



May 2014 Newsletter

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Organic Integrity from Farm to Table, Consumers Trust the Organic Label.

The USDA Organic Seal: Gold Standard Around the World

The USDA organic seal represents a comprehensive organic standard, a rigorous verification system, and a set of effective enforcement mechanisms that safeguards the integrity of organic food products.



The USDA organic standards protect natural resources, support biodiversity, ensure improvement of soil and water quality, prohibit the use of GMOs, provide for animal welfare, prohibit antibiotics in livestock production, ensure pasture based management for all ruminant livestock, and require biological based pest management for crops, livestock and food processing operations.

Organic agricultural products are inspected and verified from the farm to the market. Certifiers ensure that all organic standards are met; conducting inspections, collecting and analyzing samples, and ensuring corrective actions are implemented for continuous improvement. Comprehensive inspections ensure that organic products, whether sold in local markets or through a long supply chain from overseas markets, comply with the same organic principles.

Effective protection of organic integrity includes appropriate penalties for violations. The Agricultural Marketing Service's (AMS) National Organic Program has levied more than half a million dollars in civil penalties in the last four years for egregious violations of the organic standards. We worked with the US Department of Justice to convict three criminals for defrauding the organic community and consumers.

The USDA organic control system is the most comprehensive and effective in the world. The United States is also the world's largest organic market. The USDA oversees more than 500,000 organic farmers who are part of certified organic grower groups that provide organic coffee, cacao, bananas, tea and other products to the US market. The majority of these farms are small farms making less than \$5,000 per year (equivalent currency). Their organic sales are an important component to their livelihood and the economic health of their communities.



USDA Organic Seal: The Gold Standard, cont'd

Organic Training and Outreach

Over the last few months, the Agricultural Marketing Service has provided training to U.S. accredited certifying agents, the National Organic Standards Board (NOSB), and Latin American certifiers and government officials. All of the training slides and handouts are available on the NOP's Training Information web page at <http://1.usa.gov/QbCtuG>.

These trainings cover many aspects of the USDA organic requirements and are also an opportunity for NOP to listen and learn from the organic community. At the U.S. accredited certifier training, we learned about new efforts to share information about materials review and heard of innovative initiatives to make certification more sound and sensible. At the NOSB training, we discussed how the NOSB is governed under the Federal Advisory Committee Act.

At the Latin American training, we heard about the challenges foreign certifiers face in meeting multiple accreditation requirements. Most Latin American certifiers provide certification to both the European and the USDA organic standards, as the US and Europe are the world's largest organic markets. Though the organic standards between the US and Europe are nearly identical, the certification process has distinct differences. Both systems are effective in protecting organic integrity, but certifiers are challenged to reconcile both systems on the same farming operation. Latin American certifiers in Argentina, Chile, Ecuador, and Costa Rica also have to contend with their own country's organic regulatory requirements in addition to complying with US and European requirements. It makes for a challenging and not always sound and sensible system for organic smallholders in foreign countries.

The Latin American organic training in Costa Rica was the first training AMS has provided in Spanish. There were over 50 participants representing certifiers and government agencies from Argentina, Bolivia, Peru, Ecuador, Panama, Costa Rica, Guatemala, and Mexico. We plan on providing additional foreign organic training in order to protect organic integrity as well as build the capacity of organic systems around the world. We would like to see organic agriculture thrive not only in the U.S., but also in foreign countries so organic farmers can supply their local and regional organic markets as they continue to expand and prosper.

Sincerely,
Miles V. McEvoy, NOP Deputy Administrator

Organic Labeling at Farmer's Markets

Farmer's markets and Community Supported Agriculture (CSA) operations are great places for customers who are interested in locally sourced products to find and purchase organic products. Many of these customers appreciate knowing how and where the products that they purchase were grown, and the organic certification status of the farmers.

Farmers and vendors who use the word "organic" to describe their products or practices in the marketplace must comply with the USDA organic regulations. The Organic Foods Production Act (OFPA) states that no person may affix a label to, or provide other marketing information concerning, an agricultural product if that label or information implies, directly or indirectly, that such product is produced and handled using organic methods, except in accordance with the OFPA.

Most farms and businesses that grow, handle, or process organic products must be certified, with only a few exceptions. Producers and handlers that sell less than \$5,000 per year of organic products are exempt from certification. These operations may choose to obtain certification but they are not required to be certified.



Organic Labeling at Farmer's Markets, cont'd

Requirements for Exempt Organic Producers

Farms that are exempt from certification and want to sell organic products still must comply with organic requirements, including:

- Not planting any seeds that had synthetic treatments, such as fungicides or insecticides.
- Using organic seeds unless organic seeds were not commercially available.
- Only using seedlings and transplants that have been grown organically using only approved organic potting mixes and inputs.
- Applying only fertilizer, pest, disease and weed management inputs that have either been approved by EPA, the Organic Materials Review Institute, or by a USDA accredited certification agency, and are allowed under the USDA organic regulations.
- Implementing a soil building crop rotation on the farm, where annual crops of the same type are not grown in succession in the same field.
- Not applying manure to fields growing crops for human consumption any sooner than 90 days before harvest for crops that are not in contact with soil (e.g. sweet corn), or 120 days before harvest for crops that are in contact with soil (e.g. root crops, tomatoes, peppers, etc.).
- Ensuring that compost containing manure meets the requirement of having a carbon to nitrogen ratio of between 25 to 1 and 40 to 1, has had a temperature maintained of 130 to 170 °F for 15 days and has been turned 5 times, or, if in a static vessel, had this temperature maintained for 3 days.
- Managing all mammalian livestock organically from the last third of their mother's gestation to the day of slaughter. All poultry has been managed organically from the second day of life. Organic management includes providing certified organic feed.
- Providing all livestock with access to the outdoors, with ruminants receiving 30% of their nutrition from pasture during a minimum 120 day grazing season. All animal health products and feed supplements have either been approved by the Organic Materials Review Institute or by a USDA accredited certification agency and are allowed under the USDA organic regulations.



