

FINAL as of 8/26/02
NATIONAL ORGANIC STANDARDS BOARD
MEETING MINUTES
May 6–8, 2002
Austin, Texas

The National Organic Standards Board meeting of May 6–8, 2002, was attended by 15 members, and three former members.

Members Present:

Owusu Bandele
Kim Burton
Dave Carter
Goldie Caughlan
Ann Cooper
Rebecca Goldberg
Dennis Holbrook
Mark King

Rosalie Koenig
Michael Lacy
Willie Lockeretz
Kevin R. O'Rell
Nancy Ostiguy
Jim Riddle
George Siemon

Past Board Members:

Carolyn Brickey
Steven Harper
Eric Sideman

National Organic Program (NOP) Staff:

Barbara C. Robinson, Agricultural Marketing Service Deputy Administrator for Transportation and Marketing; Richard Mathews, NOP Program Manager; Katherine Benham; Arthur Neal; Toni Strother; Robert Pooler; and Keith Jones.

CALL TO ORDER: May 6, 2002 - 8:00 a.m. – David C. Carter, Chair (p. 4)

Dave Carter welcomed everyone to the meeting, and had each member introduce him/herself. He announced a change in the materials process review as relates to an item coming forward for action. The chair of the relevant committee will make a recommendation on the material, then move that the Board vote on the recommendation with a show of hands. However, a Board member can still request a roll call vote or make a motion to amend.

APPROVAL OF AGENDA (p. 9) (Final Document)

Mr. Carter asked if there were any corrections, additions, or deletions to the agenda. Mark King asked for three corrections.

ELECTION OF BOARD SECRETARY (p.10)

Goldie Caughlan was nominated by Mr. Siemon, Mr. Lockeretz seconded, and Ms. Caughlan was elected unanimously.

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APPROVAL OF MINUTES (p.11) (Final Document)

The minutes of the October NOSB meeting were approved unanimously with no changes.

Kim Burton stated that the NOSB Meeting Book is posted on the web; and Jim Riddle stated that the Board holds monthly Executive Committee meetings and the minutes are posted on the web 2-4 weeks after each meeting.

PUBLIC COMMENTS – May 6, 2002 (pp. 13-229)

The following individuals presented public comment. Each person's comments were recorded and transcribed for the record. Some individuals also presented written comments. Transcribed comments, and where applicable written comments, can be found at the designated **ATTACHMENTS**.

Jeff Huckaby and Gerald Davis, Cow–Organic Vegetables Company & Grimway Enterprises, (Page 13)
Leslie Zoick, Pennsylvania Certified Organic, (Page 30)
Morris Preston, Preston Engineering, Robert Schmidpknecht, Floyd Meeker, Jerry Wolf, Bio–Cal Product, Gary Zimmer – Bio–Cal Distributor, and Matt Mesa, (**Attach. 1**, Pages 35–49)
George Bass, The Country Hen, (**Attach 2**, Page 60)
Liana Hooded, National Campaign for Sustainable Ag, (**Attach. 3**, Page 54)
Chris Pierce, LeValle Egg Farms, (**Attach. 4**, Page 66)
Steven Gray, Springer Mountain Farms, (Page 72)
Steven Collier and John Smith, Fieldale Farms Corp, (Page 82)
Wendy Elliot – APPA, Coalition Leader, Wholesome Harvest, (**Attach. 5**, Page 85)
Randy Duranceau, Petaluma Poultry, (**Attach. 6**, Page 92)
Steven Masahrt, Petaluma Poultry (Diane Goodman), (**Attach. 7**, Page 98)
Robert Hadad, Farm Animals & Sustainable, (**Attach. 8**, Page 103)
Ms. Urvashi Rangan, Consumer's Union, (**Attach. 9**, Page 108)
Sam Welsch, OCIA International, (Page 112)
Emily Brown–Rosen, OMRI, (**Attach. 10**, Page 115)
David Engel for Jim Pierce, Organic Valley, (Page 126)
Zia Sonnabend, representing California Certifiers, (Page 129)
David Wicker, Fieldale Farms, (Page 141)
Leslie McKenna, Texas Organic Certified Program, (**Attach. 11**, Page 152)
Gale Ferris, Texas Organic Cotton Co–Op, (Page 156)
Kelly Morehead, Cyanotech Corporation, Hawaii, (Page 160)
Amha Belay, Enterprise Nutritional, (Page 167)
Lynn Coody, Organic AgSystems Consulting, Quality Specialist, (Page 172)
Diane Goodman, c/o Valeria Brown, CA Ag Food Advisory Board, (Page 179)
Brian Leahy, CA Organic Farmer, (Page 181)
Phil LaRocca, (Page 186)
Marty Mesh, (Page 191)
Steven Harper, Small Planets, Former Board Member, (**Attach. 12**, Page 198)
Oscar Morales, (Page 206)
Tom Jones, Tazo TCA Co., (Page 211)
Sharon Crumbley, Chino Valley Ranchers, (Page 215)
Cissy Bowman, (Page 221)
Eric Sideman, (Page 227)
Kevin Russell, Organic Grain Farmer, (Page 229)

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PUBLIC COMMENTS – May 8, 2002 (pp. 744-836)

