 2015
Fall 2015 NOSB meeting - Stowe, VT	Oct 26 - 29, 2015

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 11, 2015, 1:00 pm ET**

**Attending:** Tracy Favre (TF), Livestock Chair, PDS Chair & NOSB Vice Chair; Zea Sonnabend (ZS), Crops Chair; Carmela Beck (CBe), CACS Chair; Tom Chapman (TC), HS Chair; Harold Austin (HA), NOSB Secretary; Calvin Walker (CW), Materials Chair/GMO ad hoc Chair; Ashley Swaffar (AS) - sitting in; Colehour Bondera (CBo) - sitting in

**Absent:** Jean Richardson (JR), NOSB Chair

**Staff:** Michelle Arsenault (MA); Miles McEvoy (MM); Paul Lewis (PL); Emily Brown Rosen (EBR)

**Agenda**

- **Approve notes of August 14, 2015**
- **Chairs Report - TF**
  - Draft agenda fall 2015
  - 2016 Work Agendas
  - Reminder - Attend the September 29 webinar run through.
- **Advisory Board Specialist (ABS) update - MA**
  - 2016 NOSB meetings: April in DC, October in Midwest (TBD)
  - Public comment period open until Oct 5
  - Travel for fall meeting/meeting logistics
  - Doodle poll for meeting materials
- **NOP news and update - MM**
- **Subcommittee Reports (5 minutes each)**
  - Compliance, Accreditation, & Certification (CACS) - CBe.
  - Crops (CS) - ZS.
  - Livestock (LS) - TF.
  - Policy Development (PDS) - TF.
  - Handling (HS) - TC.
  - Materials/GMO ad hoc (MS/GMO) - CW.
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of August 14** approved with the addition of Ashley Swaffar to the roll.
- **Chairs Report - TF**
  - **Draft agenda fall 2015.**
    - Members reviewed the draft agenda and acknowledged the massive amount of work that was accomplished over the last few months.
    - National Institute of Food and Agriculture (NIFA) will not be able to participate in person and the NOP is exploring options to have them participate virtually. A member asked about interacting with NIFA as he would like to talk with them about including language

in the requests for proposals (RFPs) regarding sustainable agriculture or organic. The NOP noted that there are USDA grants targeted towards organic, and that the USDA Agricultural Research Service also conducts organic research. The Materials Subcommittee will prepare questions for NIFA.

- **2016 Work Agendas**
  - The group discussed and made minor changes to the draft work agenda.
  - The Crops Subcommittee requested to add a proposal on Nonylphenol ethoxylates (NPEs) to the spring 2016 meeting. The NOP will review this request.
  - Members and the NOP discussed the CACS Soils project and the idea of perhaps forming a task force to provide the Board more support, since this is a very challenging and broad topic. A member added that given the regional variation in soils, seating a task force would be very challenging. The CACS is exploring the development of a white paper, which may be a better alternative.
  - The NOP recently announced the appointments for the aquaponics task force and is working on facilitation, logistics and administrative details. The goal is for the task force to provide a draft report by the spring 2016 meeting, and its final report by the end of 2016. The NOSB would then prepare a recommendation based on that report for discussion at the spring 2017 NOSB meeting. The NOP will provide an update about the task force at the fall 2015 meeting.
  - The Handling Chair may request to add a proposed annotation change for phosphate food additives to the work agenda, once they receive and review a new TR. A petition review for hypochlorous acid is also on the work agenda for spring 2016.
  - The Livestock Chair indicated that if the Aquaculture rule is published by the end of 2015, the aquaculture proposals will be part of the work agenda for the spring 2016 meeting.
- **Reminder - Attend the September 29 webinar** run through. The public comment webinars are being held October 13 and 20. The NOSB Vice Chair urged members to attend the rehearsal and the comment webinars.
- **Advisory Board Specialist (ABS) update - MA**
  - **2016 NOSB meetings:** April in DC, October in Midwest. The options for October 2016 are limited, and the NOP is still exploring venues.
  - **Travel/logistics for fall meeting.** MA provided a brief update about making flight reservations.
  - **Public comments.** As of today, there are only a small number of written comments and approximately 20 oral commenters signed up.
  - **Meeting materials.** MA will send the meeting materials to the members in the next couple of weeks.

