

Official Minutes -- October 1999

National Organic Standards Board Meeting Minutes

October 25-28, 1999

United States Department of Agriculture
1400 Independence Avenue, SW
Room 3501-South Bldg.
Washington, D.C.

Attendance Record:

Members Present: 12

Robert B. Anderson
Fred Kirschenmann
E. Rod Crossley
Stephen Pavich
Carolyn Brickey
Eric Sideman
Steven Harper
William Welsh
Marvin Hollen
Margaret Wittenberg
Betsy Lydon
Miles McEvoy*
Marian Casazza*

*Certifier Representatives--Mr. McEvoy and Ms. Casazza are employed by the Washington Department of Agriculture(WDA) and Quality Assurance International(QAI), respectively.

Members Absent: 1

Joan Gussow

Other Attendees:

Kathleen A. Merrigan, Administrator, Agricultural Marketing Service (AMS), USDA;
Michael Fernandez, Special Assistant to the Administrator, AMS, USDA;
Eileen Stommes, Deputy Administrator, Transportation and Marketing Programs (TMP), USDA;
Gary Scavongelli, Associate Deputy Administrator, TMP, USDA;
Keith Jones, Program Manager, National Organic Program (NOP), USDA;
Grace Gershuny, NOP, USDA;
Beth Hayden, NOP, USDA;
Toni Strother, NOP, USDA;
Ramona Fernandez, NOP, USDA;
and other interested persons from the public (See attachment A.).

CALL TO ORDER

Robert (Bob) Anderson, Chairperson of the NOSB, called the meeting to order at 1:00 p.m., Monday, October 25, 1999, in Room 3501-South Building. Bob introduced Marion Casazza, QAI, and Miles McEvoy, WDA as the certifier representatives for this meeting. Miles discussed the newly formed National Association of State Organic Programs (NASOP). Mr. McEvoy also encouraged USDA to rethink the handler exemption contained in the Organic Food Production Act in so as to prevent a loss of the audit trail.

Kathleen A. Merrigan, Administrator, AMS, also welcomed the NOSB and the interested persons in the audience. She thanked everyone for coming and gave an update on the status of the National Organic Program's proposed rule. Kathleen said the proposed rule would be going over to the Office of Management and Budget (OMB) about the second week in November. . OMB has, by law, 90 days to review the document. This rule is longer than the last proposal due to the approximately 290,000 comments (including the issue papers). She explained the new preamble format which references changes made and not made due to comments and changes made due to information gained outside of the comment process. She said the rule would not be perfect and should not be expected to satisfy everyone but that she believed the rule to be "in the ballpark" for industry and consumer expectations. She further reminded everyone that this is still a proposed rule and there will be another opportunity for public comment.

Kathleen also recapped a meeting she had with the staff of Senator Ted Stephens, R-Alaska. Senator Stephens has requested, through an appropriations rider, AMS to hold two national meetings to begin development of organic standards with respect to seafood. One meeting is to be held in Alaska and one on the Gulf Coast. The information gathered at these meetings will be used to develop draft regulations establishing national organic standards for seafood. These regulations will be published separately from the revised rule and are expected to be published in FY 2000. In closing, Kathleen introduced Dr. Michael Fernandez, as the new Associate Administrator of AMS. Dr Fernandez comes to AMS from the Environmental Protection Agency (EPA).

Bob Anderson updated the Board on adjustments to the posted agenda and alerted the board and guests to a possible room change. He closed, noting that the "amino acids" would be tabled for further information and possibly addressed again at the June 2000 meeting.

Public Comment Session

Allan Shaninsky, Petalumna Poultry Processors, Inc.

Mr. Shaninsky addressed the Board asking them to include the supplemental amino acids (methionine, lysine, and threonine) in their recommendations for inclusion on the National List of permitted materials for use in production of organic livestock. (See attachment 1)

Mark Retzlöff, Horizon Organic Dairy

Mr. Retzlöff spoke to the Board on behalf of Horizon Organic Dairy regarding a possible ban on the use of amino acids in organic production. Mr. Retzlöff shared with the Board the opinions of the veterinarians, herdsmen, farmers, and the others on the possible ramification of a ban on amino acids. (See attachment 2.)

