

July 2, 2021

MEMORANDUM TO THE NATIONAL ORGANIC STANDARDS BOARD

FROM: Jennifer Tucker, Ph.D.
 Deputy Administrator
 National Organic Program (NOP)

SUBJECT: Response to National Organic Standards Board Recommendations (Spring 2021 Meeting)

Background

This memorandum responds to recommendations the National Organic Standards Board (NOSB) made to the U.S. Department of Agriculture (USDA), Agricultural Marketing Service (AMS), National Organic Program (NOP) at its virtual meeting, which took place April 28-30, 2021.

Summary of Recommendations and AMS Responses

- **Petitioned Substances**

The NOSB recommended one amendment to the National List of Allowed and Prohibited Substances (National List) based on its review of a petition. The National List is a section of the USDA organic regulations that includes synthetic substances allowed in organic crop and livestock production, nonsynthetic substances prohibited in organic crop and livestock production, and non-organic substances allowed in organic handling.

Substance	Section of Organic Regulations	NOSB Recommendation
Paper (Plant Pots and Other Crop Production Aids)	Crops § 205.601	Classified as a synthetic substance; recommended for addition to the National List supported by a recommendation to add a definition of “Paper-based crop planting aid” to § 205.2

AMS Response: AMS regularly publishes National List rules to implement NOSB recommendations. AMS is drafting a proposed rule to address the NOSB’s recommendation for paper-based crop planting aids.

- **Ion Exchange Filtration**

The NOSB voted to request assistance from the NOP to determine, by legal opinion or conference with the Food and Drug Administration, whether ion exchange resins are secondary direct food additives or food contact substances.

AMS Response: AMS thanks the Board for their work on this topic. AMS has discussed this topic with FDA since the meeting and is working on a separate response to the Board. AMS recognizes ion exchange remains a source of inconsistency among certifiers. In the meantime, certifiers may continue their ongoing practices, as no noncompliances have been identified related to the use of this material.

- **Human Capital: Strategy for Recruitment and Talent Management**

The NOSB recommended that NOP further explore and support the recruitment and retention of qualified organic inspectors and reviewers. The NOSB recommended the following avenues to accomplish this: encouraging consistency in contracting and employment by certifiers, exploring access to pooled insurance purchase opportunities, opportunities to reduce the amount of travel, building a consistent mentorship program, and encouraging standardized inspector pay rates across certifiers.

AMS Response: AMS thanks the NOSB for the ongoing work with this complex topic. AMS has issued a request for proposals to address this recommendation and looks forward to working with the Board further on this topic.

Summary

AMS acknowledges and sincerely appreciates the many hours NOSB provided in developing its recommendations. AMS supports NOSB's vital role in representing the diversity of the organic community and ensuring organic integrity.

AMS thanks Steve Ela for his continued service as NOSB Chair and thanks Nate Powell-Pam and Mindee Jeffery for their service as part of the NOSB leadership team.

AMS welcomes five NOSB members whose terms started in January 2021: Amy Bruch, Brian Caldwell, Carolyn Dimitri, Logan Petrey, and Kyla Smith. The program appreciates their commitment and congratulates them on their first meeting as NOSB members.