

Note: Committee notes may include preliminary discussions regarding substances considered for addition to or removal from the National List. They do not represent official National Organic Program (NOP) policy or regulations. Please see the NOP website for official NOP policy, regulations, and status of substances used in organic production and handling.

## **National Organic Standards Board (NOSB)**

### **Executive Committee Meeting**

Friday, January 20, 2012, 12 p.m. ET

**Attending:** Katrina Heinze (Outgoing Materials Chair), Barry Flamm (New Chairperson & Outgoing PDC Chair), John Foster (New Handling Chair & Outgoing Crops Chair), Joe Dickson (Outgoing Vice-Chairperson & CACC Chair), Tracy Miedema (Outgoing Chairperson), Jay Feldman (New Crops Chair), Mac Stone (New Vice-Chairperson), Jennifer Taylor (New Materials Chair), and Colehour Bondera (New PDC Chair); **Absent:** Steve DeMuri (Outgoing Handling Chair) and Wendy Fulwider (Secretary & Livestock Chair) **New Members:** Harold Austin **Staff:** Miles McEvoy and Lorraine Coke

### **Agenda**

- **Call to Order – Barry Flamm**
- **Secretary's report – Wendy Fulwider**
- **Chair's report – Barry Flamm**
  - Tribute to members leaving the Board
  - Welcome to new members: mentoring, orientation, and FACA training
  - Committee chair and member assignments
  - Comments on the next EC call and the coming year
- **Outgoing Remarks – Tracy Miedema**
- **Exec Director update – Lorraine Coke**
  - Discussion of proposed meeting minutes process
  - Reminder of spring meeting deadlines:
- **NOP update – Miles McEvoy**
- **Committee Reports (5-mins per committee)**
  - Materials
  - Livestock
  - CACC
  - Crops
  - Policy
  - Handling
- **Other business**
  - Mac - announcement

## **Discussion**

- **Call to Order – Tracy Miedema called the meeting to order**  
Outgoing words/thoughts
- **Chair's Report**
  - Farewell to parting members – Katrina, Steve, Tracy and Tina
  - Welcome to new members – mentors, new member orientation, FACA training
  - Inerts working group/task force – possible to retain Jeff Moyer as member of this task force?
  - Makes more sense to keep standing Board members on this working group. It is possible to seek advice/input from old Board members.
  - Would like to discuss ideas and comments regarding structure of future Board meetings
    - will provide outline prior to next EC call for committee to discuss
  - Committee work plans should be available at next EC call for discussion
- **Exec Director update**
  - Discussion of proposed meeting minutes process
  - Reminder of spring meeting deadlines:

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

- **NOP update – Miles McEvoy**

Methionine proposed rule should be out shortly – will outline the reduction in the amounts of methionine allowed in poultry operations (should be published within next few days/weeks)
- 205.101(b) proposed rec from NOSB – issued as draft guidance – should be out soon for public comments
- NOP representatives, including the Deputy Administrator, will travel to San Antonio, Texas to conduct annual auditor training with the AMS Livestock and seed Grading and Verification Auditors (January 22), conduct certifier training with accredited certifiers (January 23), and attend the annual conference/training hosted by the Accredited Certifiers Association, Inc. (ACA) and the National Association of State Organic Programs (NASOP) (January 23–25).
- The NOSB final recommendations from Savannah should be up soon, NOP response will be issued after review and approval by department.
- The NOP sought legal advice from the Office of General Council (OGC) regarding the NOP's ability to accredit material review organizations. OGC stated that the NOP does not have authority under the current statute to accredit these types of organizations.
- **Committee Reports (5-mins per committee)**
  - **Materials - Katrina**

Transition in process. Jennifer and Katrina are working to ensure relevant docs and roles/responsibilities are transferred as smoothly as possible. On last Materials call there was an overview of work plan. Want to be sure that new/continuing members are all caught up and aware of ongoing activities. Aquaculture will be an ongoing

project for this committee.

- **Livestock – Mac**

The two topics on last week's call were methionine and GMO vaccines, reviewing the TRs on these

- **Handling – John**

List of materials is lengthy, but prioritization of sunset 2013 items and petitioned materials will be focus. Not all of the materials have been assigned. The number of materials to review will be very challenging to complete by next meeting. Also, consideration of "other ingredients" will be a high priority on the work plan. The next call will be on January 31.

- **CACC – Joe**

Work plan as discussed in Savannah. The committee has not met recently, but will have meeting in coming weeks. Will keep moving forward with work items.

- **Policy – Barry**

On last call the committee discussed work plan and schedule for coming work. Top of list is to develop rec for public comment procedures. Also, the conflict of interest rec will be another priority. The Board's ethic rules will also be reviewed as a possible work plan item. Material formulation and production aids. May need further guidance on how correspondence from public is reviewed. The new member guide may need to be reviewed/updated.

- **Crops – John**

Met on Tuesday and looked at list of items on work plan. Also looked at materials summary. Materials petitioned as inerts will be kept on hiatus. The rest of materials were reviewed – sunset items and petitioned items will be priority. Brief discussion on other topics that may be added to work plan. The next call will be on January 31.

- **Other business**

Mac – was not reappointed by the newly elected Ag Commissioner and no longer has his position with the Kentucky Department of Agriculture. Concerned that he will not be able to adequately represent the certifiers' perspective if he is not associated with a certification agency. Mac may resign from the board though he is exploring options for working for other certifiers.

- **Adjourn – Barry**

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## **National Organic Standards Board (NOSB)**

### **Executive Committee Meeting**

Friday, February 10, 2012, 12 p.m. ET

**Attending:** Barry Flamm (Chairperson), John Foster (Handling Chair), , Jay Feldman (Crops Chair), Mac Stone (Vice-Chairperson), Jennifer Taylor (Materials Chair), Wendy Fulwider (Secretary & Livestock Chair), Joe Dickson (CACC Chair), and Colehour Bondera (PDC Chair);

**Absent: none**

**Staff:** Miles McEvoy and Lorraine Coke

### **Agenda**

- **Call to Order – Barry Flamm**
- **Secretary's report – Wendy Fulwider**
- **Chair's report – Barry Flamm**
  - New Member Orientation
  - GE ad hoc committee
- **Exec Director update – Lorraine Coke**
  - Reminder of spring meeting deadlines:
- **NOP update – Miles McEvoy**
  - Update
  - Discussion of NOSB Meeting Redesign
- **Committee Reports (5-mins per committee)**
  - Materials
  - Livestock
  - CACC
  - Crops
  - Policy
  - Handling
- **Other business**
- **Adjourn**

## Discussion

- **Call to Order – Barry called the meeting to order**
- **Secretary's Report – Wendy**
  - review and approve minutes from 01/20/2012 meeting
  - minutes approved & will be posted to website soon
- **Chair's Report – Barry**
  - New member orientation went well, new members asked good questions, still need FACA and Ethics training, also materials training (how to review petitions, TRs, checklists, etc.)
  - \*Materials committee may revisit design of material checklist
  - Not new to the EC, but the issue of forming an ad hoc committee for some concerns of the Board (specifically GE or GMO-related issues). The PPM allows for the formation of ad hoc committees by the Board. These issues span all committees of Board. Proposing that each committee appoint 1 person to this ad hoc committee. The goal is to address the most pressing issues and in short term get a discussion item on agenda for spring. Also get list of individual issues that committees need to address regarding this issue. Barry would like each Committee Chair to appoint a person (they can nominate themselves). Should take into consideration the NOP's guidance on GMOs.
    - Questions: Ad hoc committee would look at NOPs policies on GMOs? >Answer: yes, the committee would review that, but also other issues.
    - The Board should clarify the role of this committee and this should happen early on in the process. This is a huge topic area. There are some areas that are relevant to the program, but many issues that are not. Part of the discussion/role of committee would determine the relevant areas to organic production. Hope to develop realistic and constructive suggestions for the NOP.

- **Exec Director update**
  - Reminder of spring meeting deadlines:

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

- **NOP update – Miles McEvoy**
  - Update regarding Mac's role with a different ACA, not determined at this time. Mac will continue to participate on the ACA listserve.
  - **Number of proposed rulemaking documents out for public comment at this time. NOP asked livestock to postpone review of Methionine until fall 2012 meeting.**
  - **Program is making progress in appeals and closing complaints. Closed almost 100 complaints in the past 3 months. New Compliance Director, Matthew Michael (from FSIS) will start on Monday February 13.**
  - Meeting redesign proposal: premeeting – the idea is for the committee to provide their proposals. More time for Board to provide summary, give overview of public comments, etc. Idea

to look forward to whole year's worth of Board work. Propose a calendar to the EC for fall meeting. Meeting set-up: NOP would sit with Board (separate table, but at front of room). Show that the NOP and NOSB are in this together. The advisory Board Specialist (Executive Director) would sit at separate table to run presentations and public comment.

Presentation of TRs/petitions – this is generally presented very differently based on which NOSB member is presentation. Idea to have National List Coordinator present this information in a more uniform manner.

Public comments would be broken up based on committee: all comments for their items would be heard at one time.

Expert panels: it was nice to have experts/members of the public brought up for additional questions. It would be good to have diversity of opinions on tough topics. The committee could choose someone from the majority/minority opinion and the NOP could try to provide an academic perspective. Good way to deepen the discussion on difficult items.

Formal recommendations – finalized during meeting so they can be posted immediately. Concern about documents being changed from time of vote to the final recommendation submittal. Want to work to prevent this.

Idea to have each committee finalize and vote before it moves on to next committee.

Day 1: series of committee meetings – committees would meet, discuss public comments, present recommendations to Board, then opening remarks.

Day 2: committees put out proposals, receive public comments by committee (how long would this be), vote on each of committees' recommendations (then that committee's work/business is done)

#### Questions/Additional Comments:

How would this work with public comment? Some commenters have comments that apply to multiple committees.

First day: giving an hour to each committee – need to consider ad hoc committees/special committees, important to have designated time for each committee

Like idea that discussion/committee group has time to meet and discuss (1<sup>st</sup> day schedule)

Good idea to finish recommendations at meeting and submit on the spot

Good idea to have NOP sit with NOSB – communicates right message to Board and public

Not sure on finishing votes before moving on to next committee

Should still schedule for four full days until certain that this schedule works

Important not to reduce public's time – public comments (keep full 4 days)

Could day 1 scheduling allow for non-committee members to participate in ALL committee discussions?