Bruce Krantz, Hynite Corporation

Mr. Krantz addressed the Board regarding hydrolyzed leather meal. Mr. Krantz advocated for leather meal to be included on the National List. (See attachment 3.)

Katherine DiMatteo, Organic Trade Association (OTA)

Ms. DiMatteo discussed the AOS and noted which issues are not included in this third draft. An electronic copy will be available on the OTA web site. She said she believes the draft provides a good industry reference and what it will be looking for in the next proposed rule. She also gave the NOP a document giving NOSB background and key dates. (See attachment 4.)

Kathleen Downey, Organic Materials Review Institute (OMRI)

Ms. Downey thanked the NOSB for the opportunity to conduct the Technical Advisory Panel (TAP) review. She explained how the process worked and the prohibitions for disseminating TAP information to the public prior to the Board's review. She further explained that all materials reviewed for this meeting had been tabled in previous NOSB meetings. She closed saying that OMRI looks forward to a new openness of the process. (See attachment 12.)

William Jackson, Enviro Consultant Service, LLC

Dr. Jackson spoke to the Board on enzymes (digestive aids) and that small quantities only are safe and are available from other than animal sources. Dr. Jackson suggested a use of a tailored selection of enzymes that follow certain criteria. (See attachment 15.)

David Letourneau, California Certified Organic Farmer

Mr. Letourneau spoke to the Board regarding materials and genetic engineering. He requested that meeting materials be sent out as soon as possible so that the organic community is well informed and able to provide the Board with needed information. He is concerned that materials decisions may negatively impact small producers. Mr. Letourneau also stated that small producers are concerned about the use of synthetics in minor ingredients and processing aids, the use of genetic engineering outside of organic production, and the danger of genetic pollution of organic seed and crops. The burden of responsibility should be placed on the producers of the pollution and not by the organic producers. He talked about the need for the NOSB to address the guiding principles and philosophy of the organic industry.

Cissy Bowman, Organic Farmers Marketing Association, Indiana Farmer

Ms. Bowman stated that she was pleased regarding the Board's continuing effort to make information more accessible to the public but regrets that information on tabling the amino acids discussion was not available earlier as some people traveled here today specifically to discuss this material. Cissy also requested that the NOSB ensure that States are informed about decisions in a timely manner. Further, she asked the NOSB to be sure that synthetic ingredients are not included in the National List for processed products.

Mark King, Food Retail Outlet Manager

Mark discussed handling of organic food in retail stores and encouraged an organic program of certification of handlers. He explained the experience of implementing a certification program in his store and the positive aspect of working with his certifier. He also noted that genetically modified organism (GMO)-free product is beginning to appear at the retail level.

Marty Mesh, Florida Organic Growers, Organic Certifier

Marty discussed the organic impact of GMO's in the environment and responsibility. He commented on the need for a certifier on the NOSB as a regular seat. He said he is representing Florida growers who want to use ethylene for fruit ripening on fruits other than bananas, although he has personal concerns over its use. He doesn't want to encourage picking green fruit. His growers need to have a fruit wax for shipping. He saw organic wild fish at EXPO East and was very concerned about a move to label these products as organic. Organic feed supplements should be separated from organic feed so we can have 100 percent organic feed and also have needed feed supplements. He closed by saying he wants the industry to be more involved in the material review process.

James Riddle, American Organic Standards (AOS) and Minnesota Department of Agriculture

Jim addressed three items: 1) organic principles as described in the AOS, 2) potential for a "certified wild" label; and 3) the Minnesota Department of Agriculture Organic Cost-Share program. He stated that he believes AOS will be a de facto national standard until a final rule is adopted. He stressed the need for a principles statement for the national program and urged the NOSB to adopt and recommend to the NOP inclusion of principles in the revised proposal. He referenced sections of OFPA that he believes cannot be fulfilled by wild animal production. He has written a paper that responds and takes an opposing view to Fred Kirschenmann's paper on wild harvest certification. Jim believes there are other opportunities for certification of wild products but not under the organic label. He closed by distributing copies of the application for the Minnesota Department of Agriculture's recently enacted organic certification cost-share program. (See attachment 5.)

