

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 Committee
Monday, January 10, 2012, 2:00-3:00 pm ET**

Attendees: Barry Flamm (Chairperson) & Jay Feldman (Vice Chair), Calvin Walker, Colehour Bondera and Jennifer Taylor **Absent:** Joe Dickson **New Members:** Harold Austin **Staff:** Lorraine Coke

Project	Point Person	Status	Target Meeting
NOSB Member and Leadership Transition	JFe	Done	Fall 2011
Procedures for handling committee minutes	JT	Done	Fall 2011
Public comment procedures	CB	Done	Fall 2011
Add admin committee to PPM	JD	Done	Fall 2011
Conflict of interest proceedings	CW	Done	Fall 2011

Agenda

- completion of fall work actions
- new leadership and assignments to PDC
- spring work plan and schedule
 1. develop recommendations for public comment procedures
 2. revise conflict of interest recommendation
 3. review Board ethics rules
 4. directions on material formulations and production aids
 5. guidance on handling public communications
- other business

Discussion

Fall work actions

Final Rec – Board Transition Doc will be forwarded to NOP

New leadership – this is the last PDC call as the 2011 committee members, the next call will be new PDC members

Spring work plan

issue of extractants – where does this belong? Handling? Materials? Is there a Policy issue about where you put a particular issue, especially if there is overlap? The topic of “other ingredients” seem more clear (Handling Committee), but extractants applies more broadly to materials.

→Does the PPM clearly explain this process?

Discussion regarding number of committee members on each committee, 4 committees have 8 members. There is a possibility that committees may have to be reduced back down to 7 members (max) per committee. The NOP is communicating with the FACA representative to clarify.

Future Policy Committee Calls:

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February 14, 2012

February 28, 2012

Milestone	Deadline
Spring 2012 Agenda Finalized	Friday, March 23, 2012
Committee Proposals Due	Monday, April 2, 2012
Spring 2012 NOSB Meeting	May 21 – 24, 2012

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**National Organic Standards Board (NOSB)
Policy Development Committee
February 14, 2012 2:00-3:00 pm ET**

Attendees: Colehour Bondera (Chairperson), Jay Feldman, Barry Flamm, Mac Stone, Jennifer Taylor

Absent: Joe Dickson, Jean Richardson and Calvin Walker (Vice Chair)

Staff: Lorraine Coke

Project	Point Person	Status	Target Meeting
Conflict of Interest	CW and JD?	Proposal; in progress	Spring 2012
Public Comments Procedures Recommendation	CB and MS	Proposal; in progress	Spring 2012
NOSB ethics rules	JF	Proposal;	Spring 2012?
Handling public communications	JT and BF	Discussion document; in progress	Spring 2012?
"Decisive/Indecisive" determination on NOSB votes	JF?		Fall 2012?
Material formulations and production aids			?
Policy on "tabled items"			?

Agenda

- A) Welcome & Introductions (5 minutes)
- B) Last meeting review/discussion/approval (5 minutes)
- C) View(s) of how to move onward (5 minutes)
- D) "Spring" work plan review
 - 1. Topics (20 minutes)
 - a. develop recommendation for public comment procedures
 - b. revised conflict of interest recommendation
 - c. review of NOSB ethics rules
 - d. directions on material formulations and production aids
 - e. guidance on handling public communications
 - f. "indecisive decisions" definition
 - 2. Deadlines (5 minutes)
 - 3. Roles/Assignments for Topics (10 minutes)
- E) Other business (5 minutes)
- F) Plans for next call (February 28) (5 minutes)

Discussion

Introductions/motivation for being on Policy Committee

Views on moving forward

In past PDC call there was discussion on work plan and how to move forward on these items. Important to have participation from all committee members. Having more than one committee member assigned to each topic is

helpful. Some of the topics were previously started and need to be continued/completed. Additional topics can also be added at this time.

Spring work plan topics:

- a. develop recommendation for public comment procedures
→previously assigned to Colehour. This was a discussion doc at fall 2011 meeting. Needs to be developed into a proposal for spring 2012.
- b. revised conflict of interest recommendation
→this was previously assigned to Calvin and was developed into a proposal for the fall 2011 meeting, but it was not voted on at the meeting. Board/Committee decided to postpone this for further development and discussion. Joe had previously mentioned that he would work on this with Calvin. This will be a proposed recommendation for the spring 2012 meeting.
- c. review of NOSB ethics rules
- d. directions on material formulations and production aids
- e. guidance on handling public communications (the way the public communicates with the NOSB)
- f. "indecisive decisions" definition – how these are defined and dealt with by the Board, why is it not pass/fail? This seems to be up for interpretation by the NOP. If a Board cannot reach a 2/3 vote on determining a material is “nonsynthetic,” then it is indecisive?
- g. policy on “tabled” items (list from Zea)

Suggestion from several committee members to move forward and develop a minimum of 3 proposed recommendation documents. Discussion documents could be additional. These items need to be decided before March 23 (when the spring agenda will be finalized). As part of this, the committee must decide when drafts are due and when votes will take place. If only deciding on three topics, then there would just be one additional item because the first two items on the list (public comment procedures and conflict of interest).

What are the interests of the committee members?

-discussion regarding handling of public communications – the NOP issued a description in an Organic Insider requesting (formally) that the public keep their interactions with the Board to the meeting and public comment process

Jennifer – interested in ethics and handling of public communications

Jay – interested in “decisive/indecisive” issue (but would suggest postponing this issue to the fall meeting)

Other business

Policy on “tabled” items – Zea has mentioned this at Board meetings several times and recently Lisa B. has provided this list to the Materials Committee. Committee members believe that the Board needs a policy in place to provide guidance on how to deal with these materials and how to prevent this from happening in the future. Will discuss more on next call.

Future Policy Committee Calls:

February 28, 2012 – discuss conflict of interest document and finish assigning issues/topics to committee members

March 13, 2012 – finalize items for agenda

March 27, 2012 – review and vote on final drafts of proposed recommendations

Milestone	Deadline
Spring 2012 Agenda Finalized	Friday, March 23, 2012
Committee Proposals Due	Monday, April 2, 2012
Spring 2012 NOSB Meeting	May 21 – 24, 2012

**National Organic Standards Board (NOSB)
Policy Development Committee
Tuesday, February 28, 2012, 2:00-3:00 pm ET**

Attendees: Colehour Bondera (Chairperson), Jay Feldman, Barry Flamm, Jennifer Taylor, Joe Dickson, Mac Stone, Jean Richardson, and Calvin Walker (Vice Chair)

Staff: Lorraine Coke and Melissa Bailey

Project	Point Person	Status	Target Meeting
Conflict of Interest	CW and JD?	Proposal; in progress	Spring 2012
Public Comments Procedures Recommendation	CB and MS	Proposal; in progress	Spring 2012
NOSB ethics rules	JFe	Proposal;	Spring 2012?
Handling public communications	JT and BF	Discussion document; in progress	Spring 2012?
“Decisive/Indecisive” determination on NOSB votes	JFe?		Fall 2012?
Material formulations and production aids			?
Policy on “tabled items”			?

Agenda

- A) Welcome & Agenda Review (3)
- B) Review/Approval of Minutes from last meeting (2)
- C) Meeting items
 - Conflict of Interest (Calvin & Joe) (25)
 - Public Comment (Colehour & Jean) (10)
 - Standard Response Form (Mac) (3)
 - Expert Panel members (Mac) (3)
 - Material Committee liaisons - Crops, Livestock, Handling (Barry) (4)
 - New Member Guide update (Barry) (3)
- D) Workplan review (3)
- E) Next & Extra meeting (4)

Discussion

Welcome & Agenda Review

-reviewed and approved

Review/Approval of Minutes from last meeting

-minutes were reviewed and approved

Meeting items

Conflict of Interest – last draft submitted was draft 5, it was based on comments/feedback from committee members.

-The COI document was put on hold from fall 2011 meeting, it will be drafted as a recommendation for the spring 2012 meeting.

-There were some previous concerns from outgoing Board members that the document was too focused on one particular sector. The changes have been made to address the entire Board and not a specific group or portion

of the Board. Some previous public comments, suggested at the fall 2011 meeting, were regarding the policy & procedures manual (and the opinion that this document addresses COI sufficiently). After further review it appeared that the COI portion of the PPM does not adequately address when or how a NOSB member should announce conflict of interest.

-One member mentioned the idea of having a standard form that is filled out each year. Another member explained that it is most important for this information to be transparent and presented at a point in the process that is meaningful. There was a discussion regarding the document/form for declaring COI – some committee members felt this document is not needed. The process/procedure of declaring COI is more important.

-Definition of “other interest” in recommendation document – something other than financial gain (i.e. promotion, outside influence/pressure, or other type of gain). In the interest of transparency, the Board members should disclose their possible conflicts.

-Overall, committee members seem fairly supportive of the existing document. The PDC may be able to vote on this on next call.

-Anything for conflict of interest issues with TR contractors? No, this issue is not currently addressed in the document. Additional revisions needed.

Public Comment – This is currently under “miscellaneous policy for public comments” in the Policy & Procedures manual. This document was a discussion document at fall 2011 meeting and now is being developed into a recommendation for spring 2012.

-One big issue is the time issue, 3 min. vs. 5 min., and how the Board will move forward with this. It could initially be assigned as 5 min per person, but it could be reduced/adjusted by the Chair.

-The number of people that sign up for public comments is an issue that has to be addressed.

-If people have some sort of advanced notice that the time may change, it would be more constructive. It is easier to allow additional time than to cut time. If the time is short, then people have to be more precise.

-Suggestion to make comment time 4 minutes (as compromise between 3 and 5).

-Will the NOP’s proposed meeting changes have an effect on the public comment structure?

-Other issues include - communicating with the NOSB outside the public comment process and other forms of addressing the Board would

Work plan review

-suggestion to put ongoing items at bottom of list

-this idea needs further discussion

Next meeting(s)

Tentatively for March 19 or 21

Future Policy Committee Calls:

March 13, 2012 – review final draft of COI and vote, finalize items for agenda

March 27, 2012 – review and vote on final drafts of proposed recommendations

Milestone	Deadline
Spring 2012 Agenda Finalized	Friday, March 23, 2012
Committee Proposals Due	Monday, April 2, 2012
Spring 2012 NOSB Meeting	May 21 – 24, 2012

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**National Organic Standards Board (NOSB)
Policy Development Committee
Tuesday, March 13, 2012, 2:00-3:00 pm ET**

Attendees: Colehour Bondera (Chairperson), Jay Feldman, Barry Flamm, Jennifer Taylor, Joe Dickson, Jean Richardson, Mac Stone and Calvin Walker (Vice Chair)

Absent: none

Staff: Lorraine Coke, Michelle Arsenault and Melissa Bailey

Project	Point Person	Status	Target Meeting
Conflict of Interest	CW & JD	Proposal; completed	Spring 2012
Public Comments Procedures	CB	Proposal; in progress	Spring 2012
NOSB ethics rules	JD	Proposal; in progress	Fall 2012
Handling public communications	JT	Proposal; in progress	Spring 2012
“Decisive/Indecisive” determination on NOSB votes	JFe	Discussion document; in progress	Spring 2012
Material formulations and production aids			?
Policy on “tabled items”	JT		Fall 2012

