

Official Minutes -- November 2000

National Organic Standards Board Meeting Minutes

November 15 – 17, 2000

USDA/ERS
1800 m Street, NW, South Tower
Waugh Auditorium, 3rd Floor
Washington, DC

Attendance Record:

Members Present: 14

Robert Anderson
Carolyn Brickey
Owusu Bandele
Kim Burton
Rebecca Goldberg
Joan Gussow
Steven Harper

Marvin Hollen
Mark King
William Lockeretz
Betsy Lydon
Stephen Pavich
Eric Sideman
William Welsh

Kyle Moppert, State Representative (LA)
Bob Shine, Certifier Representative (TN)

Members Absent: 0

Other Attendees:

- Keith Jones, *Program Manager, National Organic Program (NOP), USDA;*
- Michael D. Fernandez, *Assistant to the Administrator, Agricultural Marketing Service (AMS), USDA*
- Beth Hayden, *NOP, USDA;*
- Mark Keating, *NOP, USDA;*
- Richard Mathews, *NOP, USDA;*
- Arthur Neal, *NOP, USDA;*
- Robert Pooler, *NOP, USDA;*
- Toni Strother, *NOP, USDA;*
- Kristi Wilson, *NOP, USDA;* and

Interested persons from the public (See attachment B).

Meeting Purpose:

The principal purposes of this meeting are to provide an opportunity for the NOSB to receive committee reports; receive update from the Aquatic Task Force Working Group; to receive an update from the USDA/NOP, and review materials for possible inclusion on or removal from the National List of Approved and Prohibited Substances. Materials to be reviewed at the meeting are: periacetic acid, calcium borogluconate, animal enzymes, leather meal and sodium chlorate.

WEDNESDAY, NOVEMBER 15, 2000

CALL TO ORDER – MR. ROBERT ANDERSON, CHAIRPERSON

Mr. Robert Anderson called the meeting to order at 2:20 p.m., he welcomed everyone and thanked them for coming. Mr. Anderson had the National Organic Standards Board (NOSB) members introduce themselves as well as the guests assisting them.

Public Comment Session - Mr. Robert Anderson, Chairperson

Tom Harding, AgriSystems International

He testified in favor of organic certification of sustainably harvested wild caught fish. He told the Board that it must look at the system to determine how these fish are managed. He supported labeling all product in a legal and defined way. He encouraged eco-labeling. He also said that

"access to pasture" must have a clear definition and that the Board must recognize that all operations under all conditions are not appropriate for pasture all the time. He supported a standards ceiling and recommended that USDA not place a ceiling on standards.

Dennis Blank – He discussed his inability to get free flowing information from USDA or the NOSB. (See attachment 1)

Bob Anderson replied that "not one committee on this Board makes a decision away from this table". Mr. Anderson went on to say that never in his six years on the Board, five as Chairperson, did he ever know of any Board member withholding information from the media. Mr. Anderson finally asserted that it is the responsibility of the media is to engage in accurate reporting. **Bruce Krantz, Vice President/General Manager Hynite Corporation** – Mr. Krantz presented comment on the Board's review of Leather Meal. (See attachment 2)

Joe Mendelson – Speaking on behalf of the Campaign for Sustainable Agriculture, he referenced a letter attached to a recent survey results. Mr. Mendelson reviewed the content of the letter with the Board, and discussed issues of transparency and development of program manuals. (See attachment 3)

Brian Leahy, Executive Director of CCOF – Mr. Leahy requested that the Board reject the petition to approve leathermeal and sodium chlorate, and spoke in support of the label for "made with organic ingredients".

Cissy Bowman - She expressed concern for keeping small farmers on farms and the need for the stakeholders to include these interests. Ms. Bowman encouraged NASOP to be more involved as many new states developing organic programs are not familiar with the stakes involved.

Tom Hutcheson, Organic Trade Association – On behalf of OTA, he welcomed the new NOSB members. Mr. Hutchenson made reference to OTA's historic role in the development of industry and national standards and the offer of the association to continue that role. (See attachment 4)

The following people were not present but sent public comment to the Board:

Philip LaRacca, President California Certified Organic Farmers (See attachment 5)
Richard C. Nelson, President Nelson & Sons Inc. (See attachment 6)
Peter Granger, Washington Fish Growers Association (See attachment 7)

Ronald W. Hardy, Professor University of Idaho (See attachment 8)
Scott P. Ager, Technical Services Manager CH20, International (See attachment 9)

End of Public Comment

The meeting recessed for the day at 3:10 p.m.