**NOP news and update - MM.**

- The NOP recently published a memo clarifying its position on electrolyzed water and hypochlorous acid.
- Several members of the NOP staff and the NOSB are attending and presenting at Expo East next week. There are several sessions of interest: one on international trade, and one on development of a transitional certification program.
- MM will be traveling to Ecuador to discuss organic, and to aid in harmonizing the standards between the US and Latin America.
- There are several documents that are nearing completion and/or publication: Instructions regarding Material Review Organizations (MROs) and material review procedures, and the Policy memo on ionizing radiation. The Origin of Livestock proposed rule received ~1500 comments.

NOP is also working on final guidance on Biodiversity and Natural Resource Conservation; Classification of Materials and Materials for Organic Crop Production, and Post Harvest Handling. The Animal Welfare Proposed Rule is in early clearance and may be published next year. The NOP is seeking 6 new NOSB members for 2016: 5 new appointments and one replacement. Members urged the NOP to appoint the new members as soon as possible so they can transition more easily without a disruption in the workflow.

- **NOSB workload stats for 2015.** The Vice Chair compiled statistics regarding the NOSB workload, which she will present at Expo East next week. The board completed an enormous amount of work in 2015, and she expressed her gratitude to the members for the hard work.
- **Subcommittee Reports (5 minutes each)**
  - **Compliance, Accreditation, & Certification (CACS) - CBe.** The CACS is monitoring public comments, and will present a brief report on the soils document for fall meeting.
  - **Crops (CS) - ZS.** The CS submitted all of their proposals and discussion docs and are now awaiting comments.
  - **Livestock (LS) - TF.** The LS Chair noted that the 2016 workload is lighter, and they anticipate work on the aquaculture proposals if the aquaculture proposed rule is published.
  - **Policy Development (PDS) - TF.** The PDS submitted the revised PPM for public comment for the fall 2015 meeting.
  - **Handling (HS) - TC.** The Handling Subcommittee has a large portion of the documents for the fall 2015 meeting, and several in the queue for spring 2016, including 10 - 2018 sunset reviews.
  - **Materials/GMO ad hoc (MS/GMO) - CW.** Like the other Subcommittees, the MS is currently waiting for comments so they can prep for the fall 2015 meeting.
- **Additional Items** - The NOP will send the Conflict of Interest spreadsheet to the members soon, so each person can identify any potentials COIs prior to the meeting
- **The meeting was adjourned**

[Previous ES Notes](#)

**Future call schedule:**

August 14, 2015 1:00 ET  
 September 11, 2015 1:00 ET  
 October 9, 2015 1:00 ET  
 November 13, 2015 1:00 ET  
 December 11, 2015 1:00 ET

Fall 2015 Milestones	Target date
NOP - Complete Fall 2015 NOSB meeting tentative agenda	July 8, 2015
Request for TRs for 2018 sunset materials	July 15, 2015
NOSB - Fall 2015 proposals due to NOP	Aug 26, 2015

NOP - Post proposals, Publish FRN, Open public comment	Sep 8, 2015
Discuss work agendas on ES call	Sep 11, 2015
Public comment webinars	Oct 13 & 20, 2015
Public comment closes	Oct 8, 2015
Work agendas finalized on ES call (last call before fall meeting)	Oct 8, 2015
NOP - Send compiled public comments to NOSB	Oct 13, 2015
Fall 2015 NOSB meeting - Stowe, VT	Oct 26 - 29, 2015

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, October 9, 2015, 1:00 pm ET**

**Attending:** Jean Richardson (JR), NOSB Chair; Tracy Favre (TF), Livestock Chair, PDS Chair & NOSB Vice Chair; Zea Sonnabend (ZS), Crops Chair; Carmela Beck (CBe), CACS Chair; Tom Chapman (TC), HS Chair; Harold Austin (HA), NOSB Secretary; Ashley Swaffar (AS) - sitting in; Calvin Walker (CW), Materials Chair/GMO ad hoc Chair; Colehour Bondera (CBo) - sitting in