Agenda

- Agenda Approval [1 min]
- Review/Approval of February 28 PDC call [4 mins]
- Update re: GMO ad hoc Committee [5 mins]
- Review/Discuss/Vote re: COI Recommendation (Calvin) [15 mins]
- Public Comment Recommendation [10 mins]
- Discuss "Decisive Vote in Determination of Synthetic/Nonsynthetic" Discussion Document (Jay) [15 mins]
- Handling Public Communications Discussion Document (Jennifer) [5 mins]
- Future (March 21 & 27) PDC call planning [5 mins]

Discussion

Review/Approval of February 28 minutes – approved

Conflict of Interest proposal

- some edits made to last draft
 - previous issues regarding definition of “other interest”
 - this document does 3 things – provides definition of COI, definition of immediate family member, and outlines procedure for NOSB on dealing with COI (the old draft did not do this)
- Committee Vote:* motion to accept rec as presented – Barry, seconded – Jean, vote count 8 –yes

Public Comment proposal

- previous comments received when it was discussion document were considered and incorporated into the current draft document

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- perception that many members of the public are frustrated by the public comment procedures
- compared to other public meetings, the NOSB meeting appear to offer a positive opportunity for the public to participate
- if general statements are made, then they should be supported by additional information (previous public comments on this document?)
- if evening comments were suggested, then this should be further
- use of the words “frustrated” and “perception” seem a little out of place in the recommendation
- use of the term “proxy” could be further defined
- the use of “first come, first served” in the public comment process – should this language be changed/addressed?
- the “grouping” of public comments by topic may be used
- the recommendation should be written to be more flexible to prioritize, adjust for formatting changes, accommodate different numbers of commenters
- current time restriction – this should be considered when thinking of the public comment process
- suggestion that there is a guideline on time limit, but allow some discretion from the Chair
- reference to particular parties and their input might not be appropriate – may be better to generalize in the final recommendation

Decisive Vote in Determination of Synthetic/Nonsynthetic

- vote is decisive with 2/3 or quorum of the NOSB voting
- in voting on whether a particular material is non-synthetic – question was asked and vote was non-decisive
- should this type of vote be considered for sunset too – failure to achieve 2/3 means material is not re-listed
- materials manual – states that vote should be taken again (re-stated and a new vote taken) if a 2/3 is not reached
- may seek legal opinion – does a failure to reach a 2/3 vote on non-synthetic mean the material is classified as synthetic?
- is this more a procedural matter that should be taken up by the PDC, or should it be addressed at a different level?
- currently developed as a discussion document to get public comment

Future Policy Committee Calls:

March 21, 2012 – review recommendation on handling of public communication

March 27, 2012 – review and vote on final drafts of proposed recommendations

Milestone	Deadline
Spring 2012 Agenda Finalized	Friday, March 23, 2012
Committee Proposals Due	Monday, April 2, 2012
Spring 2012 NOSB Meeting	May 21 – 24, 2012

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**National Organic Standards Board (NOSB)
Policy Development Committee
Tuesday, March 21, 2012, 2:00-3:00 pm ET**

Attendees: Colehour Bondera (CB) (Chairperson), Jay Feldman (JFe), Jennifer Taylor (JT), Jean Richardson (JR), Mac Stone (MS), Calvin Walker (CW) (Vice Chair)

Absent: Joe Dickson(JD), Barry Flamm(BF),

Staff: Lorraine Coke (LC), Michelle Arsenault (MA) and Melissa Bailey (MB)

Project	Point Person	Status	Target Meeting
Conflict of Interest	CW & JD	Proposal; completed	Spring 2012
Public Comments Procedures	CB	Proposal; in progress	Spring 2012
NOSB ethics rules	JD	Proposal; in progress	Fall 2012
Handling public communications	JT	Proposal; in progress	Spring 2012
“Decisive/Indecisive” determination on NOSB votes	JFe	Discussion document; in progress	Spring 2012
Material formulations and production aids			?
Policy on “tabled items”	JT		Fall 2012

Agenda

- Agenda Approval [1 min]
- Review/Approval of March 13 PDC call [4 mins]
- Update re: GMO ad hoc Committee [5 mins]
- Public Communications (Jennifer) [15 mins]
- Public Comment Recommendation [15 mins]
- Discuss "Decisive Vote in Determination of Synthetic/Nonsynthetic" Discussion Document (Jay) [15 mins]
- Future (March 27) PDC call planning [5 mins]

Discussion

- Review/Approval of March 13 minutes – approved

- Update re: GMO ad hoc Committee

- Public Communications (JT)

Briefly stated the FACA rules for public comment and communication, and the rules in OFPA. NOP statement suggests a need to clarify communications between board members and the public outside of the bi-annual meetings.

Recommendation: Procedure manual is amended to include new subcategory (PPM, Section VI, Miscellaneous Policies, page 26). Additional discussion: Add to text...“when the public contacts a board member, they should copy NOP”. If board members receive calls or correspondence, who will be responsible for responding to the public? Perhaps the committee chairs can respond? Program does not prohibit public from communicating with

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board, but they are not encouraged to contact them directly due to workload issues. Would like to know how other board members feel about setting up a separate email for board business.

If the members receive external communication, what does board envision as the expectation for making this more transparent to the public?

NOP will discuss the program responsibilities and see how we could handle this.

Committee agreed to separate this one issue from the discussion so the rest of the discussion could move forward

Melissa-re: "may provide advice to secretary directly"... what is context of this statement? Important for members to communicate and advise, which is why the recommendations provide an avenue outside of the board meeting for a way to communicate to the secretary.

A member asked if the committee could put this forth as a discussion document rather than a recommendation, but it was felt that a discussion document wasn't as effective.

Motion made by JR to approve recommendations put forth March 20th with minor amendments: Seconded by Jennifer (?). All in favor. 6 yeses, 0 opposed, 2 absences, 0 abstain. No abstentions or recusals.

-Public Comment Recommendation

Member felt that "Biannual" is a confusing term and recommended changing it to semi-annual.

With regard to NOSB policy on public comment # 7 (draft # 4 from March 21), a member would like to change the word "prioritized" to "scheduled".

Motion to accept by JR, seconded by CW. No additional discussion. All in favor. 6 yeses, 0 opposed, 2 absences, 0 abstain. No abstentions or recusals.

-Discuss "Decisive Vote in Determination of Synthetic/Nonsynthetic" Discussion Document (Jay)

Precipitated by NOP. Default outcomes- if motion is for relisting and motion is non-decisive and motion fails, the material is not re-listed. Non-decisive votes tend to leave some items in limbo and promotes confusion with certifiers and community. The program would like to know how to proceed. The program noted that there was a response to the National Organic Coalition (NOC) letter following a conference call, and a program position was put forth. Is this perhaps a PPM issue? Does NOP view this as a legal issue?

Does committee want to submit this as a discussion doc for the public? JFe moves to submit as discussion document. Motion seconded by JR. Use of the word "tabled" needs to be revised (as per NOP Office MB). Vote: All in favor. 6 yeses, 0 opposed, 2 absences, 0 abstain. No abstentions or recusals.

-Future (March 27) PDC call cancelled.

Adjourned at 3:02

Future Policy Committee Calls:

April 10, 2012

April 24, 2012

Milestone	Deadline
Spring 2012 Agenda Finalized	Friday, March 23, 2012
Committee Proposals Due	Monday, April 2, 2012
Spring 2012 NOSB Meeting	May 21 – 24, 2012

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**National Organic Standards Board (NOSB)
Policy Development Subcommittee Meeting Notes
Tuesday, April 24, 2012, 2pm EDT**

Attendees: Colehour Bondera (CB) (Chairperson), Jay Feldman (JFe), Jennifer Taylor (JT), Jean Richardson (JR), Barry Flamm (BF),

Absent: Joe Dickson (JD), Mac Stone (MS), Calvin Walker (CW) (Vice Chair)

Staff: Michelle Arsenault (MA) and Melissa Bailey (MB)

Workplan

Project	Point Person	Status	Target Meeting
Conflict of Interest	CW & JD	Proposal; completed	Spring 2012
Public Comments Procedures	CB	Proposal; completed	Spring 2012
Handling public communications	JT	Proposal; completed	Spring 2012
“Decisive/Indecisive” determination on NOSB votes	JFe	Discussion document; in progress	
NOSB ethics rules	JD	Proposal; in progress	Fall 2012
Material formulations and production aids	MS		?
Policy on “tabled items”	JT		Fall 2012?
Updates to Policy and Procedure manual			Fall 2012?

Agenda

- Approve minutes from last PDC call 03 21 12
- Review public comments thus far:
 - Calvin/Joe (Conflict of Interest)
 - Jean/Colehour (Public Comment)
 - Jennifer (Public Communication)
- Discuss the Draft work-plan

Discussion

- Minutes from last PDC call 03 21 12 not approved. Sent again 04 24 12
The chair asked if the PDC had anything to discuss for coordination with the GMO ad hoc committee as nothing had been assigned to them yet. A member suggested that the PDC might review public the comments pertaining to GMOs.

Public Comments: The chair asked that in preparation for the spring meeting, the lead person for each topic discuss the comments related to their specific issues, but there were no comments submitted yet.

As per the NOSB chair, it was requested that the recommendations that will be voted on be written down ahead of time, so everyone is clear what is being voted on. The motion might change at the meeting, so it's the responsibility of each of the leads to prepare for that. Other ways to prepare for the meeting were discussed such as making amendments to a motion in real time. The NOSB chair will make the decision on a case-by-case basis and decide if something needs to be rewritten or if the minor changes can be voted on before the changes are made. JFe indicated that some motions were discussed during breaks, where language was edited before the motion was passed. The Chair acknowledged the challenges in the decision making process in real time.

NOP (MB) asked JFe to provide info about open dockets for public comment.

- Discussed draft work-plan for Providence and beyond. Chair asked for comments and feedback about future plans. Two items that will be on work plan: PPM update and ethics rules. JFe would like to have discussion with NOP about process used to eliminate discussion docs after the committee spent months working on it.
- Workplans are explained in detail in the PPM, so BF urged the committee to follow these procedures to avoid any future problems, and to let the EC know about proposed workplans. Related issues: assignments. e.g moving of aquaculture to LC from HC. Does the NOSB or NOP make that decision?)
- JFe asked for clarification about the decision making process discussed in PPM. NOP stated that some things in the decisive/non decisive vote document were not correct and JFe felt that if these inaccuracies could have been addressed sooner the document could have moved forward. Would like to figure out what went awry and speak further about this issue. BF indicated that the procedures have been strengthened in the last few years, but would like to clarify why this glitch occurred this time. NOP added that items that were not on workplan at end of fall 2011 meeting appeared on the agendas in March, which was not expected. Therefore the items were removed with no deliberation. It was agreed that these issues need to be discussed during the EC calls.
- A member indicated that it is important to take into consideration the flux in the workplan due to the addition of 5 new members.

Future Policy Committee Calls:

April 10, 2012 cancelled
 April 24, 2012, 2pm EDT
 May 8, 2012, 2pm EDT

Milestone	Deadline
Public Comment Period	April 9 - May 3, 2012
Informal prep meeting	May 21, 8pm (in Albuquerque)
Spring 2012 NOSB Meeting	May 22 – 25, 2012

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**National Organic Standards Board (NOSB)
Policy Development Subcommittee Meeting Notes
Monday, May 7, 2012, 3pm EDT**

Attendees: Colehour Bondera (CB) (Chairperson), Jay Feldman (JFe), Jennifer Taylor (JT), Jean Richardson (JR), Barry Flamm (BF), Mac Stone (MS), Calvin Walker (CW) (Vice Chair)

Absent: Joe Dickson (JD)

Staff: Michelle Arsenault (MA), Miles McEvoy (MM), Jennifer Tucker (JTU)

Workplan

Project	Point Person	Status	Target Meeting
Conflict of Interest	CW & JD	Proposal; completed	Spring 2012
Public Comments Procedures	CB	Proposal; completed	Spring 2012
Handling public communications	JT	Proposal; completed	Spring 2012
“Decisive/Indecisive” determination on NOSB votes	JFe	Discussion document; in progress	
NOSB ethics rules	JD	Proposal; in progress	Fall 2012
Material formulations and production aids	MS		?
Policy on “tabled items”	JT		Fall 2012?
Updates to Policy and Procedure manual			Fall 2012?