Joseph Mendelson, Center for Food Safety

Joe restated some previous concerns about the Board procedure issues. He asked the Board to consider an emergency feed criterion that bans conventionally produced GMO feeds. He asserted that only conventional, non-GMO feeds should be used as emergency replacements. He left a document with the Board outlining his suggestion on this subject.

He also voiced concern about buffer zones and GMO's. He urged the Board to adopt a resolution asking AMS to issue a statement regarding protecting organic farmers from genetic drift. He further voiced concern about conversion to organic of fields that previously grew GMO crops and asserted a 3-year withdrawal period may not be sufficient. He closed by reminding the Board of its prohibition of GMO's as it considers enzymes and amino acids.

Marideth Sandler, State of Alaska

Ms. Sandler provided additional information on the Alaska certification project as requested by the Board in June 1999. She distributed a document about the Farm Verified Organic (FVO) certification of Capilano Seafood in Bristol Bay, AK. (See attachment 6.) FVO has certified-as-organic, wild-caught red salmon. Ms. Sandler reported on the inspection and certification process.

The Board raised questions about the hearings that will be held to obtain input on standards for organic aquaculture. Keith Jones clarified that AMS has been charged with developing standards for wild-caught fish and aquaculture, not the NOSB. However, AMS will want NOSB involvement and guidance during the process. Essentially, the NOP is charged with gathering information so that the Board can make a recommendation on this issue.

Michael Sligh, Rural Advancement Foundation, International, and Co-chair of the Organic Community of the National Campaign for Sustainable Agriculture

Mr. Sligh voiced appreciation of Bob's comments about fostering public involvement in the materials review process. He advocated the importance of a clear conflict of interest provision for material reviewers. (Note: The statement of work used by the Organic Materials Review Institute and USDA contains such a provision.) He further argued for a clear information policy about Board activities including committee reports, conference calls, etc. He specifically backed distributing minutes of the Executive Committee conference calls. He requested the NOSB carefully review the AOS draft so that there are not two divergent processes in addressing industry/consumer issues of concern. He urged the Board to develop a procedure to alert the public if a given issue will or will not be addressed by the Board. Further, he urged the NOSB to develop a formal recommendation on biodiversity. He closed by urging Board action in the following areas: genetic drift, debeaking, organic cost share, GMO production tracking by USDA or AMS, and a USDA earmark of research dollars for organic and non-GMO seeds. (See attachment 13.)

Emily Brown-Rosen, Organic Certifiers Council (OCC)

Ms. Brown reported on the Organic Certifiers Council of OTA: Pat Kane is now OCC Chair for a 1-year term. Ms. Brown reported that no OCC member certifies wild animals or wild-caught fish. She also said that 18 of 25 certifiers, including two States, have agreed to adhere to the AOS, which does not contain wild-caught fish standards. Ms. Brown noted that the State of Alaska was the only commenter during the development of AOS advocating wild-caught fish certification. She closed by saying there will be no standards for wild certification without consensus among the certifiers and industry.

Jack Samuels, President, Truth in Labeling

Mr. Samuels read from a prepared statement regarding amino acids, specifically glutamic acid and its toxicity, its inclusion in MSG, amino acids produced by genetic engineering, and known carcinogens. (See attachment 7.)

---End of Public Comment Period---

TUESDAY, OCTOBER 26, 1999

NOSB COMMITTEE UPDATES/PROGRESS REPORTS

Accreditation Committee: Betsy Lydon, Chair

Betsy noted the committee will present its strategy and work plan for the next year during its working session.

