

Note: Subcommittee notes may include preliminary discussions regarding substances considered for addition to or removal from the National List. They do not represent official 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)  
Policy Development Subcommittee Meeting Notes  
Tuesday, January 12, 2016 4:30 pm ET**

**Attendees:** Tom Chapman (TC), Chair; Jean Richardson (JT); Colehour Bondera (CBo); Ashley Swaffar (AS); Lisa de Lima (LD); Jennifer Taylor (JT)

**Absent:** Tracy Favre (TF)

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

**Work agenda**

Project	Contact	Status	Vote	Target Meeting
Review of Policy & Procedure Manual (PPM)  General revisions  Minority opinions procedures  Withdrawal of petitions  Annotation changes		Update and reorganize in collaboration with NOP	TBD	TBD
Update to member guide		Update	TBD	TBD

**Agenda**

- Approve notes of August 11, 2015
- Discuss PPM revisions
  - Review comments from Fall meeting
  - Discuss additional changes
- Member Guide
- Sunset Division (if approved by NOP as work item)
- Adjourn

**Discussion**

- **Notes of August 11, 2015** were approved with no changes.
- **PPM revisions (ALL).** The PDS Chair noted the new Subcommittee roster and that there are several members who are new to this project. The Chair provided the group with a list of the changes and a summary of the public comments regarding these changes. A member indicated that the table with a list of changes would be the most useful vehicle to display the changes to stakeholders. The PDS

discussed several sections of the draft PPM, and made modifications based on these comments. Some of the topics addressed included:

- **Transparency. FOIA vs FACA.** The NOP will review the supporting documents regarding records retention and will follow up on the next call. The group also discussed the FACA definition of non-public information and disclosure rules, and that it is not entirely clear whether FACA or FOIA was being used as the guiding principle. The NOP will propose some clarifying language and add it to the draft PPM for review.
  - **COI for TRs and TAPs.** The members discussed TR contracts, which are governed by the USDA, and suggested that perhaps the PPM can contain a citation for the COI policy that the contractors sign. The NOP indicated that the name of the contracted party is available, and it is not appropriate for the NOP to disclose individual names of contractor's staff.
  - **Introduction.** The language about who updates the PPM was previously removed and will be added back in at the end of the document.
  - **Collaboration.** Overall members felt that collaboration between the NOP and NOSB has improved and not diminished over the last couple of years, but that the language in the PPM doesn't reflect that. CBo and JR will work on some additional language for the collaboration section to make it more transparent that the Board has more of a role.
  - **Staff director. Despite the language included in OFPA, there is no mechanism by which the NOSB can hire their own director, because it does not have authority to spend money or develop contracts.** The group discussed the difference between the staff director and the Advisory Committee Specialist: A staff director would operate as a paid staff person who represents the organization to the USDA but is not working for the USDA.
- The PDS will add another meeting for January 26.
  - **Member Guide** - deferred to next call
  - **Sunset Division** - deferred to next call
  - **The meeting was adjourned**

### [Previous PDS Notes](#)

#### **Future Call Schedule (2<sup>nd</sup> Tuesday 2:00 ET)**

January 12, 2016

January 26, 2016 - Additional call

PPM revisions

Member Guide

Sunset Division

February 9, 2016

Member Guide

Sunset Division

March 8, 2016

April 12, 2016

May 10, 2016

June 14, 2016

July 12 2016

August 9, 2016

September 13, 2016

October 11, 2016

November 8, 2016

December 13, 2016

<b>Spring 2016 Milestones</b>	<b>Target date</b>
New NOSB member orientation	?
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 meeting)	Apr 8, 2016
NOP - Send compiled public comments to NOSB	Apr 11, 2016
Spring 2016 NOSB meeting – Washington, DC	Apr 25 - 27, 2016

<b>Fall 2015 Milestones</b>	<b>Target date</b>
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

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**National Organic Standards Board (NOSB)  
Policy Development Subcommittee Meeting Notes  
Tuesday, January 26, 2016 2:00 pm ET**

**Attendees:** Tom Chapman (TC), Chair; Lisa de Lima (LD), Vice Chair; Tracy Favre (TF); Jean Richardson (JT);

**Absent:** Ashley Swaffar (AS)

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

**Work agenda**

Project	Contact	Status	Vote	Target Meeting
Review of Policy & Procedure Manual (PPM)  General revisions  Minority opinions procedures  Withdrawal of petitions  Annotation changes		Update and reorganize in collaboration with NOP		Spr 2016
Sunset reorganization	TC	Discussion doc		Spr 2016
Update to member guide		Update	TBD	TBD

**Agenda**

- Approve notes of January 12, 2016
- Discuss PPM revisions
  - Target date for finalized version
  - Review edits from previous meeting
  - Review outstanding comments from Fall 2015 meeting
    - NOSB initiated work agenda items
    - ACS protecting independence of the board
    - PDS authority to establish procedures
    - Changes to minority reports
    - Better define forced resignations
    - COI for members is not transparent and doesn't cite regulations
    - Should not adopt Sunset changes into policy
    - Objections to meeting accessibility
- Discuss additional changes
- Sunset Division (Target – discussion document for spring 2016 meeting)