How much does certification cost?

Fees charged for certification vary among certifying agents due to the size and complexity of the farm operation, the costs of inspection, and other factors. Certifiers provide information on their fee structures upon request. USDA Organic Certification Cost Share Programs reimburse certified organic operations for as much as 75 percent—up to a maximum of \$750 a year—of certification costs. The 2014 Organic Cost Share Programs will launch soon! Contact your State Department of Agriculture for more information on the reimbursement process.

Want to file a complaint?

If you are concerned that an organic product isn't meeting the USDA standards, or that an operation is making an organic claim without certification, submit a complaint to the USDA. We investigate every complaint we receive, and if we find any problems, we take action. If a farm or business violates the USDA organic regulations, penalties may include civil penalties up to \$11,000 per violation and/or suspension or revocation of an operation's organic certificate. Suspected violations of the organic regulations may be reported to the USDA. Send an email to NOPCompliance@ams.usda.gov or call the National Organic Program at 202-720-3252.

Using the USDA Organic Seal

The USDA organic seal is an official mark of the USDA Agricultural Marketing Service (AMS). Since it was first published with the implementation of the National Organic Program – Final Rule, the seal has appeared on millions of labels, advertisements, and marketing materials. It has become a highly sought-after labeling mark in the world of agricultural products.

The USDA organic seal is protected by federal regulation at 7 CFR Part 205.311, which states that the seal "...may be used only for raw or processed agriculture products..." Without USDA's permission, the seal should only be used in direct association with certified organic agricultural products.

AMS allows certified operations and USDA-accredited certifiers considerable flexibility in placing the seal on product labels and marketing material. The USDA organic seal is commonplace in stores and a broad range of media used to promote organic products. Certifiers must approve all labels and should carefully review all marketing material used by their clients in association with certified products.

As an official seal, AMS is responsible for monitoring seal use, and making sure that the seal is not used in a way that would negatively impact the value, integrity, or security of the seal as a marketing tool for certified organic products.

Only Use USDA Organic Seal to Market Certified Organic Products

The USDA organic seal may never be used to misrepresent non-organically produced products as organic. Violations of this regulation are subject to civil penalties of up to \$11,000 per violation. The USDA organic seal may NOT be used:

- In any displays or on labels for products not certified organic to the USDA organic regulations.
- On broad display in stores or advertisements that in a way that misrepresents non-organically produced products as organic.
- By uncertified operations, or operations that have been suspended or revoked from organic certification.

Get Approval for USDA Organic Seal Use!

To avoid costly errors, certified organic producers and handlers wishing to display the USDA organic seal need to contact their certifying agent and request a review of the label or marketing material before printing.



Other organizations - including interest groups, educational groups, marketing or advertising agencies, or members of the general public - who want to use the USDA organic seal in media of any type should contact the National Organic Program at (202) 720-3252 to verify acceptable uses of the USDA organic seal.

Examples of organic seal use that the USDA has approved in the past include:

- Using the seal next to an article that accurately describes what the organic standards are.
- Placing the seal next to a list of confirmed certified organic operations (list must be kept current for the seal to be used).
- Using the seal in an academic, newsletter, or outreach article that provides technical assistance for readers seeking to understand organic certification or compliant production and handling practices.

With the cooperation of producers, certifying agents, and the public, the USDA organic seal will continue to represent agricultural products certified in accordance with the USDA organic regulations as a gold standard in the world of organic agricultural products.

Everyone in the organic community plays a role in protecting the USDA organic seal. Marketing language and claims associated with the seal must be truthful and accurate.



Want to become an organic insider?

Sign up to receive email updates from the NOP
<http://bit.ly/NOPOrganicInsider>

Organic Sunset Process and Advisory Board Management

The USDA is receiving many questions about recent changes related to the National Organic Standards Board (NOSB), the U.S. Department of Agriculture's (USDA) citizen advisory committee on organics.

Last September, USDA published a Federal Register Notice that revised the sunset process. The revised process ensures that the NOSB will fully review all materials allowed on the National List of Allowed and Prohibited Materials List every 5 years. Removing any items from the National List is only done with the support of a 2/3 majority of the NOSB. This is consistent with the requirements of the Organic Foods Production Act of 1990.

The revision to the sunset process was made to protect organic farmers, handlers, and consumers by ensuring an effective and timely process. The revised sunset process increased public engagement by having two meetings instead of one to review substance up for sunset review. More public comment opportunities allow more farmers, processors, consumers, and organic groups to provide their input on proposed changes to the list of materials used in organic production.

At the Spring NOSB public meeting in San Antonio, Texas we heard many concerns about the revised process. We want to assure the public that the revised sunset process complies with the Organic Foods Production Act requirements which states that the NOSB to fully review substances every 5 years. The revision ensures that the NOSB will thoroughly review

all substances and recommend removal when the substance no longer meets the organic criteria specified in the Organic Foods Production Act. Previously, all NOSB recommendations for removal have been with the support of at least 2/3 of the NOSB members. Examples include sulfur dioxide for rodent control, forms of pectin, forms of lecithin, forms of silicon dioxide, and hops. We expect the NOSB will continue to recommend removals under the revised sunset process.