THURSDAY, NOVEMBER 16, 2000

The meeting reconvened at 9:15 a.m. Bob Anderson encouraged the Board to stay engaged; stay open and to continue to build on the environment of good working relationships, to strive for more diversity on the Board and in the marketplace. Mr. Anderson passing the gavel to NOSB Chairperson elect Carolyn Brickey. The agenda was reviewed with no changes.

NOSB COMMITTEE ACTION ITEMS – MS. CAROLYN BRICKEY, CHAIRPERSON

Livestock Committee: *Mr. Eric Sideman, Chair*

Mr. Sideman reported that the use of parasiticides in organic livestock production should be the last resort in organic livestock health care, when animals are severely infected. In conventional production, parasiticides are used routinely. He reviewed the history of how the Board approved Ivermectin as one of the three parasiticides submitted for review. The Board chose Ivermectin because it has the widest number of applications. On the other hand, Mr. Sideman pointed out, Ivermectin does pose an important risk that needs to be addressed. Since Ivermectin is also an insecticide it kills dung beetles and other organisms involved in the decomposition of manure. This is a particular concern with slow release formulations of the parasiticide because such products are designed to be active over an extended period and thus a large portion of the manure deposited over the grazing season is resistant to decomposition. Hence the Livestock committee will recommend an annotation to the approval of Ivermectin that will prohibit the slow release formulations.

Emily Brown-Rosen explained the issue of approvals of ingredients for livestock feed. She introduced a proposal from the committee: if materials have been specifically approved for use in organic processing and also are approved either as listed in 21CFR or the American Association of Feed Control Officials (AAFCO) annual publication for use as livestock feed, the material should be allowed for use in organic livestock feed. Betsy Lydon asked if this is a roll back, to review all the approved ingredients in processing and allow them for use as livestock feed ingredients. Mr. Anderson asked if this policy should work in reverse: to approve if not prohibited, by the AAFCO list and CFR 21. Willie Lockeretz asked if there is a realistic difference in environmental concerns in livestock use that would not be present in food processing. Mr. Sideman will prepare a proposed resolution for the Board.

Materials Committee: *Ms. Joan Gussow, Chair*

Ms. Gussow presented the Materials Database prepared by Organic Materials Review Institute (OMRI). Ms. Brown-Rosen further explained the database. One purpose of the document is to provide a history of materials review for new Board members. Ms. Brown-Rosen asked for suggestions about format or request for additional information. Board members were asked to respond to Joan Gussow or Kim Burton, NOSB Materials Committee, not to Ms. Brown-Rosen or OMRI. Once corrections to format or accuracy are made. The database will come back to the Board for acceptance. Carolyn Brickey noted that the Board would develop a document for historical Board decisions not dealing with materials. This project will begin shortly.

The Materials Committee report was halted for an Environmental Protection Agency (EPA) presentation.

PRESENTATION BY MR. JIM JONES, DIRECTOR, EPA PESTICIDE REGISTRATION DIVISION

Jim Jones explained the status of the inerts review program at EPA. List 3 inerts already in approved organic materials seems like a logical place to begin a review. Owusu Bandele asked if EPA could also review materials for use as fertilizers as well, but EPA does not regulate fertilizers. Keith Jones thought the American Association of Plant Food Control Officials (AAPFCO) might facilitate that. Mr. Jones also discussed a new program that EPA will propose to offer manufacturers who petition EPA the opportunity to obtain a seal that indicates that the product meets OFPA standards for organic use. Manufacturers will need to submit a petition to EPA. This will be a voluntary program at the request of individual pesticide manufacturers. Mr. Sideman raised the question about annotations for organic approval and Jim Jones responded this issue would have to be addressed in the process. Keith Jones asked the Board to think about language for such a label.

Becky Goldberg asked about the public comment period in relation to the March meeting. Jim Jones suggested 90-120 days.

Keith Jones stressed the importance of language on the label. What EPA is doing is allowing additional information to the marketplace, not engaging in oversight of the Board action. The issue is how to communicate annotations. Willie Lockeretz is concerned about use by home gardeners who may misinterpret the EPA label. Keith Jones reminded everyone that NOP does not regulate consumers and home gardeners.