- Member Guide
- Adjourn

## Discussion

- **Notes of January 12, 2016** were approved with no changes.
- **PPM revisions (ALL).**
- **Discuss PPM revisions**
  - **Target date for finalized version.** Spring 2016 NOSB meeting
  - **Review edits from previous meeting.** The collaboration section was modified and the members were supportive of the changes. The NOP will add the edited paragraphs to the master version for recirculation
  - **Review outstanding comments from Fall 2015 meeting**
    - **NOSB initiated work agenda items.** The PDS will modify some language in this section based on public comment.
    - **Advisory Committee Specialist protecting independence of the board.** This position reports to the NOP, and serves as a liaison between the NOSB and NOP, and as such must answer to both entities.
    - **PDS authority to establish procedures.** The members discussed the role of the PDS and feel that the Subcommittee's focus is on procedure and INTERNAL Board policy. This will be clarified in the PPM.
    - **Changes to minority reports.** The PDS discussed the section on minority reports and modified some language. A member noted that this section was developed by a previous Board and is based on language from Robert's Rules of Order.
    - **Better define forced resignations.** This section was added recently, as a means to inform members that there are rules of conduct that should be encouraged. The PDS acknowledged that while useful, only the Secretary can remove appointees from the NOSB.
    - **Conflict of Interest (COI) for members is not transparent and doesn't cite regulations.** The PDS feels that the COI document is robust and is supportive of it in its current incarnation.
    - **Should not adopt Sunset changes into policy.** The PDS acknowledged the public's concern about the Sunset policy changes as published by NOP. The section included in the PPM provides detail of current NOSB procedures for sunset review, which was not prescribed by the policy.
    - **Objections to meeting accessibility.** The PDS has no objections to allowing a virtual presence at the meetings in the event of special circumstances that would prevent a member from traveling. Additionally, virtual participation is allowed by the General Services Administration (GSA) who oversees all US Advisory Committees.
- **Sunset Division.** The goal is to bring this discussion document to the spring 2016 NOSB meeting for a vote. The PDS Chair circulated several options for spreading out the sunset review over a 5-year cycle. The group discussed the best way to move forward, and supports option "B" which is a randomized and sorted list. The members discussed some of the nuances of separating the list in this manner, but feels that with a couple of slight modifications it is the best option. The lead will complete the discussion document for the next call, and asked the members to think about ways to approach materials that they would like to remove from the List.

- **FACA vs FOIA.** The NOP will make some edits to the FACA vs. FOIA language as was discussed on the last call, and the group will review it on the next call.
- The PDS added an extra call on Feb 23.
- **The meeting was adjourned**

[Previous PDS Notes](#)

**Future Call Schedule (2<sup>nd</sup> Tuesday 2:00 ET)**

January 12, 2016

January 26, 2016 - Additional call

PPM revisions

Member Guide

Sunset Division

February 9, 2016

Member Guide

Sunset Division

February 23, 2016 - additional call

March 8, 2016

April 12, 2016

May 10, 2016

June 14, 2016

July 12 2016

August 9, 2016

September 13, 2016

October 11, 2016

November 8, 2016

December 13, 2016

Spring 2016 Milestones	Target date
New NOSB member orientation	Feb 29, 2016
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 meeting)	Apr 8, 2016
NOP - Send compiled public comments to NOSB	Apr 11, 2016
Spring 2016 NOSB meeting – Washington, DC	Apr 25 - 27, 2016

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**National Organic Standards Board (NOSB)  
Policy Development Subcommittee Meeting Notes  
Tuesday, February 9, 2016 2:00 pm ET**

**Attendees:** Tom Chapman (TC), Chair; Tracy Favre (TF); Jean Richardson (JR); Ashley Swaffar (AS)

**Absent:** Lisa de Lima (LD), Vice Chair

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

**Work agenda**

Project	Contact	Status	Vote	Target Meeting
Review of Policy & Procedure Manual (PPM)  General revisions  Minority opinions procedures  Withdrawal of petitions  Annotation changes		Update and reorganize in collaboration with NOP		Spr 2016
Sunset reorganization	TC	Discussion doc		Spr 2016
Update to member guide		Update	TBD	TBD

**Agenda**

- Approve notes of January 26, 2016
- Review PPM changes
- Review Sunset Discussion Document
- Review New Member Guide
- **Adjourn**

**Discussion**

- **Notes of January 26, 2016** were approved with no changes
- **Review PPM changes.** The group discussed the following various sections of the PPM that were modified during the last call.
  - **NOSB-NOP collaboration**
  - **Work agenda. The language in the work agenda section was modified slightly.**
  - **NOSB Charter.** The Charter, which will expire May 8, 2016, is currently being revised for renewal, and the NOP will send a copy to the NOSB when it is complete. There were few changes since the last charter, with the exception of updates to the diversity statistics of the Board, and some minor proofreading edits.

- **FOIA changes.** The AMS's Office of General Council (OGC) provided some clarifying guidance about FACA vs FOIA, which the members will incorporate into the document. The members asked that this section be highlighted during new member training.
- **Policy Development Subcommittee description.** The paragraph was modified to indicate that the PDS has purview over "internal board procedures". Additionally, the word "new" was removed from "new member guide", and the group discussed the feasibility of changing the name of the subcommittee to better reflect that they craft procedures more so than policy. Change to minority opinion to clarify process.
- **Federal contracts.** Clarified the language to reflect that the name of the contracted party appears on the contract, and that is the entity subject to Federal Conflict of Interest policies.
- **Sunset procedures.** The wording regarding the procedure the Subcommittees use when reviewing sunset was clarified.
- **Addition of Section IX.** Language regarding updates to the PPM was added, and includes; who proposes changes and how those changes are adopted.
- **Finalization of document.** The NOP will add the revisions discussed on today's call and update the Table of Contents to reflect the addition of section IX. The PDS Chair will prepare a comparison document for the spring meeting, and the PDS will vote on the acceptance of the PPM during the next PDS call.
- **Sunset Timeline Discussion Document.** A revised draft document was circulated to the members and the PDS Chair asked for suggestions so they can review them on the February 23 call. A member noted a minor date discrepancy on the spreadsheet. The Chair will correct this and resend for review.
- **Review Member Guide.** The NOP will edit and update the document which contains basic logistical information for new members. The PDS feels that this document does not need to be voted on or posted for public comment.
- **Other business.** JR may not make the February 23 call, and would like to cast her vote via email.
- **The meeting was adjourned**

### [Previous PDS Notes](#)

#### **Future Call Schedule (2<sup>nd</sup> Tuesday 2:00 ET)**

January 26, 2016 - Additional call

PPM revisions

Member Guide

Sunset Division

February 9, 2016

Member Guide

Sunset Division

February 23, 2016 - additional call

Vote on updated PPM.

