



September 29, 2022

National Organic Standards Board
USDA – AMS
1400 Independence Ave, SW
Washington, DC 20250
Docket # AMS-NOP-22-0042

National Organic Standards Board members:

The Ohio Ecological Food and Farm Association (OEFFA) is a grassroots coalition of more than 4,200 farmers, gardeners, retailers, educators, and others who since 1979 have worked to build a healthy food system that brings prosperity to family farmers, safeguards the environment, and provides safe, local food. Certified organic farmers make up the bulk of our membership, as well as the bulk of our policy steering committee. OEFFA’s Certification program has been in operation since 1981. OEFFA certifies more than 1,100 organic producers and food processors, in a twelve-state region, ensuring that these operations meet the standards established for organic products, and collaborates with partners such as the Accredited Certifiers Association and International Organic Inspectors Association to foster consistency and clarity both in the way we conduct ourselves, and in what we expect from producers and handlers we certify, as well as from our colleagues at the NOP and NOSB.

OEFFA employs education, advocacy, and grassroots organizing to promote local and organic foods, helping farmers and eaters connect to build a sustainable food system. We work collaboratively with groups such as the Organic Farmers Association, the National Organic Coalition, and the National Sustainable Agriculture Coalition to affect positive food systems change. We want to support our farmers in their efforts to protect organic integrity and educate their communities about its benefits, its rigor, and its strong values of transparency and continuous improvement.

We thank you for your service to the organic community, and we respectfully offer the following comments:

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BIG PICTURE

FIELD AND GREENHOUSE CONTAINER PRODUCTION

OEFFA is part of a working group of certification, education, and policy organizations who agree that soil is the foundation of organic agriculture, and who strive to achieve consistency in our organizational policies and certification decisions.

Specifically, we agree upon the following ideas:

- Soil is the foundation of organic agriculture.
- A full reading of the Organic Foods Production Act (OFPA 6513) and the Regulations requires that organic plants be grown in soil. Aeroponic, hydroponic, and crops grown to maturity in containers do not comply with [OFPA 6513(b)(1)].
- We cannot achieve consistency in our policies and decisions until the NOP goes through the formal rulemaking process for Greenhouse Production Standards which were recommended by NOSB nearly 20 years ago.
- We cannot achieve consistency in our policies and decisions until containers go through the process of NOSB discussion, recommendation, and NOP rulemaking.

The members of this group agree that the following crops grown in containers have historically been certified organic, and ought to be allowed to be certified organic moving forward. We have adopted them into certification policies in the absence of clear and applicable standards.

- **Sprouts** (which are mentioned in the rule as requiring organic seed, and which take their nutrition entirely from the seed)
- **Microgreens** (which are not mature at the time of harvest, but are sold as an immature plant, and which also derives much of its nutrition from the seed)
- **Fodder** (sprouts for livestock)
- **Transplants**, annual seedlings, and perennial planting stock (which are subsequently transplanted and grow to maturity in soil)
- **Mushrooms** (fungi, not plants, but widely certified with somewhat consistent ad hoc policies developed by certifiers over time, based on the NOSB Final Recommendation on the Mushroom Practice Standard, or using livestock standards, as fungi are other, non-plant life. There are, however, significant

differences in terms of what certifiers allow as substrate. Development of mushroom standards is a high priority for us.)

Based on our interpretation and full reading of OFPA and the NOP regulations, our current consensus is that the above is a complete list of crops that should be allowed to be certified when grown in containers. These items still require NOSB discussion, recommendation, and rulemaking to improve the consistency of existing extrapolation, interpretation, and certification. The 2010 NOSB recommendation on Terrestrial Plants in Containers and Enclosures should be used as a starting point. Admittedly, this “cart before the horse” approach to rulemaking, in which production types are certified before clear standards exist, is backwards and ought to be avoided moving forward.

To address these inconsistencies, we urge the NOSB to activate the latent agenda item “Field and Greenhouse Container Production.” We would happily provide detailed input as to the forward movement of this agenda item with the shared goal of improved transparency and consistency, and bringing us into greater alignment with the global organic movement, including the recent IFOAM position on Hydroponics¹. **Please work to add “Field and Greenhouse Container Production” back to the NOSB work agenda and lead our community in a discussion of this essential topic.**

Finally, because aeroponic, hydroponic, and crops grown to maturity in containers do not comply with [OFPA 6513(b)(1)], and because there is significant inconsistency in the way these forms of production are being handled by organic certifiers presently, **we urge the board to call for a moratorium on the certification of new aeroponic operations, hydroponic operations, and crops grown to maturity in containers** until we can utilize our existing NOSB and rulemaking process to move forward with greater consistency.

