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MEMORANDUM TO THE NATIONAL ORGANIC STANDARDS BOARD

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

SUBJECT: Response to National Organic Standards Board Recommendations (Fall 2019 Meeting)

Background

This memorandum responds to the nine recommendations the National Organic Standards Board (NOSB) made to the Secretary at its meeting in Pittsburgh, Pennsylvania, October 23-25, 2019.

Summary of Recommendations and AMS Responses

- **Petitioned Substances and Related Recommendations.** The NOSB recommends two amendments to the National List of Allowed and Prohibited Substances (National List). This section of the U.S. Department of Agriculture (USDA) organic regulations includes synthetic substances allowed in crop and livestock production, nonsynthetic substances prohibited in crop and livestock production, and non-organic substances allowed in organic handling.

Substance	Section of Organic Regulations	NOSB Recommendation
Fatty alcohol (C6, C8, C10, C12 Naturally Derived)	Crops § 205.601	Classified as synthetic; recommended for addition to the National List with annotation - For sucker control on organic tobacco crops.
Potassium hypochlorite	Crops § 205.601	Classified as synthetic; recommended for addition to the National List with annotation: Chlorine materials - For use in water for irrigation purposes. Residual chlorine levels in the water in direct crop contact or as water from cleaning irrigation systems applied to soil must not exceed the maximum residual disinfectant limit under the Safe Drinking Water Act.

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AMS Response: AMS is reviewing the NOSB's two National List recommendations listed above.

- **Research Priorities.** The NOSB recommends that integrated research be undertaken with consideration of the whole farm system, recognizing the interplay of agroecology, the surrounding environment, and both native and farmed species of plants and animals. Building upon the 2018 list of research priorities, the NOSB added four new proposed research priorities in 2019:
Crops: Ecosystem service provisioning and biodiversity of organic systems
Crops: Managing Cover Crops for On-Farm Fertility
Crops: Identify Barriers and Develop Protocols for Organic Nursery Stock Production
Materials/GMO: Assess the Genetic Integrity of Organic Crops At Risk

AMS Response: AMS is reviewing the NOSB's recommendation and will share it with USDA research agencies as appropriate.

- **Excluded Methods: Induced Mutagenesis and Embryo Transfer in Livestock proposal.** The NOSB recommends the NOP add the following to the table of excluded methods in the NOP excluded methods guidance:
 1. Induced mutagenesis - Developed via use of *in vitro* nucleic acid techniques.
 2. Embryo transfer, or embryo rescue, in animals. Use of hormones not allowed in recipient animals.

AMS Response: AMS is reviewing the NOSB's recommendation.

- **Genetic Integrity Transparency of Seed Grown on Organic Land.** The NOSB recommends the NOP provide an "Instruction to Certifiers" regarding seed integrity. The purpose of this instruction is to have certifiers inform their producers that GE contamination of seed or planting stock is being tested regularly by those suppliers who are at risk for GE contamination of their products. Producers are encouraged to discuss GE contamination with suppliers willing to share the results of the GE testing they are currently doing but typically do not disseminate, unless requested by the buyer of the product.

AMS Response: AMS is reviewing the NOSB's recommendation.

- **Use of Excluded Method Vaccines in Organic Livestock Production.** The NOSB recommends the following change to the National Organic Program Final Rule §205.105 (e) (Changes to the current rule noted in bold). *(e) Excluded methods, except for vaccines: Provided, That, vaccines produced through excluded methods may be used when an equivalent vaccine not produced through excluded methods is not commercially available.*

AMS Response: AMS is reviewing the NOSB's recommendation.

- **Policy and Procedures Manual (PPM) updates.** The NOSB recommends several updates to various sections of the PPM. These changes include clarifying existing language about officer elections, adding duties to the NOSB Secretary's role, and codifying the optional process of developing a petition discussion document as part of the review process.

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AMS Response: AMS will incorporate the changes and post the updated PPM on the AMS website.