Vote on sunset timeline changes.

March 8, 2016

April 12, 2016

May 10, 2016

June 14, 2016

July 12 2016

August 9, 2016

September 13, 2016

October 11, 2016

November 8, 2016  
December 13, 2016

<b>Spring 2016 Milestones</b>	<b>Target date</b>
New NOSB member orientation	Feb 29, 2016
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 closes	Apr 6, 2016
Work agendas finalized on ES call (last call before fall meeting)	Apr 8, 2016
NOP - Send compiled public comments to NOSB	Apr 11, 2016
Public comment webinars	Apr 18, 2016
Spring 2016 NOSB meeting – Washington, DC	Apr 25 - 27, 2016

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**National Organic Standards Board (NOSB)  
Policy Development Subcommittee Meeting Notes  
Tuesday, February 23, 2016 2:00 pm ET**

**Attendees:** Tom Chapman (TC), Chair; Lisa de Lima (LD), Vice Chair; Tracy Favre (TF); Ashley Swaffar (AS)

**Absent:** Jean Richardson (JR)

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

**Work agenda**

Project	Contact	Status	Vote	Target Meeting
Review of Policy & Procedure Manual (PPM)  General revisions  Minority opinions procedures  Withdrawal of petitions  Annotation changes	TC	Update and reorganize in collaboration with NOP	02 23 16	Spr 2016
Sunset reorganization	TC	Discussion doc	02 23 16	Spr 2016
Update to member guide		Update	TBD	TBD

**Agenda**

- Approve notes of February 9, 2016
- PPM changes - review and vote
- Sunset Timeline changes discussion document - vote
- Adjourn

**Discussion**

- **Notes of February 9, 2016** were approved with no changes
- **PPM (all).** The members discussed the changes to the PPM that were incorporated after the last call, and proceeded to a vote. One PDS member was unable to participate on the call and requested the vote be kept open so she could participate via email. **ABS NOTE:** The absent member cast her vote via email February 24, and the voting record below was changed to reflect that.

Motion to accept the Policy and Procedure Manual as revised

Motion by: TC

Seconded by: LD

Additional discussion: none

Yes: 5 No: 0 Abstain: 0 Absent: 1 Recuse: 0

- **Sunset Timeline Reorganization Discussion Document.** The Subcommittee discussed language in the draft document which includes edits and proofreading changes from members. The PDS proceeded to a vote. One PDS member was unable to participate on the call and requested the vote be kept open so she could participate via email. **ABS NOTE:** The absent member cast her vote via email February 24, and the voting record below was changed to reflect that.

Motion to accept the sunset timeline reorganization discussion document as revised

Motion by: TC

Seconded by: AS

Additional discussion: none

Yes: 5 No: 0 Abstain: 0 Absent: 1 Recuse: 0

- **Other business.** None
- **The meeting was adjourned**

### [Previous PDS Notes](#)

#### **Future Call Schedule (2<sup>nd</sup> Tuesday 2:00 ET)**

February 9, 2016

Member Guide

Sunset Division

February 23, 2016 - additional call

Vote on updated PPM

Vote on sunset timeline changes

March 8, 2016

April 12, 2016

May 10, 2016

June 14, 2016

July 12 2016

August 9, 2016

September 13, 2016

October 11, 2016

November 8, 2016

December 13, 2016

Spring 2016 Milestones	Target date
New NOSB member orientation	Feb 29, 2016
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 closes	Apr 6, 2016
Work agendas finalized on ES call (last call before fall meeting)	Apr 8, 2016
NOP - Send compiled public comments to NOSB	Apr 11, 2016
Public comment webinars	Apr 18, 2016
Spring 2016 NOSB meeting – Washington, DC	Apr 25 - 27, 2016

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**National Organic Standards Board (NOSB)  
Policy Development Subcommittee Meeting Notes  
Tuesday, May 10, 2016 2:00 pm ET**

**Attendees:** Tom Chapman (TC), Chair; Lisa de Lima (LD), Vice Chair; Tracy Favre (TF); Jean Richardson (JR); Jesse Buie (JB) - observer  
**Absent:** Ashley Swaffar (AS)  
**Staff:** Michelle Arsenault (MA); Emily Brown Rosen (EBR)

**Work agenda**

Project	Contact	Status	Vote	Target Meeting
Review of Policy & Procedure Manual (PPM)	TC	Updates		Ongoing
Sunset reorganization	TC	Proposal		Fall 2016
Update to member guide		Update	TBD	Fall 2016

**Agenda**

- Approve notes of February 23, 2016
- PDS roster additions
- Revised PPM circulation, posting
- Sunset 2017 reorganization
- Member Guide revision
- PPM revisions, ongoing
- Other business
- Adjourn

**Discussion**

- **Notes of February 23, 2016** were approved with no changes
- **PDS roster additions.** A member suggested that the group consider adding new members to the Subcommittee prior to November since several current PDS members will rotate off the Board in January 2017. The NOSB Chair supported this idea and the group will discuss this further.
- **Revised PPM.** NOP will post the updated Policy and Procedures manual, voted on by the full Board and accepted at the April 2016 NOSB meeting, on the AMS/NOP website, replacing the previous version. The PDS Chair asked that the NOSB Chair circulate this updated version to the full NOSB.
- **Sunset 2017 reorganization.** The lead summarized the public comments from the spring meeting, and the various suggestions for reorganization of the sunset materials. The proposed review schedule will be disseminated and discussed during the Executive call on May 13 so the Subcommittees can begin deliberations for TR needs, which should be due to NOP in July.

