



National Organic Program (NOP) Update for the National Organic Standards Board (NOSB) - Spring 2026 Meeting

May 12, 2026

Jennifer Tucker, NOP Deputy Administrator



Topics

- Program Priorities and Updates
- Common Organic System Plan: History and Status
- Advancing Sound and Sensible, Risk-Based Certification



Key Program Priorities

Import
Oversight

Technology
and Reporting

Certifier
Oversight and
Collaboration

Enforcement
and Appeals

Streamlining
Certification

International
Arrangements

NOSB Support,
National List
Rules

Administration
Policy
Priorities



Standards Update

- Proposed National List Rule: Comments Close 5/22
- Drafting Inerts Proposed Rule
- Drafting Sunset Renewal Notice
- Analyzing Input on Compost Topic
- Renewing NOSB Charter
- Other National List/Analysis Work ...



Common Organic System Plan (OSP)

- NOP communicated need and call for action at Fall 2024 National Organic Standards Board meeting
- Anticipated outcome: Updated, compliant OSP template posted on NOP website that can be adopted by certifiers
- Certifiers can choose to adopt; it is not mandatory



How Common OSP Streamlines Certification

- Common baseline and expectations for showing and assessing compliance: for operations and certifiers
- Supports information sharing for investigations
- Should reduce learning curve across inspectors and others serving multiple certifiers
- Facilitates changes for operations if certifier exits and helps detect changes by those switching certifiers



The Time is Right....

EMERGENT
LEADERSHIP

PROCESS AND
ENGAGEMENT

THE ROLE OF
TECHNOLOGY

ADOPTION
INDICATORS



Next Steps

- Common OSP is nearing completion
- NOP will post Word templates on AMS website
- NOP encourages Common OSP adoption and use
- Will work through ACA on governance strategy
- Next up... Common Inspection Form



Risk-Based, Sound and Sensible Oversight



NOP Activities
and Feedback



Certifier
Changes



Recognizing
Inspector Role



Farmer
Feedback





National Organic Program (NOP) Update: *Stakeholder Input Options & Resources*

May 12, 2026

Erin Healy, Standards Director
National Organic Program

Standards Division Team



Erin Healy, Director



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Heather Kumar
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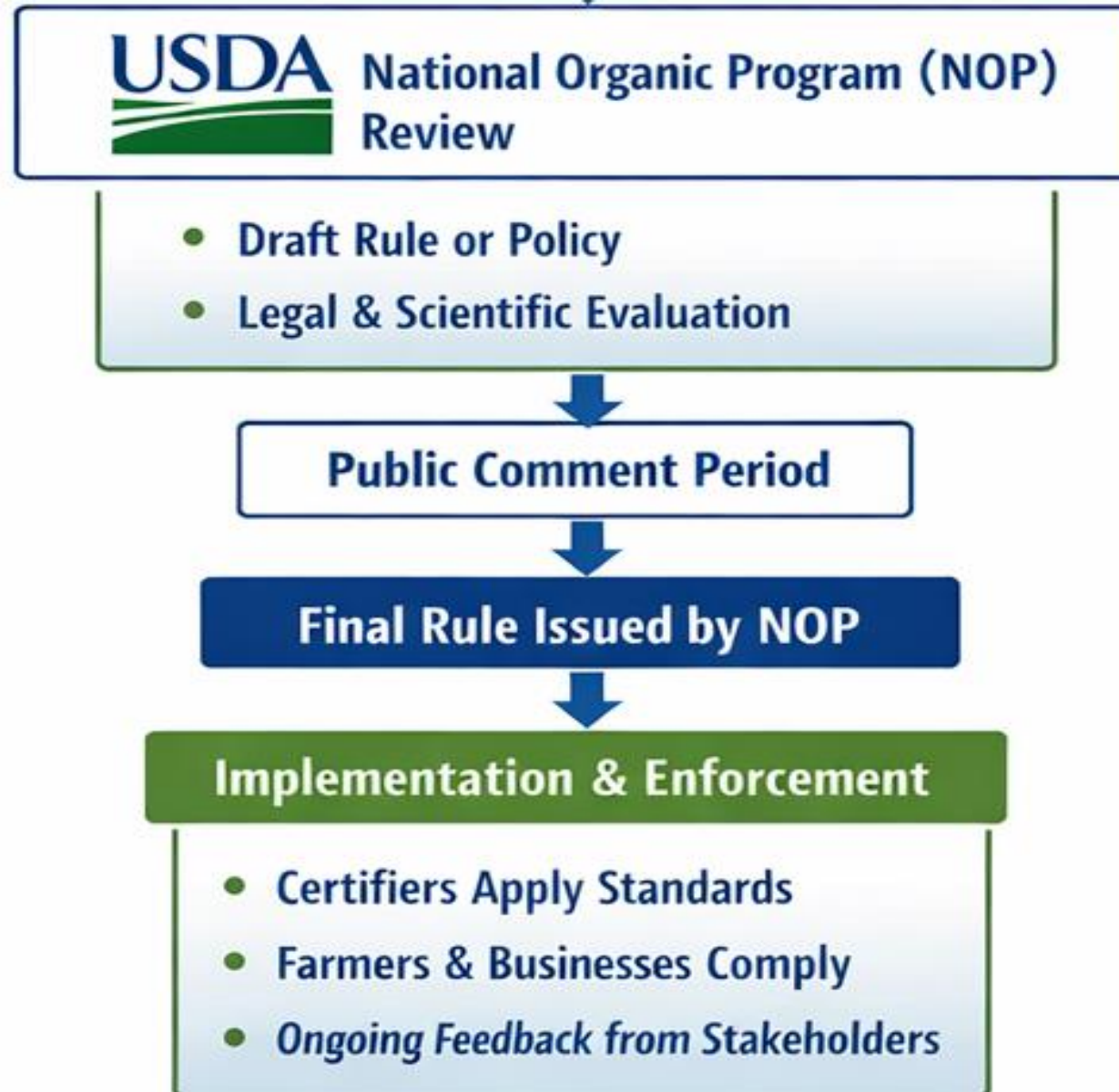
Practice Standards