Agenda

- Agenda review
- Minutes from April 24, 2012 review/approval
- Public Comment review/discussion
- Work Plan discussion and final draft
- Additional items

Discussion

- Agenda review
- Minutes from April 24th not ready for approval
- Public Comment review/discussion

- JFe compiled a document with comments. The 3-minute time limit seems to be topic of interest in comments. Perhaps 5 minutes is preferable? NOP is seeking input from the FACA rep as to how other FACA committees work and will report back to PDC. Will also seek input about proxy commenters.
- Public communications comments - only a handful of comments but they appear to be supportive of concepts that PDC recommended.
- COI recommendation- 8 comments in support of recommendations #1 and #3. #2 (COI/Family members) 3 out of 8 people did not support this. Commenters also disagreed with definition of COI.
- Work Plan discussion and final draft - add public communications recommendation to workplan for discussion after the Spring Meeting.
- No additional items

Future Policy Committee Calls:

May 7, 2012, 3pm EDT

June 12, 2012 2pm EDT

June 26, 2012 2pm EDT

Milestone	Deadline
Public Comment Period	April 9 - May 3, 2012
Informal prep meeting	May 21, 8pm (in Albuquerque)
Spring 2012 NOSB Meeting	May 22 – 25, 2012

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**National Organic Standards Board (NOSB)
Policy Development Subcommittee Meeting Notes Tuesday, June 12, 2012, 2pm EDT**

Attendees: Colehour Bondera (CB) (Chairperson), Jay Feldman (JFe), Jennifer Taylor (JT), Calvin Walker (CW) (Vice Chair)

Absent: Joe Dickson (JD), Jean Richardson (JR), Barry Flamm (BF), Mac Stone (MS)

Staff: Michelle Arsenault (MA), Jennifer Tucker (JTU)

Workplan

Project	Point Person	Status	Target Meeting
Public Comment	CB/JR	In progress	Fall 2012
Conflict of Interest	CW	In progress	Fall 2012
Public Communication	JT	In progress	Fall 2012
Ethics Rules review	JD	In progress	Fall 2012
Threshold (two-stage) TR	JR/JFe	Discussion Document	Fall 2012
“Decisive/Indecisive” determination on NOSB votes	JFe	Discussion document; in progress	Fall 2012
New Member Guide Updates	JR	In progress	Spring 2013
Material initiation policy	JFe/JT	Discussion Document	Spring 2013
Confidential Business Information	JFe	Discussion Document <u>JOINT</u> w/Materials Committee	Spring 2013
<i>TR Policy Review</i>	<i>JT</i>	<i><u>JOINT</u> with Materials Committee</i>	
<i>Convening of Technical Advisory Boards &/or Working Group Policy</i>	<i>MS</i>	<i>Discussion document</i>	<i>Spring 2013</i>

Agenda

- Agenda review
- Approve minutes from March 21, April 24, and May 7
- Discuss/review Workplan
- Future PDC call topic order
- Additional items

Discussion

- Agenda approved
- Approval of minutes from March 21, April 24, and May 7 deferred until next meeting due to lack of quorum
- Discuss/review Workplan
 - Workplan seems solidified except for a couple of items. NOP (MM) said to leave the “Decisive/Indecisive” Determination on NOSB Votes on workplan, as well as the Material Initiation Policy (slated for spring 2013).
 - A member asked about the schedule for the Policy and Procedure Manual revisions and how the process will work with regard to the NOP proposing items. JTu indicated that the process will vary depending on what the item or topic is. For example public communications. Subcommittee already wrote up recommendation, so NOP would now find options that might fulfill the recommendation, and present them to the group for further discussion. The PDS asked that NOP justify the suggestions, in an effort to facilitate better communication.
 - Conflict of Interest: It was suggested that consistency in COI requirements across the various stakeholders involved (e.g., technical report providers, NOSB members, technical experts) might be of benefit for clarity and consistency. Because COI is a complicated issue, the chair was not confident that one COI will be able to cover all people involved. For example, NOSB members have a special relationship that does not necessarily constitute a conflict-of-interest. The group was generally positive about the idea of using examples, but warned that examples must be specific enough to be useful and be applied across the full Board evenly, without being so specific that people or subgroups feel singled out. Timing for COI workplan issues is flexible. Will discuss on June 26 call – NOP will send out thoughts in advance.
 - Public Communication. JTu and MA will send info to PDS by July 5th in preparation for discussion during the July 10th call. It was agreed that the idea be introduced to the full Board - likely during the October meeting.
 - JTu would like JFe to look at draft statement of work to see if what he is proposing for Threshold TR fits into that.
 - Discussed overlapping and cross-subcommittee work between PDS and Materials. Research Priorities Framework (CW will send info to CBo about PDS/Materials joint work, and CBo will forward to PDS). CBI (JFe is working on this), and TR Policy Review because MS has significant interest in this topic and NOP has asked them to address it (LB and JT will work on this issue).
 - JFe indicated that the internal target date for the decisive/indecisive discussion doc is this week, and that the reframing of the question is a useful part of this discussion. JFe asked that JTu share the doc that CBo sent around (re: synthetic/nonsynthetic).

- Future PDC call topic order- CBo
 - With regard to public communications, CW noted that he was touched by the public comments from such groups like the Amish, who took the time to hand write letters and mail them.
- No additional items
- Meeting adjourned

Future Scheduled Subcommittee Calls:

June 26, 2012 2pm EDT

- Conflict of Interest/Ethics Rules review
- Threshold (two-stage) TR
- “Decisive/Indecisive” determination on NOSB votes
- Material initiation policy

July 10, 2012 2pm EDT

- Public Communication

July 24, 2012 2pm EDT

- Public Comment

August 14, 2012 2pm EDT

August 28, 2012 2pm EDT

September 11, 2012 2pm EDT

September 25, 2012 2pm EDT

October 9, 2012 2pm EDT

Milestone	Deadline
NOP - “Finalize” agenda	August 13, 2012
Fall 2012 proposals due to NOP	August 20, 2012
NOP - Post proposals, Publish FRN, Open public comment	August 27, 2012
Public comment closes	September 24, 2012
NOP - Send compiled public comments to NOSB	October 1, 2012
Fall 2012 NOSB Meeting – Providence, RI	October 15-18, 2012

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**National Organic Standards Board (NOSB)
Policy Development Subcommittee Meeting Notes
Tuesday, June 26, 2012, 2pm EDT**

Attendees: Jay Feldman (JFe), Calvin Walker (CW) (Vice Chair), Jean Richardson (JR), Barry Flamm (BF), Joe Dickson (JD), Mac Stone (MS)

Absent: Colehour Bondera (CB) (Chairperson), Jennifer Taylor (JT)

Staff: Michelle Arsenault (MA), Jennifer Tucker (JTU)

Workplan

Project	Point Person	Status	Target Meeting
Public Comment	CB/JR	In progress	fall 2012
Conflict of Interest	CW	In progress	fall 2012
Public Communication	JT	In progress	fall 2012
Ethics Rules review	JD	In progress	fall 2012
Threshold (two-stage) TR	JR/JFe	Discussion Document	fall 2012
“Decisive/Indecisive” determination on NOSB votes	JFe	Discussion document; in progress. NOP has asked that this item be tabled.	TBD
New Member Guide Updates	JR	In progress	spring 2013
Material initiation policy	JFe/JT	Discussion Document	spring 2013
Confidential Business Information	JFe	Discussion Document <i>JOINT w/Materials Committee</i>	spring 2013
<i>TR Policy Review</i>	<i>JT</i>	<i>JOINT with Materials Committee</i>	
<i>Convening of Technical Advisory Boards &/or Working Group Policy</i>	<i>MS</i>	<i>Discussion document</i>	<i>spring 2013</i>

Agenda

- Modify/Approve Agenda (2 mins)
- Approve past PDS minutes (5 mins) - **PLEASE REVIEW!**
- Threshold (two-stage) TR Discussion Document (Jay/Jean) (10 mins)
- “Decisive/Indecisive” determination on NOSB votes discussion document (Jay) (13 mins)

- Material initiation policy Discussion Document (Jay/JT) (12 mins)
- Conflict of Interest/Ethics Rules Recommendation (Calvin/Joe) (15 mins)
- Planning for next call (3 mins)

Discussion

- Agenda approved
- **Minutes Review:** All minutes were approved with no changes except March 21: first sentence under public communication should read “BI-ANNUAL meeting.”
- **Threshold (two-stage) TR discussion document (JFe)**
 - JFe presented background: The cost of TRs is expensive, and as the need for reports grows, there are cost disincentives to paying for full technical reports for all substances. Cost should not be a factor when trying to collect information, so the discussion paper proposes separation into two stages: Initial paper for threshold issues, then full TR. Three questions were proposed to form the first stage TR.
 - Group Discussion: The subcommittee discussed this issue, and was supportive of the idea of a two-stage process. One person asked for clarification about the impetus for this discussion doc – what is the driver for it? Has any report request actually been turned down by NOP? Response: No specific event is driving this; it is just an interest in efficiency and cost – there is no need for a full TR when it is unnecessary. The goal is to streamline TR and make it more efficient, because the Board will be able to focus on the most pertinent information. The group agreed that whatever process the PDS chooses, it should be included in PPM. This will require a proposal that can be voted on.
 - JTU: NOP and NOSB agree that efficiency and cost effectiveness is a shared goal – and NOP has built “Initial Assessment Technical Reports” as an option into the new draft Technical Report solicitation. We also agree that having a defined procedure for determining whether an initial report is needed is important – that procedure should also include a process for defining the questions appropriate for the specific substance under evaluation. Given the diversity of substances and petitions, NOP does not support the two stage process as a default approach, and does not support a predetermined question set for Initial Assessment Reports. NOP feels that the questions themselves communicate value, and having a preset list automatically elevates certain OFPA criteria above others.
 - The group discussed next steps – should it be a discussion document or a proposal that outlines a procedure for initiation of a report? It was agreed that if something is going to be added to the PPM, it should be voted on by the full Board as a proposal.
 - JTU will do further research based on the discussion and will send follow-up thoughts.
- **“Decisive/Indecisive” determination on NOSB votes discussion document (JFe)**
 - JFe provided an overview of the discussion paper, emphasizing the importance of the synthetic/non-synthetic question in the Board’s consideration of any substance. NOSB is charged with evaluating substances – clarity in determining synthetic and non-synthetic is essential to that task.
 - JTU expressed agreement that the topic is of great importance – there are differences in how the statute can be interpreted. NOP requests that the subject be tabled until the NOP classification guidance and Memo are released.
- **Material initiation policy discussion document (JFe)**
 - JFe provided an overview of the discussion paper. The paper was created to reflect the need for new avenues by which the Board could receive requests for National List

changes. Sometimes, the current petition process is not used (for example, NOP does use petition process, and recently, a member of the Board didn't). Given this, there is a need for procedures for different for each of the different types of petitioners: public, NOP, and NOSB members.