Carolyn Brickey, former Chair member, (Page 744)
Randy Durancean, Petuluma, (Page 749)
Tina Ellor Phillips, Mushroom Farms, (Page 755)
Harriet Behar, Independent Organic Inspectors Assoc., (Page 763)
Diane Goodman, (Page 769)
Arthur Harvey, (**Attach. 13**, Page 773)
Susan Ulery, The Synergy Co. of Utah, (**Attach. 14**, Page 777)
Emily Rosen, (Page 784)
Mary Mulry, (Page 791)
Mary Casazza, (Page 795)
Leslie Zuck, Pennsylvania Certifier Organic, (Page 798)
Marty Mesh, (Page 802)
Linda Hoodes, NCSA, (Page 808)
Brian McElroy, (**Attach. 15**, Page 810)
Amelia Adams, (Page 815)
Doug Crabtree, Montana Dept. of AG, (Page 820)
George Bass, The Country Hen, (Page 824)
Brian Leah, California Organic Food, (Page 826)
Phil LaRocca, (Page 831)
Pete Gonzales, (Page 836)

PUBLIC COMMENTS CLOSED AT 1:55 p.m.

MEETING RECONVENES: May 6, 2002, 2:20 p.m.

Dave Carter introduced Jim Riddle, who will present the Board's draft policy manual, which has been under development for 6 months.

BOARD POLICY MANUAL PRESENTATION (p.233) (**Discussion Document**)

Jim Riddle stated the need to compile the Board's policies into one manual to facilitate the understanding of the Board's workings, especially for new members. Therefore, he, Dave, Kim and Mark formed the Board Policy Task Force and worked on the draft. The draft manual is posted on the web. Mr. Riddle summarized the contents and proposed voting later to adopt 95 percent of the manual (the remainder is being reworked).

NOP UPDATE AND DISCUSSION – Barbara C. Robinson & Richard H. Mathews (p.239)

NOP Website

Richard Mathews said that the NOP website will undergo a major redesign and will be available probably in another 60 days. The NOSB will have a designated place within the NOP website. A lot of new information has been posted over the last couple of weeks, so he encouraged everyone to review the many new documents.

He also stated that although the NOSB Meeting Book has been posted on the website, it may be outdated because of the public comments that were received at the NOP office during our absence.

However, there is a section to review for the public comments, and those that the NOP has received in the interim will be provided to the Board and posted to the website.

Barbara Robinson stated that NOP staff members will no longer answer clients' (producers and handlers) questions without getting information on the issue from the certifying agent, as well. Then an answer will be given to both the client and the certifying agent.

Appeals Concerns

Jim Riddle expressed the opinion that by getting involved in issues between certifying agents and clients, NOP might be jeopardizing their impartiality if one of these issues results in an appeals proceeding somewhere down the line

Mr. Mathews stated that all appeals go to the AMS Administrator, not the NOP. He also said NOP would try to make sure the issues were posted in the Q&A section of the website.

Organic Trade Conference

Mr. Mathews encouraged everyone staying for the OTA Conference to come to NOP's booth. The booth is a joint effort with the Natural Resources Conservation Service, Foreign Agricultural Service, Risk Management Agency, and AMS Direct Marketing. Visitors will be able to view the NOP website and staff members will be there to answer questions.

What Has the Board Accomplished?

Willie Lockeretz said that he has been on the Board for 2 years and would like to know what the NOP/Board has done that has had a tangible specific effect on the organic situation in the U.S. Mr. Mathews stated the Board has reviewed a lot of materials, weighed-in on the revised proposed rule, gave additional comments to finalize the rule, and will continue to raise issues and make recommendations. In addition, NOP could not have gotten this far without the valuable contribution of the Board. He stated that NOP is a group of 8 staff members who set priorities, and are determined to have the program up and running on Oct. 21, 2002; nothing will prohibit NOP from achieving that goal. Mr. Mathews further stated that the first thing is getting people accredited so they can go out and get people certified so that farmers who are working hard in this industry can continue to sell their product as organic on Oct. 21, 2002. Therefore, the small staff is working extremely hard with this dedicated Board to get everything done, and NOP is sure that the organic industry will be more than satisfied.

Dave Carter added that Barbara Robinson has been asked to compile a list of NOSB recommendations over the last couple of years, stating each recommendation, and whether the NOP agreed, rejected, or modified the recommendation. The Board will use this information as a tool to analyze how the decision-making process works.

PRESENTATION OF COMMITTEE DISCUSSION ITEMS (Final Documents Attachment)

LIVESTOCK – George Siemon, Chair (p.247)

Feed Ingredients (Discussion Document)

The Board discussed by-products, preservatives, carriers, incidentals, vitamins and minerals, and enzymes in livestock feed.

Dairy Replacement Animals (Discussion Document)

After recognizing that the recommendation is not in the proper format and does not address all the issues, the Livestock Committee agreed to revisit the recommendation for submission later.

Access to Outdoors for Poultry (Discussion Document)

It was decided that the committee would meet this evening for further discussions, since very little could be agreed upon.

Miscellaneous

NOP will provide the NOSB with a document that addresses how to physically structure a recommendation to Secretary and what needs to be included.

MATERIALS – Kim Burton, Chair (p. 296)

Explanation of Materials Review Process (Discussion Document)

Kim Burton displayed and discussed a flow chart of the materials review process.

