

**Formal Recommendation by the
National Organic Standards Board (NOSB)
to the National Organic Program (NOP)**

Date: April 29, 2011

Subject: PPM Section V: Procedures for Completing Committee Recommendations

Chair: Tracy Miedema

The NOSB hereby recommends to the NOP the following:

Rulemaking Action
Guidance Statement
Other X

Statement of the Recommendation (Including Recount of Vote):

This recommendation revises Section V of the Policy and Procedures Manual (PPM); Procedures for Completing Committee Recommendations. The most significant change is the clarification of the policy for withdrawal of a committee recommendation. The complete text voted on at the Board Meeting is attached.

Rationale Supporting Recommendation (including consistency with OFPA and NOP):

Standing Committees develop recommendations based on the best information available, including public comment and the Committee's own expertise. However, at the Board Meeting additional information may be presented that may cause the Committee to reconsider its recommendation. The new information may be so complex, technical or controversial, that the Committee needs additional time or third party evaluation of the information. In such situations the Committee needs to be able to take back its recommendation. This recommendation clarifies procedures for handling this situation and other steps in developing recommendations.

The recommendation is consistent with OFPA and NOP. OFPA provides the authority for the NOSB, but operating procedures were left to the Boards discretion.

NOSB Vote:

Moved: Barry Flamm		Second: Steve DeMuri		
Yes: 14	No: 0	Abstain: 0	Absent: 0	Recusal: 0

**National Organic Standards Board
Policy Development Committee
Final Recommendation
Policy & Procedures Manual Section V:
Procedures for Completing Committee Recommendations**

April 29, 2011

Introduction

The PPM is a guide to assist the Board in the conduct of its responsibilities and it is revised as necessary to improve the functioning of the Board. The development and proposed revisions are done with public input, following the same procedures used for all NOSB committee recommendations.

Most of the Board's work is done by the standing committees, constituted by members with expertise and experience in the subject area and thus should be allowed to reach an independent committee conclusion, which may include a minority opinion. The full Board has the option to arrive at different conclusion and reject the committee recommendation.

The purpose of this recommendation is to clarify committee procedures and prerogatives for completing recommendations.

Background

During the NOSB Fall 2010 Meeting, procedural questions arose over the prerogative of a Committee to withdraw a proposed recommendation. Withdrawing a recommendation is not an uncommon practice, occurring at least once during the same Board Meeting. However in this case, the majority of the Board objected to the action of the Committee. During the insuring discussions, it became obvious that the PPM needed clarification on the subject.

Relevant areas in the Rule

OFPA provides the authority for the NOSB. Operating procedures were left to Board's discretion.

Discussion

Standing Committees develop recommendations based on the best information available, including public comment and the Committees own expertise.

At the Board Meeting additional information may be presented that may cause the Committee to reconsider its recommendation. This may be done during the Board meeting. However, the new information may be so complex, technical or controversial, that the Committee needs additional time or third party evaluation of the information. In such situations, the Committee needs to be able to take back its recommendation.

Recommendation

Revision of Section V, PPM: Procedures for Completing Committee Recommendations

Developing committee recommendations follows these broad steps:

1. The committee prepares a recommendation or discussion document as agreed to in the committee work plan (see p. 32 PPM).
2. The recommendation or discussions document is posted for public comment.
3. During the Board meeting, the committee presents its recommendation for discussion by the full Board.
4. At any point in the process prior to the Board's vote on the status of the recommendation, the presenting committee may convene and vote to withdraw its recommendation, based on approval of this action by the majority of the members of the committee.
5. Once presented, the Board votes on the committee recommendation.

Note: all language following #4 on p.20 remains unchanged and should be included.

Committee Vote

Motion: to accept the proposed amendment to the Policy and Procedures Manual

Motion by: Barry Flamm Second: Calvin Walker

Yes: 4 No: 0 Absent: 1 Abstain: 0 Recuse: 0