Crops Committee Report: Eric Sideman, Chair

Eric updated the Board on the responses to the manufacturer's letters on inert ingredients. Letters were sent to manufacturers or formulators on approximately 98 materials. Thirty responses have been received. Eric explained the subsequent process. EPA will be asked to review the identified inerts to determine what list they are on, e.g., EPA list 1, 2, 3, or 4. (Note: The NOSB recommended in the February 1999 meeting that only EPA list 4 inerts will be automatically approved for use in organic production and handling. List 3 inerts will be reviewed on a case-by-case basis.)

Keith noted that manufacturers are very sensitive about releasing information on proprietary formulations, given that USDA does not customarily review these materials. Several Board members noted that manufactures should see the NOSB as allies in making their products available to organic producers, rather than seeing an adversary.

Carolyn noted that the Board should extend an invitation to the manufacturers to be a part of the review process. Keith reminded the Board that the National List of allowed synthetics is a positive list. At the time of NOP implementation, if a material has not been affirmatively reviewed and added to the list, it is automatically prohibited.

There was also discussion on GMO's. Steve Harper suggested that the committee work with OTA's GMO Task Force on the difficult questions facing the industry.

Livestock Committee Report: *Fred Kirschenmann, Chair*

Fred reported the Livestock Committee had seven materials to review, and it would also follow up on recommendations from subsequent Board meetings. Those issues are biodiversity (from February 1999 meeting) and a committee report on wild animal harvesting (from June 1999 meeting).

Processing Committee Report: *Margaret Wittenberg, Chair*

Margaret reported that the processing committee is also concerned about the GMO issue. As a result, Margaret and Steve Harper have been active in discussions held by the OTA GMO Task Force.

USDA/NATIONAL ORGANIC PROGRAM UPDATE

Keith Jones, Program Manager

Keith updated the Board about new staff and introduced Bob Pooler, formerly with the Maryland Department of Agriculture. Bob will be working on livestock issues at NOP and be the primary NOP contact for the NOSB Livestock Committee.

Keith noted that a compilation of the nominees for vacant Board seats should go to Kathleen between mid-November and the first of December. A total of 34 applications were received with only a few received for the retailer slot. It is planned to have new members named before the February 2000 Board meeting. Keith plans to have an orientation/strategic planning session the day before the meeting. He also reported the resignation of Jean Afterman and discussed the process for filling her unexpired term.

Keith also reported on a list of vaccines containing GMO's. The list was provided by USDA's Animal and Plant Health Inspection Service (APHIS) as vaccines has been a difficult question to deal with during the rewrite of the rule.

Bob asked about NOP web support and who on the NOP staff provides web support. Keith said Arthur Neal, who is now permanently assigned to NOP, will be providing web support. Keith noted the difference in the format of the minutes as an example of NOP's continuing effort to make information as easy to use as possible. A number of Board members made positive comments about the new format. Suggestions were made that Executive Committee conference call minutes should be posted to the web. Keith agreed to provide a one page synopsis of all executive committee conference calls.

Keith used this opportunity to discuss upgrades to the NOP web page including the addition of a search engine. Bob asked about a list-serve mechanism and urged a hard mailing to all people on the mailing list asking them to specifically request hard-copy mailings. Keith noted that the purged mailing list is now at about 1,500 names. He stated NOP will be asking certifiers to provide NOP with their mailing lists so that NOP will have a comprehensive data base of the industry.

In closing, Keith reported on the revised rule clearance process and the next steps in implementation of the NOP. He noted the good working relationship with OMB but also noted that by law OMB has 90 days to review the rule. After the next round of public comment, the final rule will again go back to OMB and is subject to a 60-day period for Congressional comment.

Keith noted that program manuals will be drafted until late 2000. Program manuals will be written by NOP staff and presented to the NOSB and the public for comment. Keith said the process will be identical to that used by the National Resource Conservation Service in preparing their field office technical guides.

Additional questions were posed about aquaculture standards. Specific questions were raised about a legal opinion on OPFA language being interpreted to allow certification of wild-caught seafood. Additional questions were asked about the format of the listening sessions to be held in 2000. Keith said plans were sketchy but that the meeting would most likely be a hybrid of a conference and hearing.