Suggestion to rotate committees (in terms of their order during the meeting)

Could way to constructively deal with the flow of the meeting – might be better to have time between final recommendations and final vote of committees (post-meeting discussion are often helpful)

Supportive of idea to schedule public comments by committee

Concept of adding expert panels would bring a good/well-rounded perspective

Significant issue related to members serving on different committees – all members need to listen to all committees' presentations of proposals

Important to include public comments from people that are presenting on non-agenda topics

Committees need to have opportunity to interact in public context – maybe additional time for committees to meet

1<sup>st</sup> Day – review of written public comments and proposals is good idea, but important to consider oral public comments too and revise/edit proposals based on the oral public comments received

Suggestion that there may be need to include additional meeting

On first day – idea of public meeting is good, but this is first time that committee meets to incorporate public comments into proposal. Wondering how this type of structure would contribute to open discussion

Support idea of NOP and NOSB sitting together, but wondering whether this is in line with FACA.

Would commenters that are commenting on different topics have the opportunity to comment multiple times?

Concern about not have time to think about issues/process public comments before final vote and recommendation – is the timeframe conducive to the further process/conversation.

Topics that are not on the agenda at all – how would the public be able to comment on these?

How to proceed with this?

General support to change things and put together a more definitive agenda for the spring. Would incorporate comments into a new proposal – hearing that additional public comment time is needed. May need a recess before final vote is taken by committee. Will try to put together a new draft and have it ready by next EC call.

- **Committee Reports (3-mins per committee)**

- **Materials – Jennifer**

- The issues that the committee will address are aquaculture petition for sufficiency – need to evaluate. Meeting with AWG on March 10. Work to develop research priorities recommendation. Series of experts that will be used during calls. Would like to reexamine the tabled items

- **Livestock – Wendy**

- If methionine is off agenda for spring, then GMO will get priority. Also recommendations on guidance and species specific score cards.

- **Handling – John**

- Had a couple meetings, some refinements on material recommendations and what to prioritize. 5 sunset items were discussed at last meeting. Assignments are scheduled for remaining meetings. Moving along on work plan. Other “auxiliary” ingredients will be an update at the next meeting, rather than a recommendation. Cornucopia request to reconsider the DHA/ARA vote by NOSB.

- **CACC – Joe**

- Nothing to report at this time. Meeting next week to review work plan and begin projects.

- **Policy – Colehour**

- No significant updates since last EC meeting. Work to turn public comment guidance into recommendation, turn COI doc into recommendation, to review Board ethics rules, look at directions on material formulation and production aids, and handling of public communications.

- **Crops – Jay**

- Been talking about ferric phosphate, list 3 inerts in passive pheromone dispensers (reviewing TR and possibly add questions), peracetic acid (clearing up issues regarding application rates), also possibility on list 4 inert ingredients.

- **Other business**

- NOP is working with the Crops Committee to set up a external website to allow the sharing of documents, this is a pilot project at this phase and is still in development.

- Question regarding “other” ingredients and the NOP’s formal request for the Board to address this item – will it be a discussion piece at the spring meeting? This now resides with the Handling Committee, but considerations for other committees will be considered. Zea is currently assigned to

this project and she sits on Crops, Handling, and Materials committees. Not sure that this will be discussion document.

- **Adjourn – Barry**



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## **National Organic Standards Board (NOSB)**

### **Executive Committee Meeting**

Friday, March 9, 2012, 1 p.m. ET

**Attending:** Barry Flamm (Chairperson), John Foster (Handling Chair), Jay Feldman (Crops Chair), Mac Stone (Vice-Chairperson), Jennifer Taylor (Materials Chair), Wendy Fulwider (Secretary & Livestock Chair), Joe Dickson (CACC Chair), Zea Sonnabend (GMO Ad-hoc Chair) and Colehour Bondera (PDC Chair);

**Absent:**

**Staff:** Miles McEvoy and Lorraine Coke

### **Agenda**

- **Call to Order – Barry Flamm**
- **Secretary's report – Wendy Fulwider**
- **Chair's report – Barry Flamm**
  - New Member Orientation
  - GE ad hoc committee
- **Exec Director update – Lorraine Coke**
  - Reminder of spring meeting deadlines:
- **NOP update – Miles McEvoy**
  - NOP news and Update
  - Discussion of NOSB Meeting Redesign
- **Committee Reports (5-mins per committee)**
  - PDC
  - CACC
  - Materials
  - Crops
  - Livestock
  - Handling
  - GMO Ad-hoc
- **Other business**
- **Adjourn**

### **Discussion**

- **Call to Order – Barry called the meeting to order**
- **Secretary's Report – none**
- **Chair's Report – Barry**
  - GMO ad-hoc committee was established with one member from each standing committee
  - new member orientation, ethics training and the FACA/FOIA training will take place later today (if members have missed these then they should review the presentation materials and send questions)

- important part of the call today will be the new agenda proposal for the spring 2012 meeting
- Zea is a new/non-voting member of the Executive Committee

- **Exec Director update**

- Reminder of spring meeting deadlines:

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

- **NOP update – Miles McEvoy**

- new Special Assistant, Michelle Arsenault, to the NOSB starts Monday, March 12
- equivalency arrangement with the EU – a great opportunity for producers in the U.S.
- call on NPR (Diane Riem show) earlier this week with Mark Kastell – an hour of programming with a lot of tough questions for the program
- Farm Bill: asking for same budget as 2012 (\$7 million) – do not have additional resources that were planned before. The NOP has a lot of demands and a limited staff. The NOSB may hear
- new agenda/redesign concept for the spring 2012 meeting. 3-day meeting format is due to budgetary constraints. There are direct costs of housing/hotel/travel and also staff time. Going from 4 days to 3 days will significantly reduce costs. That is intention of this concept/agenda design.
  - basic idea is that each committee would have discussion, review and vote on proposals all at once (by committee) – if there is need for a break or need more time to work on a proposal, then those items could be deferred to the last day of the meeting for final vote. Basic plan is to have presentation, public comment, and votes for each committee all at one time.
  - based the design on Savannah meeting and number of comments received
  - GMO committee time on agenda (currently an hour) is probably unrealistic because this committee will likely receive a lot of comments
  - meeting could potentially start later in the day on Monday (to accommodate people arriving)
  - still need clarification on each committees topics/agenda to know the amount of time needed

Questions/feedback from EC members:

Colehour (PDC) – some questions regarding public comments are by topic area – then how would the Board enforce (do they need to) a time limit for each commenter?

→analyzed comments from Savannah and each commenter were limited to 3 minutes, several organizations brought several people to comment (those orgs that are going to comment on numerous comments used to have numerous people)

→have heard from Board that they would like more comments from public, would want to ensure that comments by committee actually pertain to the committee that is presenting

-Reason for moving meeting around country is to ensure participation from constituents all around country

-Used Savannah meeting as example for setting up public comment process – concern that the NOP should look at multiple meetings for making a design that is more accurate

-The PDC committee has 3-4 agenda items and may need more time than the design allows for

Joe (CACC) – Overall structure of fitting into 3 days seems difficult, but understanding of budget issues and willing to accommodate. The times for each committee seem reasonable. The CACC will be presenting 3 different topics.

Jennifer (MC) – From the presentation given, it is important to consider to use other meetings (besides Savannah) as examples for designing a new agenda.

Jay (CC) – The time between committee presentations and final development of proposals is important. The current agenda may not allow for this.

- Idea for a different “grouping” – 1<sup>st</sup> day keep the same (but put speaker back in there and cut the NOP’s time down to 30 minutes), afternoon of 1<sup>st</sup> day could be reporting by committees, if time then begin public comments

- 2<sup>nd</sup> day could be all public comments and these could be grouped by topic. Often larger organizations put their comments together. This could give more time for comments and allow the committees additional time for questions. That evening could be for restructuring of proposals.

- 3<sup>rd</sup> day could be more discussion/development of proposals and final vote. This would allow additional time in between for NOSB members to meet and discuss topics and formulate changes.

- calculating time/budget – estimates that additional day is approx. \$3000

- committee meeting at beginning of NOSB meeting is most constructive – opinion is that the time for face time is AFTER public comments

Wendy (LC) – biggest concern is being able to make changes to committee proposals. Overall design is improvement from last proposed agenda.

John (HC) – not in favor of making additional Board member time in the evenings to change documents. In general, the best work does not come from these “after hours” sessions.

- Face time is very important for committees/Board members.

- Suggestion regarding location of the meetings and whether meeting in DC is a better option (different costs?). Value to having NOSB members in DC as well.

- each committee’s time is going to be hard. Will have to figure some of this out by trial. Suggestion to look at additional meetings (such as Seattle) for a better gage on times, public comment, etc.

- some concerns regarding maximum time limit being removed for public comments – concern over certain constituencies or certain public interest groups being more dominant over others.

Uncomfortable with multiple groups being able to speak multiple times, especially with dominant voices/groups. Thought that last meeting, with limited time for comments, was good at keeping Board members focused.

Zea (GMO Ad-hoc) – looking at the agenda from Savannah meeting as example may not be best example. More focus on each committees topics.

- value of committee meeting times is

- an hour from the NOP is a good presentation amount – the ACAs find this information very useful and often it is not enough time

- some limit to the public comment period is necessary

Mac (Vice Chair of EC) – face time with committees is really important.

- the late-night work sessions is not something that should become standard practice

- understand budget constraints, but wondering how much more \$ an extra day would be

Barry (Chair) – the idea of meeting with committees before the meeting is a good idea. Liked that idea from the original proposal.

- the grouping of committees, comments, etc. is a good idea

- concern over the “unlimited” comments – the existing structure is good, but concern regarding the possibility of a dominating group

Response/summary:

- general concern over the 3 days and that budget concerns seem relatively small

- committee meetings before the full Board gets together could be useful

- if need for adjustment on documents after public comments, then this could happen on a separate day

- concern over public comments and the possibility that certain dominant voices might prevail

If started at half-day on Monday and ended on half-day Friday? How does EC feel?  
-should possibly consider where the meeting is held (east vs. west) and travel involved

Suggestion to have an additional EC call – to finalize the agenda format before the EC has to finalize the agenda for the spring 2012 meeting. Next EC meeting will be Friday, March 23.

- **Committee Reports (3-mins per committee)**

- **GMO Ad-hoc – Zea**

- Framework of overall work that could be done on GMOs was drafted. At first meeting the framework and policy on GMOs (from the NOP) was sent around. Hope that different committee members would take the pieces of the framework back to their respective committees and discussing (those topics will be addressed as necessary). For the spring 2012 meeting the GMO committee is planning to draft a letter to the AC21 committee. Another letter, that was not presented at the last meeting, but was previously discussed. This letter may be addressed to the Secretary (still discussing). Also plan to present a discussion document regarding seed purity.