The USDA has also clarified how it ensures an open public meeting with opportunities for the public to address the board. For example, the National Organic Program's Deputy Administrator, Miles McEvoy, is the Designated Federal Office responsible for making sure that NOSB meetings are run smoothly and effectively. At the Spring NOSB meeting, the Deputy Administrator opened the meeting and ensured the public was able to comment on the board's proposals. This is a normal part of how federal advisory boards are managed, and supports the public meeting process.

USDA strongly supports organic agriculture, and is responsible for establishing a level playing field for all organic farms and businesses. Public participation and comments are vital to USDA's work in organics. We encourage all members of the public to take part in future formal comment opportunities. All public comment periods are announced in the Organic Insider email service; sign up at: <http://bit.ly/NOPOrganicInsider>.

National List Update



View petitions and technical reports
www.ams.usda.gov/NOPNationalList

The following new petitions have been posted on the NOP website and sent to the NOSB for review:

- Allyl isothiocyanate, 205.601
- Propylene carbonate, 205.601 (inert ingredient)
- Aluminum sulfate, 205.601 and 205.603
- Triethyl citrate, 205.605
- Whole algal flour, 205.606, petition addendum

The following new technical reports have been posted on the NOP website and sent to the NOSB for review:

- Vaccines, Aquaculture
- Sulfurous acid, Crops, Sunset 2015
- Aqueous potassium silicate, Crops, Sunset 2015
- Sodium carbonate peroxyhydrate, Crops, Sunset 2015



Update from National Organic Standards Board Meeting

The National Organic Standards Board (NOSB) held its public meeting April 29- May 2, 2014, in San Antonio, TX. The meeting began with a report by the NOP on NOSB administration, including a review of the Organic Foods Production Act, the Federal Advisory Committee Act, and the AMS-commissioned NOSB assessment. The NOP also presented an update on petitioned materials, a review of the National List Petition Process and the Sunset Process, a summary of the rulemaking process, and an update of its activities and priorities for fiscal year 2014.

Over 3.5 days, the NOSB discussed 33 proposals, discussion documents and reports, and heard comments from approximately 100 members of the public on a wide range of issues. In addition to oral testimony, the Board also received approximately 2,000 written public comments, which were discussed and considered as part of NOSB deliberations. A summary of the NOSB's subsequent votes is provided below. The final recommendations from the San Antonio meeting will be posted at www.ams.usda.gov/NOSBMeetings.

Note: NOSB is an advisory body to the Secretary of Agriculture. NOSB recommendations are not NOP policy unless the NOP issues final rules, final guidance, final instructions, or a policy memorandum that adopts the NOSB recommendations. They are not part of the USDA organic regulations unless such action is taken.

Petitioned Substances. The NOSB responded to several petitions to amend the National List of Allowed and Prohibited Substances (National List). This section of the USDA organic regulations identifies exemptions to the following general rule in organic crop and livestock production: synthetic substances are prohibited unless specifically allowed and natural substances are allowed unless specifically prohibited. In organic processed products, all non-organic ingredients must be specifically allowed. "Motion failed" indicates that less than two thirds of the NOSB members voted to make the change in question, meaning that NOSB did not provide a recommendation to amend the USDA organic regulations for that substance. ***See table on the following two pages for voting outcomes.***

NOSB Training: February 2014

On February 4-5, AMS and the National Organic Program held training for the NOSB in Washington, DC. NOSB members represent all segments of the organic community, come from all parts of the United States, and bring diverse perspectives and interests. Topics covered at the training included: The Organic Foods Production Act, Federal Advisory Committee Act, revised sunset process, rulemaking life cycle, best practices for developing recommendations, and annual ethics and conflict of interest refresher training. After the meeting, the NOP sent a memo to the NOSB summarizing key themes from the training. Training slides are available on the NOP website; visit the NOSB Meetings page at <http://1.usa.gov/1I7sQsA> and select February 4-5, 2014 - Training.

NOSB Petitioned Substance Recommendations

Substance	Section	Action Considered by NOSB	NOSB Recommendation
Vinasse	§205.601	Classify certain forms of vinasse as nonsynthetic. Include this information in NOP's Guidance on Materials for Organic Crop Production (NOP 5034-1).	Motion passed. Certain forms of vinasse are nonsynthetic. NOP should specify this in its Guidance on Materials for Organic Crop Production (NOP 5034-1).
Laminarin	§205.601	Classify laminarin as nonsynthetic.	Referred back to Crops Subcommittee for additional work.
Streptomycin	§205.601	Allow to control fire blight in apples and pears only until October 21, 2017.	Motion failed. The current allowance for streptomycin will expire on October 21, 2014. Resolution: The National Organic Standards Board is committed to the phase out of this material. Between now and the expiration date the Board urges growers and certifiers to include in organic systems plans an annual increase in the extent and/or number of alternative practices and materials that are trialed for controlling fire blight. In addition, the board strongly advocates to USDA a high priority for increased support for research into these alternative practices and materials.
Magnesium oxide	§205.601	Allow in organic crop production with a restrictive annotation.	Motion passed. Allow magnesium oxide in organic crop production with the following restrictive annotation: for use only to control the viscosity of a clay suspension agent for humates.
Ammonium hydroxide	§205.605(b)	Allow in organic handling as a boiler water additive.	Referred back to Handling Subcommittee for additional work.
Glycerin	§205.605(b)	Remove from National List (i.e. no longer allow non-organic glycerin).	Referred back to Handling Subcommittee for additional work.
Acidified Sodium chlorite	§205.603	Allow in organic livestock production as a pre and post teat dip treatment.	Referred back to Livestock Subcommittee for additional work.
Methionine in organic poultry feed	§205.603	Amend current listing to allow the maximum average pounds per ton of poultry feed to be calculated over the life of the flock.	Referred back to Livestock Subcommittee for additional work.
Biologics: Vaccines	§205.611	Allow for use in organic aquatic animal production with restrictive annotation.	Referred back to Livestock Subcommittee until NOP issues a proposed rule on organic aquaculture standards and NOSB receives additional technical information as needed.
Chlorine	§205.611	Allow for use in organic aquatic animal production with restrictive annotation.	Referred back to Livestock Subcommittee until NOP issues a proposed rule on organic aquaculture standards and NOSB receives additional technical information as needed.
Tocopherols	§205.611	Allow for use in organic aquatic animal production with restrictive annotation.	Referred back to Livestock Subcommittee until NOP issues a proposed rule on organic aquaculture standards and NOSB receives additional technical information as needed.

