

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/regulations or NOSB recommendations. Proposals must be voted on by the full Board, to become recommendations to the USDA. 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 (ES) Meeting notes and
summary of NOSB Subcommittee activities
Tuesday, December 17, 2019, 4:00 pm ET**

Attending: Steve Ela (SE), NOSB Chair; Harriet Behar (HB), NOSB Chair Emeritus; Scott Rice (SR), NOSB Vice Chair & CACS Chair; Jesse Buie (JB), NOSB Secretary & Crops Chair; Dave Mortensen (DM), Materials Chair; Rick Greenwood (RG), PDS Chair; Sue Baird (SB), LS Chair;

Absent: Asa Bradman (AB), Handling Chair

Staff: Jennifer Tucker (JT); Paul Lewis (PL); Devon Pattillo (DP); Michelle Arsenault (MA)

Agenda

- **Approve notes of November 19, 2019**
- **Chairs Report - SE**
 - New members
 - Spring 2020 new member training
 - CR expiration?
 - EPA List 4 inert sunset reviews
 - SOE/OOL status
- **NOP news and update - JT/PL**
- **Advisory Board Specialist (ABS) update - MA**
 - Final recommendations from Fall 2019
 - Spring deadlines
- **Subcommittee Reports/Updates (5 minutes each)**
 - Compliance, Accreditation, & Certification (CACS) - SR.
 - Crops (CS) - JB.
 - Livestock (LS) - SB.
 - Handling (HS) - SE.
 - Materials/GMO ad hoc (MS/GMO) - DM.
 - Policy Development (PDS) - RG.
- **Additional Items**
- **Adjourn**

Discussion

- **Notes of November 19, 2019** approved with no changes.
- **Chairs Report – SE**
 - New members. The Chair and Vice Chair have spoken with the new members and are working on Subcommittee assignments.
 - Spring 2020 new member training. The training is scheduled for the end of February, and in addition to the new members, will include the NOSB Chair and Vice Chair.
 - Expiration of continuing resolution (CR). The NOP indicated that the funding bill was moving through the approval process on the Hill, and will contact the NOSB with an update later this week if needed.
 - EPA List 4 inert sunset reviews. The NOSB is challenged by reviewing the List 4 Inerts listing, which is due to sunset in 2022. EPA does not maintain this list anymore and it has been

outdated for about eight years. The NOP suggested that the NOSB work on a pragmatic solution to this issue as part of its review. The Crops and Livestock Subcommittees will develop justification for why the NOP should move forward with this project.

- **NOP news and update** - JT/PL.

- Strengthening Organic Enforcement (SOE)/Origin of Livestock (OOL) status. These two projects are top priorities for NOP. Public comment for OOL closed Dec 2, and the NOP received ~700 comments. The majority of the commenters were supportive of moving to a final rule. The NOP elaborated that if a project is added to the USDA regulatory agenda, it indicates that it is a priority and the administration supports it.
- Paul Lewis, Director of the Standards Division, announced that he will be stepping away from the NOP for a year beginning in January 2020 to serve as a Congressional Fellow on Capitol Hill. Shannon Nally Yanessa, Assistant Director, and Jennifer Tucker, NOP Deputy Administrator, will take on Paul's role with the NOSB.
- A certifier in China, ODFC, has surrendered its organic accreditation.
- A multi-country working group that works on harmonizing organic standards and systems globally recently met in Canada. Supply chain oversight was a large part of the conversation.
- The American National Standards Institute (ANSI) just concluded its peer review of the NOP. The NOP anticipates receiving the report in January and will report out at the Spring NOSB meeting. The feedback was very positive.
- The NOP will publish several job announcements soon, including an announcement for a National List Manager, which is a top priority. The NOP asked that the NOSB spread the word.
- The pending budget making its way through Congress includes additional funding for the Organic Program. NOP anticipates that spending priorities will likely be for enforcement and will have more information for the next Executive call. The NOP noted two potential focus areas for enforcement - domestic grain fraud and dairy.

- **Advisory Board Specialist (ABS) update** - MA

- The final recommendations from the Fall 2019 meeting are being finalized and should be posted soon.
- New member training is scheduled for Feb 25 - 26, 2020 in DC.
- Spring deadlines. See table below.

- **Subcommittee Reports/Updates** (5 minutes each)

- Compliance, Accreditation, & Certification (CACS) - SR. The CACS did not meet this month. The Subcommittee is looking forward to the publication of SOE and any forthcoming work related to it. The Accredited Certifiers Association (ACA) and International Organic Inspectors Association (IOIA) training is upcoming, and the CACS Chair will be attending. The NOSB Chair noted that one of the new NOSB members worked for a certifier and may be added to the CACS.
- Crops (CS) - JB. The Subcommittee has discussed various work agenda items, including sunset reviews, petitions, and the report from Michigan State University on Biodegradable Biobased Mulch Film (BBMF). The CS is seeking feedback from stakeholders to determine the best path forward for the BBMF project. The CS received a re-petition for calcium acetate and after several discussions has determined the petition does not contain new information. They have sent it back to the NOP to communicate that to the petitioner.
- Livestock (LS) - SB. The LS met this week and discussed the fenbendazole petition. In addition to the petition the LS is working on a number of sunset reviews.
- Handling (HS) - (SE). Handling is actively working on its sunset reviews. The HS has 35 sunsets, eighteen of which are colors. The Chair indicated that some of the substances are complex and not as straight forward as others. For example, inulin oligofructose (IOF) was recommended for removal at its last sunset review, but based on additional public comment the NOP chose not to

remove it. The Subcommittee discussed reaching out to NOAA to discuss the annotation for fish oil.

- Materials/GMO ad hoc (MS/GMO) - DM.
 - The Materials Subcommittee met last week and discussed research priorities. After the last NOSB meeting, the NOSB decided to put forth the research priorities at the Spring meeting to solicit feedback from stakeholders, which will then be incorporated into the Fall proposal. Each of the other Subcommittees will be sending the MS its research priorities this January, so the document will be ready for the Spring meeting.
 - The MS is hosting a panel on sanitizers at the Spring meeting. There is a wide range of issues with regard to sanitizers, and the MS is discussing the scope and charge for the panel.
 - The MS resumed discussions about contamination of farm inputs. MS members have reached out to stakeholders to discuss issues including contaminated manures, water contamination from fracking, and others. This project was added to the hold list by the NOP, and it is not currently a priority.
- Policy Development (PDS) - RG. The PDS met last week and three new NOSB members joined to observe. Currently the PDS is working on updates to the Member guide with a focus on aligning it with the changes that were made to the PPM a couple of years ago.
- **Additional Items.** None.
- **The meeting was adjourned.**

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Future call schedule: All calls 4:00 ET/1:00 PT 3rd Tuesday

November 19, 2019

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January 21, 2020

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March 17, 2020

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Spring 2020 Milestones	Target dates (tentative)
NOP - Publish FRN, Open public comment	Dec 9, 2019
NOSB - Spring 2020 proposals due to NOP	Feb 20, 2020
New NOSB member training	Feb 25 - 26, 2020
NOP - Draft Spring 2020 NOSB meeting tentative agenda	Mar 2, 2020
NOP - Post proposals	Mar 5, 2020
Public comment closes	Apr 3, 2020
NOP - Send compiled public comments to NOSB	Apr 7, 2020
Public comment webinars	Apr 21 & 23, 2020
Spring 2020 NOSB meeting – Crystal City, VA	Apr 28 - May 1, 2020

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Absent: Asa Bradman (AB), Handling Chair; Sue Baird (SB), LS Chair; Michelle Arsenault (MA); Jennifer Tucker (JT)

Staff: Paul Lewis (PL); Devon Pattillo (DP)

Agenda

- **Approve notes of October 8, 2019**
- **Chairs Report - SE**
 - Fall 2019 NOSB meeting feedback
 - New NOSB appointments
 - Spring 2020 milestone schedule (see below)
 - New member training
 - New Subcommittee assignments (attached)
 - Research Priorities timeline
 - Discuss scheduling of NOSB meetings. Follow up from question at NOSB meeting.
- **NOP news and update - JT/PL**
- **Advisory Board Specialist (ABS) update - DP**
 - Final recommendations from Fall 2019 due by November 25
- **Subcommittee Reports/Updates (5 minutes each)**
 - Policy Development (PDS) - RG.
 - Compliance, Accreditation, & Certification (CACS) - SR.
 - Clarify with NOP the suggestion of working on a module for the Integrity Learning Center about the Energy Infrastructure.
 - Crops (CS) - SE.
 - Livestock (LS) - HB (for SB).
 - Handling (HS) - SE (for AB).
 - Materials/GMO ad hoc (MS/GMO) - EO.
- **Additional Items**
- **Adjourn**

Discussion

- **Notes of October 8, 2019** were accepted as is.
- **Chairs Report - SE**
 - Fall 2019 NOSB meeting feedback. The Chair noted that a member expressed concern about the limited time during meetings to make decisions on complex topics, especially for members that are not members of the Subcommittee leading the topic. Members discussed how Subcommittees could better share information leading up to NOSB meetings, especially around contentious topics. The Program reminded the Executive Committee members that full Board deliberations must occur at public NOSB meetings. SE noted that the Executive Committee meeting could be a venue to bring up those issues.