Report On Current Petitions (Discussion Document)

Ms. Burton listed the materials to be reviewed at this meeting: calcium oxide, calcium hydroxide, potassium sorbate, sodium propionate, sodium nitrate, Spinosad, diethylaminoethanol, glycerol monoleate, gelatin, dewaxed flake shellac, calcium stearate, and Konjac flour. She also briefly talked about materials to be discussed at the September meeting --livestock-priority materials and crops and processing.

Revised Petition Process

Ms. Burton and Mr. Mathews discussed the streamlined petition process which changes some of the required information to optional.

Proposed Change to Section 205.606 (Discussion Document)

In keeping with the spirit of the OFPA, the Materials Committee said that they will recommend that the 5 materials listed in Section 205.606 be deleted from the National List. Ms. Burton further stated that it is the finding of the NOSB Materials and Processing Committees that these materials are non-organic agricultural products and should be recognized as such. (Further language changes are noted in the Recommendation Attachment E and could not be discerned from transcript.)

Mr. Mathews explained that an interim final rule will be done on materials sometime before Oct. 21, 2002. Deleting these 5 items should be included in that rule.

PROCESSING – Mark King, Chair (p. 312)

**Guidance for Handlers in Documenting Ingredients, Ingredient Affidavit Template
(Attach. A – Final Document)**

Mr. King said the Committee will recommend that the NOP put on their website a “handling operation ingredient affidavit template” that the Committee developed to serve as guidance for handlers in documenting that finished products are produced and handled in accordance with the regulations.

**Guidelines/Comments for Determining Processing Technologies that Require Review by NOSB
(Attach. B – Final Document)**

Mr. King said the document under discussion is being developed to clarify the distinction between process issues and materials issues. The aim is to make it understood that synthetic materials used in processing must be petitioned.

Due to the importance and complexity of this document, the Committee will recommend that action on this document be deferred until the September meeting. The document will be posted on the NOP website for another round of comments.

Organic Handling Plan (Attach. C – Final Document)

The Committee will vote tomorrow to forward the “organic handling plan template” developed by the Committee to NOP for posting on their website. It will serve as guidance for handlers and certifiers in the certification process.

Mr. Mathews stressed that handlers may use any documents or aid that they wish, as long as they comply with the standards—use of this document is not mandatory.

CROPS – Owusu Bandele, Chair (p. 321)

Compost Task Force Report– Eric Sideman, Chair (Discussion Document)

Mr. Sideman named all the members of the task force, citing their areas of expertise and credentials. Although a recommendation to change the regulations on compost is included in the report, Mr. Sideman said the Task Force focused their attention on an interpretation of the current standards which would allow other, less restrictive methods and materials, not specified in the regulations, to make compost. He presented these other methods. Mr. Sideman also pointed out that the certifying agent would be ultimately responsible for determining if his/her client’s compost was made in accordance with the regulations.

Members of the Task Force agreed to develop a practice standard that would be available to certifiers outlining the high points of this report. He also named the subcommittee members of the Task Force.

Planting Stock – Rose Koenig (Discussion Document)

Ms Koenig read the Committee's clarification statement on planting stock from perennial crops grown as annual crops. This clarification was written mainly to address questions from strawberry growers.

In response to a question from Ms. Koenig, Mr. Mathews stated that if organic seedlings or planting stock is not commercially available, the conventionally grown seedlings or planting stock used in their stead must NOT be treated with any substances not allowed by National List. The only exception to this would be substances required by States. However, after some discussion, Mr. Mathews said he would review the issue and give a final interpretation later.

Hydroponics (Discussion Document)

Mr. Bandele read the Committee's recommendation on hydroponic organic agriculture. However, after some discussion, and acknowledgement that according to the "scope" statement recently published on the NOP website, hydroponics are already covered in the existing regulations, it was decided that instead of issuing a recommendation on hydroponics, the Committee would put it on their work plan to develop a more elaborate guidance document.

Transitional Products (Discussion Document)

Mr. Bandele said that the committee is putting forth what they now term a guidance document on "transitional" products. There was a discussion of the value of the term "transitional" if it cannot be used in conjunction with the term "organic." Although the Committee seemed to agree that "transitional" labeling is beyond the scope of the OFPA and the NOP regulations, they felt that their guidance document would help to bring consistency to the use of the term "transitional." Mr. Mathews clarified that this will not be an NOP-sanctioned document, but advice from the NOSB to transitioning farmers.

Organic Farm Plan Form (for submitting changes) (Attach. D & E – Final Document)

Mr. Riddle said that the Farm Plan form he handed out to everyone was designed to be used as a template that would allow producers a format in which to submit annually any changes in their standing Farm Plan. If the NOSB votes to do so, it will be posted to the web for comments.

ACCREDITATION – Jim Riddle, Chair (p.376)

Grower Group Certification (Discussion Document)

Jim Riddle briefly described and answered questions on a first-draft guidance document the Committee is submitting to be posted on the web for comments relating to the certification of grower groups and the accreditation of the certifying agents certifying these groups. Grower groups (associations/cooperatives) would be certified as a group, with the certifying agent looking at the group's internal control system instead of each individual grower.