- JD asked about the motivation for this paper - is this is in response to a specific situation or a general need? JFe responded that it was to support general clarity and transparency.
- NOP agreed that a more streamlined petition process may be of benefit in some cases, such as annotation changes/cleanup. NOP is concerned about public perception regarding a special process being available to Board members that is not available to the community at large. JFe noted that the current intensive petition process is not realistic for Board members to complete, and there should be a way that Board members can get List "clean-up" needs dealt with. JTu responded with the opinion that if a streamlined process is developed, it should be available to all. NOP is distinct because it is able to specifically ask the Board for advice under FACA and sometimes that advice will be about National List related topics. NOP typically asks for this advice in the form of memos to the Board.
- **Conflict of Interest/Ethics Rules Recommendation (CW/JFe)** – deferred until next meeting. Continue discussion based on docs that were circulated via email. JTu mentioned that the email comments have been very helpful in raising questions, and that the group should continue to send them in, so that JTu can send out a revised version before the next meeting.
- **Extra Call.** Given the number of topics on the list, the subcommittee would like to schedule an additional call before July 10. Day? Time?

Future Scheduled Subcommittee Calls:

June 26, 2012 2pm EDT

- Conflict of Interest/Ethics Rules review
- Threshold (two-stage) TR
- "Decisive/Indecisive" determination on NOSB votes
- Material initiation policy

July 10, 2012 2pm EDT (JFe away)

- Public Communication

July 24, 2012 2pm EDT

- Public Comment

August 14, 2012 2pm EDT

August 28, 2012 2pm EDT

September 11, 2012 2pm EDT

September 25, 2012 2pm EDT

October 9, 2012 2pm EDT

Milestone	Deadline
NOP - "Finalize" agenda	August 13, 2012

Fall 2012 proposals due to NOP	August 20, 2012
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**National Organic Standards Board (NOSB)
Policy Development Subcommittee Meeting Notes
Monday, July 02, 2012, 2pm EDT**

Attendees: Colehour Bondera (CB) (Chairperson), Jay Feldman (JFe), Jean Richardson (JR), Barry Flamm (BF), Jennifer Taylor (JT), Joe Dickson (JD), Calvin Walker (CW) (Vice Chair)

Absent: Mac Stone (MS)

Staff: Michelle Arsenault (MA), Jennifer Tucker (JTU)

Workplan

Project	Point Person	Status	Target Meeting
Public Comment	CB/JR	In progress	fall 2012
Conflict of Interest	CW	In progress	fall 2012
Public Communication	JT	In progress	fall 2012
Ethics Rules review	JD	In progress	fall 2012
Threshold (two-stage) TR	JR/JFe	Discussion Document	fall 2012
Material initiation policy	JFe/JT	Discussion Document <u>JOINT</u> w/Materials Committee	fall 2013
“Decisive/Indecisive” determination on NOSB votes	JFe	Discussion document; in progress. NOP has asked that this item be tabled.	TBD
New Member Guide Updates	JR	In progress	spring 2013
Confidential Business Information	JFe	Discussion Document <u>JOINT</u> w/Materials Committee	spring 2013
<i>TR Policy Review</i>	<i>JT</i>	<i><u>JOINT</u> with Materials Committee</i>	
<i>Convening of Technical Advisory Boards &/or Working Group Policy</i>	<i>MS</i>	<i>Discussion document</i>	<i>spring 2013</i>

Agenda

- Draft AGENDA
- Review/changes for Agenda
- Review/Approval of June 26 Minutes

- Threshold TR Discussion Document
- Material Initiation Discussion Document
- Synthetic/Non-synthetic Discussion Document
- COI
- Planning for next call

Discussion

- Draft agenda approved as is
- June 26 Minutes approved with no changes
- **Threshold TR Discussion Document:** The group briefly reviewed the discussion from the last meeting related to this item. Since then, NOP has proposed that given the topic, this could be combined with the current Joint workplan item (MS and PDS). NOP suggested that the PDS focus on crafting a procedural proposal for how the two-stage report process would work (for the PPM), instead of a discussion document asking for input. JFe feels that a discussion doc is valuable considering the difference of opinion on “threshold questions” between NOP and the PDS. CBo feels that there isn’t enough time to craft a proposal prior to the fall meeting, and would support a discussion doc for fall with a proposal for spring 2013. A member asked if the subcommittee should advance this to the next stage if the program is not supportive, and that it might be better to wait to vote to see where the program stands on this as an agenda item. JFe felt strongly that the group should vote according to standard process; the NOP agreed that it would be helpful to know where the group stands given the discussion so far. After a motion by JFe and a second by CBo, a majority of the subcommittee members chose to move this discussion document forward for the fall 2012 meeting in an effort to gather public comments at that session. JTU will bring the group feedback from the program shortly.
Vote: Yes: 5 No: 2 Abstain: 0 Absent: 1 Recuse: 0
- **Material Initiation Discussion Document** - NOP is supportive of this idea and recommends rolling this into the larger work item on the “updated petition and TR process” (joint with Materials (MS)). MS chair feels that this is reasonable and will work with PDS as well as L Brines (NOP). NOP noted that the paper should focus on a process that can be used both by Board members and the general public; it should not include a statement of the NOP process as the NOP will provide that language for the Board. The chair indicated that he was not supportive of the concept of folding this task into the larger task of Petition/TR updates, as it seems confusing. A member agreed this is a discreet item although it has overlap with others and would like to move it forward for fall. JTU asked that the subcommittee rename the discussion paper title to more accurately reflect the intent of “clean-up,” which is different than the more narrow scope of material initiation - perhaps “National List Annotation and List cleanup.” Subcommittee deferred vote until next meeting so that members could provide further comments for the discussion paper.
- **Synthetic/Non-synthetic Discussion Document:** NOP has asked the Board to table this issue until it can provide more input, currently being developed. JFe noted that this is an issue that has been ongoing for a couple of years, and because it is fundamental to the NOSB process, it needs to be resolved. JFe stressed the importance of feedback from the NOP; NOP indicated

that it has provided its view in previous emails.

- **Conflict of Interest (COI)** –CW asked Subcommittee members to send in any feedback and reactions to the materials sent previously. NOP has received feedback from both Subcommittee members and internally from the Ethics Office and will send comments to group by tomorrow. NOP’s input on public communication will be sent to group this week as well.
- Items not discussed were deferred to the next meeting.
- Meeting adjourned

Future Scheduled Subcommittee Calls:

July 3, 2012 2pm EDT

July 10, 2012 2pm EDT (JFe away)

- Public Communication (JT)
- Vote: Material Initiation Discussion Document
- Synthetic/Non-synthetic Discussion Document (NOP again requests that this be tabled for now)
- COI/ Ethics Rules review

July 24, 2012 2pm EDT

- Public Comment

August 14, 2012 2pm EDT

August 28, 2012 2pm EDT

September 11, 2012 2pm EDT

September 25, 2012 2pm EDT

October 9, 2012 2pm EDT

Milestone	Deadline
NOP - “Finalize” tentative agenda	August 13, 2012
Fall 2012 proposals due to NOP	August 20, 2012
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**National Organic Standards Board (NOSB)
Policy Development Subcommittee Meeting Notes
Tuesday, July 10, 2012, 2pm EDT**

Attendees: Colehour Bondera (CB) (Chairperson), Jean Richardson (JR), Barry Flamm (BF), Jennifer Taylor (JT), Calvin Walker (CW) (Vice Chair), Mac Stone (MS), Joe Dickson (JD)

Absent: Jay Feldman (JFe)

Staff: Michelle Arsenault (MA), Jennifer Tucker (JTU)

Workplan

Project	Point Person	Status	Target Meeting
Public Comment Proposal	CB/JR	In progress	fall 2012
Conflict of Interest and Ethics Rules Review Proposal	CW/JD	Subcommittee passed proposal 7/10 – Take to Board for vote.	fall 2012
Public Communication Proposal	JT	Draft Proposal under discussion	fall 2012
Threshold (two-stage) TR	JR/JFe	Discussion Document – NOTE: NOP has requested that this be refocused as a proposal about implementation of a Two-Stage TR concept	spring 2013
Material initiation policy – NOP has proposed that this be renamed (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - <u>JOINT</u> w/Materials? Could this be integrated within “Update Petition Process” item below?	TBD
“Decisive/Indecisive” determination on NOSB votes	JFe	Discussion document; in progress. NOP has asked that this item be tabled.	TBD
New Member Guide Updates	JR	In progress	spring 2013
Confidential Business Information	ZS & CW & JFe	Discussion Document <u>JOINT</u> w/Materials Committee	spring 2013
TR Policy Review	JT	<u>JOINT</u> with Materials Subcommittee	TBD
Update petition process		<u>JOINT</u> with Materials Subcommittee	TBD
Convening of Technical Advisory Boards &/or Working Group Policy	MS	Discussion document	spring 2013

Agenda

- Agenda review/approval
- Review/approval of past meeting minutes
- 2-step TR Discussion Document (10 mins)
- COI Recommendation (20 mins)
- Public Communication Recommendation (25 mins)
- Extra call scheduling (Friday July 20, 3:00 EST?)
- Next call planning (July 20 or 24)

Discussion

- Agenda approved. Minutes from July 2 meeting approved with no changes
- **2-step Technical Report (TR) Discussion Document** - Chair asked if we should postpone this conversation until JFe could participate. It was noted that NOP has sent a message to the subcommittee asking them to redirect their efforts towards developing a proposal on Two-Stage TR implementation, instead of a discussion document. The group agreed not to discuss this further on this call given the other items that need work.

- **Conflict of Interest (COI) Proposal** - PDS has been working on COI since last fall, and it has been through many iterations. In this most recent effort, CW has incorporated input from the program and rewrote the language in a form that can be used to modify the PPM. CW provided an overview of two options – the group agreed that Option 2 was better, as it is more precise in focusing on true COI – will be much easier for members to self-identify conflicts. After reviewing, the group agreed that it would vote on Option 2, with two changes: (1) in Recommendation #8, remove the standalone definition of immediate family member currently included directly under the definition of conflict of interest and potential conflict of interest; (2) remove the “three day” requirement for reporting listed under recommendation # 10 Level 1.

Motion to forward Option 2 as amended as a Proposal:

Motion made by: JR

Seconded by CW

Additional discussion: JR added that option 2 seems more sensible in light of her participation at the May NOSB meeting.

Yes: 7 No: Abstain: 0 Absent: 1 Recuse: 0

- **Public Communication Proposal:** The group opened discussion on the Public Communication proposal materials prior to the call. Key points of discussion:
 - The group discussed the line of communication from the public – to the NOSB or to the NOP? The NOP supports having a system where both NOP and NOSB can see the comments, but that the NOP takes responsibility as primary audience – our goal is only to protect the NOSB from public comments that they cannot act on. JR noted that it is difficult to juggle many calls and emails, and it’s more realistic that the public communications get routed through the NOP first.