BOARD PROCEDURES TASK FORCE WORKING SESSION - Carolyn Brickey, Chair

Ms. Brickey reviewed the recommendations from the June 1999 meeting on Conflict of Interest and Board Substitutes and Alternates. These recommendations have been up on the web and, to date, no public comment has been received. Carolyn stressed the importance of a clear, concise conflict of interest statement. There were no additional comments from the Board. Given the lack of comments, no changes to these recommendations were made.

Carolyn discussed draft procedures for public input on material recommendations. Discussion then centered on public access to TAP reviews before a final NOSB recommendation.

Margaret suggested that the TAP reviews, without the reviewer's name, be put up on the web, e.g., "Cliff Notes" type summaries can be cross-referenced for background data yet they will provide needed transparency. Additional discussion occurred on the need to keep the TAP process free from influence and lobbying. Keith reminded the Board the Department does not influence the selection of the reviewers. A consensus emerged on ensuring the anonymity of TAP reviewers. It was agreed that a condensed version of the TAP review would be put on the web along with a thumbnail sketch of the TAP reviewers, (i.e., a veterinarian with 20 years experience), excluding their names.

Keith explained the procedure for sole-source contracts, explaining that an advisory and assistance contract contains a statement of work and a series of questions that must be answered to prevent any conflict of interest. Keith expressed concern about the possibility of significant public comment on a certain material. Carolyn raised an additional concern about having a legal obligation to respond to these comments. Bob suggested that the web information should be seen as information only. Public comment would be directed to the Board, and these comments would be forwarded to the contractor.

To provide an opportunity for public comment, discussion centered on having a 120-150-day process, essentially creating material reviews every other meeting. Consensus on procedure emerged as follows:

· A list of materials to be reviewed will be published in the Federal Register 150 days prior to a Board meeting. This serves as public notification that a TAP review for these materials has been initiated.

Upon publication of this list, the public has the opportunity to provide substantive information (Substantive information will be defined in the new petition.) to the contractor.

Sixty days prior to the Board meeting, the contractor will provide truncated versions of TAP reviews for publication on the web. Upon publication of the TAP synopses, the public will have another 15 days to provide additional substantive information to the contractor.

MATERIALS REVIEW

The National Organic Standards Board took the following actions on materials.

Crop Materials	Synthetic	Allowed	Notes	Annotations
Potassium Bicarbonate	10-0-0	10-0-0	Allowed	<i>For disease control [deleted foliar]</i>
Amino Acids			Tabled	
Calcium carbide	10-0-0	0-10-0	Fails	
Ethephon	10-0-0	6-2-2	Fails to get 2/3 majority. Rescinded and tabled 11-0-0	
Ethylene from Ethanol for bean sprout prod.	8-0-2	3-7-0	Fails	
Livestock Materials				
Glycerin	9-0-1	9-0-1		<i>For use as a teat dip, must be produced through hydrolysis of fats and oils [deleted 'must be USP grade']</i>
Lanolin	1-8-1		Allowed. Non-synthetic: no vote [General support for OMRI annotations, but no vote on annotations, since allowed as non-synthetic, and not required to be on Nat. List.]	
Phosphoric Acid	10-0-0	10-0-0	Allowed	<i>For use only as an equipment and facility cleaner. Direct contact with organic livestock or land is prohibited. Farm plan must demonstrate management of</i>

				wash water discharge to minimize pollution of surface water. [deleted reference to USP grade]
Amino Acids			Tabled	
Chlorhexidine	11-0-0	9-1-1		For medical procedures conducted under the supervision of a licensed veterinarian. [vote to delete extra withdrawal period requirement 6-4-1]
Enzymes	0-11-0		Allowed as non-synthetic, no vote	[Annotations failed to get 2/3 majority: 6-5-0]