RACIAL EQUITY

OEFFA appreciates the work of the current Administration to bring equity issues to the fore within USDA, and the efforts of NOC and others to bring these issues to light within the organic community. We support NOC’s racial equity comments and have the following two specific requests:

1. Establish a Diversity, Equity, and Inclusion Subcommittee within the NOSB.

In order to make sure this topic receives the time and attention it deserves, we ask the NOSB to establish a Diversity, Equity, and Inclusion (DEI) Subcommittee to lead this work on the part of the Board. We know the NOSB has a set call schedule and recommend the merging of the policy subcommittee with the CACS to make room for this important work. In having a subcommittee with the purpose of moving DEI work forward within organic, the NOSB will build-in its own review process to ensure we challenge, and do not repeat, patterns of structural racism.

2. Add Fairness standards to the NOSB work Agenda and work to develop them.

We recommend that the NOSB engage in a public consultation process to develop social justice standards for the National Organic Program. The NOSB should add this topic as a work agenda item. IFOAM’s Principles of Fairness are a good starting point for discussion. The Principles are as follows:

- Organic Agriculture should build on relationships that ensure fairness with regard to the common environment and life opportunities

¹ <https://www.ifoam.bio/sites/default/files/2021-06/organicsinaction.pdf>, p.45 – Hydroponic Production not in line with Organic Principles

- Fairness is characterized by equity, respect, justice, and stewardship of the shared world, both among people and in their relations to other living beings.
- This principle emphasizes that those involved in organic agriculture should conduct human relationships in a manner that ensures fairness at all levels and to all parties – farmers, workers, processors, distributors, traders and consumers. Organic agriculture should provide everyone involved with a good quality of life, and contribute to food sovereignty and reduction of poverty. It aims to produce a sufficient supply of good quality food and other products.
- This principle insists that animals should be provided with the conditions and opportunities of life that accord with their physiology, natural behavior and well-being.

The NOSB could also refer to the Food Justice Certified (FJC) standards developed by the Agricultural Justice Project, which were developed over a four-year period of stakeholder input—involving farmers, farmworkers, interns and apprentices, and indigenous, retail, and consumer groups—and are an attempt to codify in concrete terms what making a legitimate claim of “social justice” in organic and sustainable agriculture means.

We thank the Board for your attention to these matters and we would be happy to support your efforts in this arena, as OEFFA certifies to the FJC standards and partners with AJP on Fair Farms programming.

NOSB AGENDA ITEM: SWINE MANAGEMENT

OEFFA is working with its membership and in coalition with other groups to draft comments in support of the proposed Organic Livestock and Poultry Standards. We are supportive of OLPS and look forward to its swift implementation. That said, it is clear there is more work to do in the arena of swine. We would like to request the NOSB add the topic of swine management to its work agenda to begin addressing the gaps in the existing and proposed standards.

TIMING AND FORMAT OF MEETINGS

We need more farmer participation in the NOSB process. To this end, OEFFA’s Grain Growers have continually requested an alternative to the current meeting schedule.

We have heard that this meeting will include a presentation regarding why the NOSB meeting schedule cannot be altered to make the meetings more accessible to farmers. While we don’t know the reasoning just yet, we appreciate that the board took this recommendation to heart and explored the possibilities. It is our hope that we, in collaboration with OEFFA farmers and handlers, can find ways to continue to communicate with board members outside of the NOSB meetings, including informal communication, group meetings, and the use of the open docket. For us, this underscores the need for NOSB members to have ongoing support so that they can, in turn, be supportive of farmers wishing to engage in the process outside of set meeting times. We appreciate the service of board members and their willingness to be in close contact with organic stakeholders.