- New NOSB appointments. The NOP noted that the Department is still reviewing nominations.
- Spring 2020 milestone schedule (see table below). The NOSB Chair noted that the extra/full comment period leading up to the meeting was appreciated by stakeholders.
- New member training. The NOSB Chair and Vice Chair are planning to attend new member training scheduled for February 2020.
- New Subcommittee assignments have been finalized.
- Research priorities timeline. The NOSB Chair discussed a timing issue with the research priorities document. This document is published prior to the Fall meeting after which it is finalized without substantive changes, and the NOSB has not had the chance to incorporate feedback from stakeholders. Going forward, the NOSB will publish the document in the Spring and finalize it in Fall, to better accommodate and incorporate public feedback. The NOP noted that it could be beneficial to invite USDA National Institute of Food and Agriculture (NIFA) to an NOSB meeting or Subcommittee call to solicit feedback and share information.
- Scheduling of NOSB meetings (follow-up from question at NOSB meeting). The NOSB Chair summarized the timing issue brought up by some stakeholders during the fall meeting and invited feedback from the NOP. It was noted that shifting dates could be problematic for several reasons (winter travel challenges, overlap with other winter meetings, signed contracts for upcoming meetings, etc.) and that no dates would work for everyone. The NOP also noted that the public comment webinars offer the opportunity to provide comments for those who cannot travel to the public face-to-face meetings.
- **NOP news and update - PL.**
 - Strengthening Organic Enforcement proposed rule is making its way through review and is now with the Office of Management and Budget (OMB).
 - Origin of Livestock comment period will close Dec. 2.
 - Staff recruitment efforts are underway, with postings likely after Thanksgiving, including the National List Manager recruitment.
 - A certifier in China (OFDC) has surrendered their accreditation following identification of issues by NOP, and is now exiting the organic market. Approximately 40 organic operations will either surrender their organic certification or apply with other certifiers.
 - The Materials Chairperson asked about greenhouses and the 3-year transition requirement. Specifically, about how best to ensure consistency between certifiers and producers. The NOP noted that the complaint process is a venue to address specific operations/circumstances. A member asked about the complaint process for certifiers. Another member noted ambiguity in the information published by NOP and indicated that greenhouse standards (i.e., plants on tables) can differ between certifiers. The NOSB Chair asked if certifier training could be a venue to address inconsistencies.
- **Advisory Board Specialist (ABS) update - DP**
 - Final recommendations from Fall 2019 are due by November 25
- **Subcommittee Reports/Updates (5 minutes each)**
 - Policy Development (PDS) - RG. PDS has been working to update the Member Guide to reflect the recent updates to the Policy and Procedures Manual (PPM). MA will review the Member Guide to make sure the travel section includes current information. Revisions are expected to be completed by mid-December.
 - Compliance, Accreditation, & Certification (CACS) - SR. The CACS Chair sought clarification about whether the NOP would support work on energy infrastructure development (impacts to organic farms) if incorporated into the Organic Integrity Learning Center. PL noted he would discuss further with the Program and report back to NOSB. The CACS Chair noted that the certifier community (outside of NOSB's work) continues to discuss the topic. Additional discussions were had about addressing energy infrastructure issues.

- Crops (CS) - SE. Sunset reviews were assigned. The CS is reviewing the re-petition for calcium acetate, and also conducting ongoing discussions about fish used in fish products.
- Livestock (LS) - HB provided an update in SB's absence. The LS is discussing questions for a technical report on fenbendazole (for treatment of laying hens) to assist in its review of a petition. The Subcommittee is finalizing documents from the Pittsburgh meeting.
- Handling (HS) - SE (for AB). The NOSB Chair provided an update in AB's absence. Timeline for sunsets has been established. Retiring members will work on sunsets until January and then pass them to new members to present at the Spring meeting (as with other Subcommittees). The Handling Subcommittee has reviewed both the red jalapeño peppers petition (205.606) and the low-acyl gellan gum petition and will seek additional information for both prior to determining petition sufficiency. A member asked about criteria for 205.606 petitions, and the NOP directed her to the Petition Guidelines, which describes the required information.
- Materials/GMO ad hoc (MS/GMO) - EO. The Subcommittee has been discussing the sanitizer panel, and the questions developed previously for the technical report will be used as a foundation for discussion topics. The MS will discuss next steps for the excluded methods document. A proposal on the topic of marine materials is planned for spring 2020 and is under development.
- **Additional Items.** The NOSB Chair asked the Subcommittee chairs to flag any hot topics. HB noted that the fenbendazole petition was likely to provoke discussion.
- **The meeting was adjourned.**

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Spring 2020 Milestones	Target dates (tentative)
NOP - Publish FRN, Open public comment	Nov 1, 2019
NOSB - Spring 2020 proposals due to NOP	Feb 20, 2020
New NOSB member training	Feb 25 - 26, 2020
NOP - Draft Spring 2020 NOSB meeting tentative agenda	Mar 2, 2020

NOP - Post proposals	Mar 5, 2020
Public comment closes	Apr 3, 2020
NOP - Send compiled public comments to NOSB	Apr 7, 2020
Public comment webinars	Apr 21 & 23, 2020
Spring 2020 NOSB meeting – Crystal City, VA	Apr 28 - May 1, 2020

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Absent: Asa Bradman (AB), Handling Chair; Sue Baird (SB), LS Chair

Staff: Jennifer Tucker (JT); Paul Lewis (PL); Michelle Arsenault (MA); Devon Pattillo (DP)

Agenda

- **Approve notes of September 17, 2019**
- **Chairs Report - HB**
 - Public comments
 - Pre-meeting/meeting logistics
 - New appointments
 - Spring 2020 milestone schedule (see below)
 - Fatty alcohols. Additional comments outside of comment docket?
- **NOP news and update - JT/PL**
- **Advisory Board Specialist (ABS) update - MA**
 - Travel
 - Future NOSB meetings
 - COI/DOI forms
- **Subcommittee Reports/Updates (5 minutes each)**
 - Materials/GMO ad hoc (MS/GMO) - EO.
 - Policy Development (PDS) - RG.
 - Compliance, Accreditation, & Certification (CACS) - SR.
 - Crops (CS) - SE.
 - Livestock (LS) - SB.
 - Handling (HS) - AB.
- **Additional Items**
- **Adjourn**

Discussion

- **Notes of September 17, 2019 were approved as written.**
- **Chairs Report - HB**
 - Public comments. The NOSB received 12,000 comments. More than 10,000 were a letter writing campaign that focused on concerns about gene editing. NOP will speak to this during the NOP update at the Pittsburgh meeting. The Materials Subcommittee may also make a statement at the meeting about gene editing. Both the NOP and NOSB will emphasize that GMOs are not allowed in organic.
 - Pre-meeting/meeting logistics. The Chair indicated that the Board members and stakeholders are looking forward to Pittsburgh.
 - Peer review. The NOP published an executive summary of the peer review and will provide an update in Pittsburgh.
 - New appointments. There are no new updates at this time.

- Spring 2020 milestone schedule. The proposed schedule is pasted at the bottom of these notes, and can be found in each set of Subcommittee notes. Feedback welcome.
- Fatty alcohols. The Chair asked if there were additional comments submitted to the USDA outside of the NOSB comment docket. NOP was not aware of such a campaign.
- **NOP news and update - JT/PL**
 - Strengthening Organic Enforcement (SOE) rulemaking is in progress. NOP is reaching out to engage stakeholders outside of the organic community, such as importers.
 - Dairy compliance training is being launched in the Organic Integrity Database tomorrow. The Learning Center is open to all. It currently has 1400+ users, and more than 200 people have completed every lesson. All users who have an account will be enrolled automatically in the dairy compliance training. After completing a course, there is an evaluation form that people can use to send in feedback.
 - There are 250 operations in the Turkey region that will be surrendering organic certification.
 - The comment period for the origin of livestock proposed rule, originally published in 2015, was reopened. The comment period closes on December 2, 2019. Comments previously submitted need not be resubmitted, as they are already incorporated into the public record and will be fully considered in any future final rule.
 - The study to evaluate policy and scientific issues with biobased mulch film, via a cooperative agreement between Dr. Narayan from Michigan State University and NOP, is near completion the NOP will share the report with the NOSB soon.
 - National List rules. Two National List rules that address several NOSB recommendations are undergoing final review.
- **Advisory Board Specialist (ABS) update - MA**
 - Travel arrangements for the Fall meeting are in progress.
 - The locations for the next two NOSB meetings have been posted on the AMS website. Spring 2020 will be held in Crystal City, VA and Fall 2020 in Cedar Rapids, IA.
 - The declarations of interest forms are due to NOP at the end of week.
- **Subcommittee Reports/Updates (5 minutes each)**
 - Materials/GMO ad hoc (MS/GMO) - EO. The MS is working on preliminary plans for a sanitizer panel at the Spring 2020 meeting. Policy Development (PDS) - RG. The PDS is working on updates for the member guide in anticipation of the February training of new NOSB members. The NOSB has received a couple of comments in support of the policy and procedures manual (PPM) updates.
 - Compliance, Accreditation, & Certification (CACS) - SR. During the last Subcommittee call, the CACS talked about energy infrastructure and the possibility of adding a training component to the Organic Integrity Learning Center. The Subcommittee feels this would be a good first step, but would not entirely address all the issues. The CACS is anticipating the publishing of the SOE proposed rule.
 - Crops (CS) - SE. The Crops Subcommittee received a petition for sodium carbonate lignin and found it sufficient. The Subcommittee will work on the liquid fish document after the fall NOSB meeting.
 - Livestock (LS) - SB. The LS will request a technical report on fenbendazole for use in poultry. The plan is to follow the Fall 2019 discussion document with a proposal for Spring.
 - Handling (HS) - AB. The HS discussed products of fermentation and how to move forward with this project. The Subcommittee will revisit this on a future call. Handling also has two new petitions: One for low-acyl gellan gum, and one for red jalapeño pepper.
- **Additional Items.** None.
- **The meeting was adjourned**

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Fall 2019 Milestones	Target dates (tentative)
New NOSB member training	TBD Feb/Mar 2020
NOP - Publish FRN, Open public comment	May 3, 2019
NOSB Request for TRs for 2022 sunset materials	Jun 12, 2019
NOP - Draft Fall 2019 NOSB meeting tentative agenda	Aug 5, 2018
NOSB - Fall 2019 proposals due to NOP	Aug 15, 2018
NOP - Post proposals	On or before Sep 4, 2018
Public comment closes	Oct 3, 2019
NOP - Send compiled public comments to NOSB	Oct 7, 2019
Discuss/finalize work agendas on ES call	Oct 14, 2019
Public comment webinars	Oct 15 & 17, 2019
Fall 2019 NOSB meeting - Pittsburgh, PA	Oct 23-25, 2019