Steve Harper asked how the EPA will deal with materials that the NOSB recommends delisting.

Bob Anderson noted that this is an additional seal that manufacturers would see as a tool, an incentive for organic practice. The EPA organic label would state that organic approval will be allowed according to annotations, according to Jim Jones. Kyle Moppert noted that a violation of label restriction would now be not only an organic violation but also a pesticide violation. Steve Pavich asked how long it would take EPA to come up with this label. Jim Jones indicated that the program could be up and running in about 90 days.

Carolyn Brickey asked for advice about the NOSB petition review process. The Board discussed the opportunities for public comment and whether it would be available for all material applications. Ms. Brickey mentioned there might be some applications that would definitely not receive NOSB approval and some may not have TAP reviews at all. Kim Burton mentioned the October 1999 time line recommended by the Board and wants to consult with EPA.

Materials Committee - Continued: *Ms. Joan Gussow, Chair*

The proposal for materials decisions for Crops, Processing, and Livestock was reviewed. Mr. Anderson suggested that this document go out to the Board with the advanced Board packet.

USDA/NATIONAL ORGANIC PROGRAM UPDATE – KEITH JONES, PROGRAM MANAGER

Keith Jones acknowledge the presence of Mr. Michael D. Fernandez, Assistant to the Administrator, Agricultural Marketing Service (AMS), USDA. Mr. Fernandez briefly addressed the Board on behalf of Kathleen Merrigan, Administrator, AMS. Keith Jones discussed the Freedom Of Information Act (FOIA) process.

Keith Jones then reviewed the authorization levels for contracts for service. The Program Manager has authority to execute contracts up to \$5,000. Mr. Jones indicated that a contract over \$25,000 may not require bidding. Within certain guidelines, contracts can be sole sourced. Mr. Jones addressed in detail the \$100,000 contract awarded to OMRI for material technical advisory panel reviews which was originally offered to both OMRI and the Organic Farming Research Foundation (OFRF) at \$50,000 respectively. He stated there have been some questions why NOP did not put the materials review contract out for bid. He stated because of the time needed to do a request for proposal it was decided to do a sole source contract under an "urgent and compelling" authorization. Finally, the OMRI contract was submitted to both organizations and OFRF, after review, chose not to execute its purchase order. To continue to obligate the funds, an additional \$50,000 was then requested to be awarded to OMRI.

Steve Pavich asked about competition. Mr. Jones said the Department tries to encourage competition for requests for proposals, but indicated that there is little point in requesting proposals if only one person or organization applies. Mr. Jones added that due to the unique and esoteric nature of organic material review, vigorous competition among organizations may not occur.

The discussion returned to FOIA information. Steve Harper asked if some of the information being requested by FOIA could be available on the web. Mr. Jones agreed that some information could be made available, but not unapproved committee minutes and contract details. Until the minutes are approved, they are considered pre-decisional and unavailable to the general public. Willie Lockeretz asked if he should assume that any correspondence between the NOSB and the NOP are subject to FOIA. Mr. Jones answered yes. Any Board business is subject to FOIA.

Keith Jones also explained that NOP is issuing a proposal for a staff person to do administrative assistance for the NOSB. It will be a two-year contract for \$20+K and will hopefully be on the street within the week.

Mr. Jones explained that the final rule was undergoing clearance at the Office of Management and Budget and is on target for publication by the year's end. Ms. Brickey asked about advance notice to the Board regarding the release, and Mr. Jones stated the Board would be briefed by a process similar to that used with the March 2000 proposal. Specifically, the rule will be sent to Board members the day before the press conference and will be on the web for public viewing the morning of the press conference. Mr. Jones said that Secretary Glickman sees this rule as one of his crowning achievements. Media interest is increasing.

The Final Rule becomes effective 60 days after publication if Congress does not object. Eighteen (18) months after the 60 days, the rule will be fully implemented. Betsy Lydon asked if Congressional comments, if any, go directly to Keith. Mr. Jones said he would find out about the protocol under The Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA). Mr. Jones said that no rule of any kind has been rejected under SBREFA.