**Absent:** Paul Lewis (PL)

**Staff:** Michelle Arsenault (MA); Miles McEvoy (MM); Emily Brown Rosen (EBR)

**Agenda**

- **Approve notes of September 11, 2015**
- **Chairs Report** - JR
  - Tentative agenda fall 2015
  - 2016 Work Agendas
- **Advisory Board Specialist (ABS) update** - MA
  - Public comment - Deadline and final count
  - Travel for fall meeting/meeting logistics
- **NOP news and update** - MM
- **Subcommittee Reports** (5 minutes each)
  - Crops (CS) - ZS.
  - Livestock (LS) - TF.
  - Policy Development (PDS) - TF.
  - Handling (HS) - TC.
  - Materials/GMO ad hoc (MS/GMO) - CW.
  - Compliance, Accreditation, & Certification (CACS) - CBe.
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of September 11** approved with no edits.
- **Chairs Report - JR.**
  - Tentative agenda fall 2015 - Members had no changes or questions about the tentative agenda.
  - 2016 Work Agendas. The Members reviewed the work agenda and requested two additions: A discussion document for Crops regarding Anaerobic Digestates and a discussion document on phosphates for Handling. Both items were approved by the ES Committee and the NOP will respond to ES about adding this to the work agendas.
- The members discussed the potential of creating a separate subcommittee to review the aquaculture (AQ) materials, and will discuss this further on the Livestock call. AQ will remain on the LS workplan for now.

- The NOSB Chair noted a new FOIA request from a stakeholder group requesting 5 years of communications between her and the Deputy Administrator. The NOP indicated that this is an extensive request but that AMS/NOP has a dedicated FOIA staff person.
- **Administrative meeting** - The group will gather prior to the fall meeting to collect their meeting materials and to discuss the process for voting in the interest of time management.
- **Advisory Board Specialist (ABS) update – MA**
  - Public comment - Deadline and final count. 749 written comments, ~140 oral commenters.
  - Travel for fall meeting/meeting logistics - no questions.
- **NOP news and update - MM.**
  - Congress passed a continuing resolution until December 2015, which included a cap on the budget, including travel.
  - **Hydroponic task force (HTF).** The contract for facilitation is in place and there will be an in-person meeting in January in Southern California. Prior to this face-to-face meeting, the task force will meet via conference call. The HTF is tasked with providing the NOSB with a report on hydroponics and how it aligns with OFPA and the regulation. The Crops Subcommittee Chair is seeking a second NOSB member in addition to herself, to be a liaison to the HTF. JR volunteered to be liaison, as she will not be NOSB Chair at that time.
  - **Rulemaking.** Many projects are in progress including several significant rules, such as aquaculture, and animal welfare. Other projects include guidance on Biodiversity, Treated wood, Classification of materials, and Post Harvest Handling. The NOP noted that the Sound and Sensible Initiative is yielding positive results.
  - **The NOSB appointments** for 2016 have not yet been announced, and will likely be announced once the additional environmentalist/resource conservationist seat has been filled.
- **Subcommittee Reports (5 minutes each)**
  - **Crops (CS)** - ZS. Crops has had only one meeting in the last month, but are prepared for the fall meeting. The CS Chair has received comments regarding the proposal votes not being well justified. For example, when a vote is split and not unanimous, it was not clear as to why. The CS Chair suggested that everyone be aware of this so in the future the justification is clear. For final recommendations, in cases where the outcome has changed from the Subcommittee proposal, the Chairs should include the justification that was discussed at the NOSB meeting.
  - 
  - **Livestock (LS)** - TF. Livestock had one call last month and is prepared for the fall 2015 meeting.
  - **Policy Development (PDS)** - TF. The PDS has not met since last Executive call. It will be presenting the report on the updated PPM.
  - **Handling (HS)** - TC. Phosphates were not included on the work agenda for 2016 but the HS will submit a formal request to add them, in case they work on this project. In the interest of transparency, the potential project was mentioned in three proposals that were published previously. The HS Chair will send a formal request to the NOP. Anaerobic Digestates will also be added to the work agenda.
  - **Materials/GMO ad hoc (MS/GMO)** - CW. The MS has reviewed the written comments in preparation for the fall meeting. The Subcommittee will submit a list of questions to Dr. Sonny Ramaswamy before the fall meeting in preparation for his presentation.
  - **Compliance, Accreditation, & Certification (CACS)** - CBe. No updates.
  - The members relayed their support for the Chair who was mentioned in the most recent FOIA request by a stakeholder group. .
- **The meeting was adjourned**