- **Member Guide revision.** The NOP will update the document and send a draft to the PDS in early August for review. The goal is to have an updated member guide completed for the January 2017 appointees.
- **PPM revisions.** The PDS received suggestions from public commenters regarding ongoing changes. The PDS intends on presenting a standing committee report each fall to acknowledge the ongoing work, whether or not there are any changes.
- **Other business.** None
- **The meeting was adjourned**

### [Previous PDS Notes](#)

#### **Future Call Schedule (2<sup>nd</sup> Tuesday 2:00 ET)**

April 12, 2016 - cancelled

May 10, 2016

June 14, 2016

Sunset reorganization proposal

July 12 2016

August 9, 2016

September 13, 2016

October 11, 2016

November 8, 2016

December 13, 2016

Fall 2016 timeline chart coming soon.

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**National Organic Standards Board (NOSB)  
Policy Development Subcommittee Meeting Notes draft  
Tuesday, June 14, 2016 2:00 pm ET**

**Attendees:** Tom Chapman (TC), Chair; Lisa de Lima (LD), Vice Chair; Ashley Swaffar (AS); Jean Richardson (JR); Tracy Favre (TF)

**Absent:** none

**Staff:** Michelle Arsenault (MA); Jessica Walden (JW)

**Work agenda**

Project	Contact	Status	Vote	Target Meeting
Review of Policy & Procedure Manual (PPM)	TC	Updates		Ongoing
Sunset reorganization	TC	Proposal		Fall 2016
Update to member guide		Update	TBD	Fall 2016

**Agenda**

- Approve notes of May 10, 2016
- Adding new PDS members.
- Sunset Reorganization proposal
- PPM revisions
- Other business
- NMG
- Adjourn

**Discussion**

- **Notes of May 10, 2016** were approved with no changes.
- **Addition of new PDS members.** The group discussed adding a couple new members to aid in the transition at the end of the year when two current members complete their NOSB terms. The PDS chair will reach out to new members to glean interest.
- **Sunset reorganization proposal.** The lead incorporated feedback from members and the public and recirculated a revised draft proposal. The group discussed the modifications. All concerns from public comment were addressed, and the group was supportive of the current version. The members asked for feedback from NOP and will vote on the document on the next call.
- **PPM revisions.** The lead circulated potential topics for the next round of PPM revisions and the group discussed each one.
  - Materials' petitions from committee members. The PDS will explore alternate options for the Board members to submit petitions without using the public petition process. The NOP has some guidance for the PDS. JR volunteered to lead this topic.

- How ancillary substance reviews are recorded/reported and whether the new criteria should be incorporated into the PPM. The document is still under consideration by NOP, and the Subcommittee would like feedback before the criteria is incorporated into the PPM.
- Order of precedence of rules (i.e., OFPA, FACA, Charter, other laws/regulations, PPM, Roberts Rules of Order). JR volunteered to lead this topic.
- Guidance on detail level and timeliness of Subcommittee notes. The members felt there was no need to modify this as the level of detail and timeliness is acceptable.
- Review public communications policy from 2012 for inclusion. The 2012 recommendation for a public communications vehicle is included in the PPM
- Definitions for certain terms. Public commenters suggested specific terms be defined. The PDS will review these.
- Guidance to the Secretary on appointments. The group agreed that this is outside the Board's scope.
- Voting for election of officers. JR will review the language to make sure it's clear.
- Publication of voting record. TC will address this section to make it clear that the voting record is posted on regulations.gov, the AMS/NOSB website, and is part of the transcript.
- Clarification on roles of the USDA Designated Federal Officer (DFO) and USDA Committee Management Officers (CMO). Roles are defined by FACA.
- Notes from the administrative team. JR volunteered to clarify the language regarding the role of the administrative team.
- Documents provided to the committee during the NOSB meeting. The documents are already being posted to Regulations.gov as part of the public docket, but that procedure is not documented in the PM.
- Add The General Services Administration (GSA) memo to Committee Management Officers (CMO) on FACA public information access. The members noted this is not within the Boards Scope as it is dictated by GSA to the USDA.
- Timing of public comments and publications. The group supports the current timing and length of comment period, which was just extended from 30 days to approximately 4 months. Decisions about comment length (3 minutes) were determined by an earlier PDS, although the language in PPM does not make that clear. JR will review this section.
- Hiring of the Staff Director. The PDS discussed possible ways to address this in the PPM.
- **New Member Guide.** MA will draft a document and send to the PDS for review by August. The goal is to have a document prepared before the January 2017 appointments.
- **Other business. None**
- **The meeting was adjourned**

### [Previous PDS Notes](#)

#### **Future Call Schedule (2<sup>nd</sup> Tuesday 2:00 ET)**

May 10, 2016

June 14, 2016

Sunset reorganization proposal

July 12, 2016

August 9, 2016

September 13, 2016

October 11, 2016

November 8, 2016

December 13, 2016

Fall 2016 Milestones	Target dates (tentative)
NOP - Publish FRN, Open public comment	June/TBD
NOP - Complete fall 2016 NOSB meeting tentative agenda	Sept 8, 2016
NOSB - Fall 2016 proposals due to NOP	Sept 14, 2016
NOP - Post proposals	On or before Sept 27, 2016
Discuss work agendas on ES call	Oct 14, 2016
Public comment closes	Oct 26, 2016
NOP - Send compiled public comments to NOSB	Nov 2, 2016
Public comment webinar	Nov 3, 2016
Work agendas finalized on ES call (last call before fall meeting)	Nov 4, 2016
Fall 2016 NOSB meeting - St Louis, MO	Nov 16-18, 2016