GLOBAL ORGANIC MOVEMENT CONSISTENCY

Just as the US organic regulatory system benefits from consistency of interpretation and application, the international organic movement benefits from increased consistency across national organic programs. There are a few materials in which there is a lack of consistent practice in the US system, which conflicts with our trade partners, organic neighbors, IFOAM interpretations, and CODEX regulations. We appreciate the Board’s attention to this matter when reviewing each material, and we agree that we should bring our standards into greater concert with the global organic movement.

COMPLIANCE ACCREDITATION, AND CERTIFICATION

PROPOSAL: NOP RISK MITIGATION TABLE REVIEW

We appreciate and support the board's efforts on this proposal, including pointing out areas of risk to NOP's duties that are not addressed by the current focus on conflicts of interest.

PROPOSAL: NOSB TECHNICAL SUPPORT

We support the NOSB proposal that NOP should proceed with an effort to provide technical support to the NOSB. We do not agree that support should come only from USDA. Relying solely on USDA support would represent a missed opportunity to address two aspects of human capital development at once. Partnering with graduate students or other outside organizations, rather than utilizing USDA career expertise would both provide technical support to the NOSB and encourage human capital development of future potential organic community members. Further, each board member should have the autonomy and agency to hire technical support and expertise that fits their individual needs and work style. This expertise can be found in multiple venues beyond USDA. The NOP and NOSB have contracted with various other external expertise providers, such as OMRI for Technical Review support and various marine scientists for the Marine Materials discussion, in the past, so we have a precedent for these types of relationships from which to draw.

DISCUSSION DOCUMENT: OVERSIGHT IMPROVEMENTS TO DETER FRAUD: ACREAGE REPORTING PROPOSAL

We agree with the subcommittee's recommendation that NOP require certifiers to list a certified operation's acres by crop type and total acres on the organic certificate. OEFFA currently includes certified acres by crop type on our organic certificates and we would be happy to add total organic acres.

As a community, we will need to come to consensus regarding the granularity of details in reporting double cropping and small-scale production. Small scale produce production provides a challenge to the specificity of crop listings and acres per crop, considering both the huge variety of crops commonly grown on small parcels of land (a few bed feet, in some cases) and the frequency with which crops are rotated in each bed or field (commonly multiple families of vegetables in a single season). The organic community will need to decide what level of detail is necessary for integrity verification and practical to provide. The NOP taxonomy lacks some commonly-grown crops and will need to be updated to allow consistent listings of sufficient granularity.

Additionally, number of animals could be listed on certificates, recognizing that the number listed would be a snapshot rather than a full picture as flock and herd numbers are in constant flux. Both per-crop acreage and number of animals would be beneficial to include in the Organic Integrity Database for ease of verification. (We note that number of animals in each class is especially variable with dairies; reasonable listing options for the same farm might include either, for example, 40 lactating cows and 8 dry cows, or 48 lactating and 0 dry cows.) We would not expect these numbers to be updated more than once a year per operation given the burden of verifying and reporting them.

DISCUSSION DOCUMENT: OVERSIGHT IMPROVEMENTS TO DETER FRAUD: MINIMUM REPORTING REQUIREMENTS

OEFFA supports the concept of this discussion document. Culturally, organic is known for transparency and willingness to share information. OEFFA farmers regularly help bring new transitioning farmers into the fold and mentor one

another regarding production practices and recordkeeping. Similarly, many certifiers and organic educational organizations offer recordkeeping templates both in print and digital forms for not just their operators, but all organic operators to use, should they choose. Even USDA has supported such efforts, providing background information for DMI calculations, for example. We are supportive of this type of crowd-sourced, cooperative effort, and we know it benefits organic producers, handlers, inspectors and certifiers.

That said, the need to use any given form exclusively reaches well beyond the requirements of recordkeeping in OFPA, and could cause both confusion and inefficiencies for operations or types of audits which don't "fit" the form in question. Different operators, inspectors, and certifiers think differently and ought to also be able to organize written information in different ways. As a certification agency, we do our very best to accept all different forms of recordkeeping from our operators, so long as it is auditable. Standardization, as is evidenced when adopted in other arenas such as standardized testing in schools, for example, can have outcomes opposite of its intention, and can serve to draw resources away from the substance of the matter in question. Several good, widely shared templates, on the other hand, from different types of thinkers, learners, farmers, and businesspeople support a broad spectrum of organic stakeholders serving in various capacities. Let's not fall into the "standardization is always more efficient" trap, but rather learn from our experience in agriculture that diversity (in this case of recordkeeping and documentation) is not only navigable, but also positive and beneficial.