- JD asked if this new approach would limit or prohibit the communication that Board members already have with the public – i.e. does it change existing communication that they have with stakeholders? JTU indicated NO; those communication channels are very important for staying connected to the community – this would only add an additional channel for public communication, not limit any existing channels. CW and CB noted that this be made explicit in the document.
- JTU noted that if the Board passes this proposal, NOP would propose an implementation approach – eventually, this would change NOP’s current guidance to the community on how to communicate most effectively to the NOP and the Board – this would be an added option for people to use, and those contacting NOP would be encouraged to use this route.
- The group discussed next steps – CB requested that a document be prepared for a vote at the start of the next meeting. JTU noted that if the NOP’s edited version were accepted, then perhaps that version could be voted on.
- Extra call scheduling – The group discussed the possibility of July 20 - Chair will send options via email.

Future Scheduled Subcommittee Calls:

July 20 – Time?

July 24, 2012 2pm EDT

- Public Comment
- Public Communication vote

August 14, 2012 2pm EDT

August 28, 2012 2pm EDT

September 11, 2012 2pm EDT

September 25, 2012 2pm EDT

October 9, 2012 2pm EDT

Milestone	Deadline
NOP - “Finalize” tentative agenda	August 13, 2012
Fall 2012 proposals due to NOP	August 20, 2012
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**National Organic Standards Board (NOSB)
Policy Development Subcommittee Meeting Notes
Tuesday, July 24, 2012, 2pm EDT**

Attendees: Jean Richardson (JR), Barry Flamm (BF), Calvin Walker (CW) (Vice Chair), Mac Stone (MS), Jay Feldman (JFe)

Absent: Joe Dickson (JD), Colehour Bondera (CB) (Chairperson), Jennifer Taylor (JT)

Staff: Michelle Arsenault (MA), Jennifer Tucker (JTU)

Workplan

Project	Point Person	Status	Target Meeting
Public Comment Proposal	CB/JR	In progress	Fall 2012
Conflict of Interest and Ethics Rules Review Proposal	CW/JD	Subcommittee passed proposal 7/10 – Take to Board for vote.	Fall 2012
Public Communication Proposal	JT	Draft Proposal under discussion	Fall 2012
Threshold (two-stage) TR	JR/JFe	Discussion Document – NOTE: NOP has requested that this be refocused as a proposal about implementation of a Two-Stage TR concept	Spring 2013
Material initiation policy – NOP has proposed that this be renamed (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - <u>JOINT</u> w/Materials? Could this be integrated within “Update Petition Process” item below?	TBD
“Decisive/Indecisive” determination on NOSB votes	JFe	Discussion document; in progress. NOP has asked that this item be tabled.	TBD
New Member Guide Updates	JR	In progress	Spring 2013
Confidential Business Information (CBI) transparency	ZS & CW & JFe	Discussion Document <u>JOINT</u> w/Materials Committee	Spring 2013
Update petition process	MS	<u>JOINT</u> w/ Materials Subcommittee	TBD
Convening of Technical Advisory Boards &/or Working Group Policy	MS	Discussion document	Spring 2013

Agenda

- Finalize/Approve Agenda (2 mins)
- Approval of meeting minutes from July 10 (3 mins)
- Public Communications Recommendation (30 mins)
- Public Comment (20 mins)
- Wrap up & next call [July 30] planning (5 mins)

Discussion

- **Agenda Review:** Meeting minutes from July 10 were approved with minor changes to clarify the changes that the Subcommittee made on Option 2 of COI during the call prior to voting.
- **Public Comment Recommendation:** The group spent the majority of the call discussing the public comment proposal.
 - It was noted that the Subcommittee Chair (not on the call) is interested in a compromise between 3 and 5 minutes allowed for public comment from each individual, and that there is agreement about all other suggestions in document.
 - The group discussed the option of capping the total time for each individual, thereby setting a limit on the questions and answers time given for each individual. JTu advocated on behalf of NOP for having a ceiling not only on public comment time, but on the follow-up Q&A. This is a question of perception of fairness – it is important that people don't feel that some people got a lot of extra time that others did not. JFe and others noted that limiting public speaking is at the chair's discretion, and has the authority to make this decision in real time – there are too many variables to put a black and white limit on the total time per person. Perhaps this could be a topic of discussion for the public.
 - The subject of meeting length was addressed, as one year there were so many public commenters that the meeting ran late into the night. NOP noted that this should not be considered to be an option – people get too tired, both on the Board and in the audience. The group discussed various issues, such as the ability to question people for longer, should they have valuable technical information. BF added some historical perspective of public comment at past meetings.
 - The group discussed the option of having pre-meeting preparation meetings in a virtual environment to discuss Board process, instead of meeting as only subcommittees the day before the meeting. This would allow the Board to feel better prepared and have a better sense of the proposals being evaluated.
 - The Board Chair noted that each of the Board members should read all the proposals, not just the ones for the Subcommittees on which they sit, ahead of the time and come prepared.
- Wrap up & next call [July 30] planning

Future Scheduled Subcommittee Calls:

July 24, 2012 2pm EDT

- Public Comment
- Public Communication vote

July 30, 2012 Additional Call

August 14, 2012 2pm EDT

August 28, 2012 2pm EDT

September 11, 2012 2pm EDT

September 25, 2012 2pm EDT

October 9, 2012 2pm EDT

Milestone	Deadline
NOP - "Finalize" tentative agenda	August 10, 2012
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**National Organic Standards Board (NOSB)
Policy Development Subcommittee Meeting Notes
Tuesday, July 30, 2012, 2pm EDT**

Attendees: Colehour Bondera (CB) (Chairperson), Calvin Walker (CW) (Vice Chair), Jean Richardson (JR), Barry Flamm (BF), Mac Stone (MS), Jay Feldman (JFe), Joe Dickson (JD)

Absent: Jennifer Taylor (JT)

Staff: Michelle Arsenault (MA), Jennifer Tucker (JTU)

Workplan

Project	Point Person	Status	Vote	Target Meeting
Public Comment Proposal	CB/JR	In progress	08 01 12	Fall 2012
Conflict of Interest and Ethics Rules Review Proposal	CW/JD	Subcommittee passed proposal 7/10 – Take to Board for vote.	07 10 12	Fall 2012
Public Communication Proposal	JT	Draft Proposal under discussion		Fall 2012
Threshold (two-stage) TR	JR/JFe	Discussion Document – NOTE: NOP has requested that this be refocused as a proposal about implementation of a Two-Stage TR concept		Spring 2013
Material initiation policy – NOP has proposed that this be renamed (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - <u>JOINT</u> w/Materials? Could this be integrated within “Update Petition Process” item below?		TBD
“Decisive/Indecisive” determination on NOSB votes	JFe	Discussion document; in progress. NOP has asked that this item be tabled.		TBD
New Member Guide Updates	JR	In progress		Spring 2013
Confidential Business Information (CBI) transparency	ZS & CW & JFe	Discussion Document <u>JOINT</u> w/Materials Committee		Spring 2013
Update petition process	MS	<u>JOINT</u> w/ Materials Subcommittee		TBD
Convening of Technical Advisory Boards &/or Working Group Policy	MS	Discussion document		Spring 2013

Agenda

- Adjust/Approve Agenda content
- Adjust/Approve Meeting Minutes
- Final Discussion and Vote on Public Communication Recommendation
- Final Discussion and Vote on Public Comment Recommendation

Discussion

- **Administrative Items:** Final Discussion and Vote on Public Communication Recommendation was deferred to August 14th meeting due to absence of lead (JT). The minutes from July 24 have not been sent to PDS for approval yet.
- **COI/Ethics:** Given some questions that had circulated by email in advance of the meeting, the group briefly discussed the Conflict of Interest proposal, which had been passed by the subcommittee on a previous call. After a brief discussion about the source of the proposed definition, the majority of the group agreed to leave the vote as is (vote taken July 10, 2012).
- **Final Discussion and Vote on Public Comment Recommendation:** The Chair indicated that the document is not significantly different than the previous version except for one item...the item having to do with the minimum and maximum time allowed for public comment. NOP suggested altering the language from “during the meeting” to “in advance of the meeting” when discussing the establishment of a time limit. Language about allowing walk-in commenters will be strengthened. Also, NOP suggested the PDS add language establishing a ceiling for the amount of time allowed for questions and answers for each person. The group decided it does not want to prescribe this language, and instead thinks that it should be at the discretion of the NOSB chair. CBo changed language about commenter time from “3 minutes” to “3 at a minimum and 5 at a maximum at the discretion of chair/NOP prior to meeting.” The group also discussed taking the two bullets under “other suggestions” and simply having them as bulleted points in the recommendations themselves. A member indicated that he would prefer to vote on a more finalized version of the document instead of this verbally marked up version. The Chair indicated he would make the necessary edits and circulate the document, then accept votes via email so people have a chance to read the edited version first.
- **Vote on Public Comment Recommendation:** Deferred and will be conducted via email. Vote was finalized via email Wednesday August 1, 2012.

Motion to vote on Public Comment Recommendation:

Motion made by: CBo

Seconded by: CW

No additional discussion

Yes: 7 No: 0 Abstain: 0 Absent: 1 Recuse: 0

- **Discussion on Public Communication Recommendation:** Recommendation as it exists will most likely be finalized via email. CBo and JT will make any edits (most likely minor). The group also discussed the “direct communication with the Secretary” clause – NOP would prefer that this

communication come through the DFO for internal management purposes. NOP would also prefer that the public communication be with both the NOP and NOSB – not just the NOSB. The group discussed the long-term implications of some of the items being discussed – what is voted on must be sustainable in the long term, not just with the group present now. The group had a subsequent brief discussion about statutory interpretation – for example, the meaning of the phrase the “NOSB hires the DFO,” and how the Board’s relationship with the Secretary should be interpreted given the reality of delegated authorities. It was noted that a revised proposal would likely be sent around before the next call so that it can be voted on.

Future Scheduled Subcommittee Calls:

July 24, 2012 2pm EDT

- Public Comment
- Public Communication vote

July 30, 2012 2pm EDT

- Discussion on Public Communication Recommendation
- Final Discussion/Vote on Public Comment Recommendation- Vote conducted via email -done

August 14, 2012 2pm EDT

- Final Discussion and Vote on Public Communication Recommendation

August 28, 2012 2pm EDT

September 11, 2012 2pm EDT

September 25, 2012 2pm EDT

October 9, 2012 2pm EDT

Milestone	Deadline
NOP - “Finalize” tentative agenda	August 10, 2012
Fall 2012 proposals due to NOP	August 20, 2012
NOP - Post proposals, Publish FRN, Open public comment	August 27, 2012
Public comment closes	September 24, 2012
NOP - Send compiled public comments to NOSB	October 1, 2012
Fall 2012 NOSB Meeting – Providence, RI	October 15-18, 2012

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 14, 2012, 2pm EDT**

Attendees: Colehour Bondera (CB) (Chairperson), Calvin Walker (CW) (Vice Chair), Jean Richardson (JR), Barry Flamm (BF), Mac Stone (MS), Jay Feldman (JFe), Joe Dickson (JD), Jennifer Taylor (JT)

Absent:

Staff: Michelle Arsenault (MA), Jennifer Tucker (JTU)