Spring 2020 Milestones	Target dates (tentative)
NOP - Publish FRN, Open public comment	Nov 15, 2019
NOSB - Spring 2020 proposals due to NOP	Feb 20, 2019
NOP - Draft Spring 2020 NOSB meeting tentative agenda	Mar 2, 2019
NOP - Post proposals	Mar 5, 2019
Public comment closes	Apr 3, 2019
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Absent: Asa Bradman (AB), Handling Chair; Sue Baird (SB), LS Chair

Staff: Michelle Arsenault (MA); Devon Pattillo (DP); Paul Lewis (PL)

Agenda

- **Approve notes of August 20, 2019**
- **Chairs Report** - HB
- **NOP news and update** - JT/PL
 - Update on Energy Infrastructure work agenda request
- **Advisory Board Specialist (ABS) update** - MA
 - DOI declarations
 - Travel arrangements for Fall NOSB meeting
- **Subcommittee Reports/Updates** (5 minutes each)
 - Handling (HS) - SE.
 - Materials/GMO ad hoc (MS/GMO) - EO.
 - Policy Development (PDS) - RG.
 - Compliance, Accreditation, & Certification (CACS) - SR.
 - Potential work agenda items for supply chain traceability (e.g. next gen technology).
 - Crops (CS) - SE.
 - Contamination of farm inputs
 - Livestock (LS) - SB.
- **Additional Items**
- **Adjourn**

Discussion

- **Notes of August 20, 2019 were approved with a correction to the Crops update**
- **Chairs Report** - HB
 - The NOSB Chair participated in a panel at Expo East in Baltimore and noted that there was lots of discussion about the upcoming NOSB meeting.
 - The Chair thanked NOP for updating the NOSB Subcommittee notes on the website.
 - The Fall 2019 meeting materials were distributed to members.
- **NOP news and update** - JT/PL
 - Update on Energy Infrastructure work agenda request. The NOP discussed this work agenda request and recommended the NOSB provide recommendations for certifier training that could potentially be added to the Integrity Learning Center for broad distribution. The NOSB asked that the NOP collaborate with the CACS to discuss the content for the training module. Additionally, the CACS is interested in developing a discussion document to solicit public comments in order to inform the content for the modules. Several NOSB members as well as

stakeholder groups indicated that the goal is to mitigate impacts, and while certifier training is a good first step it is not a solution.

- NOP is hiring and there are a number of positions open, including the National List Manager.
- There are two National List (NL) rules in clearance that include NOSB recommendations from 2018: Sulfur, Polyoxin D zinc salt, magnesium chloride, natamycin, and tamarind seed gum.
- The NOP Deputy Administrator gave a presentation at Expo East in Baltimore last week on International Oversight.
- The NOP anticipates publishing the strengthening organic enforcement proposed rule later this year.
- The study on biodegradable biobased mulch film (BBMF) conducted via a cooperative agreement with NOP and Michigan State University is under review by NOP and will be posted on the NOP website and shared with the NOSB upon completion .
- 2018 NOP Peer review. Members asked why an executive summary, and not the full report, was posted on the website. NOP will follow up with a response on the next Executive call.
- Applications for the NOSB nominations are still under review by the Secretary.
- **Advisory Board Specialist (ABS) update - MA**
 - DOI declarations. Due to NOP Friday, October 11
 - Travel arrangements for Fall NOSB meeting are underway. Members were asked to delay making flight arrangements until the new fiscal year begins, unless there are circumstances that prohibit them from waiting.
 - The NOP will be using a new platform for the Comment Webinars: Zoom. There are two practice opportunities on the calendar.
 - The comment docket is open and there are many comments at this time.
- **Subcommittee Reports/Updates** (5 minutes each)
 - Handling (HS) - SE.
 - The Handling Subcommittee had one call since the last ES call, today, and discussed the L-malic acid reclassification, the TR for ion exchange filtration, and a summary of the review history and issues around nutrient vitamins and minerals (NVM). The HS is in early discussions about products of fermentation, which is an ongoing topic that needs to be addressed because it is not clear in the decision tree.
 - Materials/GMO ad hoc (MS/GMO) - EO.
 - The MS discussed products of fermentation and potential overlap between the HS and MS, and determined that the overwhelming majority of issues fall under Handling. The Crops Chair noted that there are fermentation products in Crops as well.
 - The Subcommittee will begin organizing a panel on sanitizers for the Spring 2020 meeting once the NOP approves it. The NOP is supportive of a panel instead of a technical report (TR) .
 - Contamination of farm inputs. The lead reviewer indicated that this topic was originally on the Crops work agenda and moved to the Materials Subcommittee work agenda in early 2018. The MS will begin work on this after the Fall 2019 meeting.
 - The Materials Subcommittee is hosting a panel on marine materials at the Fall 2019 NOSB meeting with four panelists. The panelists were asked to review the TR and the MS Chair will reach out to the group soon to discuss this further. The NOP will ask the panelists for short bios and to see if they want to set up a pre-meeting call to review meeting logistics.
 - Policy Development (PDS) - RG.
 - The PDS is reviewing the NOSB member guide in anticipation of the onboarding of the new members.
 - Compliance, Accreditation, & Certification (CACS) - SR.

- Work agenda options for supply chain traceability (e.g. next gen technology). The NOSB is interested in looking to the future for the next generation technology that the organic community could use/adapt/employ. NOP noted that supply chain traceability is a component of the strengthening organic enforcement proposed rule. A member noted that the Organic Trade Association (OTA) has a newly formed group and training to look at fraud and traceability.
- The energy infrastructure work agenda request was addressed by NOP above and the CACS will wait for feedback.
- Crops (CS) - SE.
 - The Crops Subcommittee received a new petition for the addition of sodium carbonate lignin. The CS will request a limited scope TR.
 - Liquid fish annotation. The CS will develop a proposal for the Spring 2020 meeting. It is still unclear as to whether whole fish are being used for fertilizer, and the CS is seeking feedback and clarification from stakeholders.
 - The CS is anticipating the report on Biodegradable biobased mulch film (BBMF) from Michigan State University.
- Livestock (LS) - HB. The Subcommittee changed the fenbendazole review from a proposal to discussion document for the Fall 2019 meeting so they can consider additional research and solicit stakeholder feedback.
- **Additional Items.** None.
- **Adjourn**

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NOP - Post proposals	On or before Sep 4, 2018
Public comment closes	Oct 3, 2019
NOP - Send compiled public comments to NOSB	Oct 7, 2019

Discuss/finalize work agendas on ES call	Oct 14, 2019
Public comment webinars	Oct 15 & 17, 2019
Fall 2019 NOSB meeting - Pittsburgh, PA	Oct 23-25, 2019

Spring 2020 Milestones	Target dates (tentative)
NOP - Publish FRN, Open public comment	Nov 1, 2019
NOSB - Spring 2020 proposals due to NOP	Feb 20, 2019
NOP - Draft Spring 2020 NOSB meeting tentative agenda	Mar 2, 2019
NOP - Post proposals	Mar 5, 2019
Public comment closes	Apr 3, 2019
NOP - Send compiled public comments to NOSB	Apr 7, 2019
Public comment webinars	Apr 21 & 23, 2019
Spring 2020 NOSB meeting – Crystal City, VA	Apr 28 - May 1, 2020

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/regulations or NOSB recommendations. Proposals must be voted on by the full Board, to become recommendations to the USDA. 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 (ES) Meeting notes and
summary of NOSB Subcommittee activities
Tuesday, August 20, 2019, 4:00 pm ET**

Attending: Harriet Behar (HB), NOSB Chair; Steve Ela (SE), NOSB Vice Chair, Crops Chair; Scott Rice (SR), NOSB Secretary, CACS Chair; Emily Oakley (EO), Materials Chair; Rick Greenwood (RG), PDS Chair;

Absent: Asa Bradman (AB), Handling Chair; Sue Baird (SB), LS Chair

Staff: Jennifer Tucker (JT); Michelle Arsenault (MA); Devon Pattillo (DP)

Agenda

- **Approve notes of July 16, 2019**
- **Chairs Report - HB**
 - NOSB meeting - Pittsburgh, PA
 - Final proposals.
 - Marine materials panel.
- **NOP news and update - JT/PL**
 - Update on Origin of Livestock Rule.
 - Summary of Congressional hearing (re: questions on gene editing and fraud).
 - Update on NOSB nominations.
 - Status of work agenda request on Energy Infrastructure (submitted to NOP December 2018)
- **Advisory Board Specialist (ABS) update - MA**
 - Travel arrangements for Fall NOSB meeting
 - Motions with OFPA citations
- **Subcommittee Reports/Updates (5 minutes each)**
 - Livestock (LS) - HB.
 - Handling (HS) - SE.
 - Materials/GMO ad hoc (MS/GMO) - EO.
 - Policy Development (PDS) - RG.
 - Compliance, Accreditation, & Certification (CACS) - SR.
 - Crops (CS) - SE.
- **Additional Items**
- **Adjourn**

Discussion

- **Notes of July 16, 2019** were approved with no changes.
- **Chairs Report - HB**
 - Reminder of upcoming NOSB meeting in Pittsburgh, PA
 - The NOSB Chair thanked the members for their hard work and for submitting final proposals on time.
 - Marine materials panel preparations are under way, and the Materials' Subcommittee Chair will discuss it more in the Subcommittee section below.
- **NOP news and update - JT/PL**