Questions from CACS:

1. *How could the NOP engage, facilitate, and help inform certifier exploration of universal documents like mass-balance and traceback worksheets?*

The NOP could collaborate with ACA and with Agricultural Educators who support producers, such as the recently founded Transition Support Group, to help compile, edit, and draft these and additional recordkeeping documents that operators could choose to utilize. NOP may uncover particularly good resources during audits, and with the permission of the certifier, could share good examples with the rest of the community. They could even maintain a public website with sample forms and templates beyond what is currently shared for use in terms of fact sheets and recordkeeping resources.

2. *Is there any unforeseen downside to inspectors, reviewers, and certifiers all working with the same traceback and mass balance templates?*

As noted above, we see some potential challenges, but they are not insurmountable ones if addressed through cooperation and sharing of multiple good options. For example, a hay audit may be best represented in a very different audit template than a soybean audit or a strawberry audit. One-size-fits-all generally does not fit all, and we hope the community will approach this effort with that in mind.

3. *Are there other forms (ie Dry Matter Intake (DMI) worksheets, Bills-of-Lading (BOLs), inspection report forms, etc?) that we can make universal to promote consistency for certifiers, inspectors, and operations?*

OEFFA Grain Growers support the idea of a more universal Bill of Lading. At OEFFA, we use and share USDA's supporting documentation for DMI and have developed our own worksheet for this purpose. We find it works well with producers and have it posted publicly on our website. We would be happy to learn from templates working for other certifiers, operators, and inspectors, as well.

DISCUSSION DOCUMENT: ORGANIC AND CLIMATE-SMART AGRICULTURE

OEFFA is appreciative to the board for taking on the daunting task of demonstrating to the USDA how organic agriculture is "climate-smart". While most of the organic community understands that the holistic and synergistic suites of practices that make up organic management systems provide numerous ecosystem functions including climate

adaptation and mitigation benefits, research funding to document those benefits has been scattershot. It is long past time to increase research funding demonstrating the numerous benefits of organic management systems and for USDA to acknowledge these benefits clearly and publicly.

The CACS committee has done a good job of outlining the major research projects to date connecting organic agriculture to the issue of climate. We hope that future meetings include a panel featuring some of these researchers and including the Organic Farming Research Foundation.

With regard to future research priorities, we strongly concur with the board's assertion that "*...research quantifying the per-acre impact of organic agriculture's elimination of synthetic nitrogen in the following categories should be prioritized: carbon not emitted in the manufacturing process, the carbon sequestered in the soil by not volatilizing soil organic matter through concentrated nitrogen application, and finally, the nitrogen kept from contaminating ground and surface water.*"

Also articulated in this section, a life-cycle analysis of organic crop production will allow for better quantification of the impact that organic systems have in mitigating greenhouse gases. The USDA is becoming more aware of the fragility of our food supply chains and research that demonstrates how we can build more resiliency into the entire food system by supporting farmers that use organic management is also extremely important.

OEFFA is also very appreciative of the clear written and visual connection made by the committee between NOP standards, NRCS conservation standards, principles of regenerative agriculture and climate mitigation and adaptation.

Regarding the board's answers to NOP question #8, "*What are the barriers to capturing and reporting on organic farming benefits,*" OEFFA has significant concerns. We appreciate that reducing the burden of paperwork on farmers is an important goal to work toward. We also support the inclusion of data related to soil organic matter, soil nutrient analysis and other key measurements for greater demonstration of carbon sequestration. We should equally document the reduction in GhG emissions in organic systems. We must consider the additional costs such testing and analysis may add for producers as well as the training and oversight requirements related to those measurements.

The idea of a "*universal OSP*" has recently been put forward as a tool for streamlining, providing greater consistency in reporting and ease of use with other USDA programming. It is important to think about who benefits and what the unintended consequences may be. A frequent argument for the universal OSP is that current OSP's look like checklists and do not demonstrate the kind of comprehensive planning needed. By creating a streamlined OSP that is plug and play with other programming, it becomes a more bureaucratic tool than what it was designed to be, a tool for site specific planning, to build and utilize on-farm resources, and demonstrate both systems thinking and compliance with NOP standards. It may, in fact, promote more of a "checkbox" mentality than the forms currently in use.