[Previous ES Notes](#)

**Future call schedule:**

September 11, 2015 1:00 ET

October 9, 2015 1:00 ET

November 13, 2015 1:00 ET

December 11, 2015 1:00 ET

Fall 2015 Milestones	Target date
NOP - Complete Fall 2015 NOSB meeting tentative agenda	July 8, 2015
Request for TRs for 2018 sunset materials	July 15, 2015
NOSB - Fall 2015 proposals due to NOP	Aug 26, 2015
NOP - Post proposals, Publish FRN, Open public comment	Sep 8, 2015
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Public comment webinars	Oct 13 & 20, 2015
Public comment closes	Oct 8, 2015
Work agendas finalized on ES call (last call before fall meeting)	Oct 9, 2015
NOP - Send compiled public comments to NOSB	Oct 13, 2015
Fall 2015 NOSB meeting - Stowe, VT	Oct 26 - 29, 2015

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, November 13, 2015, 1:00 pm ET**

**Attending:** Tracy Favre (TF), NOSB Chair, Livestock Chair, PDS Chair; Lisa de Lima (LD), NOSB Secretary; Zea Sonnabend (ZS), Crops Chair; Carmela Beck (CBe), CACS Chair; Calvin Walker (CW), Materials Chair/GMO ad hoc Chair; Harold Austin (HA); Tom Chapman (TC), NOSB Vice Chair, HS Chair Colehour Bondera (CBo) - sitting in; Ashley Swaffar (AS) - sitting in

**Absent:** Jean Richardson (JR)

**Staff:** Michelle Arsenault (MA); Miles McEvoy (MM); Emily Brown Rosen (EBR); Paul Lewis (PL)

**Agenda**

- **Approve notes of October 9, 2015**
- **Chairs Report - TF**
  - New Subcommittee rosters
  - Work agenda items
  - Fall 2015 NOSB meeting debrief
  - New NOSB members (announcement and training)
- **Advisory Board Specialist (ABS) update - MA**
  - Final Recommendations due Nov 30
  - Spring 2016 Milestones
- **NOP news and update - MM**
- **Subcommittee Reports (5 minutes each)**
  - Livestock (LS) - TF.
  - Policy Development (PDS) - TF.
  - Handling (HS) - HA.
  - Materials/GMO ad hoc (MS/GMO) - CW.
  - Compliance, Accreditation, & Certification (CACS) - CBe.
  - Crops (CS) - ZS.
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of October 9** approved with no changes.
- **Chairs Report - TF**
  - **New Subcommittee rosters.** A draft version of the Subcommittee rosters was circulated and includes placeholders for the new NOSB members who will begin in January 2016. The Chair asked the members for feedback. The new Subcommittee Chairs will take over in December.
  - **Work agenda items.** The Handling Chair will submit a formal request to add phosphates to the work agenda. The NOP asked that the request include a justification and goal for this project.
  - **Fall 2015 NOSB meeting debrief**