- **Policy – Colehour**

- Working on primary recommendation (Conflict of interest – nearly complete, Public Comment – still in development and facing some challenges with the new agenda format, 2 discussion documents – one on decisive/indecisive votes and one on handling of public communications). All of these are in progress.

- **CACC – John (for Joe)**

- Working on next phase of MROs, processing aides in “100% organic” products (based on “Argon discussion” from a few meetings ago) and use of food contact sanitizers – this lead to discussion of whether “100% organic” claim is necessary at all, and monitoring practices and procedures – 205.201(a)(3) and clarifying what that means (this is often handled differently by different ACAs). These are a little different than the topics that are on the example agenda that was sent around.

- **Materials – Jennifer**

- Working on discussion paper on extractants/solvents, discussion document on research priorities, recommendation on “significant residues,” and working with the AWG to clarify some issues regarding their previous petitions. Additional experts will be invited to participate on calls regarding

- **Crops – Jay**

- Working on list 3 inerts sunset and list 4 inerts proposal. Peracetic acid is still unresolved – the program may be able to use the recommendation from 2009. Also ferric phosphate.

- **Livestock – Wendy**

- Recommendation on GMO vaccines.  
Recommendation on turkey space (missing  
Recommendations on guidance for species specific documents.

- **Handling – John**

- Working on 5 sunset 2013 items, votes should be completed. Also working on

incoming TRs and recommendations regarding petitioned materials. The committee will also present an update on “other ingredients” and the status on that.

- **Adjourn – Barry adjourned the meeting.**

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## **National Organic Standards Board (NOSB)**

### **Executive Committee Meeting**

Friday, March 23, 2012, 1 p.m. ET

**Attending:** Barry Flamm (Chairperson), John Foster (Handling Chair), Jay Feldman (Crops Chair), Mac Stone (Vice-Chairperson), and Colehour Bondera (PDC Chair);

**Absent:** Joe Dickson (CACC Chair), Zea Sonnabend (GMO Ad-hoc Chair), Jennifer Taylor (Materials Chair), Wendy Fulwider (Secretary & Livestock Chair),

**Staff:** Miles McEvoy, Michelle Arsenault

### Agenda

- Call to Order - Barry Flamm
- Revised agenda format - Miles McEvoy
  - EC member comments
  - Revisions and agreement on agenda
- Committee Agenda items presented in this order: ( 5 minutes per committee)
  - GMO Ad hoc committee
  - CACC
  - Materials
  - Crops
  - Livestock
  - Handling
  - PDC
- Other business related to the Spring Board Meeting
- Adjourn

### Discussion

- Chair called the meeting to order at 1:08pm to discuss and approve the agenda for the annual NOSB meeting.
- Revised agenda format - Miles McEvoy

Summarized draft meeting agenda. The agenda was intentionally written so we could adjust times based on the number of public comments we receive.

Miles noted that the Crops committee would prefer to not be first on agenda. He also noted that if proposals are not in, they will not be included on agenda. With regard to meeting format and public comment blocks: If someone wants to comment on more than one committee, they will be scheduled during the committee for which they have the most substantive comments and can then comment on the other issues then. The complication with that process will be to make sure the comments are received prior to a vote a particular topic

Comments from board about agenda? Barry: Ability to adjust comment time based on the number we receive seems reasonable. Mac: Very supportive of allowing committees to meet informally on Monday prior to meeting to get organized. Jay: Wanted to know when the board would have the opportunity to ask audience members to come up to provide further explanation, since it is not explicit on the agenda? It would be up to the chair, and the board would like to make sure we have flexibility in schedule to do so. John: Wanted clarification about deferred items listed on the agenda on Friday and what happens to the time on Friday if we do not come to resolution? Would also like to make sure we communicate to the public the new agenda format. John is very supportive of the inclusion of program presentation of proposals/petitions and TR, and the mandate to have recommendations before meeting ends. Lisa Brines is creating a format for presentations and will share that with committee at next EC call. Colehour: The process of having someone comment on more than one item seems both positive and negative. Positive in that the public will be able to state all of their comments at once, but perhaps logistically this is difficult to schedule. Board wanted to know if there will also be a format for public comments? Perhaps this is an item for the Policy committee?

Draft agenda for NOSB annual meeting was accepted with no opposition.

### Committee Reports

GMO Ad-hoc (Colehour) - Ad hoc GMO committee will include two agenda items:

- A letter to Secretary Vilsack, which will be a voting document finalized by April 2.
- A presentation about the committee, a statement of its mission and a description of some upcoming topics. (15 minutes for the presentation but there will be no posted document).

The seed purity paper will not be sent as discussion doc and will not be put forth for public comment. The letter to AC 21 is no longer on agenda.

CACC (John, substituting for Joe) - Two items for agenda:

- Sanitizers and 100% organic products-discussion item
- material review organizations

No Discussion doc 204.201(a)(3)

Policy (Colehour) - Four items for agenda:

- COI
  - Procedure for Public Communications with the Board
  - Proposal on public comment procedures
  - Discussion doc on decisive-indecisive votes on synthetic/non synthetics
- With regard to the decisive-indecisive votes: which should occur first, legal review or public comment? Miles will follow up and report back to board about the best way forward.

Materials (Barry in lieu of Jennifer) - four agenda items

- Discussion document about Extractants and solvents
- Research Priorities and recommendations
- Significant residues and classification of materials

- Presentation update on aquaculture

Crops (Jay) (1.5 – 2 hours might be adequate)-One agenda item

- EPA List 3 (Inerts).
- Update from inerts working group? Should this be at beginning of meeting since it's not exclusive to Crops? Miles agreed the Inerts working group could present during Crops' time. When is inerts working group meeting again? Send email
- No FePO4

Livestock (Wendy) – One agenda item

- GMO vaccine recommendation.
- Guidance on Scorecards from animal welfare discussion. All of these might be in discussion format at this time. Species-specific scorecards, and species-specific description docs are supposed to both be on this agenda, but committee is unsure at this time if chair is intending on submitting this.

Handling (John) -

- 5 Proposals for: choline, curry leaf, inositol, gibberellic acid, and lime leaf. There is also a recommendation to refer to lime leaf by its botanical name; citrus hystrix. No nucleotides or Taurine.
- 5 Sunset materials 2013: agar agar, CaSO4, cellulose, carrageenan, Glucono delta- lactone.
- Should we also use the botanical name for curry leaf?
- Update on ancillary and other ingredients

#### Other:

If aggressive schedule does not work, do we still expect to end Friday at noon? As per the FR we are ending Friday at noon, so we should plan accordingly and try to keep to schedule

Policy committee might need more time (not more than 4 hours). Crops committee might need less time, so we have wiggle room. 2.5 for PDC. 6 hours for Handling (although they might have extra). Perhaps policy should go on Thursday since Crops doesn't need extra time. A board member asked about an evening group dinner, which is typically set up by the secretary. Monday and Thursday are probably not available, so let's plan for Tuesday. NOP will have a workshop on the EU arrangement, perhaps on Monday. Fall meeting dates were confirmed as Oct 15-19, 2012.

Meeting adjourned @ 2:01

Milestone	Deadline
Public Comment Period	April 9 - May 3, 2012
Spring 2012 NOSB Meeting	May 21 – 24, 2012



Note: Committee notes may include preliminary discussions regarding substances considered for addition to or removal from the National List. They do not represent official National Organic Program (NOP) policy or regulations. Please see the NOP website for official NOP policy, regulations, and status of substances used in organic production and handling.

**National Organic Standards Board (NOSB)  
Executive Committee (EC) Meeting  
Friday, April 20, 2012, 1 pm EDT**

**Attending:** Barry Flamm (BF)(Chairperson), Wendy Fulwider (WF) (Secretary & Livestock Chair),

John Foster (JF) (Handling Chair), Jay Feldman (JFe)(Crops Chair), Mac Stone (MS)(Vice-Chairperson), and Colehour Bondera (CB)(PDC Chair); Jennifer Taylor (JT)(Materials Chair), Joe Dickson (JD) (CACC Chair), Zea Sonnabend (ZS) (GMO Ad-hoc Chair)

**Absent:** none

**Staff:** Miles McEvoy (MM), Michelle Arsenault (MA), Lisa Brines (LB)

Agenda

- Call to Order - BF
- Secretary's Report - WF
- Chair's Report - BF
  - Preparation for Spring meeting
  - Beyond Albuquerque
- Advisory Board Specialist (ABS)/Special Assistant to Board (aka ED) update - MA
- NOP update - MM
  - NOP news and update
  - NOSB fall work plans
  - Responses to public requests regarding DHA/ARA
  - Substance overview template - LB
- Committee Reports (5 minutes per committee)
  - GMO ad hoc Committee (GMO)
  - Policy Development Committee (PDC)
  - Compliance, Accreditation and Certification (CACC)
  - Materials Committee (MC)
  - Crops Committee (CC)
  - Livestock Committee (LC)
  - Handling Committee (HC)
- Unfinished business
- New Business
- Adjourn

## Discussion

- Chair called meeting to order
- Secretary's Report
  - Secretary postponed vote on the minutes from March 23<sup>rd</sup> meeting until the members had a chance to review them. Also noted that she will proceed with dinner reservations for the NOSB in Albuquerque.
- Chair's Report
  - Preparing for spring meeting: Chair would like to ensure that during the spring meeting the motions are written down prior to being made, to avoid confusion about what is being voted on. Process will include passing the motions to the NOSB Secretary, then to the vice chair, then to Chair.
  - Suggested that cover sheets be completed at meeting, and in advance, for efficiency and expediency while voting during the meeting.
  - Chair suggested that the mentors/mentees be seated next to each other at the meeting
  - Beyond Albuquerque: Would like the Board to consider public comments when developing future work plans. The chair remarked that the Policy and Procedure Manual (PPM) outlines 3 steps for developing a workplan: List issues, prioritize issues and set calendar, seek feedback from committees and NOP
- ABS updated members about meeting logistics. JFo will work on a seating chart for the NOSB to seat the mentors/mentees next to one another.
- NOP news and updates.
  - NOP is continuing to gather information on organic poultry, which includes visits to farms, and consideration of the economic impact of NOSB recommendations from the Savannah, GA meeting. A draft aquaculture interpretation rule should come out this year, which would prevent seafood from being labeled organic until organic aquaculture standards are in place. NOP has developed an aquaculture rule-making team that is developing a proposed rule based on the NOSB aquaculture recommendations.
- NOSB fall work plans:
  - FACA rules mandate that FACA committee agendas be developed by the agency, in conjunction with the Board. NOP will collaborate with the NOSB to develop the agenda and work plan. There are many National List petitions in the queue, and it is recommended that Aquaculture be added to the work plan for the near future, so standards can move forward. A member asked a question about the assignment of aquaculture to the Livestock Committee (LC), instead of the Materials Committee (MC). NOP thought it would be appropriate for LC because that's where it initiated and because OFPA prescribes it. EC and NOP would like to discuss workplan at next EC meeting prior to the Spring Meeting
  - A member indicated there are items on the workplan that are new to the committees, and items that are in progress that are not included on the list. NOP indicated the new items should be included on the workplans, and would discuss the missing ones. Committees will address and present to NOP their ideas about the workplan prior to the spring meeting. A member suggested that a step in the process be added between NOP determining work plans and committees taking on agenda items to avoid unnecessary work. Feels that NOP would then have

the opportunity to provide justification to NOSB about why items are removed from or added to the agenda. NOP said that the issue was addressed by the Deputy Administrator at previous NOSB meetings and there was no need for a discussion document on this topic as decisive votes are clearly outlined in the Organic Food Production Act.