Organic producers can demonstrate compliance and qualify for other USDA programming through the use of existing OSPs. NRCS is well-versed in the variations not only across regions, but even within fields, and has the capability to identify common elements on existing system plans for program qualification.

OEFFA farmers are demonstrating that they want to be part of the solution to climate change and are willing to apply for programs where they see clear benefit for their farm and their goals for mitigation and adaptation. Let's not conflate the idea of a universal OSP with steps to meet goals for participation in climate-smart programming.

OEFFA strongly supports the board's assertion that USDA-Agricultural Marketing Service has a key role to play when it comes to marketing organic agriculture as "climate-smart". The agency must get beyond the idea that it is "choosing between two children" if organic agriculture is supported. Just as good parents know that different children have different talents and abilities that are to be supported and celebrated, the USDA can acknowledge and promote the multiple ecosystem benefits of organic agriculture as a marketing function through AMS without being considered disparaging to conventional agriculture.

We also appreciated the attention paid to the needs of transitioning producers in question #15 “*What types of technical assistance do organic farmers need to transition? Is this assistance available now? What type of assistance may be missing?*” OEFFA has served transitioning operators formally since 2014 and informally prior to that. We have a track record of providing comprehensive, one-on-one technical assistance for transitioning operators, and we agree with your list regarding what operators need in order to transition. We would add to this list that transitioning farmers and organic-curious handlers need help both learning and understanding the organic standards and how they relate to organic production and handling systems on the ground. They need help understanding the organic certification process and timeline, including both the desk reviews and what to expect at an inspection. In addition to understanding crop rotations, which is noted in your list, operators need help understanding organic markets and how to access them. They need materials review services and help understanding how to know if a material, seed, or other input is allowed for use in organic production. While there are organizations you noted, and others, providing these services currently, we will need to significantly increase these supportive services moving forward. The recently founded Transition Support Group includes 13 organizations who have self-selected as those providing support to transitioning producers – technical services providers- gathering with the intention of supporting one another in service of these farmers and food businesses.

With regard to critical research needs for organic producers, OEFFA would like the board to consider pulling together a panel of researchers with experience on organic agriculture and climate issues to have a more thorough discussion with the board and to add to the list of organic research priorities related to climate.

Finally, we would like to request that impacts on climate be included as a criterion the Board uses to review materials for inclusion on the National List. This would be a way of institutionalizing climate concerns as part of NOSB process and ensuring accountability to climate concerns in the arena of organic production materials.

CROPS

PROPOSAL: CARBON DIOXIDE- PETITIONED

For considered addition at:

§205.601(a) for use as an algicide, disinfectant, and sanitizer, including irrigation system cleaning systems

§205.601(j) as a plant or soil amendment

OEFFA does not support the addition of carbon dioxide to §205.601(a) for use as an algicide, disinfectant, and sanitizer, including irrigation system cleaning systems. We have heard no indication from producers that an additional material is needed for this purpose, nor does the petition make a strong case. Additionally, a comprehensive and comparative review of sanitizers is needed before we add additional materials of this nature to the list for use.

While we understand the NOSB is in the process of seeking additional information, OEFFA does not support the addition of carbon dioxide to §205.601(j) as a plant amendment. Organic production involves a systems approach that focuses on the health of the soil rather than on inputs to increase plant growth. Further, organic is a climate change solution, and the addition of greenhouse gas to the National List would be both unnecessary and unwise.

POTASSIUM HYDROXIDE- PETITIONED

OEFFA does not support the addition of potassium hydroxide to the National List as a processing aid. We question the essentiality of this material and wonder why a grinder cannot be used instead of potassium hydroxide in order to aid in degradation of the invasive fish for this purpose.

Further, this material highlights for us the need to consider the marine ecosystem with the same care that we consider the terrestrial one when making decisions about materials consistent with a system of sustainable agriculture.

Removing whole fish for this purpose, however invasive, will impact the marine ecosystem by removing nutrients. This begs consideration drawing on previous work done by the board focusing on marine materials.