- The group members felt that overall the meeting went well. The process of hand voting as opposed to roll call voting, seemed to be more efficient, and the Board would like to institute that process. Harold Austin's participation via Skype worked exceptionally well. Although most members were pleased with the webinars, one member felt that the webinars were not successful due to technological difficulties with the software, and suggested that, in the future, perhaps the webinar(s) can be held immediately before the NOSB meeting, so the Board could gather in once location and use a joint conference line. Several members supported the idea of holding a 6-hour webinar closer to the face-to-face meeting rather than two separate 3-hour meetings too far in advance. Other members agreed that holding the webinars about 1 week before the meeting would have been better with regard to preparation. Another member added his support for the webinars and indicated that the organic community was supportive of this process and opportunity. He requested that the Board members receive a copy of the presentations ahead of time if possible.
    - New NOSB members. The Secretary may announce the names of the 6 new members in early-to-mid December, and the NOP will try to schedule new member training in early February.
    - The NOP addressed the length of the agenda for the spring 2016 meeting, and solicited feedback about comment management. The group discussed various options for segregating comments that addressed the NOP from those that addressed the NOSB and its work agenda topics.
- **Advisory Board Specialist (ABS) update - MA**
  - MA sent the coversheet templates to the Subcommittee Chairs and asked that the final recommendations be submitted by November 30.
  - Spring 2016 Milestones (see below for new timeline)
- **NOP news and update - MM**
  - The NOP sent an Organic Insider notice today regarding temporary variance procedures.
  - The NOP has two new fact sheets available: Technical and financial assistance for organic producers, and transition to organic.
  - USDA's Natural Resources Conservation Service (NRCS) released its organic farming handbook which is a resource for their staff when working with organic producers. Additionally, the NRCS has designated November as "Organic month".
  - The USDA released a number of blogs recently. Topics included the organic integrity database, and the fall 2015 NOSB meeting. The organic integrity quarterly newsletter should be published in the next couple of weeks. Included in the newsletter is a summary of NOP activities and the NOSB meeting outcome. A member asked if a blog format would be feasible to use for accepting public comments between meetings. MA will check with the communications office to see if this is a feasible mechanism.
  - The hydroponics task force (HTF) had its first meeting last week and have another next week. The initial meetings are being held to set up logistics, discuss the outline for the final report, and form subcommittees. The HTF will meet face-to-face in January. Carmela Beck volunteered to be the second NOSB liaison for the task force. The liaison will help clarify the needs of the NOSB, and is not required to participate in all task force calls.
  - The group discussed a request by the former NOSB Chair that the NOP provide the NOSB with a list of outstanding NOSB recommendations. NOP is in the process of compiling the list. The group will discuss the status and potential completion of these projects.
  - The Organic Aquaculture proposed rule may be published in January.
- **Subcommittee Reports (5 minutes each)**

- **Livestock (LS)** - TF. The LS met this week. The group had a short recap of the fall 2015 meeting and discussed the final recommendations. The recommendations will include discussion that occurred at the meeting and any explanatory language regarding proposals whose outcome was different from that in Subcommittee.
- **Policy Development (PDS)** - TF. The PDS hasn't met since the fall meeting. Will meet in December to continue work on the PPM revisions.
- **Handling (HS)** - HA. The HS has a lighter workload this year than last. It has six calls scheduled prior to the proposal submission deadline, and may have to add an additional call. The 2016 work agenda includes five petitioned substances, ten 2018 sunset materials (4 awaiting technical reports), and 9 other projects that include ancillary substance proposals. The HS is considering a request to add marine materials (seaweed, kelp, etc) to the work agenda. The Subcommittee is currently discussing the possibility for this to be a joint project between Crops and Handling. A formal request will be sent for this item if so decided. HS also suggested having a panel at the spring 2016 meeting on carrageenan.
  - The NOP discussed other potential panels for the spring meeting, in addition to carrageenan. Perhaps seaweed (marine) materials, or emerging technologies (i.e. nano materials, synthetic biology) that aren't captured by the current regulations. ZS noted that she is developing a proposal on an overlapping topic to emerging technologies and supported the idea of a panel related to definitions of excluded methods. The consensus was to have two panels at the spring 2016 meeting (Excluded methods and carrageenan) and one in the fall (marine materials).
- **Materials/GMO ad hoc (MS/GMO)** - LD. The Materials Subcommittee has two projects on their agenda; excluded methods terminology and seed purity. The lead would like to move to the proposal stage on non-controversial pieces of the project, and develop a discussion document for the more complex topics, to glean more input. The Research Priorities proposal was organized well for NOSB, but not structured well for the Organic Working Group (OWG) or funders. The Organic Policy Advisor asked the MS to streamline the recommendation for submission to the OWG, which they are working on.
- **Compliance, Accreditation, & Certification (CACS)** - CBe. Soil assessment discussion document is still in development. The CACS has discussed the possibility of requesting a white paper on this topic. Currently the Subcommittee is unsure how to move forward with the NOP request to work on this topic, as it is broad and vaguely defined. The NOP will consult with the Organic Working Group and perhaps coordinate with NRCS, and provide guidance to the CACS.
- **Crops (CS)** - ZS. Crops has a number of items on its work agenda including the following:
  - Several outstanding petitions and two new ones. Two of these materials have implications for Livestock and Handling;
  - A petition for anaerobic digestates was withdrawn just prior to the fall meeting. The CS chose to broaden the scope and review it in a larger context as manure handling. This could potentially be a large topic, and as such is waiting for further input from NOP. The Chair noted that a number of these products incorporate new techniques.
  - Five 2018 sunset materials;
  - Contamination in farm inputs project. The CS is looking for a new lead person to take over, as the current lead is rotating off the Board.
  - Biodegradable bio-based mulch. At the request of the NOP, the CS is re-reviewing this material.
  - Inerts. Representatives for the inerts working group will provide regular updates to the CS, and at the public meetings