Workplan

Project	Point Person	Status	Vote	Target Meeting
Public Comment Proposal	CB/JR	Subcommittee passed proposal – Take to Board for vote.	08 01 12	Fall 2012
Conflict of Interest and Ethics Rules Review Proposal	CW/JD	Subcommittee passed proposal 7/10 – Take to Board for vote.	07 10 12	Fall 2012
Public Communication Proposal	JT	Draft Proposal near ready to be voted on by Subcommittee	08 14 12	Fall 2012
Threshold (two-stage) TR	JR/JFe	Discussion Document – NOTE: NOP has requested that this be refocused as a proposal about implementation of a Two-Stage TR concept		Spring 2013
Material initiation policy – NOP has proposed that this be renamed (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - <u>JOINT</u> w/Materials? Could this be integrated within “Update Petition Process” item below?		TBD
“Decisive/Indecisive” determination on NOSB votes	JFe	Discussion document; in progress. NOP has asked that this item be tabled.		TBD
New Member Guide Updates	JR	In progress		Spring 2013
Confidential Business Information (CBI) transparency	ZS & CW & JFe	Discussion Document <u>JOINT</u> w/Materials Committee		Spring 2013
Update petition process	MS	<u>JOINT</u> w/ Materials Subcommittee		TBD
Convening of Technical Advisory Boards &/or Working Group Policy	MS	Discussion document		Spring 2013

Agenda

- Adjust/Approve agenda
- Adjust/Approve meeting minutes from July 24 and July 30
- Final Discussion and vote on Public Communication Recommendation

Discussion

- Agenda was approved as is.
- Minutes from July 24 and July 30 approved with no changes.
- The group discussed the updated Public Communications Document.
 - JT led the discussion by reviewing the current proposal for the group, noting that the public comment collected during the spring meeting was very positive and supportive of this proposal.
 - There was a brief discussion about the pros and cons of having all communication to the Board be public. CBo indicated that it would be preferable to have an established communication conduit so that the Board can get the information in advance of public comment periods in an open, transparent and timely manner.
 - A few minor proposed changes were made to the proposal; primarily adjustments to the language to reflect that the public comments will be made available to inform both the Board's and the Program's deliberations and work.
 - There were questions throughout the discussion about the mechanisms of the public communication capability; it was noted that many of the implementation logistics would be determined once the Board votes (if it does) that this capability is desired.
 - BF asked how members should handle communications when they receive them directly. It was noted that the members can offer to post the comments on the submitter's behalf and do so IF they are given permission to do so, or that the member can encourage the person to post the comment publically on their own. There was some disagreement as to whether people would be willing to do that on their own.
 - Two additional issues were briefly discussed: (1) the role of the Executive Director and the degree to which the NOSB directs that person's tasking. It was noted that NOP has the ability to reallocate Executive Director duties to other staff members as workloads demand. (2) JTU noted that publication of Board members' email/contact info on its website will not be possible.
 - Based on the discussion, JTU will send the edited version of the proposal to the lead person and the group will vote via email.
- **Vote on Public Communication Proposal:** Deferred and conducted via email. Vote was finalized via email August 17, 2012.

Motion to vote on Public Comment Proposal:

Motion made by: JT

Seconded by: CBo

No additional discussion

Yes: 8 No: 0 Abstain: 0 Absent: 0 Recuse: 0

Future Scheduled Subcommittee Calls:

July 24, 2012 2pm EDT

- Public Comment
- Public Communication vote

July 30, 2012 2pm EDT

- Discussion on Public Communication Recommendation
- Final Discussion/Vote on Public Comment Recommendation- Vote conducted via email -done

August 14, 2012 2pm EDT

- Final Discussion and Vote on Public Communication Recommendation

August 28, 2012 2pm EDT

September 11, 2012 2pm EDT

September 25, 2012 2pm EDT

October 9, 2012 2pm EDT

Milestone	Deadline
NOP - "Finalize" tentative agenda	August 10, 2012
Fall 2012 proposals due to NOP	August 20, 2012
NOP - Post proposals, Publish FRN, Open public comment	August 27, 2012
Public comment closes	September 24, 2012
NOP - Send compiled public comments to NOSB	October 1, 2012
Fall 2012 NOSB Meeting – Providence, RI	October 15-18, 2012

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 28, 2012, 2pm EDT**

Attendees: Colehour Bondera (CB) (Chairperson), Calvin Walker (CW) (Vice Chair), Jean Richardson (JR), Barry Flamm (BF), Mac Stone (MS), Jay Feldman (JFe), Jennifer Taylor (JT)

Absent: Joe Dickson (JD)

Staff: Michelle Arsenault (MA), Jennifer Tucker (JTU)

Workplan

Project	Point Person	Status	Vote	Target Meeting
Public Comment Proposal	CB/JR	Subcommittee passed proposal – Take to Board for vote.	08 01 12	Fall 2012
Conflict of Interest and Ethics Rules Review Proposal	CW/JD	Subcommittee passed proposal 7/10 – Take to Board for vote.	07 10 12	Fall 2012
Public Communication Proposal	JT	Subcommittee passed proposal – Take to Board for vote.	08 14 12	Fall 2012
Threshold (two-stage) TR	JR/JFe	Discussion Document – NOTE: NOP has requested that this be refocused as a proposal about implementation of a Two-Stage TR concept		Spring 2013
Material initiation policy – NOP has proposed that this be renamed (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - <u>JOINT</u> w/Materials		TBD
“Decisive/Indecisive” determination on NOSB votes – NOP has proposed that this be renamed to be closer to the precise issue of concern.	JFe	Discussion document; in progress. NOP has asked that this item be tabled.		TBD
New Member Guide Updates	JR	In progress		Spring 2013
Confidential Business Information (CBI) transparency	ZS & CW & JFe	Discussion document <u>JOINT</u> w/Materials Committee		Spring 2013
Update petition process	MS	<u>JOINT</u> w/ Materials Subcommittee		Spring 2013

Convening of Technical Advisory Boards &/or Working Group Policy	MS	Discussion document		Spring 2013
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Agenda

- Review/Modify/Approve Agenda (2 mins)
- Approve notes August 14, 2012 (3 mins)
- Work Plan Discussion (55 mins)

Discussion

- Agenda was approved with no changes.
- August 14, 2012 notes were approved with some minor changes - JFe asked that the minutes reflect the items that were discussed by the subcommittee that don't end up on the NOSB meeting agenda, and that changes to the table above are mentioned in the notes. MA will add this to the notes from this point forward. JFe would like the current notes to reflect that NOP has requested the Two-Stage TR concept be refocused as a proposal about implementation. The group discussed the terms minutes/notes/summaries, and resulting updates to the PPM.
- Work Plan Discussion –
 - JTU would like to add PPM update to the workplan. The group discussed the source of proposed updates to the PPM – while the Board will primarily drive this process, there are also times when the NOP will have new content or requirements based on feedback or requirements from USDA.
 - Two-Stage TR threshold: The group revisited the NOP's concerns about this document. From NOP's perspective, the issue is not whether it is a discussion document or proposal, but rather the content itself as it currently stands. Concerns lie with making two stages the default, and the questions as currently stated – the questions should be driven by the material under consideration, and not be a pre-set list. Questions need to be driven by OFPA not public comment, and need to take into account contractual constraints – the more questions on the list, the more each report will cost. If the content is revisited based on previous call discussions, the NOP would support either a discussion document or proposal.
 - Material initiation policy – NOP has proposed that this be renamed, perhaps “Substance Annotation/Clean-up” to more accurately communicate intent. NOP is comfortable with it not being integrated within update to petition process, but would like group to consider the name change. Note: the language “Could this be integrated within Update Petition Process?” was removed from table above.
 - “Decisive/Indecisive” determination on NOSB votes - NOP has a draft memo to the NOSB, and will get feedback to members after the fall meeting. The Group wanted to ensure that it stayed on the workplan in case they need to develop a discussion document. JFe indicated that the synthetic/nonsynthetic argument could be combined with the decisive/indecisive document. NOP indicated that renaming this would be helpful in communicating the intent and applicability.
 - Spring 2013 New Member Guide Updates. JR will be the lead on this. CBo offered to mention this on the next Executive Subcommittee call.
 - Confidential Business Information (CBI) - transparency and Update petition process are two items the Materials Subcommittee is working on jointly with the PDS. MS noted

that he would like to work on the TR/TAP review. The group briefly discussed the types of implementation issues that would arise after the adoption of a policy in this area.

Future Scheduled Subcommittee Calls:

August 28, 2012 2pm EDT

September 11, 2012 2pm EDT

September 25, 2012 2pm EDT

October 9, 2012 2pm EDT

Milestone	Deadline
NOP - "Finalize" tentative agenda	August 10, 2012
Fall 2012 proposals due to NOP	August 20, 2012
NOP - Post proposals, Publish FRN, Open public comment	August 27, 2012
Public comment closes	September 24, 2012
NOP - Send compiled public comments to NOSB	October 1, 2012
Fall 2012 NOSB Meeting – Providence, RI	October 15-18, 2012

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 25, 2012, 2pm EDT**

Attendees: Colehour Bondera (CB) (Chairperson), Calvin Walker (CW) (Vice Chair), Jean Richardson (JR), Jay Feldman (JFe), Jennifer Taylor (JT), Mac Stone (MS)

Absent: Joe Dickson (JD), Barry Flamm (BF),

Staff: Michelle Arsenault (MA), Jennifer Tucker (JTU)

Workplan

Project	Point Person	Status	Vote	Target Meeting
Public Comment Proposal	CB/JR	Subcommittee passed proposal – Take to Board for vote.	08 01 12	Fall 2012
Conflict of Interest and Ethics Rules Review Proposal	CW/JD	Subcommittee passed proposal 7/10 – Take to Board for vote.	07 10 12	Fall 2012
Public Communication Proposal	JT	Subcommittee passed proposal – Take to Board for vote.	08 14 12	Fall 2012
Threshold (two-stage) TR	JR/JFe	Discussion Document – NOTE: NOP has requested that this be refocused as a proposal about implementation of a Two-Stage TR concept		Spring 2013
Material initiation policy – NOP has proposed that this be renamed (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - <u>JOINT</u> w/Materials		Spring 2013
“Decisive/Indecisive” determination on NOSB votes – NOP has proposed that this be renamed to be closer to the precise issue of concern.	JFe	Discussion document; in progress. NOP has asked that this item be tabled.		TBD
New Member Guide Updates	JR	In progress		Spring 2013
Confidential Business Information (CBI) transparency	ZS & CW & JFe	Discussion document <u>JOINT</u> w/Materials Committee		Spring 2013
Update petition process	MS	<u>JOINT</u> w/ Materials Subcommittee		Spring 2013

Convening of Technical Advisory Boards &/or Working Group Policy	MS	Discussion document		Spring 2013
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Agenda

- Review/Modify/Approve Agenda
- Approve notes August 28, 2012 (sent 08 23 12)
- Discuss Public comment on the three fall 2012 proposals

Discussion

- Agenda was approved.
- August 28, 2012 notes were approved as is.
- Public Comment on Public comment proposal- In general, the comments were broad and overarching and commenters were supportive of the 4-minute timeframe for comments.
- Comments on Public Communication Proposal seem supportive and offered no counter ideas or opinions. The group would like to get input from other NOSB members in advance of the fall meeting to see what the general feeling is.
- Comments for the COI proposal were summarized and discussed and the group discussed how best to address the comments. A member suggested crafting a document to do so. The subcommittee will consider changes to the proposal and distribute them prior to the fall meeting so everyone is prepared to discuss them.