The top two issues for NOP after final rule roll-out are program manual development and materials (substance) review. NOP will want input from certifying agents about how the rule will work on the ground and will use feedback from certifying agents and the NOSB as a way to prioritize the program manual development.

Bob Anderson asked Mr. Jones about the status of nominations for new Board members. Mr. Jones replied that the nominations are a priority for the Secretary and Administrator Merrigan but that he is not privy to the status of the selection process. Ms. Brickey stressed the need to have new members in place by the next Board meeting which will focus on implementation of the final rule.

Accreditation Committee: Ms. Betsy Lydon, Chair

Betsy Lydon asked the Board for confirmation that the Enforcement Task Force is heading in the right direction. She distributed the list of considerations for the memorandum of understanding (MOU) between NOP and the States, the same document as previously seen by the Board. Betsy is asking for any new comments. Two matrices, one for Crops and Handling, one for Livestock were also distributed and she asked to come back with comments by December 1. For the benefit of new members, Diane Goodman explained the relationship of the matrices to the MOU with the States.

MATERIALS PROCESS AND REVIEW - Ms. Joan Gussow, Materials Committee Chair

Periacetic Acid for Crops

Discussion: Steve Pavich explained the committee position on the TAP review and recommended approval with annotations. Discussion revolved around the source of acetic acid and the production availability of fermented acetic acid, rather than synthetic acetic acid. The crops committee recommended to allow use for disinfecting equipment, seed and planting stock, and for foliar use for fireblight control. They recommended it be prohibited for soil application, due to concerns that such use is not compatible with a sustainable agricultural system and that alternatives, such as solarization do exist. Foliar use on crops was discussed, and the crops committee found that although the material is broad spectrum in effect, it is of short persistence and breaks down in the environment to water and oxygen. Its potential use as an alternative to antibiotics for control of fireblight was seen as a positive factor.

Several intermediary votes were taken on components of the annotation (vote to allow to disinfect seeds and bulbs; 8-2-4: vote to allow for fireblight control: 10-3-1.) As written, the annotation would not permit soil use.

The TAP review recommended limiting the material to sources derived from naturally fermented acetic acid sources only, however after discussion of the difficulties of identifying and finding sources produced this way, the crops committee agreed to drop this restriction. Steve Harper, processing chairperson, pointed out that the listing should be consistent for all uses (crops, processing, and livestock) and described his research into limited availability of fermented acetic acid sources. When used in processing applications, purity considerations may also limit the source. He also questioned a requirement for a natural source of one component when the material is considered a synthetic anyway. The board considered the overall benefits for use as a disinfectant to warrant dropping the restriction on natural sources.

A question was raised about the uses actually requested in the initial petition. The original petition was from the 1995 petition period, and was only a general request for disinfectant purposes in livestock production and handling, although the TAP review covered other uses. The board agreed with NOP staff person Richard Matthews, that as general policy, the NOSB should only be reviewing uses requested by petitioners.

VOTE: Periacetic Acid for Crops

1. Synthetic or Non-Synthetic – The Board voted unanimously that periacetic acid is synthetic.
14 - yes, 0 – no.
2. Vote to list without annotation: **0 – yes, 14- no**
3. Vote to list with the following annotation: **13 – yes – 0 no, 1 – abstain**

"Allowed to disinfect equipment. Allowed to disinfect seed and asexually propagated planting material (i.e., bulb, corm, tuber) used for planting crops. Allowed for fireblight control only with Experimental Use permit with documentation that alternatives including biocontrols have been tried."

Periacetic Acid for Livestock

Discussion: The board discussed a possible additional allowance for veterinary use, but declined to include that in the annotation, due to lack of established need or direct request from a petitioner.

VOTE: Periacetic Acid for Livestock

1. It was approved as a synthetic: **14-0-0**
2. Approved with the following annotation: **13-0-1**

"For facility and processing equipment sanitation (barns, milking parlors, processing areas)."

Periacetic Acid for Processing

Discussion: There was discussion about approving materials with an annotation and the implication that certain uses may be prohibited if not specified, which is not entirely correct. Becky Goldberg recommended that prohibitions should be clearly communicated. The TAP review mentioned other uses for peeling and bleaching, these were not recommended by the committee. Also the Board discussed how to communicate changes in annotations that may arise with new petitions for a material already approved. A question was raised as to how to provide information about considered and rejected uses, to discourage people from re-petitioning for uses that have already been rejected.