- Prohibition of NPEs in inerts annotation change - The CS will develop a discussion document with the intention of giving manufacturers a long enough lead time to reformulate. The anticipation is a 3-5 year gap from notice to finalization.
- There are several other projects the CS is discussing but are not ready to put on work agenda.

- **Additional Items** - none
- **The meeting was adjourned**

[Previous ES Notes](#)

**Future call schedule:**

October 9, 2015 1:00 ET  
 November 13, 2015 1:00 ET  
 December 11, 2015 1:00 ET  
 January 8, 2016 1:00 ET  
 February 12, 2016 1:00 ET  
 March 11, 2016 1:00 ET  
 April 8, 2016 1:00 ET  
 May 13, 2016 1:00 ET  
 June 10, 2016 1:00 ET  
 July 8, 2016 1:00 ET  
 August 12, 2016 1:00 ET  
 September 9, 2016 1:00 ET  
 October 14, 2016 1:00 ET  
 November 11, 2016 1:00 ET  
 December 9, 2016 1:00 ET

Spring 2016 Milestones	Target date
New NOSB member orientation	1 <sup>st</sup> week in Feb?
NOP - Complete Spring 2016 NOSB meeting tentative agenda	Feb 10, 2016
NOSB - Spring 2016 proposals due to NOP	Feb 26, 2016
NOP - Post proposals, Publish FRN, Open public comment	Mar 8, 2016
Discuss work agendas on ES call	Mar 11, 2016
Public comment webinars	??
Public comment closes	Apr 6, 2016
Work agendas finalized on ES call (last call before fall	Apr 8, 2016
NOP - Send compiled public comments to NOSB	Apr 11, 2016
Spring 2016 NOSB meeting – Washington, DC	Apr 25 - 27, 2016

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, December 11, 2015, 1:00 pm ET**

**Attending:** Tracy Favre (TF), NOSB Chair; Tom Chapman (TC), NOSB Vice Chair & PDS Chair; Lisa de Lima (LD), NOSB Secretary & Materials/GMO ad hoc Chair; Carmela Beck (CBe), CACS Chair; Harold Austin (HA), Handling Chair; Ashley Swaffar (AS), Livestock Chair; Zea Sonnabend (ZS), Crops Chair; Colehour Bondera (CBo) - sitting in; Jean Richardson (JR) - sitting in; Jennifer Taylor (JT)

**Absent:** none

**Staff:** Michelle Arsenault (MA); Miles McEvoy (MM); Emily Brown Rosen (EBR); Paul Lewis (PL)

**Agenda**

- **Approve notes of November 13, 2015**
- **Chairs Report -TF**
  - Request to add marine plants and plant extracts to the work agendas of HS and CS
  - Request to add magnesium chloride to the HS work agenda.
  - Request to hold expert panel on excluded methods terminology/seed purity for the spring 2016 NOSB meeting.
  - Request to hold expert panel on sea products fall 2016 meeting.
  - Proposal to alter sunset review timeline for 200+ materials.
  - Discuss NOP memo re: antibiotics in chicks.
  - Request to hold expert panel on sea products for the fall 2016 NOSB meeting.
- **Advisory Board Specialist (ABS) update - MA**
  - Future Meeting planning ideas.
  - Final recommendations status update
  - Spring 2016 Milestones
  - Other projects under way (FR notice for 2017 nominations, April 2016 meeting prep, charter renewal)
- **NOP news and update - MM**
- **Subcommittee Reports (5 minutes each)**
  - Policy Development (PDS) - TC.
  - Handling (HS) -
  - Materials/GMO ad hoc (MS/GMO) - LD.
  - Compliance, Accreditation, & Certification (CACS) - CBe.
  - Crops (CS) - ZS.
  - Livestock (LS) - AS.
  - Additional Items
  - Adjourn