- Two organic fraud cases in Nebraska and Iowa were recently published in the news. The completion of these cases highlights the successful partnership between NOP and other government agencies.
- The NOP has suspended Basin and Range Organic (BARO), who certified ~30 operations in the Western US. These operations will have 60 days to locate a new certifier.
- Control Union (Turkey). Control Union was suspended and of the ~200 operations it certified, approximately 1/3 have surrendered organic certification.
- Strengthening Organic Enforcement (SOE) proposed rulemaking. NOP anticipates a Fall, 2019 publication. The rule is under review at USDA and will also go through interagency review.
- NOP staffing. NOP has hired eight new staff members, including several auditors who will be remote workers. The National List manager position has not yet been filled.
- Origin of Livestock Rule. The Administration remains interested in this topic, which was addressed at a recent hearing of the House Agricultural Committee. With support from the Under Secretary of Marketing and Regulatory Programs (MRP), AMS is seeking a way to move this forward this Fall.
- Summary of House Agricultural Committee discussion on gene editing and fraud. Gene editing is prohibited under organic regulations as an excluded method. Under Secretary Ibach (MRP) is interested in fostering conversations and also understands that gene editing is prohibited in organic. The NOSB can help the conversation by clearly noting which methods are already prohibited under the regulations and how new proposals fit under the current regulations.
- Update on NOSB nominations. Review process is underway. The USDA would like to make announcements at the Fall NOSB meeting.
- Status of work agenda request on Energy Infrastructure (submitted to NOP December 2018). No update on this work agenda item.
- **Advisory Board Specialist (ABS) update - MA**
 - Travel arrangements for Fall NOSB meeting are underway.
 - Motions with OFPA citations. NOP will update the template so the citations to OFPA and the regulations are not included in the motion. The NOSB will review the criteria for proper citations.
- **Subcommittee Reports/Updates (5 minutes each)**
 - Livestock (LS) - HB. Livestock has finished its sunset reviews and has two other documents; a proposal on the use of excluded method vaccines in organic livestock production, and a discussion document on fenbendazole (petitioned). The LS will be requesting a limited TR on fenbendazole.
 - Handling (HS) - SE. Handling has many sunset reviews for the Fall 2019 meeting. The Subcommittee has requested to work on an annotation for fish oil, and will coordinate with Crops on liquid fish fertilizer, since Crops recently received a TR for liquid fish that may be helpful. Handling is also working on reclassification of L-Malic acid. There are two materials to note for the fall meeting: The Subcommittee voted to remove orange pulp and dairy cultures. The listing for dairy cultures was found to be redundant with the listing for microorganisms.
 - Materials/GMO ad hoc (MS/GMO) - EO. Materials has three proposals for the Fall meeting: Excluded methods, marine materials and research priorities. The Subcommittee is hosting a panel on marine materials consisting of four experts with a breadth of expertise, as well as regional diversity. For a future agenda the group is discussing work on contamination of farm inputs, a project on fermentation products, and a panel on sanitizers.
 - Policy Development (PDS) - RG. The PDS will be discussing updates to the policy and procedures manual at the Fall meeting. After the Fall meeting the Subcommittee will update the member guide which is an internal document that is provided to new members during orientation and training.
 - Compliance, Accreditation, & Certification (CACS) - SR. The CACS will provide a verbal update on integrity of the supply chain/oversight improvements to deter fraud. The NOSB is anticipating the

rule on strengthening organic enforcement (SOE) to determine if there is additional work the CACS could undertake.

- Crops (CS) - SE. The Crops Subcommittee will be discussing several documents at the Fall 2019 meeting: Twelve sunset reviews, a discussion document on paper pots, a proposal on fatty alcohols (C6, C8, C10, C12 Naturally Derived) (petitioned), and a proposal on potassium hypochlorite (petitioned). The CS has been discussing the question of synthetic fibers in paper pots, and is looking forward to receiving public comments. Other projects Crops is working on include a new petition on sodium carbonate lignin, and an annotation change on liquid fish, for which the Subcommittee just received a TR.
- **Additional Items.** The NOSB Chair reviewed the voting process, since there are many items to be voted on at the NOSB meeting.
- **The meeting was adjourned**

[Previous ES Notes](#)

[NOSB Work Agenda](#)

Future call schedule: All calls 4:00 ET/1:00 PT 3rd Tuesday

July 16, 2019

August 20, 2019

September 17, 2019

October 15, 2019

November 19, 2019

December 17, 2019

Fall 2019 Milestones	Target dates (tentative)
New NOSB member training	TBD Feb/Mar 2020
NOP - Publish FRN, Open public comment	May 3, 2019
NOSB Request for TRs for 2022 sunset materials	Jun 12, 2019
NOP - Draft Fall 2019 NOSB meeting tentative agenda	Aug 5, 2018
NOSB - Fall 2019 proposals due to NOP	Aug 15, 2018
NOP - Post proposals	On or before Sep 4, 2018
Public comment closes	Oct 3, 2019
NOP - Send compiled public comments to NOSB	Oct 7, 2019
Discuss/finalize work agendas on ES call	Oct 14, 2019
Public comment webinars	Oct 15 & 17, 2019
Fall 2019 NOSB meeting - Pittsburgh, PA	Oct 23-25, 2019

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/regulations or NOSB recommendations. Proposals must be voted on by the full Board, to become recommendations to the USDA. 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 (ES) Meeting notes and
summary of NOSB Subcommittee activities
Tuesday, July 16, 2019, 4:00 pm ET**

Attending: Harriet Behar (HB), NOSB Chair; Steve Ela (SE), NOSB Vice Chair, Crops Chair; Scott Rice (SR), NOSB Secretary, Livestock Chair; Emily Oakley (EO), Materials Chair; Rick Greenwood (RG), PDS Chair; Asa Bradman (AB), Handling Chair; Ashley Swaffar (AS)

Absent: Sue Baird (SB), CACS Chair

Staff: Jennifer Tucker (JT); Paul Lewis (PL); Michelle Arsenault (MA)

Agenda

- **Approve notes of June 10, 2019**
- **Chairs Report - HB**
 - New Executive call dates below
 - August proposal deadline
- **NOP news and update - JT/PL**
 - **Work agenda requests - update**
 - Fish oil annotation
 - Energy infrastructure
- **Advisory Board Specialist (ABS) update - MA**
 - Updated Subcommittee roster and schedule
- **Subcommittee Reports/Updates (5 minutes each)**
 - Crops (CS) - SE.
 - Livestock (LS) - SR.
 - Handling (HS) - AB.
 - Materials/GMO ad hoc (MS/GMO) - EO.
 - Marine materials panel
 - Policy Development (PDS) – RG.
 - Compliance, Accreditation, & Certification (CACS) – SR.
- **Additional Items**
- **Adjourn**

Discussion

- **Notes of June 10, 2019** were approved without changes.
- **Chairs Report - HB**
 - New Exec call dates below
 - Proposal deadline is August 16. Please submit completed proposals to NOP as soon as they are ready.
- **NOP news and update - JT/PL**
 - Work agenda requests:
 - Fish oil annotation. NOP discussed the Handling Subcommittee's (HS) request to add a work agenda item to annotate fish oil. The NOP asked if this overlaps with the liquid fish annotation that the Crops Subcommittee is working on. Members felt that there might be some overlap, but cannot determine that until the TR is returned. The HS would like

to move forward with this project, and is seeking a commitment by the NOP in the next week or two to add it to the work agenda.

- Energy infrastructure. The work agenda request is still under review by AMS and NOP does not have a timeline for approval. The lead indicated that this project was initially very broad, and through extensive collaboration between stakeholders, NOP, and NOSB, it was narrowed down to something concrete and discreet, focusing on how infrastructure can effect organic certification.
- Nominations are currently under review. Members expressed hope that the new NOSB members would be announced by the Fall NOSB meeting.
- House Agriculture Committee hearing. Mr. Ibach, Under Secretary, Marketing and Regulatory Programs, is testifying at the hearing tomorrow accompanied by Jennifer Tucker, AMS Deputy Administrator. Topics for discussion are related to compliance and enforcement, and farm bill implementation.
- An NOSB member indicated that there is ongoing confusion in the community about the NOP container memo and asked if the NOP will address it. NOP noted that the memo articulated existing requirements, and any operations with questions should contact their certifiers.
- NOP recently provided training in Kansas City on organic standards and enforcement for agents of the Office of the Inspector General.
- NOP is continuing work on import fraud. As an example, NOP continues their work in developing the proposed rule on strengthening organic enforcement, which the program anticipates publishing in the fall of 2019.
- NOP is closely monitoring operations that were certified by Control Union in Turkey, whose certification was recently revoked.
- L-Malic Acid work agenda request. The Handling Subcommittee is interested in making a technical clarification to reclassify L-Malic acid. Based on information from the recent technical review and public comment, it appears that L-Malic acid may be misclassified on the National List as nonsynthetic (205.605(a) instead of 205.605(b)). NOP indicated approval of this work agenda request.
- The NOP will be hiring a number of new staff members, primarily auditors and compliance officers.
- **Advisory Board Specialist (ABS) update - MA**
 - The Subcommittee roster and schedule was updated to reflect the change in day and time of the Executive call, and the change in Chairs for the CACS and LS. The ES call was rescheduled for the third Tuesday of each month.
- **Subcommittee Reports/Updates (5 minutes each)**
 - Policy Development (PDS) - RG. PDS has finalized the proposal for revisions to the PPM, and will send it to the NOP for posting for the Fall meeting. The PDS will review the member guide (internal document) over the summer and fall and may have some changes/updates.
 - Crops (CS) - SE. Crops has completed all 2021 sunset reviews, and is working on two proposals: Potassium hypochlorite petition and fatty alcohols petition. The Subcommittee is waiting for two TRs. One for paper pots and one for liquid fish products.
 - Livestock (LS) - SR. Livestock has completed almost all sunset reviews and started work on a new petition for fenbendazole for use in poultry.
 - Handling (HS) - AB. The Handling Subcommittee is completing a long list of sunset reviews, and has a few outstanding topics scheduled for discussion in August. The HS will finalize the fish oil sunset review predicated on the NOP response to the fish oil annotation work agenda request. The HS also discussed writing a summary of the previous work on nutrient vitamins and minerals (NVM) that recommended removal of some vitamins, which had implications for organic infant formula. This summary is intended to capture the institutional knowledge for future boards.