NOSB Petitioned Substance Recommendations, cont'd

Substance	Section	Action Considered by NOSB	NOSB Recommendation
Vitamins	§205.611	Allow for use in organic aquatic animal production.	Referred back to Livestock Subcommittee until NOP issues a proposed rule on organic aquaculture standards and NOSB receives additional technical information as needed.
Minerals	§205.611	Allow for use in organic aquatic animal production.	Referred back to Livestock Subcommittee until NOP issues a proposed rule on organic aquaculture standards and NOSB receives additional technical information as needed.
Micronutrients	§205.609	Allow for use in organic aquatic plant production with restrictive annotation.	Referred back to Livestock Subcommittee until NOP issues a proposed rule on organic aquaculture standards and NOSB receives additional technical information as needed.
Carbon Dioxide	§205.609	Allow for use in organic aquatic plant production with restrictive annotation.	Referred back to Livestock Subcommittee until NOP issues a proposed rule on organic aquaculture standards and NOSB receives additional technical information as needed.
Chlorine	§205.609	Allow for use in organic aquatic plant production with restrictive annotation.	Referred back to Livestock Subcommittee until NOP issues a proposed rule on organic aquaculture standards and NOSB receives additional technical information as needed.
Lignin Sulfonate	§205.609	Allow for use in organic aquatic plant production with restrictive annotation.	Referred back to Livestock Subcommittee until NOP issues a proposed rule on organic aquaculture standards and NOSB receives additional technical information as needed.
Vitamins B1, B12, H	§205.609	Allow for use in organic aquatic plant production.	Referred back to Livestock Subcommittee until NOP issues a proposed rule on organic aquaculture standards and NOSB receives additional technical information as needed.

2015 Sunset Substance Review

The NOSB provided an overview of the following substances due for sunset review by 2015:

Substances currently allowed in organic crop production (along with any restrictive annotations): Sulfurous Acid (§205.601(j)); Sodium Carbonate Peroxyhydrate (§205.601(a)); and Aqueous Potassium Silicate (§205.601(e) and §205.601(i)).

Substances currently allowed in organic handling (along with any restrictive annotations and commercial availability requirements): Gellan gum (§205.605(a)); Marsala (§205.606(g)); Sherry (§205.606(g)); and Tragacanth Gum (§205.606(x)).

In its discussion on these substances, the NOSB summarized public comments about whether these substances continue to meet the OFPA criteria for allowance in organic production and handling. The NOSB will consider public comment, technical information, and its discussion from the spring 2014 meeting to complete its review of these substances at the fall 2014 meeting, including any proposals to remove the substances from the National List.

Other NOSB Recommendations, Reports, and Updates

Guidance on Retail Certification: The NOSB recommended that NOP clarify several sections of the regulations regarding retail operations (e.g., the requirement for an “exempt” versus an “excluded” retail establishment). The NOSB also requested that the NOP provide more education and outreach to the retail sector.

Updates to the Petition Guidelines & Technical Report Process: The NOSB recommended revisions to the guidelines for submitting National List petitions and requesting technical reviews. This effort seeks to clarify instructions for petitioners, clarify and standardize the petition review process for the NOSB, and provide greater transparency to the public about the process. The NOSB also recommended revising the National List Petition guidelines to no longer accept Confidential Business Information as part of petition submissions.

Research Priorities: The NOSB submitted a current list of research priorities that would support the organic sector. Priorities on this list include: organic aquaculture, aquatic biodiversity, herd health, pastured poultry and Salmonella, commercial availability assessments for section 205.606 substances, consumer demand data, fate of GE plant material in compost, reduction of GMO content in breeding lines, chlorine alternatives, sulfuric acid alternatives, parasite control, reduction of mastitis and pneumonia in organic livestock. The NOSB provides this information for stakeholders and USDA to consider as funding priorities are set for the upcoming year.

Discussion Documents: The NOSB discussed two discussion documents at this meeting: one about how certifying agents implement the crop pest, weed, and disease management provision at section 205.206(e), and another seeking comment about whether polyalkylene glycol monobutyl ether (PGME), a boiler water additive, is used in direct contact with organic processed products. The NOSB will develop a proposal on the application of section 205.206(e) for the fall 2014 meeting and will use the information on PGME to determine whether the NOSB needs to review and provide a recommendation about its allowance on the National List.