**Discussion**

- **Notes of November 13** were approved with a minor change to the roll call.
- **Chairs Report - TF**

- **Request to add marine plants and plant extracts** to the work agendas of HS and CS. The lead reviewer recapped the status of the project and the next steps. To initiate the discussion, a request that included the justification and goals for this project was circulated to the Executive team. After the NOP responds to the request so it can officially be added to the work agenda, each Subcommittee will compile a list of questions for a potential TR. A member advocated for the inclusion of specific names of materials in the request for the TR. The members also discussed which evaluation questions to include. The goal is to bring this proposal to the fall 2016 NOSB meeting.
- **Request to add magnesium chloride** to the HS work agenda. The HS submitted a request to add to its work agenda a reclassification of magnesium chloride to 205.605(a). The lead indicated that the project is very straight forward and has broad community support. The NOP asked about the need for a TR, which the Subcommittee will determine once the project is officially approved. The intention is to bring the proposal to the fall 2016 agenda. Note: The HS may potentially review magnesium sulfate as well.
- **Request to hold expert panel on excluded methods terminology/seed purity** for the spring 2016 NOSB meeting. The lead from the Materials Subcommittee explained the current status and goals of this project. The MS is working on a 2-part document: one is a proposal about excluded methods terminology, seeking guidance on the definition on biotechnology, genetic engineering (GE), and prohibition of new techniques; the other part of the project will be a discussion document on other potentially controversial terminology. The NOSB would like to convene a panel to get clarification regarding these issues. The NOP is supportive of this idea, and was asked to provide feedback to the Exec team and Materials Subcommittee regarding the expertise for panel members, the number of panelists, and how long the panel will be. The initial plans are for a 1.5-2 hour panel consisting of 4 people.
- **Request to hold expert panel on sea products fall 2016 meeting.** This request originated with the Handling Subcommittee and the NOP is supportive of the idea.
- **Proposal to alter sunset review timeline for 200+ materials.** The entire Board is supportive of the idea of spreading out the review of sunset materials and feels that it is critical to implement a solution as soon as possible. The NOSB Chair noted that the workload and time associated with reviewing 200 materials at once was unreasonable, and very taxing to both volunteer Board members and staff. The Board would like to seek a way to distribute these materials so it is manageable. The NOP indicated that some members of the community were not supportive of this idea, but many staff members are supportive. Several Board members are going to reach out to the organic community to determine why there is opposition. A member noted that the NOSB will be reviewing some materials outside of the sunset timeframe, which will take them out of the normal 5-year cycle, but that would encompass only a few. She suggested that each Subcommittee identify any candidates that could be reviewed ahead of time. NOP will consider a written request for this work agenda item. The NOSB Chair will revise a previously circulated message and submit it to the program.
- **NOP memo re: antibiotics in day-old chicks.** The memo is under internal review and won't be sent to the Board until the beginning of the new year.
- **Advisory Board Specialist (ABS) update - MA**
  - **Meeting plans.** The spring 2016 meeting planning is underway. The meeting will be held the week of April 25, 2016 although the exact dates may shift a bit due to the hotel availability. The fall meeting is still in the scouting phase. The NOP will schedule the meeting for November or December of 2016, after the presidential election. The NOSB Chair indicated strong opposition to having a meeting in December. Among other reasons, it limits the timeline for work

completion after the meeting, and also restricts the amount of time the Board has to work on projects before the next meeting. Since some of the Subcommittees only meet once a month, this would not allow them to complete projects before the proposals are due.