Accreditation Complaint Procedures (Discussion Document)

Mr. Riddle stated that NOP is required, under ISO 61 guidelines, develop complaint procedures and make them available to the public. The Committee has submitted some language to NOP to be posted on the accredited certifying agents page of the NOP web site about how to go about submitting

complaints about certifying agents. The next step is to draft the actual procedures. Barbara Robinson informed Mr. Riddle that NOP has developed appeals procedures and they will be available at the NOP booth at the OTA conference.

Certifying Agent Issues

Jim Riddle related complaints about the NOP from certifying agents. They include: slow or vague interpretation of the regulations; delay in program manual for certifying agents; all ISO requirements are not contained in the regulations; lack of conflict of interest guidance; lack of enforcement plan; and the need for dissemination of information on the agreement with Japan.

INTERNATIONAL – Willie Lockeretz, Chair (p.388)

US/EU Equivalency (Discussion Document)

The new International Committee has developed a document outlining criteria that should govern how NOP thinks about equivalency as it enters negotiations with the EU. The document also contains a table— a side-by-side—showing the differences between US and EU regulations. Mr. Lockeretz emphasized that it is not a recommendation, but a think piece to be posted on the web site for comments. Ms. Robinson added that although equivalency is desirable, it is not the only course that will allow trade in organic products between the US and EU.

Adjourned 6:30 p.m.

CALL TO ORDER: Tuesday, May 7, 2002 at 8:00 a.m.

Mr. Carter opened the meeting and announced that the access to outdoors for poultry and dairy replacement animals issues will be reviewed this afternoon and acted upon tomorrow.

ADOPTION OF BOARD POLICY MANUAL (p. 405) (**Attach. F – Final Document**)

Motion: Mr. Riddle moved that the Board Policy Manual be adopted with the understanding that items will be added and changed as needed.

Second: Nancy Ostiguy seconded.

Discussion: Mr. Riddle went through items that need to be changed or added to the manual. Responding to a question from Mr. Lockeretz, Mr. Riddle explained that changes would generate from the Board Policy Task Force and be presented to the full Board for approval. Until the full Board meets, interim approval may be bestowed by the Executive Committee.

Vote: Unanimously approved.

MATERIALS REVIEW AND NOSB ACTION ITEMS (p. 415)

Ms. Burton set the order for materials consideration.

CROPS COMMITTEE – Owusu Bandele, Chair (Attach. G – Final Document)

Calcium oxide - (TAP Review)

Motion: Mr. Bandele moved that calcium oxide, a synthetic, should be added to the National List with the following annotations: (a) must be sourced from lime kilns; (b) must be used only when documented soil tests indicate sufficient or excess magnesium; and (c) must be applied in a form that yields less than a 1-degree Fahrenheit temperature increase when equal volumes of the product and water are mixed.

Second: Nancy Ostiguy seconded.

Discussion: Questions about cost, annotations, sourcing problems, harmony with Codex, and historical use of calcium oxide in organic production were raised and discussed.

Amendment: Mr. Carter proposed that each annotation be voted on separately. Mr. Holbrook seconded. The amendment passes on a voice vote. No nays noted.

Annotation A: Mr. Carter asks for a vote on accepting Annotation A. Annotation A is accepted by a vote of 13 to 1.

Annotation B: Mr. Carter proposes amending the language, striking “to be used only when documented,” to read “Soil tests must indicate excess magnesium.” The proposal to change the language of Annotation B passes by a vote of 11 to 3.

Vote 1: Mr. Carter asks for a vote on accepting Annotation B. Annotation B is rejected by a vote of 9 for, 3 against, 2 abstaining.

Vote 2: Mr. Siemon (who voted against) moves for a reconsideration. Mr. Bandele seconded the motion. The motion to reconsider the vote passes 13 to 1.

Vote 3: Mr. Carter asks for a vote on accepting Annotation B. Annotation B is accepted by a vote of 10 to 4.

Annotation C: Mr. Carter calls for a vote to accept Annotation C. Annotation C is rejected. (No vote count given in transcript.)

Motion as Amended: Mr. Carter calls for a vote on the following: Calcium oxide is a synthetic material which should be added to the National List with the following annotations: A, Must be sourced from lime kilns; and B, Soil tests must indicate excess magnesium.

Vote: In a show of hands, the motion fails 6 to 7, with 1 abstention.

Calcium hydroxide - (TAP Review)

Motion: Mr. Bandele moved that calcium hydroxide is a synthetic material which should be added to the national list with the following annotations: (a) Must be sourced from lime kilns; (b) Soil tests indicate sufficient or excess magnesium; and (c) To be applied in a form that yields less than a one degree Fahrenheit temperature increase when equal volumes of the product and water are mixed.

Second: Nancy Ostiguy seconded.

Amendment: Ms. Burton moved to amend the language and number of the annotations on calcium hydroxide to correspond with the language and number of annotations in calcium oxide. Ms. Ostiguy seconded. The amendment passes unanimously.

Motion as Amended: Mr. Carter call for a vote on the following: Calcium hydroxide is a synthetic material which should be added to the National List with the following annotations: A, Must be sourced from lime kilns; and B, Soil tests must indicate excess magnesium.

Vote: In a show of hands, the motion fails 2 to 9, with 1 abstention.