- Materials/GMO ad hoc (MS/GMO) - EO. The Materials Subcommittee has had several discussions about sanitizers and hosted a guest speaker to provide feedback and advice about the TR request. The MS Chair commented there is support within the community for this work. The MS also hosted a guest speaker to talk about marine materials, and is working on the details for a marine materials panel at the Fall meeting. The panel will be 1.5 hours long, include four experts with a breadth of expertise, and include short presentations and Q & A with the NOSB. The MS and NOP are discussing potential panelists. The MS will have proposals on excluded methods, genetic integrity of seed, and research priorities for the Fall meeting. The MS Chair asked the NOP to provide an update on the status of the NOSB research priorities at the Spring 2020 meeting in Crystal City, VA.
- Compliance, Accreditation, & Certification (CACS) - SR. The CACS is exploring work projects on grain and fresh produce supply chains. The CACS would also like to address inconsistencies between certifiers.
- **Additional Items.** None
- **Adjourn**

[Previous ES Notes](#)
[NOSB Work Agenda](#)

Future call schedule: All calls 4:00 ET/1:00 PT 3rd Tuesday

July 16, 2019

August 20, 2019

September 17, 2019

October 15, 2019

November 19, 2019

December 17, 2019

Fall 2019 Milestones	Target dates (tentative)
New NOSB member training	TBD Feb/Mar 2020
NOP - Publish FRN, Open public comment	May 3, 2019
NOSB Request for TRs for 2022 sunset materials	Jun 12, 2019
NOP - Draft Fall 2019 NOSB meeting tentative agenda	Aug 5, 2018
NOSB - Fall 2019 proposals due to NOP	Aug 15, 2018
NOP - Post proposals	On or before Sep 4, 2018
Public comment closes	Oct 3, 2019
NOP - Send compiled public comments to NOSB	Oct 7, 2019
Discuss/finalize work agendas on ES call	Oct 14, 2019
Public comment webinars	Oct 15 & 17, 2019
Fall 2019 NOSB meeting - Pittsburgh, PA	Oct 23-25, 2019

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**National Organic Standards Board (NOSB)
Executive Committee (ES) Meeting notes and
summary of NOSB Subcommittee activities
Monday, June 10, 2019, 1:00 pm ET**

Attending: Harriet Behar (HB), NOSB Chair; Steve Ela (SE), NOSB Vice Chair, Crops Chair; Scott Rice (SR), NOSB Secretary, Livestock Chair; Emily Oakley (EO), Materials Chair; Rick Greenwood (RG), PDS Chair;

Absent: Sue Baird (SB), CACS Chair; Asa Bradman (AB), Handling Chair

Staff: Paul Lewis (PL); Michelle Arsenault (MA)

Agenda

- **Approve notes of May 13, 2019**
- **Chairs Report** - HB
- **NOP news and update** - PL
- **Advisory Board Specialist (ABS) update** - MA
 - TR determinations due June 18
 - Proposals due August 16
- **Subcommittee Reports/Updates** (5 minutes each)
 - Compliance, Accreditation, & Certification (CACS) - SR.
 - Energy Infrastructure work agenda request?
 - Crops (CS) - SE.
 - Sunset review - sodium nitrate. Invalid listing? Paths forward? [Notice to certifying agents 12-1.](#)
 - Livestock (LS) - SR.
 - Handling (HS) - SE.
 - Microorganisms - Dairy cultures listing. Exploring the possibility of letting dairy cultures expire if the two listings are indeed redundant.
 - Materials/GMO ad hoc (MS/GMO) - EO.
 - Policy Development (PDS) - RG.
- **Additional Items**
- **Adjourn**

Discussion

- **Notes of May 13, 2019 approved with no changes**
- **Chairs Report** - HB
 - Rescheduling of Executive call. The NOSB Chair is seeking an alternate day and time so all the Subcommittee Chairs can attend.
 - Chairs of CACS/Livestock were swapped. Sue Baird will chair Livestock and Scott Rice will chair CACS. A CACS Vice Chair will be chosen soon.
 - Final proposals for Fall 2019 are due to NOP in mid-August to allow more time for posting and to assure a 30-day comment period.

- **NOP news and update - JT/PL**
 - **NOSB call for nominations.** Nominations closed May 20 and the NOP is in the midst of review. USDA received a large, well-qualified pool of applicants. Members discussed the needs and gaps on the Board which includes expertise in livestock and grain/seed.
 - **Open docket process.** The Policy Development Subcommittee is discussing the governance of the open-docket process. NOP will participate on the next PDS call.
 - **ANSI peer audit.** The [NOP response to the 2018 ANSI audit](#) was posted May 30. ANSI provided very helpful feedback and the NOP is working on corrective actions.
 - **Container systems.** The NOP recently sent a [memo to certifiers](#) clarifying the eligibility and compliance of container systems for organic crop certification. The Executive team members expressed their gratitude to the NOP for addressing this issue quickly, and noted that the memo was somewhat unclear and has created confusion and questions in the stakeholder and certification communities. Specific questions were raised such as how greenhouses are addressed via the memo, what types of structures and floors (i.e. concrete, dirt, etc.) are included/exempt, and when does a certifier need a land-use history. Several certifiers have reached out to NOP/AIA for clarification.
 - **Spring 2019 NOSB recommendations.** The NOP is reviewing the Spring 2019 recommendations.
 - **National List (NL) Manager.** The NOP is currently recruiting a new National List Manager.
- **Advisory Board Specialist (ABS) update - MA**
 - **TR determinations** for the 2022 sunset substances are due June 18.
 - **Fall 2019 proposals** due to NOP August 16, so they can be posted by early September for public comment.
- **Subcommittee Reports/Updates (5 minutes each)**
 - Compliance, Accreditation, & Certification (CACS) - SR.
 - The CACS is scoping a possible project on fraud but is unsure whether it will be ready for the Fall 2019 meeting. There has been a lot of focus on grain and non-perishables, and the NOSB heard from stakeholders that the focus should also include fresh produce and traceability.
 - Energy Infrastructure work agenda request is still under consideration by NOP. Stakeholders are interested in having the NOSB working on this.
 - Crops (CS) - SE.
 - Dr. Ramani Narayan of Michigan State University joined the last CS call to talk about biodegradable biomulch film. The NOP entered into a cooperative agreement with Michigan State University to review biodegradable biobased biomulch film, and the report should be available later this summer. The Crops Subcommittee would like to invite him to talk with them again.
 - Sunset reviews are underway, and Crops is also reviewing a re-petition for fatty alcohols.
 - The Crops Subcommittee is seeking further clarification on sodium nitrate. A previous Board recommended to list sodium nitrate without its annotation, which would prohibit it entirely. The NOP did not implement the recommendation and under the sunset provision in OFPA the listing is expired although it still appears on the published National List. Members indicated that it is possibly unclear to stakeholders that it is invalid, and asked if the NOSB should be reviewing it during its sunset review. A notice to stakeholders ([Notice 12-1](#)) was published and outlines the use of sodium nitrate and compliance with the USDA organic regulations. The group discussed possible actions which could include a petition as a means to revisit the sodium nitrate issue. A member noted that sodium nitrate is still in use and that operations are adhering to the 20% figure as original noted on the National List.

- Livestock (LS) - SR.
 - The Livestock Subcommittee is reviewing its 2021 sunset substances, and does not currently have any petitions.
 - There is one work agenda item request under discussion for dairy goats and dry matter intake, and challenges around using feed calculations for other ruminants. Initial feedback from commenters indicated this was an issue, and the lead is investigating the need. So far it appears that it is not something dairy goat operations are concerned with.
 - The Subcommittee emphasized the need for NOP to consider new members of the NOSB who have livestock expertise.
- Handling (HS) - SE.
 - The HS is actively reviewing sunset substances. TR requests for 2022 sunsets will be determined next week.
 - Microorganisms & dairy cultures listing. The HS is exploring the possibility of letting the listing for dairy cultures expire because it was identified by public commenters as redundant. Several commenters suggested this change, and one group who previously opposed it, has indicated that they've changed their view and now support the removal of dairy cultures. The simplest route would be for the NOSB to vote to remove it, as long as the NOP feels that the listings are redundant. Public comments at the Fall meeting may provide further insight.
- Materials/GMO ad hoc (MS/GMO) - EO.
 - The MS Chair thanked the Subcommittee Chairs for adding discussion time to the agendas for the research priorities, and for submitting them to the MS by mid - July so the MS has time to review and vote on them.
 - The MS has several other projects underway including excluded methods, seed Integrity, and marine materials. The group held a preliminary discussion about panel questions and panelists for a marine materials panel at the Fall meeting.
 - The sanitizers TR request was revised and has been submitted to the NOP for further refinement. The Chair noted that the NOSB received a range of comments, most supportive, on the work agenda item.
- Policy Development (PDS) - RG.
 - The PDS began meeting again to work on minor updates to the PPM. The PDS will add to the list of NOSB Secretary duties, review the wording of motions to clarify what is being petitioned, and make other modifications as needed.
- **Additional Items - None**
- **The meeting was adjourned**

[Previous ES Notes](#)
[NOSB Work Agenda](#)

Future call schedule: All calls 1:00 ET/10:00 PT 2nd Monday

June 10, 2019

July 8, 2019

August 12, 2019

September 9, 2019

October 14, 2019 Columbus day

November 18, 2019

December 9, 2019

Fall 2019 Milestones	Target dates (tentative)
New NOSB member training	TBD Feb/Mar 2020
NOP - Publish FRN, Open public comment	May 3, 2019
NOSB Request for TRs for 2022 sunset materials	Jun 12, 2019
NOP - Draft Fall 2019 NOSB meeting tentative agenda	Aug 5, 2018
NOSB - Fall 2019 proposals due to NOP	Aug 15, 2018
NOP - Post proposals	On or before Sep 4, 2018
Public comment closes	Oct 3, 2019
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Discuss/finalize work agendas on ES call	Oct 14, 2019
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Fall 2019 NOSB meeting - Pittsburgh, PA	Oct 23-25, 2019