Future Scheduled Subcommittee Calls:

August 28, 2012 2pm EDT

September 11, 2012 2pm EDT

September 25, 2012 2pm EDT

October 9, 2012 2pm EDT

Milestone	Deadline
NOP - "Finalize" tentative agenda	August 10, 2012
Fall 2012 proposals due to NOP	August 20, 2012
NOP - Post proposals, Publish FRN, Open public comment	August 27, 2012
Public comment closes	September 24, 2012
NOP - Send compiled public comments to NOSB	October 1, 2012
Fall 2012 NOSB Meeting – Providence, RI	October 15-18, 2012

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 9, 2012, 2pm EDT**

Attendees: Colehour Bondera (CBo) (Chairperson), Calvin Walker (CW) (Vice Chair), Jay Feldman (JFe), Jennifer Taylor (JT), Mac Stone (MS), Joe Dickson (JD), Barry Flamm (BF)

Absent: Jean Richardson (JR)

Staff: Michelle Arsenault (MA), Jennifer Tucker (JTU)

Workplan

Project	Point Person	Status	Vote	Target Meeting
Public Comment Proposal	CBo/JR	Subcommittee passed proposal – Take to Board for vote.	08 01 12	Fall 2012
Conflict of Interest and Ethics Rules Review Proposal	CW/JD	Subcommittee passed proposal 7/10 – Take to Board for vote.	07 10 12	Fall 2012
Public Communication Proposal	JT	Subcommittee passed proposal – Take to Board for vote.	08 14 12	Fall 2012
Threshold (two-stage) TR	JR/JFe	Discussion Document – NOTE: NOP has requested that this be refocused as a proposal about implementation of a Two-Stage TR concept		Spring 2013
Material initiation policy – NOP has proposed that this be renamed (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - <u>JOINT</u> w/Materials		Spring 2013
“Decisive/Indecisive” determination on NOSB votes – NOP has proposed that this be renamed to be closer to the precise issue of concern.	JFe	Discussion document; in progress. NOP has asked that this item be tabled.		TBD
New Member Guide Updates	JR	In progress		Spring 2013
Confidential Business Information (CBI) transparency	ZS & CW & JFe	Discussion document <u>JOINT</u> w/Materials Committee		Spring 2013
Update petition process	MS	<u>JOINT</u> w/ Materials Subcommittee		Spring 2013

Convening of Technical Advisory Boards &/or Working Group Policy	MS	Discussion document		Spring 2013
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Agenda

- Approve minutes from September 25 call
- Discuss the three PDS Recommendations
- Work Plan

Discussion

- Minutes from September 25 approved with no changes
- Discussed the three PDS Recommendations
 - Public Comment – For the upcoming meeting each presenter was given a 4 minute window. At this point there isn't a lot of public feedback about this topic but the feedback about question and answers of commenters at meeting is that it needs to not be constrained. Group discussed various aspects and options for presentations and questions/answers.
 - Conflict of Interest (COI) document has been revised in draft format to reflect public comments. For example, definition for potential COI was removed. A member asked about the possibility of vetting COIs in Subcommittee before it gets to the full Board to alleviate any confusion or problems, and to allow for the NOSB to make the decision about whether or not there is a COI. A member asked about the recusal process and the disclosure about the reason for that recusal. The group briefly discussed various COI elements of the proposal that had been posted as well as the most recent modification.
- The Work Plan was not discussed on this call.

Future Scheduled Subcommittee Calls:

October 23, 2012 2pm EDT

November 13, 2012 2pm EST

November 27, 2012 2pm EST

December 11, 2012 2pm EST

Milestone	Deadline
NOP - "Finalize" tentative agenda	August 10, 2012
Fall 2012 proposals due to NOP	August 20, 2012
NOP - Post proposals, Publish FRN, Open public comment	August 27, 2012
Public comment closes	September 24, 2012
NOP - Send compiled public comments to NOSB	October 1, 2012
Fall 2012 NOSB Meeting – Providence, RI	October 15-18, 2012

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**National Organic Standards Board (NOSB)
Policy Development Subcommittee Meeting Notes
Tuesday, November 13, 2012, 2pm EDT**

Attendees: Colehour Bondera (CBo) (Chair), Jay Feldman (JFe), John Foster (JFo) (2013 member), Mac Stone (MS) (2012 member), Calvin Walker (CW) (2013-Vice Chair)

Absent: Barry Flamm (BF), Nick Maravell (NM) (2013 member), Jennifer Taylor (JT), Jean Richardson (JR), Joe Dickson (JD) (2012 member)

Staff: Michelle Arsenault (MA), Jennifer Tucker (JTU)

Workplan

Project	Point Person	Status	Vote	Target Meeting
Conflict of Interest and Ethics Rules Review Proposal	CW/JD	Subcommittee passed proposal 7/10/12. Withdrawn before fall 2012 NOSB vote		N/A – memo will come from NOP
Public Communication Proposal	JT	Subcommittee passed proposal 8/14/12. Failed fall 2012 NOSB vote. Rewrite and bring to ES meeting?		TBD
Policy and Procedures Manual (PPM) Review and Updates	JFo/CBo	Proposal		Spr 2013
Threshold (two-stage) Technical Reports	JR/JFe	Discussion Document		Spr 2013
Material initiation policy or (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - <u>JOINT</u> w/Materials. PDS will Lead; Materials will support		Spr 2013
New Member Guide Updates	JR	In progress		Spr 2013
Examine and update petition and technical review process	MS/JFe (from Materials)	Materials Subcommittee Leading; PDS will support. JFe (Materials)/MS (PDS)		Spr 2013
Convening of Technical Advisory Boards &/or Working Group Policy	MS	Discussion document. Perhaps this should be folded into the above item (from earlier MS call)		Spr 2013
“Decisive/Indecisive” determination on NOSB votes – NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD

Agenda

- Welcome and upcoming changes with PDS
- Approve notes from October 9 call
- Review of "process". Thoughts for next Executive Subcommittee discussions
- Topics and lead assignments
- Set schedule for the coming year +

Discussion

- Notes from October 9 approved with no changes.
- Review of meeting process from Providence Meeting. Thoughts for next Executive Subcommittee discussions
 - Conflict of Interest (COI) - JTU is working on a memo which will be sent to the Subcommittee before they proceed. A member asked about the declaration of interest form; NOP responded that at this point, it would only be distributed if the Ethics Office requests it. If members have a perceived COI, they should use the process established at last meeting by sending NOP an email, until the NOP memo is released.
 - A member felt that there lacked a mechanism by which members could state an objection to a proposal prior to or during the NOSB meetings. The group discussed options, such as the pre-NOSB prep meeting, but did not resolve this issue.
- Topics and lead assignments
 - Convening of Technical Advisory Boards and/or Working Group Policy - MS will continue to work on this item even though he will not be on PDS any longer. Members discussed combining this item with the MS workplan item "Examine and update petition and technical review process" and making Materials the lead.
 - Policy and Procedures Manual Review and Updates. JFo will take the lead on this item, and will be working with CBo and the NOP. JTU and CBo have spoken offline about what needs to be updated. Key to the updates is determining what is administrative vs. what is substantive. NOP will make the administrative changes and will forward to JFo and CBo for review. JR will update New Member Guide for next meeting.
 - Material initiation policy or (Substance Annotation/Clean-up) – JFe shared the information discussed during the Materials Subcommittee call: Some members indicated an interest in this workplan item, while others felt it is not needed. JFe noted that of primary concern is ensuring that the community has sufficient notification if a material is going to be added to the Board's agenda without first being publicized it through the advance notice of a petition posting process.
 - The group discussed the overlap between Materials and PDS, and discussed the possibility of joint calls to eliminate duplication of work, which many agreed was a good option. The PDS Chair will speak with the Materials Chair about this.
 - "Decisive/Indecisive" determination on NOSB votes – The action item is currently on the workplan for the NOP and they hope to have a memo back to the Subcommittee by December. The issue seems to be more about how motions are framed, and not really about decisive/indecisive determination, which is laid out in the Organic Foods Production Act.
 - Public Communication Proposal - JTU asked if this will be brought back to the Executive Subcommittee to be officially added back to the workplan. CBo will speak with JT about this.

Future Scheduled Subcommittee Calls:

November 27, 2012 2:00 pm EST
Threshold (two-stage) TR
December 11, 2012 2:00 pm EST
Material initiation policy or (Substance Annotation/Clean-up)
December 19, 2012 2:00 pm EST
January 8, 2013 2:00 pm EST
New Member Guide Updates
January 22, 2013 2:00 pm EST
February 12, 2013 2:00 pm EST - proposals due
February 26, 2013 2:00 pm EST
March 12, 2013 2:00 pm EST
March 26, 2013 2:00 pm EST

MILESTONE	Target date
NOP – Complete tentative agenda	February 8, 2013
Spring 2013 proposals due to NOP	February 12, 2013
NOP - Post proposals, Publish FRN, Open public comment	February 19, 2013
Public comment closes	March 19, 2013
NOP - Send compiled public comments to NOSB	March 25, 2013
Spring 2013 NOSB Meeting – Portland, OR	April 8-11, 2013

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**National Organic Standards Board (NOSB)
Policy Development Subcommittee Meeting Notes
Tuesday, November 27, 2012, 2pm EDT**

Attendees: Colehour Bondera (CBo) (Chair), Jay Feldman (JFe), John Foster (JFo) (2013 member), Mac Stone (MS) (2012 member), Calvin Walker (CW) (2013-Vice Chair), Nick Maravell (NM) (2013 member), Jennifer Taylor (JT)

Absent: Jean Richardson (JR), Joe Dickson (JD) (2012 member), Barry Flamm (BF)

Staff: Michelle Arsenault (MA), Jennifer Tucker (JTU)

Workplan

Project	Point Person	Status	Vote	Target Meeting
Conflict of Interest and Ethics Rules Review Proposal	CW	Subcommittee passed proposal 7/10/12. Withdrawn before fall 2012 NOSB vote. NOP will take next steps – no NOSB action needed at time.		N/A – memo will come from NOP
Public Communication Proposal	JT	Subcommittee passed proposal 8/14/12. Failed fall 2012 NOSB vote. Rewrite and bring to ES meeting for addition back on to the workplan?		TBD
Policy and Procedures Manual (PPM) Review and Updates	JFo/CBo	Proposal		Spr 2013
Material initiation policy or (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - <u>JOINT</u> w/Materials. PDS will Lead; Materials will support		Spr 2013
New Member Guide Updates	JR	In progress		Spr 2013
Examine and update petition and TR review process. Includes Threshold (two-stage) TRs, and Convening of technical advisory boards &/or working group policy	MS/JFe (from Materials)	Materials Subcommittee Leading; PDS will support. JFe (Materials)/MS (PDS). MS will write doc and pass it to PDS.		Spr 2013
“Decisive/Indecisive” determination on NOSB votes – NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD

Agenda

- Approve Agenda (2 mins)
- Approve November 13 meeting notes (3)
- PDS roles/duties – workplan review (10)
- Threshold (two stage) TR Policy (40)
- Next meeting plan(s) (5)
- Material initiation policy or (Substance Annotation/Clean-up)

Discussion

- Agenda approved with no changes.
- November 13 meeting notes were accepted with minor changes regarding PPM updates and the Subcommittee members responsible for substantive edits. MA adjusted the workplan table above based on the November 27 discussion, incorporating two workplan items; “Convening of technical advisory boards &/or working group policy” and “threshold (two-stage) technical reports”, into the workplan item entitled “examine and update petition and technical review process”
- The changes contained within the Public Comment proposal that the Board passed at the fall 2012 were added to the Policy & Procedures Manual (PPM). MA is currently making administrative changes to the PPM, and will forward the marked-up version to the PDS. Members will have the opportunity to ask about the foundation for any changes made by NOP.
- PDS roles/duties - workplan review.
 - JD rotated off of the PDS so CW will lead the workplan item “Conflict of Interest and Ethics Rules Review Proposal.” It was noted that this item is now in the NOP’s hands, so no work by the subcommittee is needed.
 - Public communication proposal. The group discussed how to proceed with this since it did not pass at the fall 2012 NOSB meeting. The original proposal contained two components: 1) A year-round docket to accept public communications between NOSB meetings, and 2) Language about direct communication with the Secretary of Agriculture. Since the Board supported the public communication portion, JTu suggested submitting the item to the Executive Subcommittee to request adding it back on the PDS workplan and, if accepted, rewriting this and resubmitting a new proposal for the spring 2013 meeting. The group discussed the value and ultimate goal of doing so. Support for moving forward was mixed. A member added that the year-round docket might alleviate the problem of receiving information at the last minute, which would help with the decision-making process.
- Material Initiation Process - The impetus for this workplan item was to introduce a more streamlined way to submit proposed changes to the National List, while ensuring that the public was notified far enough in advance that an item is coming up for a vote, and to streamline the process for review. The group discussed the fact that it didn’t seem much different than the current process and if it introduced a parallel petition process, it might unnecessarily complicate matters. JFe circulated a document with several questions, and a member noted that there seemed to be two separate issues that were being conflated, which also complicated matters. The majority of the members felt that the regular petition process was adequate and there didn’t seem to be a need for this discussion document. The Chair asked that the lead member seek input from the NOP to see if this would in fact streamline things.