Potassium sorbate - (TAP Review)

Motion: Mr. Bandele moved that potassium sorbate is a synthetic material that should not be added to the National List.

Second: Nancy Ostiguy seconded.

Discussion: Mr. Siemon pointed out that the Livestock Committee considering the same substance for a different purpose.

Vote: Potassium sorbate will not be added to the National List, by a unanimous vote.

Sodium propionate - (TAP Review)

Motion: Mr. Bandele moved that sodium propionate is a synthetic material that should not be added to the National List.

Second: Nancy Ostiguy seconded.

Vote: Sodium propionate will not be added to the National List, by a unanimous vote.

Sodium nitrate - (TAP Review)

Motion: Mr. Bandele moved to postpone consideration of the two petitions involving sodium nitrate until the September NOSB meeting.

Second: Ms. Caughlan seconded.

Discussion: In response to a question from Mr. Lockeretz, Mr. Mathews said he couldn't promise that the recommendation on sodium nitrate would make it into a Federal Register docket before October 21.

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Vote: Consideration of two petitions involving sodium nitrate is postponed until the September NOSB meeting, by a unanimous vote.

Spinosad - (TAP Review)

Motion: Mr. Burton moved that Spinosad is a nonsynthetic material that should not be added to the National List under 205.602.

Second: Dennis Holbrook seconded.

Discussion: Mr. Bandele clarified that by recommending that Spinosad not be added to the National List [of prohibited nonsynthetics], the NOSB is saying that it is a naturally occurring substance and can be used in organic production.

Amendment: Ms. Burton moves to amend the motion to add the words “of prohibited substances” after National List. Mr. Siemon seconded. The amendment passes 13 to 0 with 1 abstention.

Discussion: Mr. Riddle discussed his objections to the material by pointing out passages in the TAP review on toxicity and persistence. He favors annotations. Ms. Ostiguy said this had been discussed in Committee, but the Committee concluded annotations would be difficult to enforce. Mr. Baker (OMRI) said their review was mainly crop-focused, but included effects on livestock of Spinosad residue on feedstuffs.

Amendment and Withdrawal of Same: Mr. Riddle (seconded by Ms. Caughlan) proposed an amendment to add the words “for crop use only,” but withdrew the amendment when the phrase “under 205.602” was added instead.

Friendly Amendment: Mr. Lockeretz adds “under 205.602.” after the words prohibited substances.

Motion as Amended: The motion reads: Spinosad is a nonsynthetic material that should not be added to the National List of prohibited substances under 205.602.

Vote: The motion passes 11 to 3.

PROCESSING COMMITTEE – Mark King, Chair

Gelatin - (TAP Review) (Attach. H – Final Document)

Motion: Mr. King moved that “Gelatin to be listed in 205.606, nonorganically produced agricultural products allowed as ingredients in or on processed products labeled as ‘organic’ or ‘made with organic.’”

Second: Kevin O'Rell seconded.

Discussion: In response to a question from Ms. Koenig, Mr. King said that although the committee shared some of the concerns commenters had about possible allergens, the committee viewed the substance as a natural and had to view it in that light. Ms. Burton added that in regards to food safety, processors are required to follow good manufacturing practices which would address this issue.

Vote: The motion passes unanimously.

Dewaxed flake shellac - (TAP Review) (Attach. I – Final Document)

Motion: Mr. King moved that the following language be approved: Orange shellac, unbleached, to be listed in 205.606, nonorganically produced agricultural products allowed as ingredients in or on processed products labeled as “organic” or “made with organic.”

Second: Ms. Burton seconded.

Discussion: Ms. Koenig wondered why this material was reviewed by Processing Committee instead of the Crops Committee if it is primarily applied to fruit. Mr. Riddle pointed out that although references have been made to 205.606, the NOSB will be voting at some point to remove the list from 205.606. Mr. Bandele initiated discussion on previous Board recommendations on other forms of this substance.

Vote: The motion is unanimously approved, with Mr. Holbrook recusing himself.

Calcium stearate - (TAP Review) (Attach. J – Final Document)

Motion: Mr. King moved that the TAP review for calcium stearate be sent back to the contractor for more information and be deferred for consideration at the September 2002 NOSB meeting.

Second: Ms. Caughlan seconded.

Discussion: Mr. King cited an example of deficiency and in response to a question from Mr. Riddle, Ms. Burton agreed that Board comments on this TAP review should be sent to her.

Vote: Motion is passed unanimously.

Diethylaminoethanol (DEAE) (TAP Review Only – See pg. 18 for Final Document)

Mr. King stated that Diethylaminoethanol (DEAE) was petitioned for use in boiler chemical systems, and introduced Steve Harper (former Processing Committee chair) to give background. Mr. Harper stated that DEAE was originally petitioned as part of a group of volatile amines. The rest of the group have all been previously voted on individually. The once-deferred DEAE can now be considered because requested FOIA information from FDA has been received.

Mr. King then gave information on the use of DEAE, citing that the TAP review recommended that the use of DEAE be prohibited. He also cited information provided by industry that the prohibition of DEAE would cause hardship to some of the industry.

Motion 1: Mr. King moved that DEAE be listed under section 205.605(b) Synthetics allowed, in the following way: Diethylaminoethanol for use as a boiler water additive for packaging sterilization only. For use as a boiler water additive in agricultural products labeled “made with organic” until October 21, 2005. For use as a boiler water additive in livestock feed until October 21, 2005.