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/regulations or NOSB recommendations. Proposals must be voted on by the full Board, to become recommendations to the USDA. 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 (ES) Meeting notes and
summary of NOSB Subcommittee activities
Monday, May 13, 2019, 1:00 pm ET**

Attending: Harriet Behar (HB), NOSB Chair; Steve Ela (SE), NOSB Vice Chair, Crops Chair; Scott Rice (SR), NOSB Secretary, Livestock Chair; Asa Bradman (AB), Handling Chair; Emily Oakley (EO), Materials Chair; Rick Greenwood (RG), PDS Chair

Absent: Sue Baird (SB), CACS Chair

Staff: Jennifer Tucker (JT); Paul Lewis (PL); Michelle Arsenault (MA); Clarissa Mathews (CM)

Agenda

- **Approve notes of April 8, 2019**
- **Chairs Report - HB**
 - Debrief - Spring 2019 NOSB meeting
 - Motion language - “as petitioned”
 - Sunset reorganization/Updates from rulemaking
 - Coversheets for final recommendations (sent in separate email)
 - Work agenda requests (see Subcommittee discussion section below)
- **NOP news and update - JT/PL**
- **Advisory Board Specialist (ABS) update - MA**
 - Fall milestones/timeline (see below)
 - Travel reimbursement vouchers
- **Subcommittee Reports/Updates (5 minutes each)**
 - Policy Development (PDS) - RG.
 - Compliance, Accreditation, & Certification (CACS) - SB.
 - Crops (CS) - SE.
 - Work agenda request - seed guidance/vegetation from plants
 - Sunset review - sodium nitrate
 - Biodegradable biobased mulch film cooperative agreement
 - Livestock (LS) - SR.
 - Work agenda request - dairy goats
 - MET follow up
 - Handling (HS) - AB.
 - Celery powder panel follow up
 - Work agenda request - Reclassification of L-Malic acid
 - Work agenda request - Dairy cultures/microorganisms
 - Work agenda request - Annotation for fish oil
 - Work agenda request - Fermentation products
 - Materials/GMO ad hoc (MS/GMO) - EO.
- **Additional Items**
- **Adjourn**

Discussion

- **Notes of April 8, 2019** were approved with no changes
- **Chairs Report - HB**
 - Debrief - Spring 2019 NOSB meeting. Members noted that they received a lot of useful information and questions from the panels and public commenters.
 - Language used in motions “as petitioned”. The NOSB had discussion at the Seattle meeting about using this language in the motion and would like to discuss this further to determine if this is clear or if the Subcommittees should include more specific language. This would reduce the amount of searching the NOP and stakeholders would have to do, to determine the petitioned use and would clarify what a substance has been approved for.
 - Sunset reorganization/Updates from rulemaking. Several materials that are currently under review by the NOSB may have had the sunset date reset with the publishing of the final rule AMS-NOP-14-05. NOP is reviewing the issue and plans to provide further direction soon.
 - Coversheets for final recommendations from the April 2019 meeting are due to NOP May 31.
 - Work agenda requests (see Subcommittee discussion section below)
- **NOP news and update - JT/PL**
 - The NOP suspended Control Union’s satellite office in Turkey. Control Union is a large certifier in Europe. The [suspension notice was posted today](#), and impacted clients will need to seek another certifier. The NOP is granting a 60-day transition period, so the affected operations can find a new certifier. Certifiers will be responsible for vetting the clients and notifying the NOP if they adopt any of the displaced clients. Operations certified by Control Union that were certified under a different office (that wasn’t the Turkey office), and those operations are not impacted.
 - NOP will publish its annual enforcement update in the next week or two announcing import oversight initiatives thus far.
 - The Organic Integrity Learning Center had garnered a lot of interest. ~ 500 groups have asked for access/login.
 - NOP recently hired a trade systems oversight director, Jon Veley, who came from Customs and Border Protection. Jon’s role will include managing the AMS-wide portfolio of trade management and international oversight systems. And will develop an international organic oversight system for NOP.
 - Biobased mulch film panel. The NOP has entered into a cooperative agreement with Dr. Ramani Narayan to review biodegradable biobased mulch film. The scope of the agreement includes looking at how the currently available products align with the organic regulations. His final report should be available sometime in July. The Crops Subcommittee would like to extend an invitation to Dr. Narayan to sit in on a Subcommittee call to talk further.
 - Sunset dates. The members discussed the outcome of the rule that was published in December 2018, which included ~36 changes to the National List. Currently it is unclear how this rule impacts the sunset dates for materials that had annotations or classifications changed by the rule, some of which are currently under review in 2019, such as DL-methionine. A potential consequence could be a change in the sunset review schedule. NOP will discuss this further and let the NOSB know how to proceed.
- **Advisory Board Specialist (ABS) update - MA**
 - Fall milestones/timeline (see below)
 - Debrief from meeting. Members offered some feedback about what went well, and provided suggestions for processes they would like to include next time. They encourage more time for panel discussion for bigger issues which would come at the expense of public comment time. Having time for a full-Board discussion is very helpful for the proposal-development process. Subcommittees will discuss this further on calls.

- **Subcommittee Reports/Updates** (5 minutes each)
 - Policy Development (PDS) - RG.
 - PDS is meeting this week. The PDS agenda includes some minor edits and additions to the PPM, including a discussion of the phrasing of motions.
 - Compliance, Accreditation, & Certification (CACS) - SB.
 - There's an outstanding work agenda request on energy infrastructure that is under review by the NOP. NOP will be tasking the CACS with more work on fraud and the CACS is waiting to hear more specifics.
 - Crops (CS) - SE.
 - The Subcommittee met last week and assigned leads for the next round of sunset reviews (for review in 2020).
 - Dr. Narayan will join a Crops call in June to talk with the Subcommittee about Biodegradable biobased biomulch film.
 - Work agenda request - seed guidance/vegetation from plants. The group discussed whether or not they are required to submit a work agenda request or if they can continue to work on this without a formal request. The proposed changes to the seed guidance would likely require a rule change. Stakeholders and the Board members feel this is an issue that needs to be resolved noting that it is a concern.
 - Sunset review - sodium nitrate. A previous NOSB submitted a [recommendation](#) to remove the annotation, which would have prohibited sodium nitrate, and the NOP did not complete rulemaking to implement it. The NOP indicated since no action was taken by the program, the substance expired, however, sodium nitrate continues to be listed on the National List at 205.602 with an annotation. The NOP issued a [policy memo](#) (12-1) indicating this status. The NOSB seeks to fix this listing as it is a grey area, and has not re-reviewed it as mandated by OFPA since 2011. NOP indicated that the only way to move forward would be to receive a petition. This could come from stakeholders or the NOSB. The Crops Subcommittee will discuss this further on a future call. The NOP supported the idea of bringing forth a petition.
 - Livestock (LS) - SR.
 - Work agenda request - dairy goats. The LS is considering whether to submit a request to work on dairy goat pasture requirements. The LS is also working on excluded methods.
 - Handling (HS) - AB.
 - During the last call, the HS discussed sunset reviews for the Fall 2019 meeting and schedule dates for discussion.
 - There are two TR pending sufficiency review: L-Malic acid and ascorbic acid.
 - The project on BPA is on old but there is interest among the NOP and HS to continue work on this.
 - Celery powder panel follow up. The Subcommittee Chair found the panel helpful and will seek more information to incorporate into the sunset review for the Fall 2019 meeting. The HS Chair encouraged USDA to support some of the ongoing research.
 - Work agenda request - Reclassification of L-Malic acid. The HS may work on a reclassification and move L-Malic Acid to 205.605(b)
 - Work agenda request - Dairy cultures/microorganisms. Several public commenters indicated that dairy cultures/microorganisms be consolidated on the National List as they are redundant. Alternatively, if the microorganisms listing encompasses dairy cultures, the HS could allow the dairy cultures listing to sunset. HS is considering this work agenda project and is seeking feedback from the NOP to ensure that is accurate.

- Work agenda request - Annotation for fish oil. The HS is exploring an annotation change to address potential environmental impacts. This project overlaps with marine materials.
- Work agenda request - Fermentation products. The group discussed placing this on the work agenda for the Materials Subcommittee. The NOSB doesn't have a good decision tree about fermentation products, and will continue to discuss this in Subcommittee.
- Materials/GMO ad hoc (MS/GMO) - EO.
 - The MS chair and HS Chair will discuss fermentation products to flesh it out better, to determine which Subcommittee is better situated to work on it.
 - The MS is working on a couple of proposals for Fall 2019 including research priorities, sanitizers, and contamination of farm inputs. The Chair asked that the Subcommittee Chairs add the research priorities to their discussion schedule, so they can add any new topics and submit the document to the MS for the Fall meeting.
 - Ancillary ingredients/sanitizers. The MS addressed concerns that were brought up at the Spring 2019 NOSB meeting and have since revised the TR request.
 - Marine materials work is ongoing, and the MS is interested in convening a panel at the fall meeting.
- **Additional Items.** The NOSB Chair reminded members to submit travel documents.