- Responses to public requests regarding DHA/ARA
  - NOP response is in progress. Cornucopia was informed that they can submit comments during open period for rulemaking. The same response was sent to NOC, who also sent in comments about DHA/ARA. NOP is exploring the possibility of using open dockets for public comment so there is a venue for people to submit comments between NOSB meetings.
- Substance overview template
  - List includes petition-related items and sunset materials. NOP intends on using this format for presentation at the spring meeting. LB would like feedback from NOSB. A member commented on the fact that at past NOSB meetings, the MC presented an explanation of the voting process, and asked if they could do that again this year, as it was not currently on the agenda. JT will do this presentation at beginning of meeting. ABS will adjust spring agenda as needed.
  - NOP asked committees to move forward on some Technical Reports (TRs) because contracts are due to expire at end of fiscal year: e.g. nonanoic acid, vinasse.
- Committee Reports (5 minutes per committee)
  - GMO ad hoc committee -next call is scheduled for April 25<sup>th</sup> and the committee is going to discuss the presentation for spring meeting, and the work plan. Chair of the GMO committee asked that each of the GMOers to bring GMO issues to other committees.
  - Policy Development Committee (PDC). Prepping for meeting. On next call will focus on workplan. Agrees it would be advantageous to plan a little farther in the future.
  - Compliance, Accreditation and Certification (CACC) - on track with proposals for spring meeting. Next call will focus on workplan for after Albuquerque
  - Materials (MC) - Prepping for spring Meeting, and still have conference call planned with aquaculture group to discuss process and procedures. Will take comments into consideration when doing workplan
  - Crops Committee (CC) - Proceeding with petitions.
  - Livestock Committee- Prepping for meeting and working on petitions and TRs. Discussing workplan for fall.
  - Handling Committee (HC) - have one call scheduled before spring meeting.
- Unfinished business-none
- New Business-none
- Meeting adjourned by chair

## **FUTURE CALLS**

May 11, 2012 1pm EDT

June 8, 2012 1pm EDT

Milestone	Deadline
Public Comment Period	April 9 - May 3, 2012
HC Informal Prep (Albuquerque)	May 21 4pm
LC Informal Prep (Albuquerque)	May 21 5pm
MC Informal Prep (Albuquerque)	May 21 6pm
CC Informal Prep (Albuquerque)	May 21 7pm
PDC Informal Prep (Albuquerque)	May 21 8pm
Spring 2012 NOSB Meeting	May 22 – 25, 2012

Note: Subcommittee notes may include preliminary discussions regarding substances considered for addition to or removal from the National List. They do not represent official National Organic Program (NOP) policy or regulations. Please see the NOP website for official NOP policy, regulations, and status of substances used in organic production and handling.

**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting  
Friday, May 11, 2012, 1 pm EDT**

**Attending:** Barry Flamm (BF)(Chairperson), Wendy Fulwider (WF) (Secretary & Livestock Chair), John Foster (JF) (Handling Chair), Jay Feldman (JFe)(Crops Chair), Mac Stone (MS)(Vice-Chairperson), and Colehour Bondera (CB)(PDC Chair); Jennifer Taylor (JT)(Materials Chair), Joe Dickson (JD) (CACC Chair), (GMO Ad-hoc Chair)

**Absent:** Zea Sonnabend (ZS)

**Staff:** Miles McEvoy (MM), Michelle Arsenault (MA), Lisa Brines (LB), Melissa Bailey (MB)

**Agenda**

- Call to Order- Barry Flamm
- Secretary's Report- Wendy Fulwider
- Chair's Report- Barry Flamm
- Advisory Board Specialist update - Michelle Arsenault
- NOP news and update- Miles McEvoy
- Subcommittee Reports - focus on issues and discussion of work plans
- GMO Ad hoc Subcommittee- Zea Sonnabend's stand in
- Compliance, Accreditation, and Certification- Joe Dickson
- Materials-Jennifer Taylor
- Crops- Jay Feldman
- Livestock- Wendy Fulwider
- Handling- John Foster
- Policy Development- Colehour Bondera
- Unfinished Business
- New Business
- Adjourn

**Discussion**

- Chair called meeting to order
- Secretary's Report- Wendy Fulwider. Minutes from April 20<sup>th</sup> meeting were approved with no changes. Board dinner plans were confirmed for Tuesday May 22.
- Chair's Report- Barry Flamm-Looking forward to the meeting and the new format. There was a public comment regarding new meeting format – commenter thought it was less transparent. This was not a common sentiment.
- Advisory Board Specialist update - Michelle Arsenault-update about meeting logistics, and travel

- NOP news and update- Miles McEvoy-moxydectin and phenbedozol recommendations now published. Are being allowed for emergency use. Will give full update at NOSB meeting.
- Subcommittee Reports - focus on issues and discussion of work plans
  - GMO Ad hoc Subcommittee – John Foster, standing in for ZS. Workplan includes intersection of GMO and Seed purity, feedback to NOP in response to OIG, and plant breeding issues.
  - Compliance, Accreditation, and Certification - Joe Dickson. Update for Albuquerque. Two agenda items: MRO proposal and Sanitizers discussion document. Received very constructive public comments. Fall workplan was sent this morning. Several items including the 2009 Biodiversity recommendation could use some additional input from Subcommittee. NOP indicated that the MRO criteria paper states that some certifying organizations are making inconsistent decisions, and NOP would like to be informed if that is occurring. With regard to the 100% organic claim, there seems to be confusion about what is or isn't a processing aid and whether or not a sanitizer is a processing aid. NOP will present info that will clarify this. Currently there's a policy in the NOP Handbook about how certifiers determine the percentage. With regard to retail certification, this is important but not an immediate priority. Residue testing: Subcommittee could work with program in responding to OIG report. NOP would like CACC to respond to the finding in the OIG report about sanitizers for milk trucks. Biodiversity: NOP asked why the Subcommittee felt it was important to work on this now and not later. Subcommittee indicated that it had been 4 years since the recommendation and would like a status update from NOP. A member asked for clear definitions of sanitizer vs. processing aid. NOP will try to articulate this topic.
  - Materials – Jennifer Taylor. The Materials Subcommittee has several items that will be on spring agenda, including an update on aquaculture, discussion docs on extractants and solvents, significant residues and classification of materials. Also a proposal on research priorities. Chair sent out workplan, which includes issues of critical concern. Will provide aquaculture update at meeting. JFe has PowerPoint that includes history of NOSB and Aquaculture, which he will send around next week. NOP has memo that is almost complete that will help with JFe's presentation. Will send slides to NOP and would like feedback. JFo asked what constitutes "issues of critical concern". JT indicated that the workplan should be more solidified and acknowledged that being responsive and flexible is appropriate. A member asked about "exchange ion chromatography" and its relationship to organic. NOP (LBrines) indicated that this is a technology that uses chemicals to separate mixtures into its component parts. A question was asked about whether this was an analytical tool as opposed to production mechanism. NOP feels that open-ended items do not need to be on the workplan. Materials Subcommittee should develop a proposal for review by EC Subcommittee first, and then add it to workplan. NOP indicated that it might be better to delay the discussion documents until spring 2013. Subcommittee would like a resolution about the Materials Classification Policy in order to make a decision about leaving it on or taking it off the workplan: addresses extractants and solvents, but not significant residues. NOP indicated that

perhaps defining “significant” isn’t necessary and instead the NOSB can review substances on a case by case basis. NOP asked for clarification about some of the other items on the workplan in an effort to better support the Subcommittee work. The Chair indicated that the task proposed on the workplan for aquaculture was a general item to look at petitions that have been presented. BF indicated that LS will be taking aquaculture, so it doesn’t seem necessary for the HC to keep this on workplan.

- Crops - Jay Feldman. List 3 inerts is only item on agenda for spring meeting and all commenters agreed with recommendation! There are mostly petitions on workplan: List 3 Inerts (will add to workplan if it passes), List 4 Inerts (would like proposal for fall 2012 meeting), Tetracycline, streptomycin (might add them to the workplan so they can be proposed by 2013, assuming NOSB gets a petition), Fireblight-would like plenty of time to look at petition. ZS-would like to add Rotenone on the prohibited naturals (602) list. NOP is concerned that we don’t have the resources to address the inerts usefully. NOP is opposed to expiration dates, and cautioned the NOSB to avoid expiration dates whenever possible.
- Livestock - Wendy Fulwider. GMO vaccines proposal is on agenda for spring 2013 meeting. Chair asked about NOP’s need with regard to GMO Vaccines proposal. NOP had asked the board to look at this issue and the resulting proposal is very well thought out and complete. NOP indicated that the issue is much more complex than originally thought so some additional information is needed, for example with regard to human health. NOP would like the NOSB to solicit more comments before making a recommendation on this.
- Handling - John Foster. So far Subcommittee has received several comments clustered around a few materials: carrageenan, Gibberellic acid, inositol, and choline. These were discussed on a call earlier this week and based on public comment the Subcommittee would like to revise the language for the carrageenan proposal. Will circulate the new revised document to the NOSB prior to the Albuquerque (ABQ) meeting. Essentially the new decision is to relist it with CAS #'s. The Subcommittee has 14 items for the fall workplan. Will lay out agenda for upcoming meetings including which items will be discussed when. It appears the decisions on 606 items (citrus hystrix and curry leaf) are based on petitioner’s information alone. Is this sufficient? The alternative is to use the “made with organic”. Subcommittee should consider this with regard to 606 materials. TRs don’t usually include market data. Is there a resolution to this?
- Policy Development - Colehour Bondera. Recommendations are supported in different degrees, and it was requested that some sections be modified. FACA rules potentially require modification. Subcommittee will discuss this further and suggest modifications to the docs before the fall meeting. Workplan has gotten much more complex. There are two additional items that are not currently on the workplan: 1) Policy on tabling of items and 2) a two-stage process for TR determination. It’s not clear whether these are items for the PDS. A member asked if there needed to be a policy or if it’s NOP’s responsibility to reintroduce it to the NOSB if something is tabled? Two-stage TR process would eliminate the need for a TR if it can be determined early that one is not

necessary. Should this be on workplan for MS or PDS? NOP is unclear about this issue and would like to have more discussion before moving forward. The subcommittee has included a placeholder for decisive/indecisive determination on the workplan. NOP indicated that there is guidance forthcoming. A member asked about forming joint Subcommittees, but past NOSB's have found that formal joint Subcommittees are not very productive. NOP indicated that information from our FACA rep will be presented at the spring meeting.