National List / NOSB Support

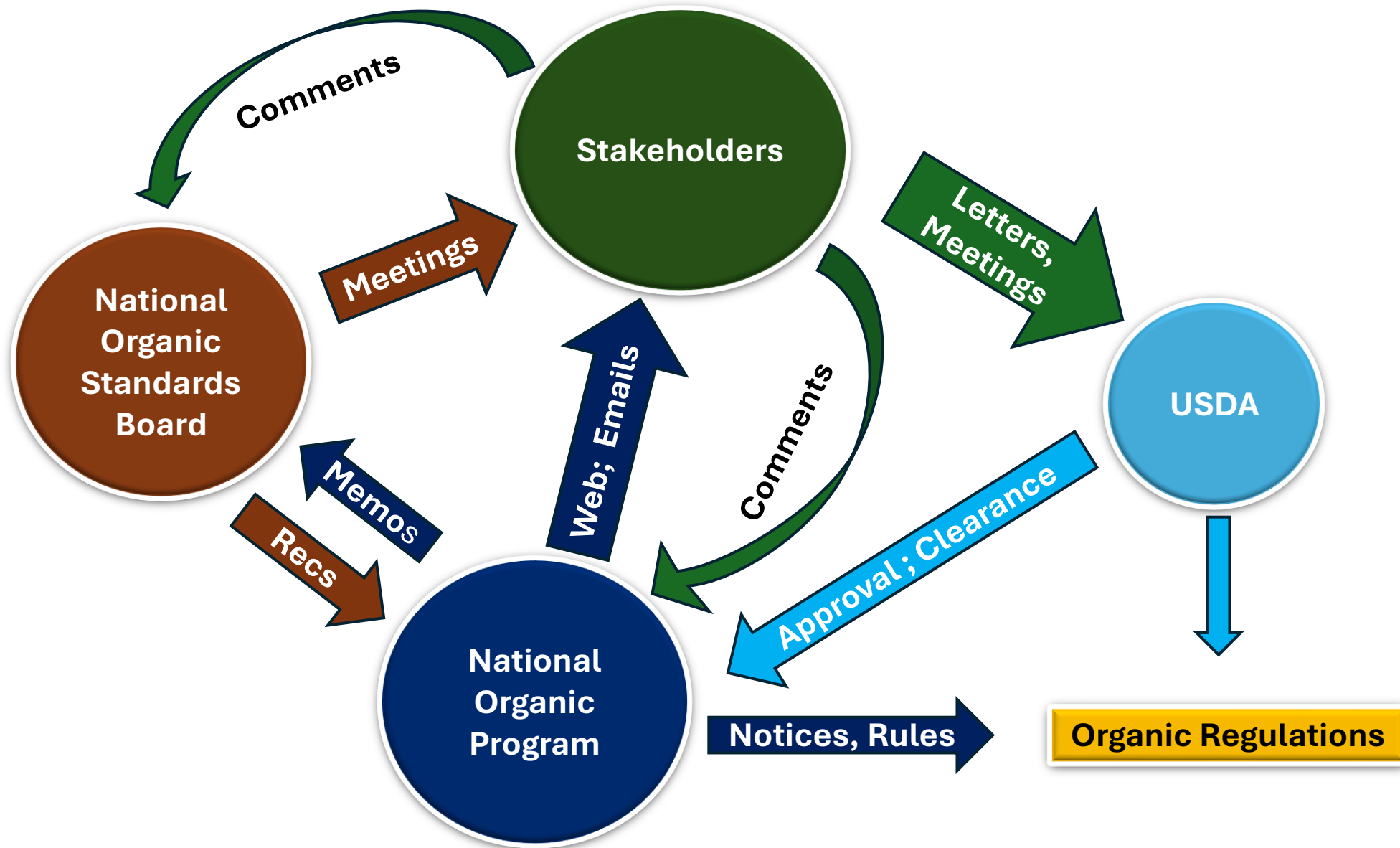
How Stakeholders Shape Organic Policy



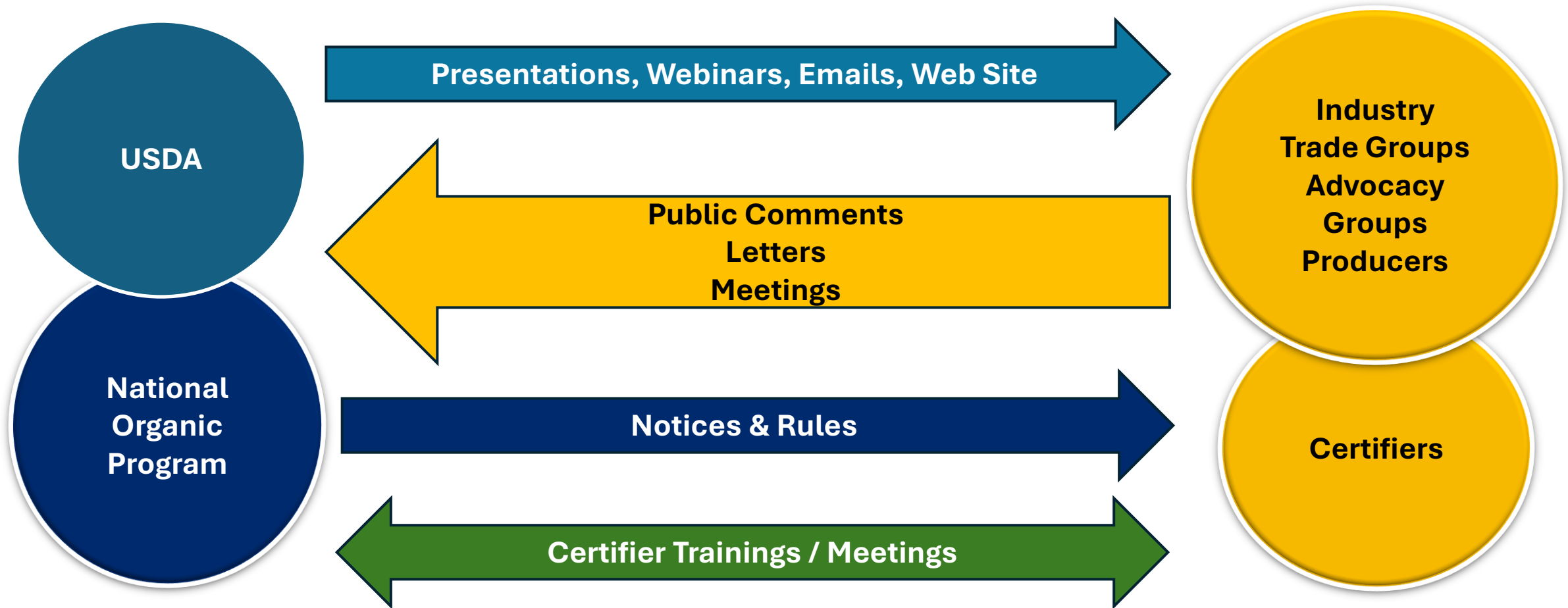
How Stakeholders Shape Organic Policy



How Regulations are Shaped



Stakeholder – USDA/NOP Communication



Board – NOP Communication



Rulemaking Pathway



Work Agenda Request

- NOP sends request to NOSB, or
- NOSB sends request to NOP
- NOP reviews/edits approves