VOTE: Periacetic Acid for Processing

1. It was approved as a synthetic: **14-0-0**
2. Vote to list without annotation: **0 – yes, 14- no**
3. Approved with annotation of "Allowed for direct food contact only in wash and/or rinse water. Allowed as a sanitizer on surfaces in contact with organic food." **14-0-0**

Calcium Borogluconate for Livestock

Discussion: The livestock committee recommended allowing and stressed that it is an emergency use treatment that should be needed only on rare occasions. The TAP review suggested language about preventive measures in the annotation, but this was deemed vague and also covered in the proposed rule language that requires preventive practices before medications are used. Dietary adjustment can be made over time to prevent milk fever. The TAP review mentioned use for grass tetany also, but the board declined to allow for that use without more information or a specific request. A suggestion to require a 48-hour withdrawal requirement, as is required by Codex rules for all medications was not supported. Milk is typically not sold for at least 24 hours after parturition, and will contain mostly colostrum for the first 48 hours.

VOTE: Calcium Borogluconate

1. Approved as a synthetic: **14/0/0**

2. Vote to list without annotation: **0 – yes, 14- no**
3. Approved with annotation of "For treatment of milk fever only." **14-0-0**

Sodium Chlorate for Crops - Steve Pavich

Discussion: This material was petitioned for use as a cotton defoliant. Kyle Moppert pointed out that currently most organic cotton is coming from dryland production areas due to reduced insect pressure. Eventually more cotton will be grown in lowland areas or areas on the margin of adaptability and defoliants will be more of an issue in those regions. The board discussed the fact that alternatives seem to be available, and that the existing organic cotton industry is managing without this material.

VOTE: Sodium Chlorate for Crops

1. Vote to consider the material synthetic: **14 – yes, 0 – no**
2. Prohibited Synthetic. **14-0-0**

Leather Meal for Crops – Steve Pavich

Discussion: The crops committee recommended the material be considered synthetic and prohibited. The synthetic determination was made based on the numerous additives introduced through the leather making process. The Board agreed that there are many natural alternatives for fertilizer use that are readily available, and asked what uses the material currently has. The petitioner indicated that leather meal is currently applied to conventional tobacco, citrus, and orchard crops. Willie Lockeretz noted that the record should be clear, that the NOSB rejected the material based on the facts that it is synthetic and it has no specific exemption in OFPA.

VOTE: Leather Meal for Crops

1. Vote to consider the material synthetic: **13 – yes; 0 – no. (1 absent)**
2. Vote to add to National List: **0 – yes, 13 – no**

Animal Enzymes for Processing – Steve Harper

There was discussion about which enzymes are currently in use by the industry. The TAP review was presented as a group review of animal enzymes, using animal-derived rennet as the model, and included additional information on six other enzymes. The processing committee considered proposed annotations from the TAP review that restrict incidental additives and preservatives used in enzyme preparations. They noted that powdered forms are preferable, though not always available. Liquid formulations may have sodium benzoate added. The processing committee did not support a requirement for GRAS status. The representative present from the enzyme association explained GRAS as frequently self-imposed, not always FDA- approved with published regulation. FDA has never taken action against enzymes used in the market that claim GRAS and are not regulated by the FDA. It is difficult to determine whether a material is synthetic or natural, depending on the presence of synthetic additives. A request for GRAS status for lysozyme was filed in 1973. The FDA published a *Federal Register* notice in 1998 proposing to affirm it as GRAS. Given the change in policy, the determination is not expected to be granted any time soon. Joan Gussow questioned whether determination of freedom from BSE can readily be determined.

The board decided to list 6 specific animal enzymes as allowed, without annotation. They did not include a listing for lysozyme, which does not have a final GRAS status from FDA. Discussion ended with the fact that the NOSB is voting on the enzymes, not on the additives.

VOTE: Animal Enzymes

1. Vote to consider the material synthetic: **0 – yes; 12 – no. (2 absent)**
2. Vote to list the following materials without annotations and without Lysosyme. **10- yes; 2 – no, 1- abstain (1 absent)**

Rennet (animal derived); catalase--bovine liver; animal lipase; pancreatin; pepsin; trypsin.

Recessed for the day.