[Previous ES Notes](#)
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Future call schedule: All calls 1:00 ET/10:00 PT 2nd Monday

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May 13, 2019

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Fall 2019 Milestones	Target dates (tentative)
New NOSB member training	TBD Feb/Mar 2020
NOP - Publish FRN, Open public comment	May 3, 2019
NOSB Request for TRs for 2022 sunset materials	Jun 12, 2019
NOP - Draft Fall 2019 NOSB meeting tentative agenda	Aug 5, 2018
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NOP - Post proposals	On or before Sep 4, 2018
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Discuss/finalize work agendas on ES call	Oct 14, 2019
Public comment webinars	Oct 15 & 17, 2019
Fall 2019 NOSB meeting - Pittsburgh, PA	Oct 23-25, 2019

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/regulations or NOSB recommendations. Proposals must be voted on by the full Board, to become recommendations to the USDA. 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 (ES) Meeting notes and
summary of NOSB Subcommittee activities
Monday, April 8, 2019, 1:00 pm ET**

Attending: Harriet Behar (HB), NOSB Chair; Steve Ela (SE), NOSB Vice Chair, Crops Chair; Scott Rice (SR), NOSB Secretary, Livestock Chair; Asa Bradman (AB), Handling Chair; Emily Oakley (EO), Materials Chair; Sue Baird (SB), CACS Chair; Jesse Buie (JB) - observer

Absent: Rick Greenwood (RG), PDS Chair

Staff: Jenny Tucker (JT); Michelle Arsenault (MA); Clarissa Mathews (CM); Devon Pattillo (DP)

Agenda

- **Approve notes of March 11, 2019**
- **Chairs Report** - HB
 - Spring 2019 NOSB meeting (Celery Powder Panel, MET speakers, BioMulch speakers)
 - Webinar practice reminder April 16 & 18
- **NOP news and update** - JT/PL
 - Update on Organic Integrity Learning Center.
- **Advisory Board Specialist (ABS) update** - MA
 - Preparations for April meeting
 - Fall milestones/timeline (see below)
- **Subcommittee Reports/Updates** (5 minutes each)
 - Policy Development (PDS) - RG.
 - Compliance, Accreditation, & Certification (CACS) - SB.
 - Crops (CS) - SE.
 - Livestock (LS) - SR.
 - Handling (HS) - AB.
 - Materials/GMO ad hoc (MS/GMO) - EO.
- **Additional Items**
- **Adjourn**

Discussion

- **Notes of March 11, 2019 were approved with no changes**
- **Chairs Report** - HB
 - Nominations have been advertised and NOP has gotten a lot of interest. The NOSB Chair has received several inquiries about Board service.
 - The Spring 2019 NOSB meeting docket is full and the Board has received approximately 870 comments.
 - The Chair asked that in the future the NOP and NOSB work together to develop the April meeting agenda.
- **NOP news and update** - JT/PL
 - The call for nominations closes May 20, 2019.
 - The National List rule for two Fall 2017 NOSB recommendations is in final clearance. This rule adds elemental sulfur for use in organic livestock production and reclassifies potassium acid

tartrate from a non-agricultural substance to an agricultural substance and requires the organic form of the ingredient when commercially available.

- NOP is focusing on enforcement and oversight actions. The Compliance & Enforcement (C&E) division just launched C&E database.
- The NOP recently completed the pilot phase of the Organic Integrity Learning Center. NOSB members were invited to be part of the beta test to provide feedback.
- NOP is continuing investigations related to imports.
- Strengthening Organic Enforcement (SOE) proposed rule is in progress and on track for a fall publication date.
- Farm bill implementation. NOP has initiated communication with Customs and Border Protection (CBP) to work on: (1) the programming to generate organic import certificates in CBP's import system, and (2) establishing the inter-agency organic work group to work on import oversight activities.
- **Advisory Board Specialist (ABS) update - MA**
 - Preparations for April meeting are underway
 - Fall milestones/timeline (see below)
 - NOP verified that opening the oral comment registration when the proposals post is a useful process.
 - The meeting agenda for the in-person meeting full, as we have a panel and several speakers: Celery powder panel, MET (methionine) speakers, and biodegradable biobased mulch film speakers)
 - Webinar practice is on April 15 and the webinars are scheduled for April 16 & 18.
- **Subcommittee Reports/Updates (5 minutes each)**
 - Policy Development (PDS) - RG. No update as PDS has not met.
 - Compliance, Accreditation, & Certification (CACS) - SB. The CACS has not met since the last Exec call. The Subcommittee will have one document on fraud and imports for the spring meeting. The CACS is waiting to hear from the NOP about the energy infrastructure work agenda item. Asa Bradman volunteered to take the lead on this item.
 - Crops (CS) - SE. Crops recently received the TR for horticultural oil. On the last call the CS found the potassium chlorite petition insufficient and is seeking additional information from the petitioner.
 - Livestock (LS) - SR. The LS has one item that they would like to add to the work agenda - grazing requirements for goats. The lead has reached out to several veterinarians and dairy goat producers and is developing the work agenda request to submit to the Executive team and the NOP. The Subcommittee has one proposal on oxalic acid, and one discussion document on the use of excluded methods in vaccines for the Spring 2019 meeting.
 - Handling (HS) - AB. The HS Chair has had a number of communications with the celery powder panel members. Handling has received the L-malic acid and ascorbic acid TRs and will reassign them as the original lead is no longer on the NOSB. The HS has several petition reviews in progress, and the Silver dihydrogen citrate (SDC) proposal has garnered lots of comments and interest.
 - Materials/GMO ad hoc (MS/GMO) - EO. The MS has several materials for the Spring 2019 meeting. The TR request for sanitizers is under revision by both the MS and NOP to narrow the scope so the contractor can better respond to the request. The MS work agenda item on contamination issues in farm inputs is a topic that will be discussed at the National Organic Coalition meeting just prior to the NOSB meeting. The intent is to aid the NOSB in its review.

[Previous ES Notes](#)
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**National Organic Standards Board (NOSB)
Executive Committee (ES) Meeting notes and
summary of NOSB Subcommittee activities
Monday, March 11, 2019, 1:00 pm ET**

Attending: Harriet Behar (HB), NOSB Chair; Steve Ela (SE), NOSB Vice Chair, Crops Chair; Scott Rice (SR), NOSB Secretary, Livestock Chair; Asa Bradman (AB), Handling Chair; Rick Greenwood (RG), PDS Chair; Emily Oakley (EO), Materials Chair; Sue Baird (SB), CACS Chair; Jesse Buie (JB) - observer

Absent: Tom Chapman (TC), NOSB Chair emeritus

Staff: Jennifer Tucker (JT); Michelle Arsenault (MA); Clarissa Mathews (CM); Devon Pattillo (DP)

Agenda

- **Approve notes of February 11, 2019**
- **Chairs Report - HB**
 - Nominations
 - Finalization of Spring proposals
- **NOP news and update - JT/PL**
- **Advisory Board Specialist (ABS) update - MA**
 - Preparations for April meeting
- **Subcommittee Reports/Updates (5 minutes each)**
 - Materials/GMO ad hoc (MS/GMO) - EO.
 - Policy Development (PDS) - RG.
 - Compliance, Accreditation, & Certification (CACS) - SB.
 - Crops (CS) - SE.
 - Livestock (LS) - SR.
 - Handling (HS) - AB.
- **Additional Items**
- **Adjourn**

Discussion

- **Approve notes of February 11, 2019**
- **Chairs Report - HB**
 - Nominations. The opening created by the recent resignation of one of the Board members is being advertised as part of the next round of nominations and the seat will be filled in January 2020. Therefore, there will be 14 NOSB members at each of the 2019 NOSB meetings. The NOSB Chair emphasized the need to be able to fill unexpected vacancies quickly if possible. She also noted the gaps in expertise in dairy, livestock, and grain farmers that currently exist, and hopes that the USDA can address this with the 5 new appointments.
 - Finalization of Spring proposals. The Chair thanked the members for working hard and submitting the final proposals to the NOP on time.
- **NOP news and update - JT.**
 - Nominations. The NOP noted that there is a process in place for filling unexpected vacancies quickly, which has been used in the past. In this instance, timing was such that it was more

efficient to advertise the vacancy along with the upcoming 2020 vacancies. Members provided feedback and asked questions about the nominations process. The group also discussed the use of alternate members, which some other USDA Boards use. The Chair of the Policy Development Subcommittee suggested they discuss it during the next PDS call, in case they choose to put procedures or concepts in place. A member noted that it is beneficial to find folks that focus on organic as opposed to split operations. The nominations flyer will be available soon for distribution.

- Meeting Agenda. Adam Cline of the National Agricultural Statistics Service (NASS) was invited to speak at the NOSB meeting regarding data quality and the organic survey, which was a topic of interest discussed at the last NOSB meeting.
- The NOP invited an additional researcher to speak at the NOSB meeting about biodegradable biobased mulch film. NOP is working to develop a cooperative agreement with the researcher to seek information about the substance, including a review of the regulatory history, recent research, and availability of products. Members were supportive of having both speakers.
- The docket announcing the Spring NOSB meeting is in clearance. Before the next Executive Committee call, NOP will send an invitation to the NOSB members to login to the Organic Integrity Learning Center, so they can be part of the beta test group. Initially there will be five courses available. The NOP is seeking feedback before the NOSB meeting.
- The NOP is moving forward with a cloud-based internal database for enforcement and compliance work. The cloud-based database will be more robust and efficient than the current. The farm bill contained provisions for several projects focusing on compliance.
- The new Associate Deputy Administrator, Dave Glasgow, will be attending the Spring NOSB meeting. The associate deputy has taken over operational, budgeting, and administrative duties.
- The NOP will not likely send a response before the Spring NOSB meeting to the work agenda request on energy infrastructure.
- **Advisory Board Specialist (ABS) update - MA**
 - Preparations for April meeting are underway, including travel and document preparation.
- **Subcommittee Reports/Updates (5 minutes each)**
 - Materials/GMO ad hoc (MS/GMO) - EO. The MS has a full docket for the Spring meeting: Four discussion documents and one proposal. The MS Chair summarized the documents and noted the intention for each of them going forward to the Fall meeting. The MS anticipates that all four of the discussion docs will be proposals up for votes in the fall. The Chair also asked about the TR for sanitizers.
 - Policy Development (PDS) - RG. The PDS has not met. There are some minor projects to update the Policy and Procedures manual (PPM) that will likely be ready for the fall 2019 meeting.
 - Compliance, Accreditation, & Certification (CACS) - SB. The CACS put forth one document for the Spring meeting - a summary of oversight improvements to deter fraud.
 - Crops (CS) - SE. Crops has a full agenda for the Spring meeting. The CS is bringing forth five proposals (Allyl Isothiocyanate (AITC), ammonium citrate, ammonium glycinate, calcium acetate, and strengthening organic seed guidance), and two discussion documents (paper pots and fatty alcohols). The CS also has several sunset reviews for the first posting. Crops also has a new petition for potassium hypochlorite, which falls into the realm of sanitizers, a work agenda project for the Materials Subcommittee.
 - Livestock (LS) - SR. Livestock is developing a work agenda request for pasture requirements for dairy goats that they may bring forward on the April 2 LS call. For the Spring meeting the LS has one proposal for oxalic acid and one discussion document on excluded methods vaccines used in livestock production.
 - Handling (HS) - AB. The Handling Subcommittee has three proposals for the Spring meeting - silver dihydrogen citrate (SDC), pullulan, and collagen gel. The HS also has 30 sunset reviews.