- **Sunset Review - Recommendations for Removal.** The NOSB recommends that dairy cultures and alginic acid (§§ 205.605) be removed from the National List. Both substances are currently due to sunset on March 15, 2022. The NOSB completed their sunset review of these substances early to distribute the sunset review workload (see [NOSB’s Fall 2016 recommendation](#)). The Board requested that substances undergoing early sunset review remain on the National list until their sunset date (for sunset dates see [NOP 5611 National List Sunset Dates](#)).

Substance	Section of Organic Regulations	NOSB Recommendation
Dairy cultures	Handling § 205.605	Remove from § 205.605
Alginic acid	Handling § 205.605	Remove from § 205.605

AMS Response: AMS is reviewing the Board’s recommendations to remove both dairy cultures and alginic acid from §§ 205.605 of the National List.

- **Sunset Review - Not Recommended for Removal.** The NOSB completed its sunset review of the following substances (listed below). The Board did not recommend removing these substances from the National List.

Substance	National List Section	Use
Hydrogen peroxide	205.601 (a)	Crops
Hydrogen peroxide	205.601 (i)	Crops
Soaps, ammonium	205.601	Crops
Oils, horticultural (Narrow range oils)	205.601 (e)	Crops
Oils, horticultural (Narrow range oils)	205.601 (i)	Crops

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Pheromones	205.601	Crops
Ferric phosphate	205.601	Crops
Potassium bicarbonate	205.601	Crops
Magnesium sulfate	205.601	Crops
Hydrogen chloride	205.601	Crops
Ash from manure burning	205.602	Crops
Sodium fluoaluminate	205.602	Crops
Atropine	205.603	Livestock
Hydrogen peroxide	205.603	Livestock
Iodine	205.603 (a)	Livestock
Iodine	205.603 (b)	Livestock
Magnesium sulfate	205.603	Livestock
(Parasiticide) Fenbendazole	205.603	Livestock
(Parasiticide) Moxidectin	205.603	Livestock
Peracetic acid	205.603	Livestock
Xylazine	205.603	Livestock
DL - Methionine	205.603	Livestock
Trace Minerals	205.603	Livestock
Vitamins	205.603	Livestock
Acids, Citric	205.605	Handling

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Acids, Lactic	205.605	Handling
Calcium chloride	205.605	Handling
Enzymes	205.605	Handling
L-Malic acid	205.605	Handling
Magnesium sulfate	205.605	Handling
Microorganisms	205.605	Handling
Perlite	205.605	Handling
Potassium iodide	205.605	Handling
Yeast	205.605	Handling
Activated charcoal	205.605	Handling
Ascorbic acid	205.605	Handling
Calcium citrate	205.605	Handling
Ferrous sulfate	205.605	Handling
Hydrogen peroxide	205.605	Handling
Nutrient vitamins and minerals	205.605	Handling
Peracetic acid	205.605	Handling
Potassium citrate	205.605	Handling
Potassium phosphate	205.605	Handling
Sodium acid pyrophosphate	205.605	Handling
Sodium citrate	205.605	Handling

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Tocopherols	205.605	Handling
Celery powder	205.606	Handling
Fish oil	205.606	Handling
Gelatin	205.606	Handling
Orange pulp, dried	205.606	Handling
Seaweed, Pacific kombu	205.606	Handling
Seaweed, Wakame (<i>Undaria pinnatifida</i>)	205.606	Handling

AMS response: AMS thanks the NOSB for their review of these substances due to sunset.

Summary

AMS acknowledges and sincerely appreciates the many hours NOSB members 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 Harriet Behar for her service as NOSB Chair and looks forward to working with the new NOSB leadership.

AMS also thanks four NOSB members whose terms end in January 2020: Harriet Behar, Tom Chapman, Lisa de Lima, and Ashley Swaffar. The program appreciates the dedication and hard work, and wishes the departing members well.