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**National Organic Standards Board (NOSB)  
Policy Development Subcommittee Meeting Notes  
Tuesday, July 12, 2016 2:00 pm ET**

**Attendees:** Tom Chapman (TC), Chair; Lisa de Lima (LD), Vice Chair; Ashley Swaffar (AS); Jean Richardson (JR); Tracy Favre (TF)

**Absent:** none

**Staff:** Michelle Arsenault (MA); Jessica Walden (JW)

**Work agenda**

Project	Contact	Status	Vote	Target Meeting
Review of Policy & Procedure Manual (PPM)	TC	Updates		Ongoing
Sunset reorganization	TC	Proposal		Fall 2016
Update to member guide		Update	TBD	Fall 2016

**Agenda**

- Approve notes of June 14, 2016
- Adding new PDS members
- PPM - possible revisions to review:
  - Material petitions from committee members
  - Clarify order of precedence of rules (i.e., OFPA, FACA, Charter, other laws/regulations, PPM, RONR)
  - Voting for election of officers
  - Timing of public comments and publications
  - Clarify role of Admin team
  - Review Public communications policy from 2012 for inclusion
  - Communicate directly with secretary
  - Open docket
  - Definitions for certain terms (collaboration, work agenda, advice to the Secretary, and minority opinion.
  - Publication of voting records with meeting transcripts - in progress
  - Meeting Minutes – documents provided to the committee - in progress
  - Add The General Services Administration memo to Committee Management Officers on FACA public information access should be included in the PPM  
<http://www.gsa.gov/portal/content/100785>
  - Hiring of the Staff Director - in progress

**TBD**

- How Ancillary Substance reviews are recorded/reported

**No Action**

- Guidance on detail level and timeliness of subcommittee notes

- Guidance to the Secretary on Appointments
- Clarification on roles of the USDA DFO and USDA CMO
- Minutes from the Administrative team
- NMG - Timing check, on track for august draft?
- Adjourn

### Discussion

- **Notes of June 14, 2016** were approved with several changes
- **Addition of new PDS members. Two NOSB members** will be invited to join the Subcommittee beginning with the next meeting - Jesse Buie and Dan Seitz.
- **PPM - possible revisions to review:**
  - The PDS reviewed some language the NOP developed regarding the sunset reorganization, and will invite the National List Manager to sit in on the next call to discuss it. The PDS will likely vote on the document on the August 9 call. The NOP will review the document and send feedback.
  - Material petitions from committee members. The members reviewed language in the draft paragraph and made some modifications to the citations for the FR Notice, which makes the document more evergreen and eliminates the need for frequent updates.
  - Clarify order of precedence of rules (i.e., OFPA, FACA, Charter, other laws/regulations, PPM, RONR). The Board uses various operational guidelines as outlined above and will add some clarification about the appropriate reference. A member suggested adding this as a topic to discuss during the pre-NOSB meeting admin meetings. NOP will also add mention of this to the new member training.
  - Voting for election of officers. The group made minor changes to the language regarding the voting procedure to make it more uniform
  - Timing of public comments and publications. The members agreed that no changes were necessary.
  - Clarify role of admin team. The group reviewed and accepted some minor language modifications.
  - Review public communications policy from 2012 for inclusion. The PDS found the language that was developed by a previous Board regarding public communications appropriate and adequate, and had no suggested changes.

The remainder of the agenda topics were deferred to the next call in the interest of time.

- Communicate directly with secretary
- Open docket
- Definitions for certain terms (collaboration, work agenda, advice to the Secretary, and minority opinion.
- Publication of voting records with meeting transcripts - in progress
- Meeting Minutes - documents provided to the committee - in progress
- Add The General Services Administration memo to Committee Management Officers on FACA public information access should be included in the PPM  
<http://www.gsa.gov/portal/content/100785>
- Hiring of the Staff Director - in progress

### **TBD**

- How Ancillary Substance reviews are recorded/reported

**No Action**

- Guidance on detail level and timeliness of subcommittee notes
  - Guidance to the Secretary on Appointments
  - Clarification on roles of the USDA DFO and USDA CMO
  - Minutes from the Administrative team
- 
- **NMG - NOP will have a draft for the PDS for the August call.**
  - **The meeting was adjourned**

[Previous PDS Notes](#)

**Future Call Schedule (2<sup>nd</sup> Tuesday 2:00 ET)**

June 14, 2016

Sunset reorganization proposal

July 12, 2016

August 9, 2016

September 13, 2016

October 11, 2016

November 8, 2016

December 13, 2016

Fall 2016 Milestones	Target dates (tentative)
NOP - Publish FRN, Open public comment	June/TBD
NOP - Complete fall 2016 NOSB meeting tentative agenda	Sept 8, 2016
NOSB - Fall 2016 proposals due to NOP	Sept 14, 2016
NOP - Post proposals	On or before Sept 27, 2016
Discuss work agendas on ES call	Oct 14, 2016
Public comment closes	Oct 26, 2016
NOP - Send compiled public comments to NOSB	Nov 2, 2016
Public comment webinar	Nov 3, 2016
Work agendas finalized on ES call (last call before fall meeting)	Nov 4, 2016
Fall 2016 NOSB meeting - St Louis, MO	Nov 16-18, 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 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)  
Policy Development Subcommittee Meeting Notes  
Tuesday, August 9, 2016 2:00 pm ET**

**Attendees:** Tom Chapman (TC), Chair; Lisa de Lima (LD), Vice Chair; Jean Richardson (JR); Tracy Favre (TF); Dan Seitz (DS); Jesse Buie (JB); Ashley Swaffar (AS)