Updates and Reports

- The use of genetically modified organisms (GMOs) is prohibited in the production and handling of organic products, including seeds. The NOSB provided a report on the **status of seed purity in organic production and GMOs**. As part of this report, the NOSB summarized the public comments from the last two NOSB comment periods (fall 2013 and spring 2014) on seed purity standards, presence of GMOs in seed, and testing.
- The NOSB provided an update about the progress of the **proposed review process for ancillary substances**. The NOSB Handling Subcommittee will conduct a trial run of this process using microorganisms, a substance due for sunset review by 2016.
- The NOSB provided a brief update about the **Sound and Sensible initiative**. This included a summary of feedback from the community about the NOP’s implementation of the Sound & Sensible principles.
- The **Vaccines Made with Excluded Methods Working Group** provided an overview of how one certifying agent has sought documentation from vaccine manufacturers to confirm vaccines used in organic livestock production are produced without the use of excluded methods.
- The **Inerts Working Group** provided an update about its ongoing work to implement a process for review of inert substances in pesticide formulations.

For additional information about the meeting, please visit www.ams.usda.gov/NOSBMeetings.

Save the Date! Fall 2014 NOSB Meeting
Week of October 27 | Louisville, Kentucky

Welcome New NOSB Chair Dr. Jean Richardson



In May 2014, the NOSB elected Dr. Jean Richardson as its new Chair. Jean was appointed to the NOSB in January 2012 in one of the three “Consumer/Public Interest” positions. Jean is Professor Emerita, University of Vermont, where she taught Environmental Studies and Environmental Law. She currently works with her family to produce certified organic maple syrup, and is an independent inspector of organic farms and processors, as well as providing consultation on rural land use planning and serving as a Justice of the Peace.

Jean’s research included work on the impact of long distance transportation of air pollution on dioxin uptake in dairy feeds and milk, and a major rural development project, Environmental Partnerships in Communities (EPIC), which included considerable research on pasture management. The ten year EPIC project which Jean directed also provided extensive technical assistance to farmers on pasture management and on sustainable livestock systems, encouraging new farmer-run organizations which continue today. She also taught as an Adjunct Professor at the Vermont Law School, Environmental Law Center, and in the 1970’s and 80’s, she and her first husband ran an electric fence franchise, and sheep farm.

Jean has extensive state, national, and international experience over several decades, including: Environmental planning and policy in the Lake Baikal region of Russia; A founding Director of the Institute for Sustainable Communities, providing former Soviet Bloc countries with templates for environmental policy and law; Founding Director of the New England Environmental Policy Center which now provides Agricultural Mediation; Appointed by President Clinton to the Joint Public Advisory Committee in the Commission on Environmental Cooperation (CEC) in NAFTA where she took a leadership role in developing the language and policy for Citizen Submissions; Facilitated establishment of the Forest Stewardship Council (FSC) in North America, and negotiated the certification standards for the New England forests; Appointed by Governor Dean of Vermont to the State Environmental Appeals Board and by Governor Shumlin to the District Environmental Commission on which she currently serves.

Jean holds a B.S. from the University of Newcastle-upon-Tyne, England; and an M.S. and Ph.D. in Biogeography from the University of Wisconsin, Madison. She lives in an old house on a trout stream surrounded by sugar maple trees, a small orchard, berries, vegetable gardens, perennial beds, and thousands of daffodils in spring.

“I feel privileged to have been elected by such a diverse group of incredibly hard working professional people. We all believe passionately in the integrity of the organic label and yet we have different ideas on how to adapt to the changing face of organic agriculture, processing and handling as the industry expands and the NOP faces changing demands on its resources. My leadership style is to build consensus whenever possible and work collaboratively with all stakeholder groups and with the NOP in order to ensure sustainable organic systems.”

- Jean Richardson



Many Thanks to Outgoing Chair, Mac Stone

A Message from AMS Administrator Anne Alonzo: “I would like to thank outgoing National Organic Standards Board Chair Mac Stone for his service. Mac is a true friend to the organic community – all of us at USDA appreciate his expertise, guidance, and commitment.”

And, a message from Mac, who will serve as NOSB Secretary for the upcoming term: “The members of the NOSB represent a diversity of interests including organic producers, handlers, environmentalists, and consumer representatives. Organic stakeholders are passionate about organic standards and are always looking for ways to improve the standards.” On the new Sunset process, Mac shared, “The board will ensure that under the revised sunset process all materials on the National List will be thoroughly reviewed and recommended for removal when warranted.”



Sunset Review and Renewal Process

What is “Sunset”?

The USDA organic regulations allow most natural substances in organic farming, and prohibit most synthetic substances. The National List, part of these regulations, lists the exceptions to this basic rule and includes:

- Synthetic substances that are allowed in organic agriculture (examples: boric acid, newspaper)
- Natural substances that are not allowed in organic agriculture (examples: arsenic, strychnine)
- All non-organic substances allowed in processed organic products

Once a substance has been added to the National List, the National Organic Standards Board (NOSB), a citizen advisory committee appointed by the Secretary of Agriculture, must review the substance every 5 years. This is called the “sunset review process.” Through this process, the NOSB can recommend to USDA that it remove substances from the National List based on adverse impact on human health or the environment, or other criteria in the Organic Foods Production Act.

After the NOSB completes its sunset review, the USDA must renew or remove the substances on the National List to complete the sunset process.

The Need for Improvement

Sunset review and renewal cycles have occurred since 2005. Over time, drawbacks to the process became clear:

- Substance reviews were only discussed in a single public meeting.
- Synthetic substances in use by organic businesses could be removed from the list with only 2/5 of NOSB votes cast, fewer than required for a “decisive” vote under the Organic Foods Production Act.
- Each sunset required three separate rulemaking actions.