- No unfinished business
- No new business
- Meeting adjourned

#### **FUTURE CALLS**

June 8, 2012 1pm EDT

Milestone	Deadline
Public Comment Period	April 9 - May 3, 2012
HC Informal Prep (Albuquerque)	May 21 4pm
LC Informal Prep (Albuquerque)	May 21 5pm
MC Informal Prep (Albuquerque)	May 21 6pm
CC Informal Prep (Albuquerque)	May 21 7pm
PDC Informal Prep (Albuquerque)	May 21 8pm
Spring 2012 NOSB Meeting	May 22 – 25, 2012



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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting  
Friday, June 8, 2012, 1 pm EDT**

**Attending:** Barry Flamm (BF)(Chairperson), John Foster (JF) (Handling Chair), Jay Feldman (JFe)(Crops Chair), and Colehour Bondera (CB)(PDC Chair); Joe Dickson (JD) (CACC Chair), (GMO Ad-hoc Chair), Zea Sonnabend (ZS), Jennifer Taylor (JT) (Materials Chair), Mac Stone (MS)(Vice-Chairperson),

**Absent:** Wendy Fulwider (WF) (Secretary & Livestock Chair)

**Staff:** Miles McEvoy (MM), Michelle Arsenault (MA)

**Agenda**

- Call to Order- Barry Flamm
- Secretary's Report- Wendy Fulwider
- Chair's Report- Barry Flamm
- Advisory Board Specialist update- Michelle Arsenault
- NOP news and update- Miles McEvoy
- Discussion of Albuquerque Meeting
- Reports with focus on work plans
  - GMO - Zea Sonnabend
  - Materials- Jennifer Taylor
  - Crops- Jay Feldman
  - Livestock- Wendy Fulwider
  - Handling- John Foster
  - Policy Development- Colehour Bondera
  - Compliance, Accreditation, and Certification -Joe Dickson
- Unfinished business
- New business
- Adjourn

**Discussion**

- Call to Order- Barry Flamm
- Secretary's Report- Secretary absent so no report
  - Minutes from May 11 not approved due to secretaries absence
- Chair's Report- Barry Flamm
  - Discussed summary comments from spring 2012 NOSB meeting
- Advisory Board Specialist update- Michelle Arsenault
  - Update about recommendation posting, update about subcommittee minutes.

- NOP news and update- Miles McEvoy
  - Requested clarification about items on which the NOSB would like updates during the EC call.
  - Nominations for new NOSB member should be advertised soon. Currently in clearance process.
  - NIST requirement for peer review - NOP trying to develop system for responding to this. The NOSB might fulfill this requirement.
- Discussion of Albuquerque Meeting
  - JD-clustering of Subcommittee blocks worked well. Additional refinement-having time for Subcommittees to discuss before re-voting. Perhaps a solution would be to build in recess time between public comment and voting. Flow and structure of meeting was good.
  - CBo-Overall meeting went very well. General public comment needs a little refinement. Asked about length of time NOP got for presentations vs. how much NOSB got. Would have liked more time to discuss things after public comment.
  - JFo-Time on Monday in subcommittee meetings was crucial and would like to expand those meetings. Would like to get ahead with regard to sunset materials. Thinks now would be a great opportunity to do that, since there are no 2014 sunsets. Liked having the NOP and NOSB at same table. Update from NOP was helpful for Board and public, and would advocate that it continues in the future. The Policy and Procedures Manual (PPM), states that comment/Q & A should not exceed 10 minutes. Need to clarify and implement.
  - JFe-Organization by topic was good. Need to think about how to schedule topics that might be more controversial. Would like better collaboration between board and NOP. Important that NOSB be informed by NOP on positions, new items, etc. Should not be a surprise at meeting. Need to be more thoughtful and uniform about internal process on presentation of science, and PPM procedures, and have more uniform docs from subcommittees.
  - JT –agreed with JFe about foundational information. Flow and structure of meeting went well. General comments section needs to be changed. Would have liked to have more time to discuss between public comment and vote. Would like to expand advertising of meetings, so we can bring in more stakeholders.
  - ZS – PROS: Having NOP at table facing audience was an improvement over past years. NOP update was valuable. Having comments grouped by topic was helpful except for general comments. Lisa Brines talk was useful. BF did a great job as chair. CON: Not enough time for questioning of experts. Disagrees with 10 minute limit, but need to be able to have time for exchange. Thought disclosure and recusal process was a waste of time. If NOP is going to shape the agenda, it needs to be vetted ahead of time in Subcommittee. It was not productive to find out at the last minute that the NOP didn't support something the Subcommittee had been working on for a long time.

- MM - Forms for recommendations are not well designed and NOP will work on revising them. NOP feedback about spring meeting was sent out this morning. MM thanked NOSB for hard work and for thoughtful comments about what worked and what didn't.
    - Letter to Secretary was delivered before AC 21 meeting and he was surprised by it, although he should not have been.
  - MS - Has copious notes about meeting. Will synthesize and send to group.
  - JFo - With respect to general comments - if a commenter signed up for general comments and it's clear they have a specific issue, is it ok for the chair to ask them to come to the specific session instead? ZS indicated that this seemed to be an exception and was not the case with most of the speakers.
- Reports with focus on work plans
    - GMO - Zea Sonnabend
      - No meeting since before Albuquerque (ABQ). Scheduled Subcommittee calls for Thursdays (2<sup>nd</sup> and 4<sup>th</sup>) at 2:00 EST. Will be taking up workplan items including seed purity, and once OIG report on residue testing is in, might take that issue up as well. MBailey will be sitting in on GMO calls.
      - Asked if working group will take over GMO Vaccines issue or if Livestock (LS) will continue to work on it with input from working group.
      - LS found it difficult to make decisions about GMO vaccines so working group was established to provide information that is not accessible to LS
    - Materials- Jennifer Taylor
      - Draft workplan includes research priorities. On next call Subcommittee will look at various issues including working with GMO ad hoc Subcommittee. NOP wanted further clarification about topics before deciding to add them to work plan. Other ongoing tasks: Updating petition and TR process, Confidential Business Information (CBI) and petitions, and seeking clarification about ion exchange
    - Crops- Jay Feldman
      - With regard to workplan, Subcommittee would be able to have a proposal and not just a discussion document on inerts for the fall meeting. MM concurred. With regard to fireblight issue, Subcommittee could have discussion doc earlier, perhaps fall 2012 instead of fall 2013. MM concurred.
      - Rotenone could be moved to fall 2012, as it should be ready. ZS will work on this.
      - According to NOP (E Brown Rosen) Sulfuric acid may be done by fall 2012.
      - Vinasse-need more guidance, perhaps a truncated TR.
    - Livestock- Joe Dickson substituting for WF –
      - Met last week and had good discussion. Ambitious workplan. 9 items: 4 petitioned materials, 1 discussion doc about Omnivore diets for poultry, 3 proposals (Nonanoic acid, Pet Food Amino Acids, methionine) and the GMO Vaccines update.

- Aquaculture liaison between LS and CS? The crossover topics have been pushed back so Subcommittee has time to review them.
- Handling- John Foster
  - Workplan is long. List of 12 or 13 materials (all petitions), no sunsets. All proposals, one discussion doc. JFo had good conversation with MBailey about strategizing how to get all this done before August 20<sup>th</sup> deadline. Will add additional Handling calls. JR had indicated she would like to participate on Handling Subcommittee. At a minimum she would like to listen in on calls. JFo would like to discuss this offline with Barry.
  - Bergamot Bitter Orange issue was on workplan for fall 2012 but has been pushed back to 2013 due to request for more info.
- Policy Development- Colehour Bondera
  - Three proposals that were withdrawn at spring 2012 meeting will be put forth as recommendations at Providence meeting once guidance from NOP is presented. PPM and ethics rules – fall 2012. New member guide proposal for spring 2013 deadline is feasible. Threshold (or two stage TR policy)- Subcommittee wanted to put forth as discussion doc at Fall 2012, and NOP listed it as Spring 2013; CBo suggests we keep it on fall meeting schedule instead so Subcommittee can get feedback sooner. Also part of process should be reviewing TR policy in PPM. New TR policy was sent by NOP but does not affect the workplan. TR procedure and PPM have been misaligned for a long time, and have not been followed by NOP or NOSB, so it seems like a good item for the PDC to work on. Contract procedures have been put in place. CBo asked if it was possible to update the PPM and the TR procedures separate items instead of combining them. NOP indicated that it was possible. A member indicated that historically the Materials Subcommittee has handled this issue, and wondered why the PDC was reviewing it. The Chair offered that the two Subcommittees should work on it together. The member noted that the same issue occurred while working on research priorities doc.
  - Communication from NOP re: decisive/indecisive – and how this relates to other Subcommittee topics. Should this be eliminated from workplan? A member suggested that the NOSB needs a broader communication discussion. MM said that a memo was being drafted and would be sent to the NOSB and PDC soon. Would like it on agenda as discussion doc even though MM doesn't think we need a discussion doc when it is regulation. Perhaps the title (decisive vs. indecisive) is the issue? Perhaps this is really an issue of synthetic vs. nonsynthetic). With regard to Materials initiation policy, NOP indicated that the Board can initiate review, however the PPM states that only applies to sunset and petitions. MM asked that JFe write up a paragraph about this and send it around to the group.
- Compliance, Accreditation, and Certification -Joe Dickson

- Program sent email this morning and has additional suggestions for CACS workplan. Residue testing and sanitizers for milk trucks will be discussion docs for fall 2012.
- No unfinished business
- No new business
- Meeting adjourned by BF.