**Absent:** none

**Staff:** Michelle Arsenault (MA); Jessica Walden (JW); Lisa Brines (LB)

**Work agenda**

Project	Contact	Status	Vote	Target Meeting
Review of Policy & Procedure Manual (PPM)	TC	Updates	09 13 16	Ongoing
Sunset reorganization	TC	Proposal	08 09 16	Fall 2016
Update to member guide	MA/TC	Update	TBD	Fall 2016

**Agenda**

- Welcome new members
- Approve notes of July 12, 2016
- Review and Vote on Sunset Reorganization Proposal
- Review PPM revisions. Current PPM: <https://www.ams.usda.gov/sites/default/files/media/NOSB-PolicyManual.pdf>
  - Revision of Material petitions from committee members.
  - Clarify order of precedence of rules (i.e., OFPA, FACA, Charter, other laws/regulations, PPM, RONR).
  - Voting for election of officers.
  - Timing of public comments and publications.
  - Clarify role of admin team.
  - Communicate directly with secretary (see below under “Advise to Secretary)
  - Open docket
  - Definitions for certain terms (collaboration, work agenda, advice to the Secretary, and minority opinion.
  - Publication of voting records with meeting transcripts - in progress
  - Meeting Minutes - documents provided to the committee - in progress
  - Add The General Services Administration memo to Committee Management Officers on FACA public information access should be included in the PPM <http://www.gsa.gov/portal/content/100785>

**TBD**

- How Ancillary Substance reviews are recorded/reported
- Hiring of the Staff Director - in progress
- Adjourn

## Discussion

- The Chair welcomed two new Subcommittee members to the PDS
- **Notes of July 12, 2016** were approved with no changes.
- **Sunset Reorganization Proposal.** The lead summarized the proposal and noted some specific items that were modified from the last version. The members noted that this proposal was well received by a wide range of stakeholders as well as the NOP, and do not foresee any issues for the Fall meeting.

Motion to accept the sunset reorganization proposal as amended

Motion by: TC

Seconded by: JR

Additional discussion: none

Yes: 6 No: 0 Abstain: 0 Absent: 1 Recuse: 0

- **PPM revisions.** Current PPM: <https://www.ams.usda.gov/sites/default/files/media/NOSB-PolicyManual.pdf>. The PDS Subcommittee discussed the following items and made some minor modifications to the draft language. The members will continue discussing the draft document and will vote on the next PDS call.
  - Revision of material petitions from committee members. Changes were accepted.
  - Clarify order of precedence of rules (i.e., OFPA, FACA, Charter, other laws/regulations, PPM, RONR). Completed.
  - Voting for election of officers. The group discussed the word “majority” versus “plurality” with regard to votes. The lead will revise this section and recirculate to the group.
  - Timing of public comments and publications. The group supports the current procedures.
  - Comment time. The PDS supports the current procedures for comments and suggested no changes.
  - Clarify role of admin team. The language in the section regarding the admin team meetings was clarified to elucidate the role of the admin team.
  - Communicate directly with secretary (see below under “definition for certain terms)
  - Open docket. Added language to indicate that the docket was open for a longer period of time beginning just after each meeting.
  - Definitions for certain terms (collaboration, work agenda, advice to the Secretary, and minority opinion.) The PDS felt the current explanations are clear and definitions do not need to be revised.
  - Publication of voting records with meeting transcripts - modifications are in progress
  - Meeting minutes (transcripts and summary newsletter) and documents provided to the committee - modifications are in progress.
  - Add the General Services Administration (GSA) memo to Committee Management Officers (CMO) on FACA public information access. Members felt that this memo was out of the scope of the Board as it directs the USDA CMO and not the DFO. A member suggested referencing the guidance in the PPM anyway. <http://www.gsa.gov/portal/content/100785>
- **TBD**
  - How Ancillary Substance reviews are recorded/reported - Deferred to next call
  - Hiring of the Staff Director - in progress
- **The meeting was adjourned**

[Previous PDS Notes](#)

**Future Call Schedule (2<sup>nd</sup> Tuesday 2:00 ET)**

July 12, 2016

August 9, 2016

September 13, 2016

PPM revisions - vote

Member Guide update - review draft

October 11, 2016

November 8, 2016

December 13, 2016

Fall 2016 Milestones	Target dates (tentative)
NOP - Publish FRN, Open public comment	Aug 1, 2016
NOP - Complete fall 2016 NOSB meeting tentative agenda	Sep 8, 2016
NOSB - Fall 2016 proposals due to NOP	Sep 14, 2016
NOP - Post proposals	On or before Sep 27, 2016
Discuss work agendas on ES call	Oct 14, 2016
Public comment closes	Oct 26, 2016
NOP - Send compiled public comments to NOSB	Nov 2, 2016
Public comment webinar	Nov 3, 2016
Work agendas finalized on ES call (last call before fall meeting)	Nov 4, 2016
Fall 2016 NOSB meeting - St Louis, MO	Nov 16-18, 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 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)  
Policy Development Subcommittee Meeting Notes  
Tuesday, September 13, 2016 2:00 pm ET**

**Attendees:** Tom Chapman (TC), Chair; Lisa de Lima (LD), Vice Chair; Tracy Favre (TF); Jesse Buie (JB)  
**Absent:** Jean Richardson (JR); Ashley Swaffar (AS); Dan Seitz (DS); Jessica Walden (JW)  
**Staff:** Michelle Arsenault (MA)

**Work agenda**

Project	Contact	Status	Vote	Target Meeting
Review of Policy & Procedure Manual (PPM)	TC	Updates	09 13 16	Ongoing
Sunset reorganization	TC	Proposal	08 09 16	Fall 2016
Update to member guide	MA/TC	Update	TBD	Fall 2016

**Agenda**

- Approve notes of August 9, 2016
- Review and vote on PPM revisions. Current PPM: <https://www.ams.usda.gov/sites/default/files/media/NOSB-PolicyManual.pdf>
- Member Guide update - review draft
- Adjourn

**Discussion**

- **Notes of August 9, 2016** were approved with no changes.
- **PPM revisions.** Current PPM: <https://www.ams.usda.gov/sites/default/files/media/NOSB-PolicyManual.pdf>. The members reviewed the latest edits to the PPM and discussed the inclusion of a cover letter listing the current changes. The lead will complete the cover letter. The PDS proceeded to a vote, and will leave the vote open for those absent members to cast their votes via email.