FRIDAY, NOVEMBER 17, 2000

MEETING RESUMED 9:00 a.m. – Carolyn Brickey, Chairperson

Aquatic Task Force Working Group Reports: *Mr. Robert Anderson, Task Force Chair*

Mr. Anderson presented an overview of the intention and structure of the Aquatic Task Force and Working Group. The Task Force is made up of an Aquaculture Working Group and a Wild Aquatic Species Working Group. The chair of each group gave a working report to the NOSB.

Aquaculture Working Group – Ms. Margaret Wittenberg, Chair

Ms. Wittenberg explained that the premise for the working group is to determine the feasibility of establishing organic standards. Margaret addressed the issue of fish meal and fish oils as feedstocks for fish as necessarily organically produced. This led to the question of fish as free-ranging and its comparison to poultry on "free range" which is actually "free range" within a confined area. (See attachment 10)

In summary, the majority position of the Working Group is that possibilities exist for organic certification of some aquaculture systems.

Wild Aquatic Species Group – Mr. Miles McEvoy, Chair

Mr. McEvoy summarized the opinion positions of the members of the Working Group regarding the certification of wild fish. (See attachment 11)

Summary points:

Wild organic is neither a "no-brainer" nor is it an impossibility. The working group supports labeling to distinguish good stewardship of aquatic species, organic may not be the appropriate label.

Keith Jones made the statement, to provide guidance to the Board, in his own opinion, that there is probably more knowledge about where wild fish go than there is about where cattle graze on rangeland. He praised the progress Miles and Margaret have made in this effort and how they have provided the Board with information they will need to move forward.

Carolyn Brickey and Bob Anderson explained that today's goal was to lay out the parallels and comparisons to help the Board approach this issue, not reach any conclusions.

COMMITTEE ACTION ITEMS – Carolyn Brickey, Chairperson

MOTION: Motion by Eric Sideman. The NOSB recommended that the annotation for Ivermectin be amended to prohibit the slow release formulation known as the SR bolus. In addition we request that information continue to be gathered in order to determine if other formulations are a significant risk to decomposition of manure. Marvin Hollen seconded.

REVISED MOTION: The NOSB recommended that the annotation for Ivermectin be amended to prohibit the slow release formulations such as the SR bolus.

The Board discussed whether the annotation would prohibit slow release formulations or to prohibit other formulations. Keith suggests that more data be obtained before the Board makes this decision. Mr. Sideman asked Mr. Jones if this recommendation could make it into the rule. Mr. Jones said that it was not possible now. This raised the question about how changes will be made after the rule is final. Keith responded that the Board will be acting on materials during implementation, so that when the rule is fully implemented, the changes will be reflected. Keith says that any change to the final rule has to go out for public comment, so it is better to raise these issues early in the process. He wants to go through the correction process only once. Kim Burton asked when the National List will be reprinted. **Keith Jones wants to talk about this issue in March. The Board needs to act on materials as quickly as possible to get it incorporated into the rule within 18 months.**

The Ivermectin motion passed unanimously (12/0/0). (Mark King and Joan Gussow absent)

MOTION: Motion by Eric Sideman. The NOSB recommends that unless otherwise specified in the annotation any substance on the National List of non-agricultural substances allowed as ingredients in an organic processed food product also be allowed for use in organic animal feed, provided it is regulated in 21 CFR for livestock feed or allowed by FDA with discretion to AAFCO. Betsy Lydon seconded.

Discussion: A number of items on the processing list are used in ingredients for feed additives and have been permitted by the board for human food use, such as citric acid, kelp, kaolin, ascorbic acid, tocopherols, glycerin, lecithin, and potassium carbonate. Their status is not clear under the current livestock regulations, which requires that all synthetics appear on the National list. This motion will save the need to re-petition and re-consider these items individually.

REVISED MOTION: The NOSB recommends that unless otherwise specified in the annotation, any substance on the National List of non-agricultural substances allowed as ingredients in an organic processed food product also be allowed for use in organic animal feed, provided it is approved by FDA in 21 CFR for livestock feed or allowed by FDA discretion as stated by AAFCO. Passed unanimously (11/0/0).

MOTION: Motion by Eric Sideman. Mr. Sideman moved that the minutes from the June 6-7, 2000 be approved as amended. Kim Burton seconded. The motion passed unanimously. (11/0/0).