#### **FUTURE CALLS**

July 13, 2012 1pm EDT

August 10, 2012 1pm EDT

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

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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting  
Friday, July 13, 2012, 1 pm EDT**

**Attending:** Mac Stone (MS)(Vice-Chairperson), John Foster (JF) (Handling Chair), Jay Feldman (JFe)(Crops Chair), and Colehour Bondera (CB)(PDC Chair); Joe Dickson (JD) (CACC Chair), (GMO Ad-hoc Chair), Zea Sonnabend (ZS), Jennifer Taylor (JT) (Materials Chair)

**Absent:** Barry Flamm (BF)(Chairperson), Wendy Fulwider (WF) (Secretary & Livestock Chair)

**Staff:** Miles McEvoy (MM), Michelle Arsenault (MA)

**Agenda**

- Call to Order- Mac Stone
- Secretary's Report- Wendy Fulwider
- Chair's Report- Mac Stone
- Advisory Board Specialist update- Michelle Arsenault
- Summary of Board comments on Albuquerque meeting- Mac Stone
- NOP news and update - Miles McEvoy
- Discussion of Albuquerque Meeting
- Subcommittee Reports
  - GMO - Zea Sonnabend
  - Crops- Jay Feldman
  - Livestock- Wendy Fulwider
  - Handling- John Foster
  - Policy Development- Colehour Bondera
  - Compliance, Accreditation, and Certification -Joe Dickson
  - Materials- Jennifer Taylor
- Unfinished business
- New business
- Adjourn

**Discussion**

- Call to Order- Mac Stone
- Secretary's Report- Wendy Fulwider
  - No secretary's report in Wendy's absence. Minutes from May 11, and June 8 not approved in secretary's absence.
- Chair's Report- Mac Stone
  - No specific report except to discuss draft agenda. (Reference the list that MS circulated)

- Summary of Board comments from May 2012 (Albuquerque) meeting- Mac Stone
  - CBo re: update by NOP at meeting. If we have time constraints then feels we should limit the NOPs time not the public comments. A member asked who was responsible for making the determination about limiting public comment, and at what point that determination would be made. No decision as of yet.
  - MS: Would like to include a component in pre-meeting webinar training about how to facilitate public comment/questioning the commenters. Would like uniformity in flow of questions.
  - CBo: Suggested distributing copies of Roberts Rules to members, which would also be a good topic for webinar.
  - The group indicated that they would like to be able to recall people/experts to clarify or answer specific questions. The Board currently has the ability to do this. MM added that the members might want to try to identify those people ahead of time. CBo noted that the commenters are limited to 10 minutes, and until the PPM is revised we must follow the stated process. JFo added that if call backs are not considered public comments, then that solves the problem.
  - MM let the group know that we have a mechanism to pay consultants to attend the Board meetings.
- Advisory Board Specialist update- Michelle Arsenault
  - The current contracts for technical reports expire at the end of the fiscal year (Sept 30), so work on all outstanding assigned reports has to be completed by then. This includes items that will be on the fall agenda, as well as substances that will be addressed at future meetings.
  - Lisa is updating some of the TRs
- NOP news and update - Miles McEvoy
- Discussion of Albuquerque Meeting
- Subcommittee Reports
  - Compliance, Accreditation, and Certification -Joe Dickson
    - 2 work plan items: diversity and calculating % of organic ingredients.
  - GMO - Zea Sonnabend
    - Working on seed purity document with Mark Lipson (OSEC). Mark proposed that the GMO subcommittee restructure of paper. Group initiated a long term project comparing how other entities look at GMOs
  - Crops- Jay Feldman
    - Crops is moving ahead with many topics for fall meeting. Confident that they will finish by deadline. (NOP/EPA, ZS and JFe all working on working group Inerts). Expect this will come to fruition in 2013.
  - Livestock- Joe Dickson substituting for Wendy Fulwider
    - Potentially 6 items for the fall meeting

- Handling- John Foster
    - Added additional calls. A little behind schedule but confident they will finish before deadline. Nutrient materials are proving to be challenging and are taking more time than thought. Jean Richardson has formally joined committee.
  - Policy Development- Colehour Bondera
    - 3 proposals for fall meeting
    - MS asked about moving ahead with the process to identify COIs. A member asked what the PDS was working on with regard to Technical reports.(TRs). The PDS is working on a streamlined 2-stage TR process to provide for thresholds. JFo asked about The “Ethics” component. CBo indicated that it was integrated into the COI document instead of being a separate document.
  - Materials- Jennifer Taylor
    - Holding to workplan as scheduled. Encouraged the EC members to collect info about different issues and concerns for the Research Priorities Document. Working on other things such as CBI as well. Waiting for advice from program about Significant Residues.
- Unfinished business: Reminder that we will elect new officers at the fall meeting and the members should be thinking about this in the coming weeks.
  - No new business
  - Adjourned

## **FUTURE CALLS**

August 10, 2012 1:00pm EDT  
 September 14, 2012 1:00pm EDT  
 October 12, 2012 1:00pm EDT

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



Note: Subcommittee notes may include preliminary discussions regarding substances considered for addition to or removal from the National List. They do not represent official National Organic Program (NOP) policy or regulations. Please see the NOP website for official NOP policy, regulations, and status of substances used in organic production and handling.

**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting  
Friday, August 10, 2012, 1 pm EDT**

**Attending:** Barry Flamm (BF)(Chairperson), Mac Stone (MS)(Vice-Chairperson), Wendy Fulwider (WF) (Secretary & Livestock Chair), John Foster (JF) (Handling Chair), Jay Feldman (JFe)(Crops Chair), and Colehour Bondera (CB)(PDC Chair); (GMO Ad-hoc Chair), Zea Sonnabend (ZS), Jennifer Taylor (JT) (Materials Chair)

**Absent:** Joe Dickson (JD) (CACC Chair)

**Staff:** Miles McEvoy (MM), Michelle Arsenault (MA)

**Agenda**

- Call to Order- Barry Flamm
- Secretary's Report- Wendy Fulwider
- Chair's Report - Barry Flamm
- Advisory Board Specialist update- Michelle Arsenault
- NOP News and update- Miles McEvoy
- SC Reports (5 minutes each). Please focus on your agenda items for the Fall Board Meeting.
- GMO- Zea Sonnabend
- Materials- Jennifer Taylor
- Handling- John Foster
- Livestock- Wendy Fulwider
- Crops- Jay Feldman
- Policy Development- Colehour Bondera
- Compliance, Accreditation, & Certification- Joe Dickson
- Unfinished business
- New Business
- Adjourn

**Discussion**

- Call to Order- Barry Flamm
- Secretary's Report- Wendy Fulwider
  - Minutes from May, June, July were approved with no changes.
- Chair's Report - Barry Flamm
  - Meeting is dedicated to approving draft agenda for meeting, and discussing proposals and docs that will be presented.

- Chair noted that voting at meeting is still listed as segmented during subcommittee sessions as opposed to voting on Thursday.
- Advisory Board Specialist update- Michelle Arsenault
  - Updated the members about fall meeting logistics, including prep meeting times, public comment period in regulations.gov, (AMS has indicated that they strongly prefer us to use regulations.gov, so we will not be able to use Granicus for the Fall Meeting), officer elections, and travel guidance.
  - Noted that nominations for the open NOSB environmentalist position have closed. Last year the appointments were made in December and we are targeting that date for the announcement.
  - MA asked the ES which topics they would like NOP to update at the meeting.
- Miles McEvoy updated the ES as to NOP News and update.
- SC Reports (5 minutes each).
- GMO- Zea Sonnabend
  - Will have one proposal at meeting, which is progressing through the subcommittee.
- Materials- Jennifer Taylor
  - Working with other Subcommittees on the research priorities document. Awaiting other Subcommittees submission before they vote on this doc.
- Handling- John Foster
  - Six items are done, the two fibers (Barley Beta and Sugar Beet) and DBDMH may be postponed. JFe suggested we invite someone from the American Academy of Pediatrics to speak about infant formula. NOP is supportive and will seek input from Dr. Anderson about who to invite.
- Livestock- Wendy Fulwider
  - Livestock is moving forward with two proposals, one discussion document, and one update
- Crops- Jay Feldman
  - Crops is waiting for feedback from NOP about two of three items for the fall agenda. The group would like clarification from NOP about Biodegradable Plastic Mulch (BPM) presentation, as well as input about the Tree Fruit WG. Chair feels that ferric phosphate and BPM might elicit many comments. NOP indicated that the program was awaiting feedback from OGC but wasn't confident that they would be able to answer. Suggested that the SC work on proposal and then get input from OGC after they vote on it and it moves to the next stage.
- Policy Development- Colehour Bondera
  - Very supportive of field trip idea and overall agenda.
  - PDS has three proposals. Two are ready and one is still being discussed and nearly finished. Also working on discussion document on 2-stage threshold TRs that passed in the Subcommittee. It is not clear if this item will be on the fall agenda. NOP is supporting it as a proposal not a discussion document at this time. MM will check with NOP staff and provide feedback to Colehour. .

- Compliance, Accreditation,& Certification- John Foster in Joe Dickson's stead
  - Two topics for fall meeting: Calculating % of organic ingredients, and a biodiversity update. MM noted that he was working with others and made changes to the audit criteria which could affect Biodiversity update discussion doc. BF said that those changes were already included in the discussion doc.
- Unfinished business
  - MA will send MBs spreadsheet to the Subcommittee chairs to make some changes to the recommendations from the last two Board meetings, in an attempt to make the language more uniform.
  - MM asked for suggestions for topics that he will cover in his NOP update at the meeting.
- New Business
  - CBo asked about the draft agenda and whether or not the feedback from the spring meeting in ABQ was addressed. BF and MA noted that many things had been incorporated. The group discussed various issues regarding timing on the agenda. MS is trying to organize a visit to a shellfish farm and would welcome MMs idea about having an aquaculture presentation at this meeting. However, there may not be extra time on the agenda for additional presenters, but it's difficult to schedule until public comments are in. ZS added that public comment period for crops is not long enough.
- Meeting was adjourned by chair.