Second: Ms. Caughlan seconded.

Discussion: Ms. Burton signed the petition to consider this substance so she said she recused herself from voting, citing conflict of interest. Mr. Siemon and Mr. O'Rell also signed the petition. Ms. Burton

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put forward an amendment to the motion and a discussion ensued on whether someone who had recused herself from voting on the motion could offer an amendment. To resolve this issue, Mr. Carter suggested that a procedural vote be taken.

Procedural vote: Mr. Bandele moved, and Ms. Ostiguy seconded, that a vote be taken on the following, as phrased by Mr. Carter: "If you feel that folks that have declared a conflict of interest should recuse themselves from voting, you would vote aye on this motion. If you feel that they ought to be allowed to vote on this material, you would vote no on this motion." Seven aye votes and 5 no votes (by a show of hands) were counted. Mr. Carter stated, "The motion fails. Those folks that have declared a conflict of interest are not required to recuse themselves."

Amendment: Ms. Burton moved to amend the motion by changing the annotation to read: DEAE for use as a boiler water additive for packaging sterilization. For use as a boiler water additive until October 21, 2005. Nancy Ostiguy seconded.

Discussion on amendment: Mr. Lockeretz suggested rewording the amendment. Mr. Riddle explained why he opposed the amendment. Ms Koenig concurred with Mr. Riddle.

Vote on amendment: The move to amend the language in the annotation failed by a vote of 2 to 10, with 2 abstentions.

Discussion on Motion 1 (contd): More discussion involving Mr. Riddle, Ms Koenig, Mr. Siemon, Ms. Burton, Mr. King, Mr. Lockeretz, and Ms. Caughlan ensued relating to the suitability of using this product in all the ways listed in the original motion. Mr. Mathews confirmed that the Board could set a sunset date for substances.

Vote on Motion 1: The motion failed by a vote of 8 to 6.

Motion 2: Ms. Koenig moved to label DEAE a synthetic and prohibit its use in organic production. An unidentified voice points out that since it's not on the National List, it's already prohibited.

Motion 3: Ms. Ostiguy moved that language be approved that says DEAE be approved for use as a boiler water additive for packaging sterilization only. Motion dies for lack of a second. Ms Burton pleads for this language, saying not to allow DEAE will hurt the industry on package sterilization.

Motion 3, redux: Ms. Ostiguy moved that DEAE is a synthetic allowed for use as a boiler water additive for packaging sterilization only.

Second: Mr. O'Rell seconded.

Discussion: Ms. Koenig stated there are 2 alternatives to DEAE already on the National List.

Vote on Motion 3, redux: The motion passed, 10 to 4.

Motion 4: Mr. Siemon moved to allow DEAE for use as a boiler water additive in livestock feed until October 21, 2005.

Second: Mr. Lockeretz seconded.

Discussion: At Mr. Lockeretz's request, Mr. Siemon explained the use of DEAE for making pelletized feed. Mr. King agreed. Mr. Riddle cited lack of comment from livestock industry as his reason for not

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supporting the motion. Ms. Koenig says she has insufficient information. Mr. Harper spoke to level of DEAE in pelletized feed. Mr. Harper elaborated on how pelletized feed is made.

Vote on Motion 4: The motion failed 8 to 3, with 3 abstentions.

Motion 5: Ms. Koenig moved to send the issue back to OMRI for more review on livestock aspect.

Second: Mr. King seconded.

Discussion: Mr. Baker of OMRI said that sufficient attention has already been given this substance and OMRI would probably have nothing to add.

Withdrawal of Motion 5: Ms. Koenig withdrew her motion.

Glycerol monooleate – (TAP Review) (Attach. K – Final Document)

Motion: Mr. King moved that pending the results of the effectiveness of organic anti-foaming agents due before the September NOSB meeting, the consideration of glycerol monooleate for inclusion on the National List be deferred until that meeting.

Second: Ms. Ostiguy seconded.

Discussion: Mr. King told Mr. Baker of OMRI that OMRI would not need to review glycerol monooleate further.

Vote: The motion passes 12 to 2, with Ms. Burton and Mr. O'Rell recusing themselves.

Meeting was adjourned for lunch at 1 p.m., to reconvene at 2 p.m.

LIVESTOCK – George Siemon, Chair – (pp. 556 – 640)

Feed Ingredients (Attach. L – Final Document)

Vitamins and Minerals

Motion: Mr. Siemon moved to recommend that the allowance for synthetic vitamins and minerals contained in 205.603(d) (1) and (2) be broadened to include materials either listed in the CFR or in Sections 57 or 90 on the AAFCO official publication with the following exceptions: mammalian and poultry slaughter byproducts, bone ash, bone charcoal, bone phosphate, bone charcoal–spent, bone meal-steamed, bone meal-cooked, hydrolyzed fats (sections 33.3, 33.4, 33.5, 33.15). NOSB recognizes the need to review the materials on the list OMRI gave the Board and recommends a review by a TAP process to determine if the materials should be prohibited.

Second: Ms. Ostiguy seconded.