2024 SUNSET SUBSTANCES REVIEW 205.601 AND 205.602

HERBICIDES, SOAP-BASED

§205.601(b) As herbicides, weed barriers, as applicable (1) herbicides soap-based—for use in farmstead maintenance (roadways, ditches, right of ways, building perimeters) and ornamental crops

OEFFA does **not** support the continued listing of Herbicides, soap-based, for farmstead maintenance and ornamental crops. This material is not essential for farmstead maintenance. We have only rarely seen these materials requested by our certified operations.

BIODEGRADABLE BIOBASED MULCH FILM

§205.601(b) As herbicides, weed barriers, as applicable (2) mulches (iii) Biodegradable biobased mulch film as defined in §205.2. Must be produced without organisms or feedstock derived from excluded methods.

OEFFA appreciates the Board's work on this topic and the way it was clearly summarized in the meeting materials. We support the continued listing of this material and look forward to rulemaking according to the Board's 2021 recommendation.

STICKY TRAPS/BARRIERS

§205.601(e) As insecticides (including acaricides for mite control)

(9) sticky traps/barriers

OEFFA supports the relisting of sticky traps and barriers as a pest management option.

ELEMENTAL SULFUR

§205.601(h) As slug or snail bait.

(2) Elemental Sulfur

Products containing elemental sulfur and "inert" ingredients are listed on several OEFFA Organic System Plans for vegetable production. As mixed vegetable operators reduce tillage and use more mulches to cover the soil, slug management options may become increasingly necessary. That said, we are uncomfortable with the secret "inert" ingredients present in these products. This is another example of the urgent need to address "inerts" in organic production.

FIXED COPPERS AND COPPER SULFATE

Coppers §205.601(i) *As plant disease control. (2) Coppers, fixed- copper hydroxide, copper oxide, copper oxychloride, includes products exempted from EPA tolerance, Provided, that, copper-based materials must be used in a manner that minimizes accumulation in the soil and shall not be used as herbicides.*

Copper Sulfate §205.601(i) *As plant disease control. (3) Copper sulfate- Substance must be used in a manner that minimizes accumulation of copper in the soil.*

OEFFA supports the continued listing of fixed coppers and copper sulfate on the National List for organic crop production.

OEFFA producers utilize many cultural practices to support plant health and prevent diseases, including pruning, wider spacing between plants, crop rotation, variety selection, nutrient management, and mulches. They also employ products containing hydrogen peroxide, as well as several other remedies including milk, oils, and microbial inputs to manage diseases. While these practices and products are helpful, they are insufficient to manage disease problems such as phytophthora in tomatoes, peppers, eggplants, and cucurbits. OEFFA producers work to make sure that copper does not accumulate in the soil by using specially designed sprayers and spraying techniques, as well as crop rotations and soil testing. Some report success in managing disease by alternating between hydrogen peroxide and copper applications, further reducing the use of copper.

Copper is a controversial input in organic production and, due to the negative effects it can have on soil, aquatic ecosystems, and farmworker health, its use is often cited in critiques of organic production systems. For these reasons, we want to encourage further research into other viable disease management tools and approaches, such as research focusing on the ecology of fungal diseases, for use in organic production. However, copper remains important in growing organic produce. Our producers maintain that copper is an essential part of their disease management programs and there is currently no comparable substitute available.

HUMIC ACIDS

§205.601(j) *As plant or soil amendments.*

3) *Humic acids- naturally occurring deposits, water and alkali extracts only*

OEFFA supports the continued listing of humic acids. OEFFA producers include several inputs containing various humic acids on Organic System Plans to support nutrient uptake.

MICRONUTRIENTS

Soluble boron products §205.601 (j)(6) *-As plant or soil amendments. Micronutrients—not to be used as a defoliant, herbicide, or desiccant. Those made from nitrates or chlorides are not allowed. Micronutrient deficiency must be documented by soil or testing or other documented and verifiable method as approved by the certifying agent.*

(i) *Soluble boron products.*

Sulfates, carbonates, oxides, or silicates of zinc, copper, iron, manganese, molybdenum, selenium, and cobalt §205.601 (j)(6) *-As plant or soil amendments. Micronutrients—not to be used as a defoliant, herbicide, or desiccant. Those made from nitrates or chlorides are not allowed. Micronutrient deficiency must be documented by soil or testing or other documented and verifiable method as approved by the certifying agent. (i) Soluble boron products.*

(ii) *Sulfates, carbonates, oxides, or silicates of zinc, copper, iron, manganese, molybdenum, selenium, and cobalt.*

Micronutrients from mined and synthetic sources are listed on the Organic System Plans of OEFFA producers. Some soils in our coverage region are naturally and perpetually low in certain essential micronutrients and the allowance of synthetic sources is relied upon by many of our certified operations, as single amendments and as ingredients of other inputs. OEFFA supports the continued listing of Micronutrients.