## **FUTURE CALLS**

September 14, 2012 1:00pm EDT

October 12, 2012 1:00pm EDT

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

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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, September 14, 2012, 1 pm EDT**

**Attending:** Barry Flamm (BF)(Chairperson), Wendy Fulwider (WF) (Secretary & Livestock Chair), Jay Feldman (JFe)(Crops Chair), and Colehour Bondera (CB)(PDC Chair), (GMO Ad-hoc Chair), Zea Sonnabend (ZS), Jennifer Taylor (JT) (Materials Chair)

**Absent:** Mac Stone (MS)(Vice-Chairperson), Joe Dickson (JD) (CACC Chair), John Foster (JF) (Handling Chair)

**Staff:** Melissa Bailey (MB)-sitting in for Miles McEvoy (MM), Michelle Arsenault (MA)

**Agenda**

- Call to Order- Barry Flamm
- Secretary's Report- Wendy Fulwider
- Chair's Report - Barry Flamm
- Advisory Board Specialist update- Michelle Arsenault
- NOP News and update- Melissa Bailey
- SC Reports (5 minutes each).
  - GMO- Zea Sonnabend
  - Handling- John Foster
  - Livestock- Wendy Fulwider
  - Crops- Jay Feldman
  - Policy Development- Colehour Bondera
  - Compliance, Accreditation, & Certification- Joe Dickson
  - Materials- Jennifer Taylor
  - Unfinished business
  - New Business
  - Adjourn

**Discussion**

- Call to Order- Barry Flamm
- Secretary's Report- Wendy Fulwider
  - Minutes from August 10, 2012 approved with no changes.
- Chair's Report - Barry Flamm
- Advisory Board Specialist update - Michelle Arsenault
  - Logistics for fall meeting, travel, meeting materials
- NOP News and update- Melissa Bailey
  - The NOP reviewed the notifications that have been sent through the Insider over last few weeks including: The Organic Literacy Initiative, updates to program handbook, a

policy memo about production and certification of aquatic plants for § 601 and 602. (MB suggested a separate call to discuss this policy memo), a policy memo for the program handbook for placement of “certified organic by” statement, an updated list of certifiers which is available on the NOP website, and an update about sodium nitrate.

- The NOP asked for suggestions from the NOSB for topics for Miles McEvoy to address at the fall meeting, and asked that they be sent to MB by September 21, 2012
- SC Reports (5 minutes each).
  - GMO- Zea Sonnabend: Discussed workplan-The seed purity discussion document will be turned into a recommendation, depending on public comment. The group is working on clarifying definitions and practices that are considered ‘excluded methods’ in plant breeding (working jointly with Crops). For fall 2013: tracing GMOs in input/ingredient chains, and will interface with CACS and GMO working group. JT had a suggestion for considering excluded methods in the context of sustainability, and the GMO ad hoc Subcommittee will discuss this during next call to determine when this will be put forth.
  - MB asked that the Subcommittees put together workplans with some of the titles flushed out, and noted that items that have a target date will be announced at the fall meeting. NOP asked that the Subcommittees submit their workplans by September 26, so feedback can be provided by 10/3.
  - Handling- John Foster. Handling has not met to talk about workplan but will work on it on the call on September 18.
  - Livestock- Chair had to drop off call so no update
  - Crops- Jay Feldman-Crops has a list of materials for workplan: Polyoxin d, vinasse, vitamins, carbon monoxide gas, and inerts- if the proposal passes in the fall, then Crops may begin a test review of inerts.
  - Policy Development - Colehour Bondera. The new workplan depends on the outcome of the proposals being discussed at the fall 2012 meeting. Threshold/2-stage TR process may be a proposal, Decisive/indecisive votes, material initiation policy (annotation clean up). Joint projects include: CBI, TR review process, update of petition process
  - Compliance, Accreditation, & Certification- Joe Dickson-absent. No report
  - Materials- Jennifer Taylor. Materials Subcommittee is still developing draft workplan and will add descriptive information to the items and send to NOP by September 26. Several items were carried over from the last meeting: Ion Exchange Chromatography, CBI, Update petition process. The Subcommittee is anticipating public comment on the research priorities proposal.
  - Unfinished business – The Materials chair noted that it would make it easier for the Materials Subcommittee if all Subcommittees would keep the Research Priorities in mind during the year.
  - New Business – JFe asked about the procedure for identifying COIs at the meeting. He noted that in the past it was done in public and was moderated by the Chair but the procedure seems to have changed and he asked for clarification.
- Meeting adjourned by chair.

## **FUTURE CALLS**

October 12, 2012 1:00pm EDT

November 9, 2012 1:00pm EDT

December 14, 2012 1:00pm EDT

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

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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, October 12, 2012, 2:30 pm EDT**

**Attending:** Barry Flamm (BF)(Chairperson), Wendy Fulwider (WF) (Secretary & Livestock Chair), Jay Feldman (JFe)(Crops Chair), and Colehour Bondera (CB)(PDC Chair), (GMO Ad-hoc Chair), Zea Sonnabend (ZS), Mac Stone (MS)(Vice-Chairperson), Jennifer Taylor (JT) (Materials Chair), Joe Dickson (JD) (CACC Chair)

**Absent:** John Foster (JF) (Handling Chair)

**Staff:** Miles McEvoy (MM), Michelle Arsenault (MA)

**Agenda**

- Call to Order- Barry Flamm
- Secretary's Report- Wendy Fulwider
- Chair's Report - Barry Flamm
  - Review/discuss Board Meeting Procedures
- Advisory Board Specialist update- Michelle Arsenault
- NOP news and update - Miles McEvoy
- SC Reports (5 minutes each).
  - GMO- Zea Sonnabend
  - Compliance, Accreditation, & Certification- Joe Dickson
  - Materials- Jennifer Taylor
  - Crops- Jay Feldman
  - Livestock- Wendy Fulwider
  - Handling- John Foster
  - Policy Development- Colehour Bondera
  - Unfinished business
  - New Business
  - Adjourn

**Discussion**

- Minutes from the September 14, 2012 call approved with no changes
- Summary from spring 2012 meeting was not approved. Group would like to see transcripts instead, as this is what they have approved in the past. Transcripts have not been completed, but will be posted when done.
- Chair's Report - Barry Flamm

- Review/discuss Board Meeting Procedures, including public comment schedule and summary. The group discussed eliminating the walk-in comments for the general comment session.
- With regard to follow up questions, each board member will get to ask one question before the same person asks a second. If they have a follow up question, they should request to ask it. The chair noted that asking oral commenters to “finish their thought” is not a legitimate question.
- Group needs to anticipate the extra time needed to call experts. It should be the Chair’s responsibility to decide how much time, or group could vote about this to overrule the chair’s decision.
- The biodegradable mulch proposal is a complex topic and a member feels we need enough time to discuss.
- The group discussed the declaration of Conflicts of Interest and how this will be handled at the meeting.
- Advisory Board Specialist updated the group about meeting logistics
- NOP news and update – Miles McEvoy. MM updated the Board about the 10-year anniversary of the Organic regulations as well as the procedures for Conflicts of Interest.
- SC Reports (5 minutes each).
  - GMO- Zea Sonnabend. Workplan was accepted and there are no problems
  - Compliance, Accreditation, & Certification- Joe Dickson. Chair feels that there are no issues or problems.
  - Materials- Jennifer Taylor. Workplan was adjusted based on feedback from the NOP.
  - Crops- Jay Feldman. The Chair doesn’t anticipate any problems, but there is a lot of technical information about the mulch proposal, and it may take some extra time.
  - Livestock- Wendy Fulwider. Workplan was accepted as is, except for the animal welfare docs. WF would like to get these completed before her tenure is over.
  - Handling- Workplan is in good shape. “Other ingredients” proposal at Providence should elicit good conversation. Anticipating questions/answers about infant formula and the conversation could impact what the Subcommittee will take to the Board.
  - Policy Development- Colehour Bondera. Unsure about some workplan items that are being moved to different Subcommittees. A question arose about decisive/indecisive votes, and the group asked about getting this back on the agenda before the workplans are finalized on the next ES call. Will follow up with NOP at a later date.
  - Unfinished business- Memo about aquaculture and plants. Members asked for clarification about NOP memo and when it is expected which could affect current petitions.
  - New Business – Last executive call for the current Chair.
  - Adjourn

## **FUTURE CALLS**

November 9, 2012 1:00pm EDT  
 December 14, 2012 1:00pm EDT



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

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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, November 9, 2012, 1:00 pm EST**

**Attending:** Mac Stone (MS)(2013 Chair), John Foster (JFo) (2013 Vice-chair, Handling Chair), Jay Feldman (JFe)(Crops Chair), and Colehour Bondera (CBo) (PDS Chair), Zea Sonnabend (ZS) (GMO ad hoc Chair, 2013 Materials Chair), Jennifer Taylor (JT) (2012 Materials Chair)

**Absent:** Barry Flamm (BF) (2012 Chair), Wendy Fulwider (WF) (2012 Secretary & Livestock Chair), Joe Dickson (JD) (CACS Chair), Tracy Favre (TF) (2013 Livestock Chair)

**Staff:** Miles McEvoy (MM), Michelle Arsenault (MA)

**Agenda**

- Call to Order - MS
- Approval of Notes - WF/CW
- Chair's Report - MS
  - Subcommittee transition
  - Policies and Procedures Manual (PPM) Update
  - Feedback from fall 2012 meeting
  - Holiday call schedule/critical dates
  - Genetically Modified Organisms (GMO) ad hoc Subcommittee designees
- Advisory Board Specialist (ABS) update - MA
  - Action items that result from the ES call
  - Revisions to cover sheet and checklist
- NOP news and update - MM
- Subcommittee Reports (5 minutes each)
  - GMO ad hoc- ZS
  - Compliance, Accreditation, & Certification (CACS)- JD
  - Materials (MS) - JT
  - Crops (CS) - JFe
  - Livestock (LS) - WF
  - Handling (HS) - JFo
  - Policy Development (PDS) - CBo
  - Additional Items
  - Adjourn

**Discussion**

- Minutes from the October 12, 2012 call have not been approved yet
- Chair's Report - MS