Improving the Process

Given these drawbacks, in September 2013, the USDA published a revised sunset review and renewal process:

- There are now two public comment opportunities before the NOSB completes its sunset review of each substance.
- Any change to the National List, either through a petition or through sunset, must be supported by a 2/3 majority of the NOSB (a “decisive vote” in the Organic Foods Production Act) to be recommended to the USDA.
- The change allows USDA to more effectively renew and remove substances from the National List.

Responding to Questions from the Public

In developing this revised process, the USDA reviewed past sunset evaluations. In the past, when the NOSB has voted to remove substances from the National List based on new evidence or new alternative substances, it has always voted with a 2/3 vote majority to recommend the removal. Examples include sulfur dioxide for rodent control; forms of pectin, lecithin, and silicon dioxide; and hops.

Recommendations to the USDA are never made by subcommittees. Recommendations only come to the USDA after the full NOSB has voted in a public meeting, and only when the NOSB passes an item with a 2/3 majority vote.

USDA strongly supports organic agriculture, and is responsible for establishing a level playing field that protects all organic farms and businesses. Public participation and comments are vital to USDA’s work in organics, and we encourage all members of the public to take part in formal comment opportunities.

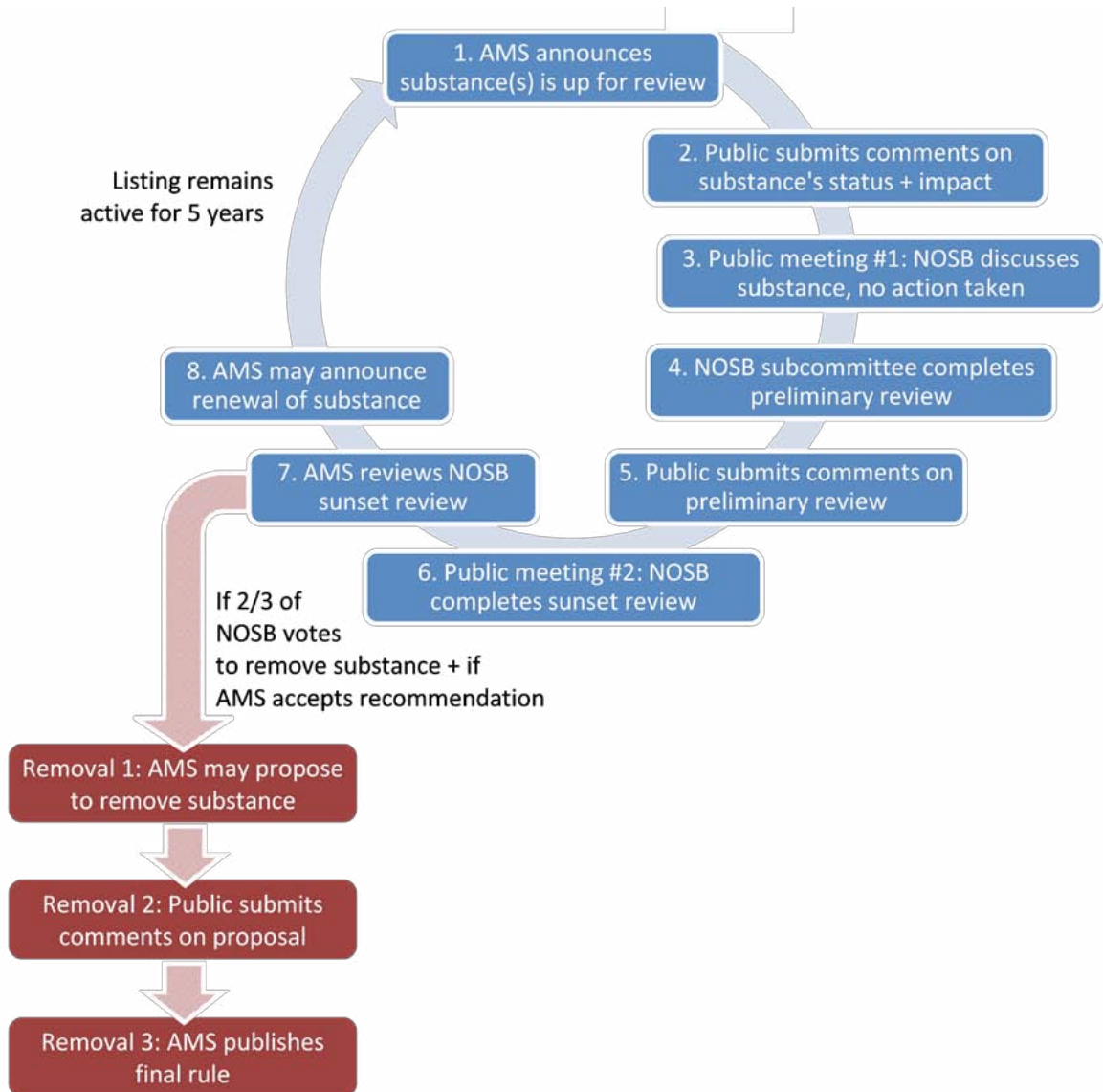
Sunset Review and Renewal Process (continued)

Picturing the Revised Sunset Process

The following graphic shows the revised sunset review and renewal process. The process is managed by the USDA Agricultural Marketing Service (AMS) and the National Organic Program, and was published in a September 2013 Federal Register Notice.

What Happens Next

At the Spring 2014 NOSB meeting, the NOSB used this process to discuss substances coming up for sunset review. The cycle will continue with subcommittee review of sunset materials in advance of public comments before the Fall 2014 NOSB public meeting.