Discussion: Mr. Siemon clarified that the materials on the OMRI list will be allowed until they are reviewed. Mr. Riddle said he thought they should be prohibited until they are reviewed. Emily Brown was brought forward to talk about items on the list and their current usage status. Mr. Riddle requested that the vote be put off until the next day. After more discussion, Mr. Riddle withdrew his request.

Vote: The language as read by Mr. Siemon was adopted by a vote of 13 to 0, with 1 abstention.

Incidentals in Feed Additives

Motion: Mr. Siemon moved to recommend the allowance of incidental additives--as defined by CFR — used in livestock feed ingredients.

Second: Nancy Ostiguy seconds.

Friendly Amendment: Ms. Burton proposes to add the CFR citation to the language of the motion.

Discussion: Ms. Brown of OMRI was asked to give some examples of incidentals. She clarified that it was not so much based on the amount of the incidental ingredient, but the chain of use. The example she gave was that of canned tomatoes contain citric acid: If the tomatoes are used in making tomato sauce, the citric acid becomes an incidental secondary ingredient and is not listed on the label. This can be extrapolated to preservatives in vitamins as opposed to preservatives added directly to livestock feed. Mr. King summarized further discussion of the purpose of the motion by stating that the language in the motion will be used as clarification, not rulemaking and not guidance. In response to a request from Mr. Lockeretz, NOP staff defined “guidance document.”

Restatement of motion: As read by Mr. Siemon, NOSB recommends to add to the National List the allowance of incidental additives as defined by CFR 21, Part 570.100(a)(3) and used in livestock feed ingredients.

Vote: The motion passes 13 to 0, with 1 abstention.

Vitamins and Minerals redux

Motion: It was moved to reconsider the vote on vitamins and minerals.

Second: Mr. King seconded.

Vote: The motion passed by a voice vote [no voting numbers listed in transcript].

Motion 2: Mr. Carter moved to vote on the following: “The NOSB recommends a change in the National List as follows: The allowance for synthetic vitamins and minerals contained in Section 205.603(d)(1) and (2) be broadened to include materials either listed in the CFR or in Sections 57 or 90 on the AAFCO official publication with the following exceptions: mammalian and poultry slaughter byproducts, bone ash, bone charcoal, bone phosphate, bone charcoal–spent, bone meal–steamed, bone meal–cooked, hydrolyzed fats (sections 33.3, 33.4, 33.5, 33.15). “

Second: Ms. Koenig seconded.

Vote: Motion 2 passes unanimously.

Motion 3: Mr. Siemon moved that the NOSB recommends addition of a new 205.603(g). All materials as annotated in 205.605 can be used in organic feeds subject to FDA or AAFCO regulations.

Second: Ms Ostiguy seconded.

Vote: The motion passed by a voice vote [no voting numbers listed in transcript].

Carriers

Motion: Mr. Siemon moved that the NOSB recommends that agricultural carriers used in feed additives shall satisfy all requirements in Section 205.237.

Second: Ms. Koenig seconded.

Discussion: Mr. Riddle's request to change "shall" to "must" is rejected based on semantic clarification.

Vote: The motion passed unanimously.

Preservatives

Motion: Mr. Siemon moved to vote on the following clarification: The NOSB recommends that all synthetic nonincidental preservatives used in livestock feed must be approved and listed in 205.603.

Second: Nancy Ostiguy seconded.

Vote: The motion is passed unanimously.

Enzymes

Motion: Mr. Siemon moved to vote on the following clarification: The NOSB recommends enzymes as allowed nonsynthetic feed additives, provided they are not derived from excluded methods.

Second: Nancy Ostiguy seconded.

Withdrawal of Motion and Second: After Ms Burton stated that enzymes are currently under 205.605(a) (8), the motion and second were withdrawn.

Probiotics

Motion: Mr. Siemon moved to vote on the following clarification: The NOSB has previously determined that probiotics are synthetics, thus allowed, but the NOSB recognizes that the approved feed ingredient label is direct-fed microorganisms.

Second: Ms. Ostiguy seconded.

Vote: The motion passed unanimously.

DISCUSSION ITEMS DEFERRED FROM MAY 6

Access to Outdoors for Poultry (p. 606) (Attach. M – Discussion Document Only)

Recommendation: Mr. Siemon said that the NOSB will recommend clarification of the final rule requirement that poultry should have access to outdoors. Clarification included language to the effect

that organic poultry must have access to the outdoors in the months where feasible; the producer may provide temporary confinement because of inclement weather, stage of production, risks to the health, safety and well-being of the poultry, and risks to the soil or water quality; and poultry must be able to choose to go outside.

Discussion: Mr. Riddle said the first point of clarification, “....access to the outdoors in the months where feasible...” is redundant, considering that the exceptions are spelled out. Mr. Mathews stated that State imposed quarantines or such, override the NOP regulations.

Mr. Lacy commented on the issues of disease, welfare, food safety, and customs/expectations. Ms Koenig weighed in that disease prevention/control does not have to be hampered by access to the outdoors. Mr. Lockeretz expressed bemusement at poultry’s ability to choose.

Motion: Ms. Koenig moved to fix the language of the recommendation and vote on it today, since 2 members would not be there for the vote on May 7.

Second: Mr. Lockeretz seconded.