Livestock Materials	Synthetic	Allowed	Notes	Annotations
Parasiticides:	11-0-0		TAP Annotations passed. Case-by-Case policy passed: add to NOSB 6/94 addendum #23 on parasiticides (i.e keep existing prohibition on use in slaughter stock, not after last third of gestation for breeder stock, and 90 day withdrawal for dairy) [Existing recommendation includes requirements for inclusion in the approved Farm Plan and use only under the direction of a veterinarian.] Add following to definition of routine use: (1) Fecal examinations must document infestations beyond independently set thresholds approved by the certifier prior to any treatment. (2) Regular periodic treatment of the majority of the animals of a given species and production type, even if those	<i>Synthetic internal parasiticides are not allowed as a class, but may be reviewed on a case-by-case basis. Synthetic internal parasiticides may be used only if there is empirical documentation of need under veterinary supervision.</i> <i>Failure to adequately treat parasite infested animals is grounds to deny or revoke organic certification [11-0-0]</i>

			<i>animals are diverted to non-organic channels.</i>	
Ivermectin	11-0-0	8-3-0		<i>Failure to adequately treat parasite infested animals is grounds to deny or revoke organic certification [11-0-0]</i>
Fenbendazole	11-0-0	5-6-0	Fails.	
Levamisole	11-0-0	0-11-0	Fails.	
Processing Materials				
Amino Acids			Tabled	
Plant and Fungal Enzymes	0-11-0		Re-voted as allowed as a non-organic ingredient in 95%+ organic food products. 9-0-2 [adds to previous approval of non-synthetic enzymes derived from bacteria - Orlando, 95]	<i>From plant and fungal sources</i>
Ethylene	Already voted (synthetic)	8-3-0	No. Annotation changed to allow for tropical fruits and citrus.	<i>For post harvest ripening of tropical fruit and degreening of citrus. "We also strongly urge exploration of methods to develop natural forms of ethylene, i.e. using the natural ethylene from ripe fruit on a large commercial scale to ripen other fruits."</i>
Waxes:				
Shellac	11-0-0		Fails for 95% (0-11-0) and 50% (0-11-0)	
Ammonium Soap	11-0-0		Fails for 95% (0-10-1 MH) and 50% (0-11-0)	
Beeswax	0-11-0		Natural allowed, does not need to be listed as organic ingredient. Non-organic beeswax may be used only if organic is commercially non-available.	
Magnesium Chloride		11-0-0	Vote to change annotation only.	<i>Allowed only if derived from sea water. [instead of natural brine, or extracted from bischofite]</i>
Phosphoric Acid			Adopted votes on livestock	<i>For use to clean food contact surfaces and equipment.</i>

ACCREDITATION COMMITTEE WORKING SESSION - Betsy Lydon, Chair

Enforcement Task Force

The Enforcement Task Force presented its work to date. Discussion ensued about fees for States to do enforcement. No consensus emerged other than a general perspective that effective localized enforcement activities require funding.

Emily Brown-Rosen, a task-force member, clarified the evolution of a tandem document of guidelines for certifiers that will be taken from the list of violations. Miles McEvoy discussed the WDA program, which is hybrid. WDA is approximately 80 percent user-fee funded, with the WDA organic program 100 percent user-fee funded. He once again encouraged the NOP to reexamine the handler exemption as most of organic's added value gets capitalized on at the handler/retailer level. Miles maintained that a user-fee program provides freedom from the legislative influence associated with general revenue-funded programs.

Questions arose on the Memorandum of Understanding (MOU) document distributed to the Board. Keith explained that the AMS/Texas Department of Agriculture model covers Federal/State inspection under the peanut program and should not be considered a direct substitute for meeting NOP's needs. The MOU document was circulated simply to generate ideas. Keith stated that delegating enforcement down to the States is consistent with the industry's desire for localized enforcement.

Steve Harper asked about the Organic Farming Research Foundation survey on licensing of a USDA seal. Keith reported that the survey addressed a hypothetical situation and arose from a brainstorming session on alternative fee strategies. He further reported that it is unclear whether NOP has a legal basis on which to charge for a license fee for the use of a seal. Keith concluded by saying that the most interesting, but not surprising, aspect of the survey was the value of the USDA seal is directly related to end user's perception of program quality.