NOSB Subcom. Review

- Technical Review (Panel or Report)
- Issue Subcommittee Proposal
- Collect public comment



NOSB Recommendation

- Full Board votes on Subcom. proposal at meeting
- If a proposal is passed by a 2/3 majority, it is sent to the USDA as recommendation



NOP / USDA Review

- NOP reviews for authority, need, capacity, priority
- Seeks approval from administration



Rulemaking

- Proposed Rule published
- Comments
- (opt.) Final Rule published

NOP Evaluates NOSB Recommendations



DOES THE USDA HAVE THE STATUTORY AUTHORITY?

Does it fall within OFPA scope and criteria? (Does it pose legal risk?)

Does it refer to 3rd party standards that are not codified? (can complicate analysis)



WHAT IS THE NEED?

Do stakeholders support it? Is there consensus? (public comments)

Does the data support it? (technical reports/panels, etc.)

Is it urgent or time-bound for industry/stakeholders?



**NOP / USDA
Review**



WHAT IS THE IMPACT?

Does it benefit the organic industry?

Are there negative impacts to the organic industry?

Will it impact other parts of the regulations?

OFPA Criteria for Adding Substances to National List



No harm to human health	
No harmful interactions with other materials	
Not toxic or persistent in the environment	
Does not contaminate environment	
No biological and chemical interactions in the ecosystem	
No alternatives	
Compatible with sustainable agriculture	

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6518(m)**

Tips for Preparing Petitions



- Follow the [guidelines](#) & include all required information
- Include any regulatory text suggestions
- Clearly describe:
 - What is being petitioned?
 - What is the use?
 - Why is it needed?

Reminders:

- ❖ Only generic substances can be petitioned, no formulated (brand name) products
- ❖ Petitions are reviewed against OFPA criteria
- ❖ Petitions must be 508 compliant



OFPA Criteria for National List



A synthetic substance must meet this criteria to be allowed in organic:

Not harmful to human health

Not harmful to the environment

Necessary - no natural substitutes available

Consistent with organic farming and handling

A natural (nonsynthetic) substance must meet this criteria to be prohibited:

Harmful to human health

Harmful to the environment

Not consistent with organic farming and handling

How to Make an Effective Public Comment



STATE your position.

Do you support the regulatory action, oppose it, or agree with certain parts? If applicable, specify which parts of the regulatory action your comment refers to.

EXPLAIN why you support/oppose the regulatory action.

How would it affect you? Your business? Your community? Use concrete examples, data, or personal experience to support your position.

RECOMMEND any improvements to the action.

Do you have specific changes to propose? What impact would your recommendations have? You may also suggest alternative wording or ideas.

- [Fact Sheet](#)
- [Online Training](#)

Submit Your Comment

Submit comments
electronically through the
Federal eRulemaking portal
at www.regulations.gov/

Identify the appropriate target audience

- Which level/agency will make the final decision?

Tailor your comments to that audience

- What's most important to them? What are their priorities?
- What level of detail is appropriate?

Clarify process

- Ask about next steps & best contacts



Open Comment Period



National List Proposed Rule

**Docket # AMS-NOP-
22-0029; NOP-22-02**

PR

Proposed Rule

National Organic Program: National List of Allowed and Prohibited Substances per October 2021, October 2022, and October 2024 Recommendations (Crops and Livestock)

A Proposed Rule by the Agricultural Marketing Service on 03/23/2026

This document has a comment period that ends in 36 days. (05/22/2026)

SUBMIT A PUBLIC COMMENT

16 comments received. [View posted comments](#)

Dates

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Public Comments

Regulations.gov Data

Sharing

Print

ENHANCED CONTENT - TABLE OF CONTENTS

This table of contents is a navigational tool, processed from the headings of the Federal Register documents. This repetition of headings to form internal navigation links has no substantive legal effect.