Motion to accept the Policy and Procedures Manual (PPM) as edited

Motion by: TC

Seconded by: TF

Additional discussion: none

Yes: 7 No: 0 Abstain: 0 Absent: 0 Recuse: 0

ABS note: Absent member voted via email September 13 and the vote above was adjusted to reflect the results

- **Member Guide update.** Members reviewed a draft version and provided feedback about content and structure. MA will make the changes and recirculate an updated draft for discussion on the October 11 call.
- **The meeting was adjourned**

[Previous PDS Notes](#)

**Future Call Schedule (2<sup>nd</sup> Tuesday 2:00 ET)**

August 9, 2016

September 13, 2016

PPM revisions - vote

Member Guide update - review draft

October 11, 2016

Member Guide update - review draft

November 8, 2016

December 13, 2016

Fall 2016 Milestones	Target dates (tentative)
NOP - Publish FRN, Open public comment	Aug 1, 2016
NOP - Complete fall 2016 NOSB meeting tentative agenda	Sep 8, 2016
NOSB - Fall 2016 proposals due to NOP	Sep 14, 2016
NOP - Post proposals	On or before Sep 27, 2016
Discuss work agendas on ES call	Oct 14, 2016
Public comment closes	Oct 26, 2016
NOP - Send compiled public comments to NOSB	Nov 2, 2016
Public comment webinar	Nov 3, 2016
Work agendas finalized on ES call (last call before fall meeting)	Nov 4, 2016
Fall 2016 NOSB meeting - St Louis, MO	Nov 16-18, 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 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)  
Policy Development Subcommittee Meeting Notes  
Tuesday, October 11, 2016 2:00 pm ET**

**Attendees:** Tom Chapman (TC), Chair; Lisa de Lima (LD), Vice Chair; Tracy Favre (TF); Jesse Buie (JB); Dan Seitz (DS)

**Absent:** Ashley Swaffar (AS); Jean Richardson (JR)

**Staff:** Michelle Arsenault (MA); Jessica Walden (JW)

**Work agenda**

Project	Contact	Status	Vote	Target Meeting
Review of Policy & Procedure Manual (PPM)	TC	Updates	09 13 16	Ongoing
Sunset reorganization	TC	Proposal	08 09 16	Fall 2016
Update to member guide	MA/TC	Update	NA	NA

**Agenda**

- Approve notes of September 13, 2016
- Member Guide update - review draft
- Discuss public comment
- Adjourn

**Discussion**

- **Notes of September 13, 2016** were approved with no changes
- **Member Guide update.** The group reviewed the draft member guide and suggested further edits. MA will incorporate the suggestions and circulate the updated version to the PDS. The Member guide will be prepped and ready for the 5 new members whose terms begin January 24, 2017.
- **Discuss public comment.** The PDS has received no public comment to date. Comments will be reviewed on the November 8 call.
- **The meeting was adjourned**

**[Previous PDS Notes](#)**

**Future Call Schedule (2<sup>nd</sup> Tuesday 2:00 ET)**

September 13, 2016

PPM revisions - vote

Member Guide update - review draft

October 11, 2016

Member Guide update - review draft

November 8, 2016

Discuss public comment

December 13, 2016

Fall 2016 Milestones	Target dates (tentative)
NOP - Publish FRN, Open public comment	Aug 1, 2016
NOP - Complete fall 2016 NOSB meeting tentative agenda	Sep 8, 2016
NOSB - Fall 2016 proposals due to NOP	Sep 14, 2016
NOP - Post proposals	On or before Sep 27, 2016
Discuss work agendas on ES call	Oct 14, 2016
Public comment closes	Oct 26, 2016
NOP - Send compiled public comments to NOSB	Nov 2, 2016
Public comment webinar	Nov 3, 2016
Work agendas finalized on ES call (last call before fall meeting)	Nov 4, 2016
Fall 2016 NOSB meeting - St Louis, MO	Nov 16-18, 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 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)  
Policy Development Subcommittee Meeting Notes  
Tuesday, November 8, 2016 2:00 pm ET**

**Attendees:** Tom Chapman (TC), Chair; Lisa de Lima (LD), Vice Chair; Jesse Buie (JB); Ashley Swaffar (AS); Jean Richardson (JR); Dan Seitz (DS); Harriet Behar (HB) - observer

**Absent:** Tracy Favre (TF)

**Staff:** Michelle Arsenault (MA); Jessica Walden (JW)

**Work agenda**

Project	Contact	Status	Vote	Target Meeting
Review of Policy & Procedure Manual (PPM)	TC	Updates	09 13 16	Ongoing
Sunset reorganization	TC	Proposal	08 09 16	Fall 2016
Update to member guide	MA/TC	Update	NA	NA

**Agenda**

- Approve notes of October 11, 2016
- Member Guide update - review and finalize draft
- Discuss public comment
- Adjourn

**Discussion**

- **Notes of October 11, 2016** were approved with no changes.
- **Member Guide.** Members reviewed the latest draft and accepted the most recent changes, which was a list of references used when conducting a review. MA will send the Member Guide to the fill Board for feedback, with a December 9 due date.
- **Public comment.** The comments about the sunset reorganization are, for the most part, supportive. A member noted some formatting and font discrepancies that will need to be corrected before posting the final recommendation.
- **The meeting was adjourned**