- **Other Projects.** The Federal Register Notice for the 2017 nominations and the NOSB Charter renewal is in development. The FR notice may also include a call for all NOSB positions, to build up a candidate pool in case there are any unexpected vacancies.
- **NOP news and update - MM**
  - The final rule for the Sunset 2015 materials is currently on display in the Federal Register, and should publish in one business day.
  - The proposed rule for the 2016 sunset materials should be published next week.
  - The six 2016 nominations are still under consideration by the Secretary and hopefully will be announced by the end of the year or early January.
  - The Aquaculture rule is still under review at the Office of Management and Budget (OMB).
- **Subcommittee Reports (5 minutes each)**
  - **Policy Development (PDS)** - TC/TF. The December PDS meeting was cancelled so there were no updates to report. The PDS will convene in January and resume work on the PPM in light of the public comment received at the meeting.
  - **Handling (HS)** - HA. In addition to the requests for work agenda items discussed above, the HS is: Reviewing a new petition for chlorine dioxide dry gas; Reviewing ten 2018 sunset materials; Waiting for several TRs for various materials, and waiting for the NOP to approve the addition of an annotation change for phosphates to the work agenda. The HS has discussed the possibility of having a panel at the spring 2016 meeting on carrageenan and concluded that it is not necessary. As an alternative they discussed inviting experts to participate on the Subcommittee calls. The NOP feels that a panel would help provide balanced scientific information. The HS is waiting for a TR on Carrageenan and once it is received and reviewed, it will revisit the topic and determine the path forward. The Chair indicated that they may add one or two calls to the schedule depending on when they receive the TRs. He also stressed that the new members will not have much time to be on-boarded and get involved in conversations.
  - **Materials/GMO ad hoc (MS/GMO)** - LD. The Subcommittee is working on a proposal on terminology for excluded methods and discussing the need for an expert panel on the same topic for the spring 2016 meeting. The final recommendation for the research priorities is in progress and will be submitted soon. If a proposal to change the sunset review timeline is approved, the project will likely be sent to the Materials Subcommittee and added to the work agenda.
  - **Compliance, Accreditation, & Certification (CACs)** - CBe. The December CACS call was cancelled while it waits for feedback from the NOP about the soil conservation document.
  - **Crops (CS)** - ZS. Crops is working on several projects including a discussion document on NPEs and Inerts for spring 2016, which will lead to annotation change proposal in fall 2016, and a new petition for 1-methylcyclopropene (1-MCP) for which they will assign a lead and begin review. The hydroponics task force has had a couple of calls and work is underway. The task force will hold an in-person meeting in San Diego in mid-January. Two Crops members (ZS and CBe) are liaisons to the task force and will attend. Crops anticipates a report or update from the task force at the spring 2016 meeting. The CS Chair will forward a request to the Executive team to add a work agenda item for an annotation change for newspaper.
  - **Livestock (LS)** - AS. The LS is working on a number of petitioned materials as well as several other projects. There are no 2018 sunset items for Livestock. There are three proposals for annotation changes for the spring meeting: procaine, lidocaine and parasiticides. The Subcommittee will also be discussing further the idea of convening a poultry working group/task

force to address alternatives to methionine. The LS already submitted a request for this and the NOP asked for more specific details regarding scope and goals. The NOP noted that a task force would be composed of non-NOSB members and would require a Federal Register announcement and USDA selection process, as well as staff time and budget to manage. As an alternative the NOP suggested inviting experts to Subcommittee meetings.

- **Additional Items** - none
- **The meeting was adjourned**

[Previous ES Notes](#)

**Future call schedule:**

- November 13, 2015 1:00 ET
- December 11, 2015 1:00 ET
- January 8, 2016 1:00 ET
- February 12, 2016 1:00 ET
- March 11, 2016 1:00 ET
- April 8, 2016 1:00 ET
- May 13, 2016 1:00 ET
- June 10, 2016 1:00 ET
- July 8, 2016 1:00 ET
- August 12, 2016 1:00 ET
- September 9, 2016 1:00 ET
- October 14, 2016 1:00 ET
- November 11, 2016 1:00 ET
- December 9, 2016 1:00 ET

Spring 2016 Milestones	Target date
New NOSB member orientation	1 <sup>st</sup> week in Feb?
NOP - Complete Spring 2016 NOSB meeting tentative agenda	Feb 10, 2016
NOSB - Spring 2016 proposals due to NOP	Feb 26, 2016
NOP - Post proposals, Publish FRN, Open public comment	Mar 8, 2016
Discuss work agendas on ES call	Mar 11, 2016
Public comment webinars	??
Public comment closes	Apr 6, 2016
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