SQUID BYPRODUCTS

§205.601(j) As plant or soil amendments

(10) Squid byproducts- from food waste processing only. Can be pH adjusted with sulfuric, citric, or phosphoric acid. The amount of acid used shall not exceed the minimum needed to lower the pH to 3.5.

OEFFA supports the continued listing of squid byproducts from food waste processing only. Our review of this material led us to reflect on the other marine inputs that are widely listed on the Organic System Plans of OEFFA producers, such as Kelp and Fish meal, as well as petitioned materials, like potassium hydroxide. In a system of sustainable agriculture, we want to ensure we pay as much attention to the aquatic environment as we do the terrestrial one, and as stewards of organic agriculture in the US, we want to make sure we build upon the work of previous NOSB members in the realm of marine materials. Please add marine materials to the NOSB work agenda and continue building on this body of work.

LEAD SALTS

§205.602(d) Lead salts

Nonsynthetic substances prohibited for use in organic crop production

We support the relisting of this material.

TOBACCO DUST (NICOTINE SULFATE)

§205.602(j) Tobacco dust (nicotine sulfate)

Nonsynthetic substances prohibited for use in organic crop production

We support the relisting of this material.

HANDLING

PETITIONS

PROPOSAL: PEROXYLACTIC ACID- POLA - PETITIONED

OEFFA does **not** support the addition of PoLA to the National List based on the information provided here. OEFFA handlers are primarily utilizing lactic and citric acids in meat processing. They are experiencing some problems with citric acid efficacy, and lactic acid availability, which makes us open to adding another sanitizer option, but without any requests from OEFFA producers for additional antimicrobial processing aids, without knowing the availability of this material, and in the absence of a comprehensive review of available sanitizers, we cannot support the addition of another synthetic to the list.

PROPOSAL: PHOSPHORIC ACID – AMEND NOTATION - PETITIONED

OEFFA does **not** support the additional use (amended notation) for phosphoric acid. Just as the subcommittee noted in its summary of review, we do not understand “how and in what finished food products this is going to be used.” Because we do not understand why it is needed or its intended use, we cannot recommend that this listing be amended for additional uses. Additionally, we do not have handlers requesting the use of this type of material.

PROPOSAL: ION EXCHANGE FILTRATION – RECHARGE MATERIALS

We agree that recharge materials used in ion exchange filtration must be listed on the National List.

DISCUSSION DOCUMENT: ION EXCHANGE FILTRATION – RESINS

OEFFA appreciates the work of the board on the Ion Exchange Filtration - Resins Discussion Document. Drawing lessons from our experience with inerts, OEFFA believes that the roughly 15 resins in use should be individually reviewed for use in organic handling and placed, as appropriate, on the National List. We request that this take place with a 5 year phase-in period to allow for adjustments by organic handlers and avoid economic disruption.

2024 HANDLING SUNSETS

DIATOMACEOUS EARTH

§205.605(a) Nonsynthetics allowed

Diatomaceous earth- food filtering aid only.

OEFFA supports the continued listing of diatomaceous earth for use as a filtering aid. DE is used widely by OEFFA’s maple producers.

NITROGEN

§205.605(a) Nonsynthetics allowed

Nitrogen- oil-free grades

OEFFA supports the continued listing of nitrogen on the National List. Several OEFFA handlers have listed nitrogen on their OSPs for packaging of coffee, baby food, and kombucha.

ACIDIFIED SODIUM CHLORITE

§205.605(a) Nonsynthetics allowed

Acidified sodium chlorite—Secondary direct antimicrobial food treatment and indirect food contact surface sanitizing. Acidified with citric acid only.

This material is not widely listed on Organic System Plans by OEFFA producers. Meat processors are primarily using citric acid or lactic acid as carcass washes. Produce handlers primarily use peracetic acid.