**[Previous PDS Notes](#)**

**Future Call Schedule (2<sup>nd</sup> Tuesday 2:00 ET)**

October 11, 2016

Member Guide update - review draft

November 8, 2016

Finalize member guide update

Discuss public comment

December 13, 2016

Fall 2016 Milestones	Target dates (tentative)
NOP - Publish FRN, Open public comment	Aug 1, 2016
NOP - Complete fall 2016 NOSB meeting tentative agenda	Sep 8, 2016
NOSB - Fall 2016 proposals due to NOP	Sep 14, 2016
NOP - Post proposals	On or before Sep 27, 2016
Discuss work agendas on ES call	Oct 14, 2016
Public comment closes	Oct 26, 2016
NOP - Send compiled public comments to NOSB	Nov 2, 2016
Public comment webinar	Nov 3, 2016
Work agendas finalized on ES call (last call before fall meeting)	Nov 4, 2016
Fall 2016 NOSB meeting - St Louis, MO	Nov 16-18, 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 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)  
Policy Development Subcommittee Meeting Notes  
Tuesday, December 13, 2016 2:00 pm ET**

**Attendees:** Dan Seitz (DS), Chair; Lisa de Lima (LD), Vice Chair; Jesse Buie (JB); Jean Richardson (JR); Tracy Favre (TF); Ashley Swaffar (AS); Harriet Behar (HB) - observer

**Absent:** Tom Chapman (TC)

**Staff:** Michelle Arsenault (MA); Jessica Walden (JW)

**Work agenda**

Project	Contact	Status	Vote	Target Meeting
Review of Policy & Procedure Manual (PPM)	DS	Revisions/Updates as needed		Ongoing
Update to member guide	MA/TC	Update as needed	NA	NA

**Agenda**

- Approve notes of November 8, 2016
- PPM updates
  - Commenters/Affiliation and COI disclosure
  - COI guidance - Representative vs SGE
  - Mechanism for COI from public.
  - Ancillary Substances review process.
  - Recognizing members of the public during board deliberations
  - Monitoring of open docket
  - Consider: Work Plan request – ongoing sunset reorganization for like materials and efficient resourcing
  - Placeholder – Request 2020 Sunset reorganization materials be added to work plan after spring meeting.
- Adjourn

**Discussion**

- **Notes of November 8, 2016** were approved with no changes
- **PPM.** The PPM was voted on during the fall NOSB meeting and the group discussed additional questions that were raised.
  - Commenters: affiliation and COI disclosure. Members discussed the policy for commenters with regard to disclosure of affiliation. Currently, the policy is that when a commenter comes to the mic to deliver testimony, they are to state their name and affiliation for the record. A question about whether commenters should also disclose funding sources or other potential biases was raised. A member noted that commenters have biases, and that the NOSB should not prescribe rules about this. The members chose not to change any language in the PPM, but instead to address this on an as-needed basis at the meetings, as the discretion of the NOSB Chair.
  - COI guidance - Representative vs SGE. Deferred to next call.

- Mechanism for COI from public. Members discussed the declaration of interests and conflicts of interest and feel that the current language in the PPM is more than adequate, and didn't see a need for any changes. A member suggested that the NOSB discuss this topic more frequently, and reiterate it at the meetings
- Ancillary Substances review process. Deferred to next call
- Recognizing members of the public during board deliberations. Members would like to develop a process for calling on audience members if they need additional factual information or clarification, or to provide historical information. The PDS Chair suggested using a process by which a member would ask the NOSB Chair to recognize a stakeholder.
- Monitoring of open docket - The group discussed the Board members responsibilities for reviewing comments in light of the fact that the comment docket is open early. NOP could monitor the comment docket for postings that may be pertinent to a particular subcommittee, and direct their attention to the comment.
- Consider work agenda request - Ongoing sunset reorganization for similar materials and efficient resourcing. During the sunset reorganization there were several materials that are similar and they were not grouped together. Stakeholders indicated that it would make more sense to review them at the same time for efficiency purposes. DS will follow up with TC about the path forward.
- **The PDS requested that the 2020 Sunset reorganization materials be added to work agenda after the spring meeting.** In the past, they have been added after the fall meeting, in time for the Subcommittees to determine the need for TRs. This deadline is usually mid-July, 2 years prior to the sunset date.
- **Other items:** The PDS will review the deferred items on the next call. (COI guidance - Representative vs SGE, Ancillary Substances review process).
- **Actions:** DS will look at COI language. DS, TC, and MA will review the sunset reorg groupings.
- **The meeting was adjourned**

## [Previous PDS Notes](#)

### **Future Call Schedule (2<sup>nd</sup> Tuesday 2:00 ET)**

November 8, 2016

Finalize member guide update

Discuss public comment

December 13, 2016

January 10, 2017

COI guidance - Representative vs SGE.

Ancillary Substances review process.

February 14, 2017

March 14, 2017

April 11, 2017

May 9, 2017

June 13, 2017

July 11, 2017

August 8, 2017

September 12, 2017

October 10, 2017

November 14, 2017

December 12, 2017

January 9, 2018

Spring 2017 Milestones	2017 Target date
New NOSB member orientation	Feb 8, 2017
NOP - Complete Spring 2017 NOSB meeting tentative agenda	Feb 10, 2017
NOSB - Spring 2017 proposals due to NOP	Feb 17, 2017
NOP - Post proposals, Publish FRN, Open public comment	Mar 1, 2017
Discuss work agendas on ES call	Mar 17, 2017
Public comment closes	Mar 30, 2017
NOP - Send compiled public comments to NOSB	Apr 5, 2017
Work agendas finalized on ES call (last call before fall meeting)	Apr 7, 2017
Public comment webinar	Apr 13, 2017
Spring 2017 NOSB meeting – Denver, CO	Apr 19-21, 2017 (W-F)