The HS Chair noted that there is great interest in BPA although it's not on the agenda for the spring meeting.

- **Additional Items.**

- The NOP noted that the final rule that was recently published (NOP-14-05) reset the sunset dates for several substances (listed below) and some of those substances are currently being re-reviewed. The Board could choose to suspend the current review or continue. A member noted that they preferred to continue with the review, as work was already underway. The five affected substances are:
 - Fenbendazole - § 205.603(a)(23)(i) milk or milk products from a treated animal cannot be labeled as provided for in subpart D of this part for: 2 days following treatment of cattle; 36 days following treatment of goats, sheep and other dairy species.
 - Moxidectin - § 205.603(a)(23)(iii) milk or milk products from a treated animal cannot be labeled as provided for in subpart D of this part for: 2 days following treatment of cattle; 36 days following treatment of goats, sheep and other dairy species.
 - Xylazine - § 205.603(a) removed the limitation "The existence of an emergency" on use of this substance.
 - DL-methionine - § 205.603(d) required that maximum methionine levels in feed be calculated as averages over the lifespan of organic poultry rather than as a constant percentage of the feed.
 - Alginic acid - reclassified alginic acid from a non-synthetic substance included in § 205.605(a) to a synthetic substance included in § 205.605(b), for use in organic handling.
 - Carnauba wax implementation date. This substance was inadvertently omitted from the preamble statement listing substances with a delayed implementation date in the final rule published December 27, 2018). For clarification, carnauba wax should have an implementation date of December 27, 2019.
 - The NOSB inquired about the status of Chilean nitrate. A previous Board recommended prohibition, and although the recommendation was never implemented, the NOSB has not re-reviewed the substance for sunset. The NOSB requested placing this substance in the queue for sunset review because it has neither been removed from the National List nor reviewed within 5 years.
- The NOSB Chair is currently in DC attending the Organic Farmers Association meeting.
 - **The meeting was adjourned**

[Previous ES Notes](#)

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Absent: Emily Oakley (EO), Materials Chair; Eric Schwartz (ES), CACS Chair

Staff: Jenny Tucker (JT); Paul Lewis (PL); Michelle Arsenault (MA); Clarissa Mathews (CM); Devon Pattillo (DP)

Agenda

- **Approve notes of December 14, 2018**
- **Chairs Report - HB**
 - NOSB membership
 - Celery powder panel status
 - Biodegradable biobased mulch film update at April meeting
 - Methionine task force update at the April meeting
 - Update on open docket/Posting of document
- **NOP news and update - JT/PL**
 - Biodegradable mulch update
- **Advisory Board Specialist (ABS) update – MA**
 - Nominations
 - Preparation for April meeting
- **Subcommittee Reports/Updates (5 minutes each)**
 - Handling (HS) - AB.
 - Materials/GMO ad hoc (MS/GMO) - HB.
 - Policy Development (PDS) - RG.
 - Compliance, Accreditation, & Certification (CACS) - ES.
 - Crops (CS) - SE.
 - Livestock (LS) - SR.
- **Additional Items**
- **Adjourn**

Discussion

- **Approve notes of December 14, 2018**
- **Chairs Report - HB**
 - NOSB membership. Eric Schwartz will be resigning as of Feb 11 due to his acceptance of a new position at a company that does not have an organic component. Sue Baird will take on the role of CACS Chair in his place. The NOSB Chair discussed her succession plan that includes having the vice chair positions be filled by someone who is not in their last year on the Board. This will aid the work flow and continuity.

- Celery powder panel status. The Handling Subcommittee will host a panel on celery powder at the Spring NOSB meeting, and has chosen three of the four panelists. The members discussed the needed expertise for the fourth person, and would like to have someone who can speak to the human health aspects of nitrates and nitrites. The HS Chair has spoken to several possible panelists and the HS will make its final recommendations in the next day or two. The panel will be 1.5 hours on the first day of the meeting.
- Biodegradable biobased mulch film update. The NOSB Chair reached out to a researcher who is currently working on biodegradable biobased mulch film and asked her to provide an update at the April NOSB meeting.
- Methionine task force update at the April meeting. The NOSB Chair has asked a couple of members of the methionine task force to give an update at the April meeting, since they will be in attendance.
- Update on open docket/posting of documents. The NOSB received approximately 17 comments about the two seed documents that were reposted in the open docket: genetic integrity transparency of seed grown on organic land and strengthening the organic seed guidance. The NOSB found the open docket to be a useful tool as it revised the Fall 2018 documents. The NOP and NOSB discussed the need for a procedure for posting documents and notifying the public of their availability.
- **NOP news and update - JT/PL**
 - **Open docket.** While the NOP has had an open docket for some time, there are no procedures for releasing documents for comment. The NOP will continue to explore steps for utilizing the open docket system.
 - **Biodegradable biobased mulch film update.** NOP has been in early conversations with a University researcher to commission a study about biodegradable biobased mulch film, including a comparison of the regulatory text and NOP policy memo to see if they are aligned. Members were supportive of this approach.
 - **Post shutdown activities.** NOP is catching up with work delayed due to the shutdown, and anticipates the NOSB meeting in April will proceed as planned.
 - **Inerts.** The Handling Chair has been getting a lot of comments and questions about inerts. The NOP noted that this is not on its current work agenda and will be focusing on other National List recommendations. and the Strengthening Organic Enforcement rulemaking to enhance organic integrity.
 - **Fatty alcohols for tobacco use.** The Crops Chair has been contacted about the status of the re-petition for fatty alcohols and expects public comment at future NOSB meetings. There are disparities between certifiers and the approval of this material. Three certifiers had incorrectly approved this substance, and the NOP has sent notices of non-compliance. The NOP allowed a grace period for the operations who were affected. The re-petition will be sent to NOSB and posted on the website soon.
- **Advisory Board Specialist (ABS) update - MA**
 - Invitations to panelists. MA will confer with the NOSB Chair to get the contact information for the panelists, and will initiate the invitations.
 - Nominations. The call for nominations for the January 2020 vacancies is almost complete and should be posted this spring. The NOP is seeking to fill five (5) seats, including the Handler seat that was held by Eric Schwartz. Since there are only two years left in the Handling term, the NOP will seek to fill the seat for a 5-year term for continuity, rather than for the remaining 2 years. There will be 14 NOSB members at each of the 2019 NOSB meetings.
 - Preparation for the April meeting is underway, including travel, agenda, and meeting materials.

- **Subcommittee Reports/Updates** (5 minutes each)
 - Handling (HS) - AB. The HS is on-track to get its sunset reviews for Spring 2019 completed soon. They are also working on celery powder panel logistics.
 - Materials/GMO ad hoc (MS/GMO) - HB. The MS is meeting tomorrow to discuss genetic integrity transparency of seed. The Subcommittee may produce a discussion document, rather than a proposal, to give the community more time to provide feedback. The MS is also moving forward with a proposal on excluded methods determinations, and three discussion documents - Excluded methods: Induced mutagenesis and embryo, marine materials in organic crop production, and Assessing cleaning and sanitation materials used in organic crop, livestock and handling.
 - Policy Development (PDS) - RG. There are a couple of minor items in the PPM that need to be updated. The NOP will send out a draft document with suggested edits and will add calls as needed. It will likely be a project for the Fall 2019 meeting.
 - Compliance, Accreditation, & Certification (CACS) - SR. The CACS is not bringing forward any projects for the Spring meeting. There is great interest in moving forward with the origin of livestock rule, and the CACS asked about the correspondence that the USDA had received in support of this. The Subcommittee may develop a summary of the import panels and work to date.
 - Crops (CS) - SE. The Crops Subcommittee has a busy work agenda for the Spring 2019 NOSB meeting. The CS will discuss: five proposals (allyl isothiocyanate (AITC), ammonium citrate, ammonium glycinate, calcium acetate, and strengthening the organic seed guidance); two discussion documents (paper pots and fatty alcohols), and several preliminary sunset reviews. The CS decided to not request a TR for paper pots, for now, but may choose to do so at a later date.
The NOP provided feedback to a question from the NOSB, and a certifier/Material Review Organization (MRO) regarding liquid fish pH. The NOP agrees with the NOSB that as long as the final product pH (at sale) is 3.5 or higher, lower pH during production does not matter. At this time the NOP will not send an official response to the NOSB. If questions arise in the future, the NOP may revisit that. The NOP may relay this information during an upcoming certifier training.
 - Livestock (LS) - SR. The sunset reviews are nearly complete. The LS just received TRs for two of the three remaining sunsets. Oxalic acid was completed on the last call. The Subcommittee is interested in reviewing standards for goats, and will discuss a possible work agenda request.
- **Additional Items.** None
- **The meeting was adjourned**

[Previous ES Notes](#)
[NOSB Work Agenda](#)

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