Organic Hydroponics



NOP Deputy Administrator Miles McEvoy and co-founder of the Veterans Sustainable Agriculture Training program, Karen Archipley at Archie's Acres, a certified organic hydroponics operation.

Organic hydroponics is a method of growing plants using mineral nutrient solutions, in water, without soil. Terrestrial plants may be grown with their roots in the mineral nutrient solution only or in an inert medium, such as perlite, gravel, biochar, or coconut husk. Some organic farms use hydroponic growing methods to produce organic crops under the USDA organic regulations. These producers use the same fertilizers and pest control practices as other organic farmers – primarily natural fertilizers and pest control methods. Organic hydroponic production is allowed as long as the producer can demonstrate compliance with the USDA organic regulations.

Accredited certifying agents are certifying organic hydroponic operations based on the current organic regulations and the operation's Organic System Plan. In the future, the NOP may provide additional guidance regarding organic hydroponic production and how the regulations apply to such methods.

The National Organic Advisory Board (NOSB) completed final recommendations on crop production in containers and enclosures (e.g. greenhouses) in 2010. The NOSB's 2010 recommendation included a provision for not allowing organic hydroponic production. The NOP continues to work on evaluating and implementing a backlog of older NOSB recommendations including the greenhouse recommendation. Any proposed changes based on the NOSB's greenhouse recommendation that would affect organic hydroponic operations would involve opportunities for public comment.

NOP Attends MOSES Conference

NOP staff members Valerie Schmale and Lynnea Schurkamp represented the Agricultural Marketing Service at the 25th Midwest Organic and Sustainable Education Service (MOSES) Conference in La Crosse, Wisconsin from February 27 – March 2, 2014.

MOSES is the country's largest annual conference on organic and sustainable farming, and it drew over 3,400 attendees this year. The conference offered us a unique opportunity to educate prospective businesses about organic certification and other applicable USDA programs and services, such as the USDA's Organic Literacy Initiative.



New Training Modules Available

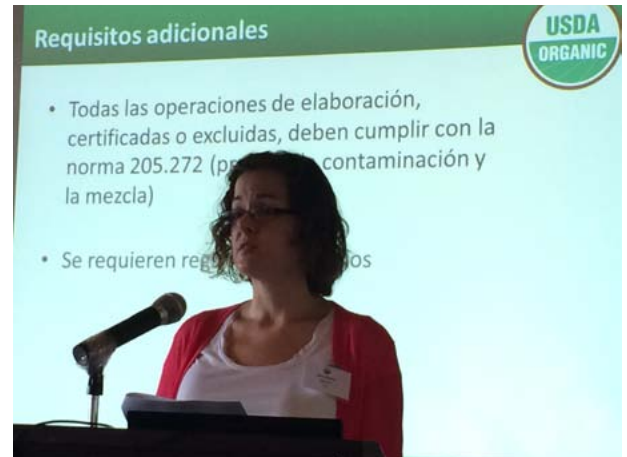
Certifier Training

NOP partnered with the Accredited Certifiers Association (ACA) for its annual certifier training program in San Diego on February 19-21, 2014. The goal of the training was to ensure consistency among all of our accredited certifying agents, and continue to demonstrate the importance of Sound and Sensible principles in organic certification.

Certifier Training in Spanish

On March 20-21, 2014, over 50 participants from Latin American countries gathered in Costa Rica for the National Organic Program's Spanish language certifier training. The training was well-received, and the 17 training modules are posted, in Spanish, on the NOP website.

All training slides are available on our training page at <http://1.usa.gov/QbCtuG>.



NOP Accreditation Manager Betsy Rakola presents training in Costa Rica.

Organic Integrity Update

Compliance and Enforcement Actions

From October 1, 2013 to March 31, 2014, AMS issued five penalties to willful violators totaling \$36,000. We also took 62 initial enforcement actions against suspected violators, including: eight Notices to Cease and Desist; 20 Notices of Warning; and 19 referrals to certifying agents, State Programs, and Foreign governments.

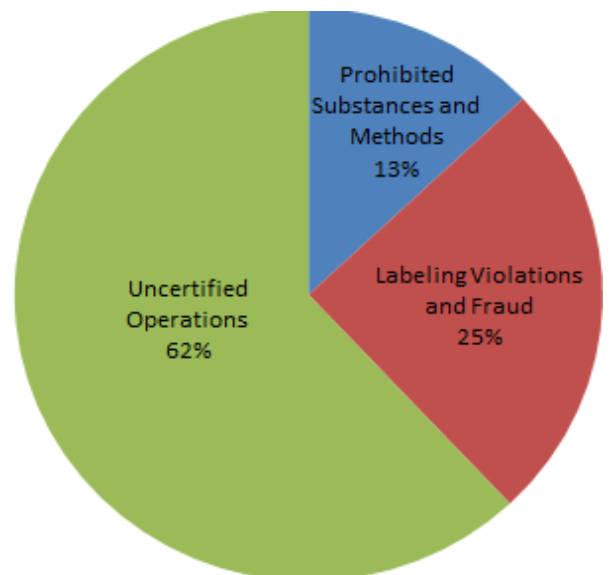
The NOP has conducted the following audits Since December 1, 2013:

- Vermont Organic Farmers – Richmond, VT
- Utah Department of Agriculture – Salt Lake City, UT
- Department of Plant and Industry, Clemson University – Pendleton, SC
- Georgia Crop Improvement Association – Athens, GA
- Tse-Xin Organic Certification Corporation – Taipei, Taiwan, China
- Istituto per la Certificazione Etica e Ambientale – Bologna, Italy
- BioAgriCert – Bologna, Italy

Peer Reviews

The NOP and European Union are currently conducting peer reviews of each others systems to support the U.S.-EU organic equivalency arrangement. In addition, the NOP is currently engaging in a Peer Review by the American National Standards Institute. Both reviews will be completed by fall 2014, and the reviews will be posted on the NOP website.