Other Board members suggested a check-off program as an alternative funding mechanism. The discussion concluded with the Task Force agreeing to provide another enforcement matrix and MOU draft to the Board by the February 2000 meeting.

End of Day General Discussion on Role of the NOSB

Michael Sligh, former NOSB chairperson, provided a Board procedures document adopted at the January 1994, Roslyn, VA, meeting. Michael gave a brief overview of the document. The Board agreed to review the document overnight and discuss it tomorrow.

THURSDAY, OCTOBER 28, 1999

NOSB COMMITTEE REPORTS AND ACTION VOTES - Bob Anderson, Chair

Materials Committee:

Discussion began on changes to the 1995 *Federal Register* notice on material petitions, and Diane Goodman presented a draft document. The Board will return comments to the Materials Committee, which will schedule a conference call in 2 weeks and get a final draft to Keith by December 1. A fee will be considered to pay for the administration of the application. Carolyn will check for precedent for application fees at EPA. Official application will have to go through OMB clearance. Perhaps there should be an initial application, and then NOP sends the complete petition application package. Keith will look at fee requirements.

Motion: Motion by Fred Kirshchenmann. The Materials Committee will work with the NOP Staff to refine and develop criteria for the petition process by December 1, 1999.

Second: Eric Sideman

Discussion:

Call for the vote

Vote:

Those In Favor: Unanimous

Accreditation Committee:

Betsy Lydon presented a cost-share resolution to create a cost-share program for small farmers. Processors should be included. The Board will develop a cost-share proposal.

Livestock Committee:

Fred announced that parasiticides would be reviewed in the afternoon. Carolyn stressed the need for clear rationale in addressing parasiticides.

Fred reintroduced the tabled motions from the June meeting. The first motion addressed a livestock feed requirement to include certified organic livestock feed and feed supplements.

The other motion was to recommend incorporation of language to ensure biodiversity and ecosystem protection. Some want social concerns included too. The Executive Committee recommended that these motions be addressed at the February meeting.

Fred wanted both motions to be addressed in February. Keith noted that organic systems do not fit into existing models for evaluations. Keith suggested adhering to existing regulatory precedents and definitions as closely as possible without compromising organic core values.

Fred wanted to invite public comment on these issues. Keith suggested looking at the issue from a labeling perspective and work backward. Specifically, how are we going to label feed going to or coming from overseas?

Fred's final proposal grew out of Board action last time regarding the certification of wild animal production. Fred suggested that this issue come as a motion to the next Board. Fred explained his position with FVO and is no longer President. Fred explained the principles of his position on wild systems and his vision for the future. He asked the Board to consider how wild systems and organic systems fit together. He encouraged dialogue on the relationship between the two systems. David Gould at FVO is the point person in developing the certification for Capilano Seafood. (See attachment 16.)

Off-Agenda Activity --Presentation of Plaques to NOSB Members

Assistant Secretary for Marketing and Regulatory Programs, Michael V. Dunn, presented service plaques to the NOSB members whose terms expire in January 2000: Rod Crossley, Fred Kirschenmann, Margaret Whittenberg, and Kathleen Merrigan. He praised the Board for its hard work and thanked Kathleen Merrigan for her tireless work in advancing the organic program since

she arrived as Administrator of AMS. Kathleen took the opportunity to publicly recognize and thank the AMS staff who have worked on the revised rule over the past few months.

Those recognized included:

Paula Collins; Lee Corcoran; Michelle Cottom; Billy Cox; Betsy Crosby; Paula Crosby; Michael Fernandez; Catherine R. Greene; Beth Hayden; Keith Jones; Mark Keating; Richard Mathews; Kathleen Merrigan; Ted Moriak; Craig Morris; Arthur Neal; Bob Pooler; Alan Post; Jim Schaub; Eileen Stommes; Tom Tichenor; Debra Troop; Ken Vail; John Valencia; Tom Walsh.

Role of the Board-Materials Review:

Carolyn voiced her perception of a lack of clear strategy in the materials review process.