BREAK FOR LUNCH

Materials Committee Work Plan – Ms. Kim Burton, Chair

Kim Burton reviewed the Petition Review Process timeline based on recommendations of the Board that would take 120-150 days from receipt of petition to approval. The Chair suggested that we work backwards, from March approvals back to petition to OMRI. OMRI staff said OMRI needs three months for TAP reviews. If petitions are received by December 1 by NOP they can go to OMRI by December 15. TAP reviews will be open for public comments for 15 days prior to NOSB meetings.

Keith Jones reminded everybody that these contract funds need to be spent which would require the review of 50 materials by October, the end of fiscal year. Keith Jones and Katherine DiMatteo met about three weeks prior to the Board meeting, and he urged OTA to ask the industry to send him a list of material petitions he should be expecting. He has received an indication that about 40 petitions would be sent to NOP. Ms. Brickey asked about a date for OMRI to receive petitions for review in June. Emily Brown Rosen responded with a deadline of February 1, 2001.

Ms. Burton asked about the flow of petitions and requests for comments. Keith wants comments sent to NOP. Dates for petition process and public comment are noted on the chart handed out to the Board.

Livestock Committee Work Plan – *Mr. Eric Sideman, Chair*

Issues identified by Livestock Committee to be addressed in the coming year included:

- Young animal care
- Nutrient management
- Living conditions and stocking rates
- GMO incidentals including compost ingredients, manure from GMO livestock
- Feed additives regarding 100% organic feed, needs to be clarified to determine 5% rule
- Pasture-based living conditions for ruminant animals is still the firm position of the committee but due to the controversial nature of the issue, what pasture-based means needs to be defined.

Emily Brown-Rosen noted the need to address the issue of allowing vitamins as feed additives for livestock, depending on FDA approval by regulation or allowance with discretion for materials listed by AAFCO.

Keith Jones noted that when the final rule comes out, this question may not be an issue, based on any new issues that will be need to be addressed. Many questions and issues may be answered in the Final Rule.

Carolyn Brickey wants to have the work plan for the year posted to the web for industry comment and to provide material for the Board retreat.

Processing Committee Work Plan – *Mr. Steve Harper, Incoming Chair*

The processing committee is waiting for the final rule to determine which parts of the rule will be compatible with processing practices. The committee is also going to be focusing on retailer education and on transitional standards. Steve Harper is waiting for the final rule to formalize the committee work plan.

Accreditation Committee Work Plan – *Mr. Willie Lockeretz, Incoming Chair*

Willie Lockeretz outlined the following issues for attention by the committee this year:

- Continued development on the Enforcement Task Force matrices.
- MOUs with States need to be developed for enforcement
- Peer Review participation with the Department.
- Development of an equitable fee structure especially for small operations.
- Certifier concerns about their role in the politics in accreditation and certification -- more about how they feel rather than about how it will be done.

Tom Hutcheson announced that OCC is hosting an Accreditation Training program for certifiers in February 2, 3, Friday and Saturday. Mark Bradley from the FSIS collaborated with OTA and IOIA in developing the program.

During the final public comment Bob Shine spoke as a small certifier about the issue of the shakeout of small certifiers when the program is implemented and the reaction to the unknown.

Crops Committee Work Plan – Mr. Owusu Bandele, Incoming Chair

Steve Pavich stated the Crops Committee should discuss:

- Compost
- Manure
- GMO
- Transitional Certification

WRAP-UP/NEXT MEETING PLANS – Ms. Carolyn Brickey, Chairperson

Ms. Brickey wants this work plan consolidated in a couple of weeks and up on the web.

Travel days for the next NOSB Meeting will be Sunday, March 4, 2001, with a NOSB Retreat on Monday, March 5th, and the NOSB Meeting on Tuesday and Wednesday March 6 and 7. The first day of Expo West is Thursday, March 8th.

Ms. Brickey would like to brief Board members on Conflict of Interest at the retreat.

The June NOSB meeting dates are June 5 – 7, 2001. Suggested locations for the next meeting included La Cross or Madison, WI or the Minnesota area.

The meeting was adjourned at 2:40 p.m.

CAROLYN BRICKEY, Chair
National Organic Standards Board

KEITH JONES, Program Manager
National Organic Program