Future Scheduled Subcommittee Calls:

November 27, 2012 2:00 pm EST
Threshold (two-stage) TR

December 11, 2012 2:00 pm EST
Material initiation policy or (Substance Annotation/Clean-up)

December 19, 2012 2:00 pm EST

January 8, 2013 2:00 pm EST
New Member Guide Updates

January 22, 2013 2:00 pm EST
February 12, 2013 2:00 pm EST - proposals due
February 26, 2013 2:00 pm EST
March 12, 2013 2:00 pm EST
March 26, 2013 2:00 pm EST

MILESTONE	Target date
NOP – Complete tentative agenda	February 8, 2013
Spring 2013 proposals due to NOP	February 12, 2013
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**National Organic Standards Board (NOSB)
Policy Development Subcommittee Meeting Notes
Tuesday, December 11, 2012, 2pm EDT**

Attendees: Colehour Bondera (CBo) (Chair), Jay Feldman (JFe), John Foster (JFo), Mac Stone (MS), Calvin Walker (CW) (Vice Chair), Barry Flamm (BF), Nick Maravell (NM), Jennifer Taylor (JT)

Absent: Joe Dickson (JD),

Staff: Michelle Arsenault (MA), Jennifer Tucker (JTU), Mark Lipson (ML) - sitting in

Workplan

Project	Point Person	Status	Vote	Target Meeting
Conflict of Interest and Ethics Rules Review Proposal	CW	Subcommittee passed proposal 7/10/12. Withdrawn before fall 2012 NOSB vote. NOP will take next steps – no NOSB action needed at time.		N/A – memo will come from NOP
Public Communication Proposal	JT	Subcommittee passed proposal 8/14/12. Failed fall 2012 NOSB vote. Rewrite and bring to ES meeting for addition back on to the workplan?		TBD
Policy and Procedures Manual (PPM) Review and Updates	JFo/CBo	Proposal		Spr 2013
Material initiation policy or (Substance Annotation/Clean-up)	JFe/JT	Discussion Document - <u>JOINT</u> w/Materials. PDS will Lead; Materials will support		Spr 2013
New Member Guide Updates	CW	In progress		Spr 2013
Examine and update petition and TR review process. Includes Threshold (two-stage) TRs, and Convening of technical advisory boards &/or working group policy	MS/JFe (from Materials)	Materials Subcommittee Leading; PDS will support. JFe (Materials)/MS (PDS). MS will write doc and pass it to PDS.		Spr 2013
“Decisive/Indecisive” determination on NOSB votes – NOP has proposed that this be renamed	JFe	Discussion document; in progress. NOP will provide a memo to the Board on this topic.		TBD

Agenda

- Approve Agenda
- Approve November 27 meeting notes
- PDS workplan scheduling
- Public Communications Docket
- Material initiation policy or (Substance Annotation/Clean-up)
- Next meeting plan(s)

Discussion

- Agenda approved with addition of the Research Priorities Submission (a Materials Subcommittee recommendation).
- November 27 meeting notes: MA updated the status of the workplan item “Examine and update petition and TR review process” to reflect that the Materials Subcommittee will write the document and forward it to the PDS.
- PDS workplan scheduling: CW is now leading the updates to the New Member guide in place of Jean Richardson. The updates should be minor.
- Public Communications Docket – The NOP indicated that the Executive Subcommittee (ES) needs to approve this before it gets placed back on the PDS workplan. The group discussed one of the components of the original proposal that dealt with NOSB communication with the Secretary of Agriculture. JFe noted that the original statute gave the NOSB direct communication with the Secretary, and it was not originally set up as a FACA Board. A member asked for clarification about this. MS and JTU noted the process by which communications are sent to the Secretary and that the NOP is required to follow this internal correspondence chain. The NOP also assured the group that NOSB documents accepted by the NOP would be forwarded unaltered. JFe asked that the PPM reinforce the statute, which says that the NOSB can directly advise the Secretary. CB asked if the group wanted to pursue this as an agenda item for the fall meeting. The group discussed the logistics of a public communications vehicle and JTU asked that the board consider the implications and impact of implementing such a policy, also noting that the NOP is supportive of this. A member questioned the use of the word “fiduciary” in the document. JFe noted that the use of the word fiduciary is in the first sentence of the PPM and that it is used primarily to highlight the Boards’ responsibility to be representatives of the public trust. The majority of the Subcommittee was supportive of taking the item to the Executive Subcommittee to request that it be added back to the PDS workplan. One member indicated that he did not see a need for this, as he feels that he receives lots of outside communication already. The group discussed the pros and cons of this proposal and noted that transparency is the ultimate goal.
- Research Priorities recommendations – The group discussed the relationship between research priorities and communication with the Secretary, and the majority of the members felt these issues should not be coupled.
- Next meeting plan(s) - JTU will send a response to PDS about the material initiation policy before the next call. (Completed)

Future Scheduled Subcommittee Calls:

November 27, 2012 2:00 pm EST

Threshold (two-stage) TR
December 11, 2012 2:00 pm EST
Material initiation policy or (Substance Annotation/Clean-up)

December 19, 2012 2:00 pm EST
Public Communications Docket (JT)
Material initiation policy or (Substance Annotation/Clean-up) (JFe/JT)

January 8, 2013 2:00 pm EST
New Member Guide Updates (CW)
PPM: Group discussion with revisions from NOP

January 22, 2013 2:00 pm EST
February 12, 2013 2:00 pm EST - proposals due
February 26, 2013 2:00 pm EST
March 12, 2013 2:00 pm EST
March 26, 2013 2:00 pm EST

MILESTONE	Target date
NOP – Complete tentative agenda	February 8, 2013
Spring 2013 proposals due to NOP	February 12, 2013
NOP - Post proposals, Publish FRN, Open public comment	February 19, 2013
Public comment closes	March 19, 2013
NOP - Send compiled public comments to NOSB	March 25, 2013
Spring 2013 NOSB Meeting – Portland, OR	April 8-11, 2013

Note: Subcommittee notes may include preliminary discussions regarding substances considered for addition to or removal from the National List. They do not represent official National Organic Program (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)
Materials Subcommittee (MS) Meeting Notes
Tuesday, December 19, 2012, 1:00 pm EST**

Attending: Zea Sonnabend (Chair) (ZS), Jay Feldman (JFe), Tracy Favre (TF), Jennifer Taylor (Vice Chair) (JT), Joe Dickson (JD), Wendy Fulwider (WF), Joe Dickson (JD), Calvin Walker (CW), Mac Stone (MS) - sitting in

Absent: Wendy Fulwider (WF)

Staff: Michelle Arsenault (MA), Lisa Brines (LB)

Work Plan

Project	Reviewer	Status	Vote	Target Meeting
Examine and update petition and technical review process	JFe (for Materials), MS (for PDS)	Proposal. Jointly w/PDS (Materials will lead and pass along the document to PDS).		Spr 2013
Confidential Business Information (CBI) Transparency	ZS, JFe, and CW	Discussion doc, jointly w/PDS (JFe) in Spring? Prop in fall?		Spr 2013/Fall 2013?
Definition of production aids	JFe			Spr 2013
Research Priorities Proposals May 2012 Framework Proposal	ZS & CW & JFe			Fall 2013
Petition and TR tracking	ZS/LB	Ongoing	N/A	N/A
Material initiation policy – NOP has proposed that this be renamed (Substance Annotation/Clean-up)	JFe/JT	Joint w/PDS (PDS will lead)		TBD
How to address scientific uncertainty	JFe	Will begin this after “Update Petition Process and CBI projects” are complete		TBD

Agenda:

- Approve notes from December 11
- Discuss “Definition of production aids”
- Discuss “Examine and update petition and technical review process” workplan item

Discussion:

- Notes from the December 11 call were approved with no changes.
- Production aids: Production Aids is a generalized category in the statute but is not defined in the regulations, and it comes up frequently in discussions and petitions. The group discussed the construction of the discussion document and questions that could be posed to solicit input from the public. Production aids seems to have two definitions, one a strict interpretation (for example, mulch or row cover) and the second, a less strict one, as an aid or additive used to produce a product. The second interpretation has never been used, although the issue does get raised occasionally. The group discussed several examples, including lignin sulfonate and hydrogen peroxide. Members also discussed specific points in the document that was circulated noting that question #2 would work better as the first question, #4 should be moved to position # 2, and perhaps question #3 is redundant. The group pondered the need for a discussion document at all, and deferred the conversation until the next call. The group also considered the implementation of defining production aids, and how that would be incorporated into the various existing guidance documents and the Policy and Procedures Manual PPM).
- The Subcommittee members will review the letter addressing research priorities on the next subcommittee call (January 8)
- The Chair will have new draft of the CBI document for the next call

Future Scheduled Subcommittee Calls:

November 27, 2012 1:00 pm EST

- Discussion of CBI Policy

December 11, 2012 1:00 pm EST

- Examine and update petition and technical review process

December 19, 2012 1:00 pm EST

- Continue discussion of “Examine and update petition and technical review process” (JFe/MS)
- Discuss “Definition of production aids”

January 8, 2013 1:00 pm EST

- Examine and update petition and technical review process (JFe/MS)
- Continued discussion of CBI policy (ZS, JFe, and CW)
- Continue discussion of “Definition of production aids”
- Review letter addressing research priorities

January 22, 2013 1:00 pm EST

February 12, 2013 1:00 pm EST - proposals due

February 26, 2013 1:00 pm EST

March 12, 2013 1:00 pm EST

March 26, 2013 1:00 pm EST

Spring 2013 Milestones	Target date
NOP – Complete tentative agenda	February 8, 2013
Spring 2013 proposals due to NOP	February 12, 2013
NOP - Post proposals, Publish FRN, Open public comment	February 19, 2013
Subcommittees submit tentative workplans to NOP	March 1, 2013
Discuss workplans on ES call	March 8, 2013
NOP provides written comments on workplans to NOSB	March 11, 2013
Public comment closes	March 19, 2013
NOP - Send compiled public comments to NOSB	March 25, 2013
Workplans finalized on ES call	March 29, 2013
Spring 2013 NOSB Meeting – Portland, OR	April 8-11, 2013