Discussion then primarily centered on how to concretely address the seven criteria in OFPA in the decision-making process. It was suggested that these criteria may need to be weighted differently or expanded upon to account for the changing needs of the industry.

There was also discussion on the vague and general nature of the 1995 petition document (Feb. attachment #15). There was also discussion on the need for the Board to be more involved in USDA activities.

Richard Matthews reminded the Board that a procedure for removing a material from the National List is needed as well as revamping the original review process. Bob asked that a new petition document be prepared and brought to the February 2000 meeting.

Action Votes:

NOSB Resolution

October 28, 1999

Submitted by Betsy Lydon

Accreditation Committee

The National Organic Standards Board strongly recommends that the United States Department of Agriculture develop a certification/inspection cost-share program to ensure that program participants are not unduly burdened by program costs.

The resolutions passed by a simple majority hand vote (9 yes, 1 no, 1 abstention).

Crops Committee, Eric Sideman

Board vote to add questions to the TAP for the approval of ethylene from Ethephon. Carolyn is not opposed to considering new information but doesn't want to see votes rescinded. She agrees with Fred that the best thing to do is to rescind the original vote and table it until the next meeting.

DATE: October 27, 1999

Board Vote

Motion: The NOSB recommends that ethylene from Ethephon be reconsidered to be put on the National List of permitted synthetic materials for regulation of flowering in pineapple production after a review of the following questions by the TAP:

- 1) Determine the methods of manufacturing Ethephon
- 2) Address the Criteria in OFPA 2119(m) for the material Ethephon

Second: Rod Crossley

Discussion:

Call for the vote

Vote:

Those In Favor: Unanimous

Those Opposed: 0

Those Abstaining: 0

DATE: October 28, 1999

Board Vote

Motion: Rod Crossley moved to rescind and table until the next meeting the previous vote on Ethephon.

Second: Steve Pavich

Call for the vote

Vote:

Those in favor: 11

Those opposed: 0

Those abstaining: 0

Livestock Committee:

DATE: October 27, 1999

Board Vote

Motion: Motion by Fred Kirschenmann. On behalf of the Livestock Committee, I move that the NOSB work closely with the OMRI staff, NOP staff, Appropriate Technology Transfer for Rural

Areas and other USDA Agencies to explore alternative to parasiticide use in organic livestock production. This project would include an effective means of communicating and demonstrating the alternatives to producers.

A proposed work plan would be developed by the Livestock Committee and reported back to the NOSB by June 2000.

Second: Marvin Holland

Discussion: Amendments made by Eric Sideman.

Call for the vote

Vote:

Those in favor: 9

Those opposed: 0

Those abstaining: 2 (out of room)

Off-Agenda Activity

Eileen Stommes presented Grace Gershuny with a plaque thanking her for her efforts and her contribution to the NOP.

Approval of Previous Minutes:

Motion by Robert Anderson. The NOSB moves that the February 9-11, 1999, minutes be approved as amended.

Second: Steve Pavich

Call for the Vote

Vote:

Those in favor: Unanimous

Those opposed: 0

Those abstaining: 0

Motion by Carolyn Brickey. The NOSB moves that the June 8-10, 1999, minutes be approved.

Second: Steve Harper

Call for the Vote

Vote:

Those in favor: Unanimous

Those opposed: 0

Those abstaining: 0

Next NOSB Meeting:

The next meeting is tentatively set for February 1-3, 2000. The next Executive Committee conference call will be December 6. Discussion of June dates ensued, with Eric stating he cannot make a meeting after mid-June and Betsy saying she may not be able to make an early June meeting.

GMO Issue, Wild Issue:

Carolyn will work with OMRI to coordinate a task force. Bob will head up a wild harvest task force.

Board Procedures:

Carolyn will prepare a principles document based on AOS principles.

Question of Orientation for New Board Members:

Keith reminded that Board of his plans to bring the entire Board in at least 1 day early for orientation and a goal setting/strategic planning session.

The meeting was adjourned at 2:25 p.m. (ET).

ROBERT ANDERSON, Chair
National Organic Standards Board

KEITH JONES, Program Manager
National Organic Program