Distribution of Incoming Complaints (October 1, 2013-March 31, 2014)



Fraudulent organic certificates
<http://bit.ly/fraud-certs>

Suspected violation complaints
NOPCompliance@ams.usda.gov

Program Handbook. The National Organic Program Handbook provides a wide variety of policy materials and other resources to help organic farms and businesses comply with the USDA organic regulations. In the past several months, AMS has updated several of these resources, available at www.ams.usda.gov/NOPProgramHandbook.

Certification Requirements for Handling Unpackaged Organic Products. On January 22, 2014, we issued guidance (NOP 5031) to describe certification requirements for operations that handle unpackaged organic products.

Who Needs to be Certified? On February 12, 2014, we issued an instruction (NOP 4009) to clarify certification requirements for operations that produce or handle agricultural products to be sold, labeled or represented as organic. This instruction reminds certifiers that organic agricultural products must be produced and handled exclusively at certified organic farms and handling operations.

Accreditation Policies and Procedures. On February 28, 2014, NOP updated an instruction (NOP 2000) that provides general policies and procedures for organizations seeking or maintaining accreditation as NOP certifiers. The instruction has been revised with an eye to maximizing the efficiency of the accreditation process and integrating Sound and Sensible principles into accreditation activities.

Aquatic Plant Extracts. On March 12, 2014, NOP posted a policy memo (PM 14-1) policy memo to clarify the status of aquatic plant extracts under the USDA organic regulations.

Final Guidance: Made With Organic *.** On April 30, 2014, AMS published final guidance describing the requirements for products in the "Made with Organic (specified ingredients or food group(s))" labeling category.

Fact Sheets. AMS recently published an updated fact sheet to highlight the 2013 list of certified operations. The certified operations list allows buyers, sellers and the public to identify and connect with organic stakeholders across the supply chain. AMS also worked with the Alcohol and Tobacco Tax and Trade Bureau to publish a series of guidance documents to help domestic and international organic operations understand and meet the requirements of both agencies. Guidance is available for labeling wine, malt beverages and distilled spirits. Find a complete list of fact sheets on the NOP Fact Sheet page: <http://1.usa.gov/1kPQGr3>

USDA Organic Topics Page. The USDA recently published an Organic Topic page at www.usda.gov/organic. This page provides access to the wide range of resources that USDA provides for those in organic agriculture. Check out USDA's updated Organic Agriculture Results fact sheet as well!

Technical Guidance Partnership

Conservation practices are important to organic operations, and good technical resources are valuable to the conservation planners who work with organic growers and producers. Several nonprofit organizations and public agencies have partnered to bring a series of helpful technical guidance documents to conservation planners who work with organic producers. This project is the result of a partnership between the Oregon Tilth Conservation Program, the National Center for Appropriate Technology (NCAT), the Xerces Society and the USDA Natural Resources Conservation Service (NRCS). It is funded by a grant from Western Sustainable Agriculture Research and Education (WSARE).

The Environmental Quality Incentives Program (EQIP) Organic Initiative, administered by NRCS, helps producers plan and implement conservation practices to support the environmental sustainability of their organic operations. It provides financial payments and technical support to producers for conservation practices such as buffers, cover crops and pest management. The guidance developed through this partnership will enable the EQIP Organic Initiative to be more responsive to and valuable for organic farmers. These new resources will help to bolster technical resources for conservation plan development, and increase understanding of organic production practices and certification regulations of the NRCS.

These resources include:

- Resources for Conservation Planning on Organic and Transitioning-to-Organic Farms
- Common NRCS Practices Related to Pest Management on Organic Farms
- Cover Crops in Organic Systems
- Conservation Buffers in Organic Systems
- Nutrient Management

The documents may be downloaded at the Oregon Tilth Website: <http://bit.ly/RvASAV>

AMS Administrator Awards

On May 12, 2014, two initiatives led by the National Organic Program (NOP) received awards from AMS Administrator Anne Alonzo.

Organic Literacy Initiative

In 2012, the National Organic Program led the development of the "USDA Organic Literacy Initiative," a education and training package about organic agriculture. The goal of the training is to increase UDSA employees' knowledge of organic agriculture, so employees across the Department have the tools they need to connect organic farmers with USDA programs and services.

Nearly 30,000 USDA employees have completed training to increase their understanding of organic agriculture and improving USDA's services to our customers. The Farm Service Agency distributed 60,000 "Is Organic an Option for Me?" brochures to field offices nationwide.

Access Organic Literacy materials at:
www.ams.usda.gov/organicinfo

NOP Appeals Reengineering Project

In April 2013, the NOP and Compliance and Analysis Program successfully completed a reorganization and reengineering initiative for the NOP Appeals program, aligning appeals more closely with the program, and changing the appeals program to increase the use of mediation and settlement agreements as tools for alternative dispute resolution.

The changes were designed to improve the consistency between NOP accreditation and appeals decisions, and support knowledge sharing between appeals and NOP staff. This change was carefully planned and structured, and was executed in a way consistent with the USDA organic regulations. As of the beginning of Mqy 2014, there are only 11 open appeals; 10 have been open less than 90 days.