CARBON DIOXIDE

§205.605(b) Synthetics allowed

Carbon dioxide

OEFFA supports the continued listing of carbon dioxide on the National List for those handlers using it for carbonation. Additionally, carbon dioxide is one of the only organic compliant materials (another is ethanol) used to extract CBD from hemp.

POTASSIUM ACID TARTRATE

§205.606(q) Nonorganically produced agricultural products allowed as ingredients in or on processed products labeled as “organic.”

We support the relisting of this material. This material is listed on the Organic System Plans of some OEFFA handlers for use in baked goods.

LIVESTOCK

2024 LIVESTOCK SUNSET REVIEWS

CHLORHEXIDINE

§205.603(a)(9) (CAS # 55-56-1) - for medical procedures conducted under the supervision of a licensed veterinarian. Allowed for use as a teat dip when alternative germicidal agents and/or physical barriers have lost their effectiveness.

OEFFA supports the continued listing of Chlorhexidine on the National List. While the majority of OEFFA Organic System Plans do not list Chlorhexidine, it is an important input to re-list, as it can be applied in powder form rather than liquid form in winter to avoid chapped teats. We recognize that this isn't widely allowed under other countries' organic standards, and we appreciate the limited use described in the annotation.

GLUCOSE

§205.603(a)- as disinfectants, sanitizer, and medical treatments as applicable.

OEFFA supports the relisting of glucose on the National List. This material is widely listed on Organic System Plans, though it is not often used because it is a treatment.

COPPER SULFATE

§205.603(b) As topical treatment, external parasiticide or local anesthetic as applicable

(1) Copper sulfate.

OEFFA supports the continued listing of copper sulfate on the National List for livestock production.

OEFFA certified operations utilize several cultural practices to support hoof and foot health in their organic management systems, including rotational grazing, maintaining dry housing and laneways, confining animals in very wet conditions,

and conducting hoof trimming as needed. Despite these practices, foot and hoof issues such as foot rot, heel warts, and hairy warts arise from time to time. OEFFA producers are generally seeing these issues in one to three animals at a time, not in the entire herd.

Currently, OEFFA producers are using varied remedies to treat foot issues, including copper sulfate, hydrogen peroxide, iodine, and various home remedies including sulfur and garlic powder, a sugar/molasses paste, and dietary supplements including salt. Copper sulfate is typically administered as a walk-through footbath, and footbath wastewater is typically mixed with manure and applied to fields. Although the copper sulfate would compose a relatively small portion of the manure applied, it should be disposed of in a manner that minimizes accumulation of copper in the soil, which could be monitored through soil testing. More commonly, copper sulfate is applied as a foot pack to address a specific foot or hoof issue.

Copper is a controversial input in organic production due to the negative effects it can have on soil, aquatic ecosystems, and farmworker health, and as such its use is included in critiques of organic production systems. For these reasons, we want to encourage further research into other viable management tools for use in organic production. Zinc sulfate is also an important tool for hoof treatment in ruminant livestock, and we note that it's helpful to have products with which to rotate. Still, copper sulfate is more widely listed on Organic System Plans of OEFFA producers.

LIDOCAINE

§205.603(b) As topical treatment, external parasiticide or local anesthetic as applicable

(4) Lidocaine—as a local anesthetic. Use requires a withdrawal period of 8 days after administering to livestock intended for slaughter and 6 days after administering to dairy animals

We urge lidocaine's continued listing on the National List. It is effective, widely listed on Organic System Plans, and is important for animal welfare.

MATERIALS

EXCLUDED METHODS

OEFFA supports keeping Genetic Engineering and evaluation of excluded methods on the NOSB work agenda. This quickly evolving technology will require ongoing efforts by the board to determine if new technologies do or do not meet their current definitions, or if there is a need to incorporate additional criteria into definitions to evaluate new and unique technologies.

The NOP should continue to assert that organic is different: excluded methods, including methods used to genetically modify organisms or influence their growth and development by means that are not possible under natural conditions or processes, are very clearly NOT allowed or wanted in organic production.

NOSB RESEARCH PRIORITIES

OEFFA supports the NOSB research priorities and appreciates the Board's work on this topic.

On behalf of the Ohio Ecological Food and Farm Association and OEFFA Certification,

Amalie Lipstreu

Amalie Lipstreu, Policy Director