

**National Organic Standards Board
Policy Development Subcommittee
Sunset Review Efficiency Discussion Document
February 12, 2025**

Summary:

The Policy Development Subcommittee (PDS) is considering options on how to more efficiently carry out the National Organic Standards Board's (NOSB) statutory duties to review and make recommendations on substances scheduled for sunset. The PDS recommends voting on sunset consent agendas by certification scope (i.e. crops, livestock, and handling) for substances that have strong and consistent support for relisting and if the NOSB has not received new information suggesting that substances do not comply with OFPA criteria. Under this approach, any NOSB member would retain the power to call for an individual discussion and vote for any sunset substance.

Discussion:

The NOSB dedicates significant time at each Fall meeting to reviewing and voting on substances scheduled for sunset. Numerous National List substances have been reviewed by the NOSB several times and have received unanimous support for relisting. The NOSB has an ongoing obligation to review these materials and determine whether they continue to meet National List criteria, particularly in light of any new information. In recent years, the NOSB's sunset process has included subcommittee discussions, full Board discussion at the Spring meeting, further subcommittee discussions, and a second full Board discussion and vote at the Fall meeting.

In 2020, the PDS approved a discussion document on sunset reviews, proposing the development of a consent document that would group similar substances into a single sunset review and vote; since then, the PDS has continued to explore options that would allow for thorough discussion and analysis of each material, while improving the efficiency of the sunset review process at the Board meetings.

At the Fall 2024 meeting, the NOSB trialed a 'fast track' approach, with an abbreviated discussion and an individual vote for minimally controversial sunset substances. Unfortunately, this approach did not result in significant improvements to efficiency.

Accordingly, the PDS recommends that the NOSB use consent agendas for voting on substances that have previously been relisted unanimously and for which there is no new information available regarding compliance with the Organic Foods Production Act of 1990, using the following process:

- Subcommittees complete initial review and discussion of sunset materials.
- Subcommittees present sunset materials for discussion at the Spring meeting; substance leads will note which materials may be candidates for the consent agenda based on the subcommittee discussions, new TRs, and public comments.
- Subcommittees will discuss and vote on sunset materials and determine which materials will be placed on the subcommittees' proposed consent agendas for the Fall meeting.
- At the Fall meeting, the materials on each subcommittee's consent agenda will be voted upon as a group, rather than individually, and without further discussion. Prior to that vote, any Board member will have an opportunity to remove any material from the proposed consent agenda for any reason (e.g., new information comes to light in public comments, the Board member finds the written discussion incomplete or disagrees with the Subcommittee's recommendation); all materials that are not voted on as part of the consent agenda will be discussed and voted on individually.

The NOSB will initiate a trial of this process at the Spring 2025 meeting.

Subcommittee Vote:

Motion to accept the discussion document on sunset review efficiency.

Motion by: Nate Lewis

Second by: Carolyn Dimitri

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