- Subcommittee transitions will take effect immediately. The group discussed the proposed rosters for the 2013 Subcommittees, and noted that some of the Subcommittees now have an even number. A member asked about the possibility of looking at other Federal Advisory Committee Act (FACA) committees to see if membership numbers are prescribed. (ABS update: FACA expressly does not govern subcommittees, so numbers are not prescribed).
- PPM Update - NOP is making administrative updates, and will forward the document to ZS and JFo for further input and edits.
- Feedback from fall 2012 meeting -
  - Four minute time limit and the speaker timer were very successful.
  - Delaying the voting to the last day was useful and alleviated concerns that votes were too rushed.
  - Having outside experts was very useful and positive, and the Board would like to do more of that in the future. A member suggested having the experts give short statements prior to the Subcommittee session.
  - Process for speakers, and expectations (i.e. will they read prepared remarks?, provide answers to questions ahead of time?, etc.) need to be better defined next time.
- Holiday call schedule/critical dates – MA will move the December 25 calls to December 19, and the January 1, 2013 calls to January 9, 2013
- GMO ad hoc Subcommittee designees – Each Subcommittee should designate a member to sit on the GMO ad hoc Subcommittee.
- Advisory Board Specialist update - MA
  - Will add action items to the notes that result from the ES call
  - Continuing to make revisions to recommendation coversheet and checklist
- NOP news and update - MM
  - Residue Rule was recently published in the Federal Register.
  - Sequestration is a possibility, which includes program budget cuts including travel budgets for 2013.
  - Classification of Materials draft guidance is in clearance, and may be published by the end of the year.
  - The new NOSB appointee may be announced by the end of the calendar year.
  - The NOP is preparing for certifier training in Florida in Mid-January.
  - A member asked about the internal clearance process flowchart, to which MM responded that it varies depending on the document. For example, classification of materials has a limited clearance process, since it is guidance and doesn't have budgetary impact.
  - A member asked about getting Technical Reviews in time for the February 12 deadline, and how realistic it is. According to the NOP it will be tight, but the Subcommittees could potentially get some of them.
- Subcommittee Reports (5 minutes each)

- GMO ad hoc - ZS: The Subcommittee hasn't met yet, as they were waiting for the new roster. Jennifer Taylor will take over as chair immediately.
- Compliance, Accreditation, & Certification (CACs): The new roster has been set and the group will be working on various workplan items for spring 2013.
- Materials (MS) – JT: ZS is taking over as chair, and the group has a very full workplan.
- Crops (CS) – JFe: Exhilarating workplan, including aquaculture, inerts, and sunsets. Crops also has a re-petition for Indole-3-Butyric Acid (IBA). The group is looking forward to working on the Biodegradable mulch item.
- Livestock (LS) - WF: MS relayed the group's plans for gathering information about aquaculture, and wanted NOP to recognize the efforts of Scott Updike as the technical representative.
- Handling (HS) – JFo: HS has laid out workflow from now until the spring meeting deadlines. The Subcommittee has many discussion items for the next 5 to 6 meetings.
- Policy Development (PDS) – CBo: Workplan doesn't include lots of overwhelming items but some of the items need clarification. The group will need to reassign some lead people based on the new Subcommittee rosters. The Conflict of Interest proposal that wasn't passed at the last meeting will need to be addressed and updated. JFe asked about the Public Communications proposal that didn't pass, but no new information is available at this time. MA will follow up with Jennifer Tucker about this component of the failed proposal. (ABS update: The NOP completed initial research into technology options that could serve as a public communications platform to facilitate public comment to the NOP and the NOSB outside formal meeting comment periods. Given that the NOSB did not pass the proposal, NOP has put this research on hold until the PDS and NOSB determines how and if it wishes to move ahead with the proposal.)
- Additional Items: The chair asked for feedback about the prep meetings before the NOSB meeting, and the overwhelming response was that they are essential, useful, and important for all members to get informed about the Subcommittees they are not on. A member suggested using the last Executive Subcommittee call before the Board meeting as a time for more discussion. The admin team will discuss this idea more.
- The members discussed informed participation and Board member engagement. They would like to make sure that everyone is fully engaged and participating on all proposals. Some members suggested that it would be useful at the meeting for members to state the reason they chose to vote as they did. MS/JFo added that the prep meetings helped people solidify their reasons and, as such, perhaps they didn't feel the need to state that during the voting process. The group discussed greater transparency with regard to this topic.
- The Chair adjourned the meeting.

## **FUTURE CALLS**

December 14, 2012 1:00pm EST

January 11, 2013 1:00pm EST  
February 8, 2013 1:00pm EST  
March 8, 2013 1:00pm EST

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

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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, December 14, 2012, 1:00 pm EST**

**Attending:** Mac Stone (MS) (Chair), John Foster (JFo) (Vice-Chair, Handling Chair), Jay Feldman (JFe) (Crops Chair), and Zea Sonnabend (ZS) (Materials Chair), Joe Dickson (JD) (CACs Chair), Tracy Favre (TF) (Livestock Chair), Jennifer Taylor (JT) (GMO ad hoc Chair), Colehour Bondera (CBo) (PDS Chair), Calvin Walker (CW) (Secretary)

**Absent:** None

**Staff:** Miles McEvoy (MM), Michelle Arsenault (MA)

**Agenda**

- Call to Order - MS
- Approval of Notes - October 12, 2012 , November 9, 2012 (CW)
- Chair's Report - MS
  - Aquaculture petitions
  - Submission of proposals as they are finished
  - Voting at NOSB meeting
  - Workplan schedule (see table below)
- Advisory Board Specialist (ABS) update - MA
  - Amended call schedule. Calls from Dec 25 (MS, PDS, CACS) moved to Dec 19, calls from Jan 1 (HS, CS, LS) moved to Jan 9
  - Travel for Spring initiated
  - Policy and Procedures Manual (PPM) update.
  - Library access
- NOP news and update - MM
- Subcommittee Reports (5 minutes each)
  - Policy Development (PDS) - CBo
  - GMO ad hoc- JT
  - Compliance, Accreditation, & Certification (CACs) - JD
  - Materials (MS) - ZS
  - Crops (CS) - JFe
  - Livestock (LS) - TF
  - Handling (HS) - JFo
- Additional Items
- Adjourn

## Discussion

- Notes from October 12 and November 9 meeting approved with no changes
- Chair's Report – MS
  - The Chair feels there is a lack of clarity and understanding with aquaculture petitions so he is requesting that the NOSB not rush the process and instead take some time to gather more information and get better prepared to discuss the petitions at the fall 2013 meeting. The members discussed the pros and cons of grouping all of the aquaculture petitions into one meeting, acknowledging the fact that some will be more complicated than others. The NOP is working on a proposed rule for aquaculture based on prior NOSB recommendations. It probably won't be ready before the spring 2013 meeting anyway, so delaying would be a good idea. A member asked about organizing a webinar prior to the meeting to gather more information. MS asked the LS chair and CS chairs to think about how to gather questions and prepare for a webinar. A member added that practice standards development should be done first or simultaneously and advocated for coordinating materials reviews and practice standards to avoid delays in reviewing materials.
  - The chair asked that proposals be submitted to the NOP as they are voted on and finalized to facilitate quicker review by the NOP prior to the spring meeting.
  - Voting at NOSB meeting. The group feels that during the pre-NOSB preparation meetings they would like to pre-determine which items can be voted on during the meeting and which will be voted on the last day as this would save time during the meeting. So, the purpose of the pre-meetings is three-fold: for members to further discuss proposals; to serve as a venue for disseminating information about all subcommittees to all NOSB members; and to coordinate logistics for the meeting including what needs to be voted on when, and what will be projected on the screen for discussion. A member voiced a concern that if the pre-meeting is too structured, then perhaps notes should be taken. The group also discussed the inclusion of information about factors that were used to determine why votes were cast as they were.
- Advisory Board Specialist (ABS) update – MA
  - The ABS updated the members about various logistical issues with regard to call schedules, updates to the Policy and Procedures Manual, and access to the National Agricultural Library (<http://digitop.nal.usda.gov/>) for members. MA will ask other NOP staff for references about aquaculture and send those to the Board members. The timeline below has been updated with dates for workplan development, and MA will insert the table into all of the Subcommittee notes.
- NOP news and update – MM
  - The Office of Inspector General (OIG) has released their schedule for 2013; Phase 1 of the milk audit was released in 2012 and Phase 2 should be out soon. The OIG is also working on Retail Handling, and the members asked about the timing of the release of this, as it has implications for work that the CACS is doing. MM updated the group about the budget cuts and noted that this includes a 30% reduction in our travel budget. The

NOP is considering ways to reduce travel costs for the NOSB meeting, including webinars and shortening the meeting. The administrative team will discuss this further and come up with some suggestions. The new NOSB appointment will hopefully be announced soon.

- Subcommittee Reports (5 minutes each)
  - Policy Development (PDS) - CBo. Reviewing current workplan items and waiting for some NOP input about decisive/indecisive votes. Materials/PDS are working jointly on the “Update petition and TR review process” and they hope to have it ready for the spring meeting. The PDS is revising the Public Communications proposal that was voted down at the fall 2012 meeting, and requests its addition to the PDS agenda. The request was approved by the ES and will be added to the PDS workplan. A member asked about the function of this communication vehicle and the expectations, and the group discussed various aspects of such a tool.
  - GMO ad hoc- JT. The Chair announced the new subcommittee members and the schedule for calls.
  - Compliance, Accreditation, & Certification (CACS) – JD. The CACS is working on two items for spring meeting, and waiting for more information about the OIG report regarding Retail Handling, since they are currently working on an item that could be impacted but this.
  - Materials (MS) - ZS. The MS is proceeding with work on several projects including Confidential Business Information, an update of petition process, and definition of production aids. The Chair reminded everyone about collecting research priorities topics for the fall 2013 meeting.
  - Crops (CS) - JFe. The CS is reviewing many aquaculture petitions. They also expect to receive a Streptomycin petition, and are working on tetracycline. The group has asked for abbreviated TR’s for some TRs so they can move forward with reviews.
  - Livestock (LS) - TF. The Livestock Workplan contains many aquaculture petitions. The group is also working on methionine and several other items.
  - Handling (HS) - JFo. Discussions are going well and the HS will be voting soon on a couple of items such as the fibers and sulfuric acid. Gibberellic acid will be delayed to a later meeting because the group is sending some additional questions back to the petitioner.
- No additional items were discussed
- The meeting was adjourned by the Chair

## **FUTURE CALLS**

January 11, 2013 1:00pm EST

February 8, 2013 1:00pm EST

March 8, 2013 1:00pm EST

March 29, 2013 1:00 EST (last call before spring meeting)



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