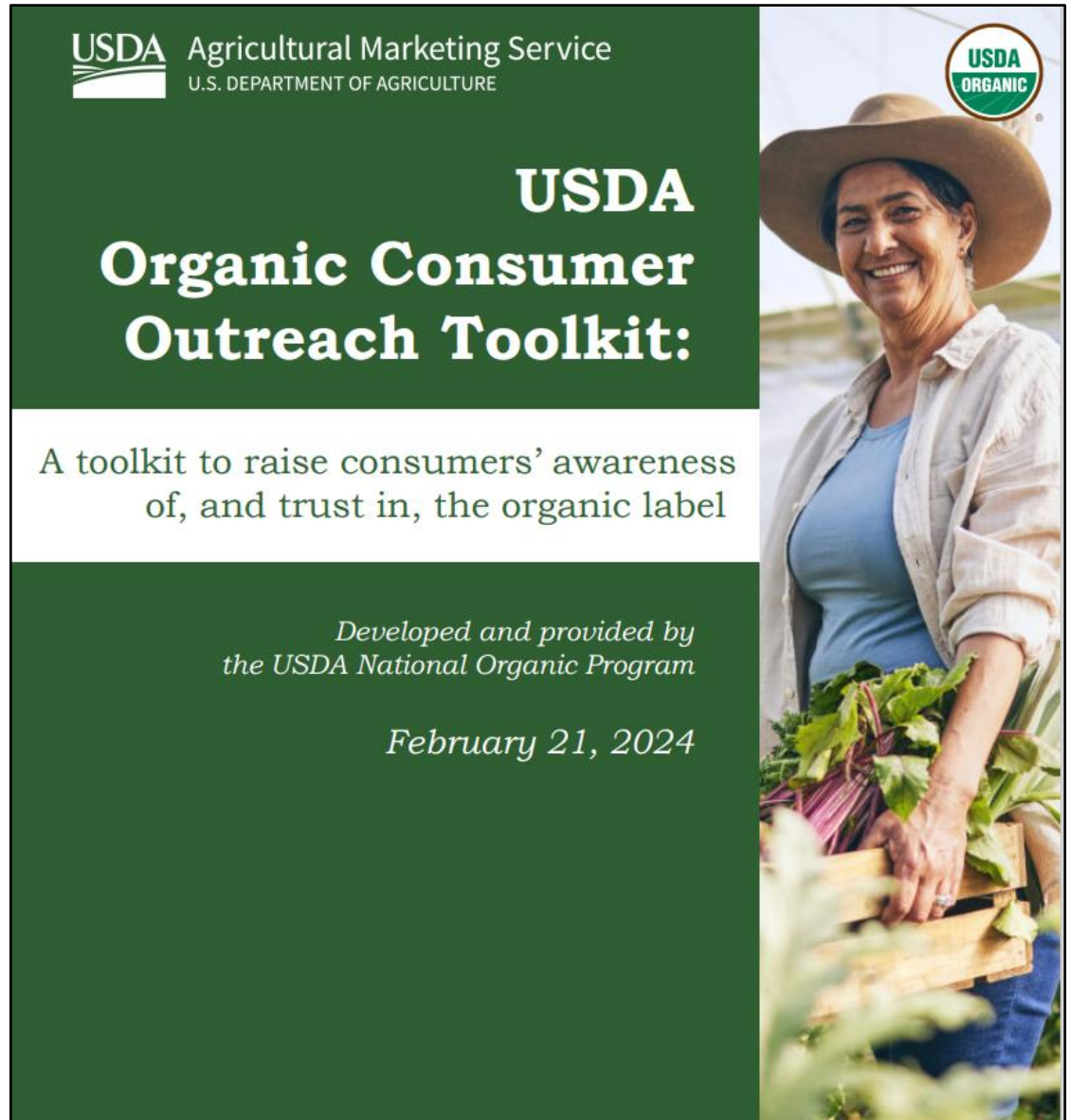
- Authority
- **II. General Information**
 - A. Does this proposed rule apply to me?
 - **B. What should I consider as I prepare my comments for AMS?**
- III. Overview of Proposed Amendments
 - A. Carbon Dioxide (Crops)
 - Background

Resources (Links)



- [Consumer Education: Toolkit](#)
- [NOSB Work Agenda Items](#)
- [NOSB Recommendations](#)
- [NOP Responses to NOSB Recommendations](#)
- [Organic Insiders \(listserv\)](#)
- [Organic Food Production Act \(statute\)](#)
- [Organic Regulations, Guidance, & Fact Sheets](#)
- [Online Learning Courses \(OILC\)](#)
- [Petitioned Substances Index : search history/status by substance](#)

Retailer/Brand Toolkit





Protected
& enforced by law

Inspected
yearly by experts



Shaped
by public input

Traced
from farm to store



Questions from the Board