Discussion: Mr. Mathews pointed out that in essence this Board recommendation says that poultry don’t have to have access to pasture. Mr. Siemon and Mr. Carter agreed that what they’re presenting is the minimum standard. Mr. Lockeretz expressed concern about no mention of population density or floor material. Ms. Caughlan talked about the disconnect between consumer perception and reality. Mr. Siemon explained why the recommendation language left out specifics on square feet/bird, etc.

Motion withdrawn: Ms. Koenig withdrew the motion with the understanding that the recommendation would be rewritten and voted on May 8.

Dairy Animal Replacement (p.626) (See Discussion Document on pg. 5)

Recommendation: Mr. Siemon read the recommendation as follows: 1) Organic dairy replacement animals must be raised organically from the last third of gestation unless (i) organic replacement animals are not commercially available, in which case the producer may add replacement animals from nonorganic sources, but those animals shall be under continuous organic management upon entry to the organic operation but no less than 1 year prior to the sale of organic milk.

Motion: Mr. Siemon moved to put this recommendation on the web for comments.

Second: Mr. Riddle seconded.

Discussion: Mr. Riddle asked if breed and quality of animals was what they were thinking when they talk about commercial availability.

Friendly amendment: Mr. Riddle added the term “equivalent breed” to the language.

Discussion (cont): Mr. Mathews asked for the Board’s thoughts on “entry” versus “replacement.” Mr. Siemon responded that the language covers replacement or expansion. Mr. Siemon said the rule should have contained two ways to enter an organic dairy, and then replacement addressed separately. However, since it doesn’t, the Board is trying to clarify the language that’s there. It was agreed to rewrite the recommendation and take it up again on May 8.

No vote taken.

MATERIALS COMMITTEE – Ms. Kim Burton, Chair (pp. 640-648)

Clarification of 205.606 (Attach. N – Final Document)

Ms. Burton distributed Draft 5 of the clarification of 205.606 discussed on May 6, stating that she added some language back in. Addition 1: In addition, once the material is placed on the list as not being commercially available in an organic form the industry no longer has an incentive to develop organic versions of the material. Addition 2: A guidance document on commercial availability still needs to be completed and posted. She also said the Committee recommends that two materials slated for deletion (water-extracted gums and kelp used as a thickener) should be moved to 205.605(a) instead.

Motion: Ms. Burton moved to vote on Draft 5, Clarification of 205.606.

Second: Mr. Riddle seconded.

Vote: the motion passed, 12 to 0, with 2 abstentions.

Konjac flour

Ms. Burton described why and where she put information on Konjac flour into the “book” as an example of a nonorganic agricultural item. In response to a question from Mr. Riddle, Ms. Burton explained there will be no recommendation or vote on this material—it’s just a reference.

PROCESSING COMMITTEE – Mr. Mark King, Chair (pp. 648-654)

As a point of clarification, Mr. King recommended that the ingredient affidavit be posted on the web as a guidance document. He also explained how abstentions are properly tallied in a vote. They will be counted with the prevailing side. It was then determined that incorrect tallying of abstentions affected one of the votes on DEAE.

DEAE (Attach. O– Final Document)

Motion: Ms. Koenig moved to reconsider the motion that would approve DEAE for use as a boiler water additive in livestock feed until October 21, 2005. The motion was previously reported as failed, due to incorrect tallying of abstentions.

Second: Mr. Lockeretz seconded.

Vote: Motion appears to pass by voice vote.

Motion: Mr. Siemon moved to vote on the following: DEAE for use as a boiler water additive in livestock feed until October 21, 2005, shall be allowed.

Second: Ms. Koenig seconded.

Vote: Motion fails, 8 to 5, with one abstention.

CROPS COMMITTEE – Mr. Owusu Bandele, Chair (pp. 654-683)

Annuals or Perennials?

Motion: Ms. Koenig moved to vote on the recommendation discussed on May 6, stating that strawberries or other perennials grown as annuals should be interpreted as annuals and fall in sections 205.204(1) and (2), rather than looking at them as perennial planting stock.

Second: Nancy Ostiguy seconded.

Vote: The motion is passed unanimously.

Treatment of Planting Stock – (See Discussion Document on pg. 6)

After some confusion among the Board members was expressed, Mr. Mathews clarified prohibited substances on planting stock this way:

“Under 204, you must use organically grown seeds and planting stock ... which means no prohibited substances, except that nonorganically produced untreated seeds and planting stock may be used to produce an organic crop [when organic seeds and planting stock are not available]. What this means is that the crop may be grown using prohibited substances, because it's a conventional product or conventional plant. You can do that. What you cannot do under that one is to pluck it out of the ground and dip it into something to treat it or to spray something on it to treat it.

“So basically if it's preharvest, the addition of the substance is okay. If it's post-harvest, it is not.”

Confusion still ensued, so Mr. Sideman restated Mr. Mathews' explanation with a bit more detail. Ms. Burton stressed the importance of trying to find organic seeds and planting stock.

Compost Task Force – (See Discussion Document on pg. 6)

Mr. Bandele stated that the recommendation discussed on May 6 is the same as the one being presented for a vote today except for some changes regarding manure processing. He is also including a set of definitions with the recommendation.

Motion: Mr. Bandele moved that the NOSB adopt the Compost Task Force recommendation.

Second: Mr. Holbrook seconded.

Vote: The motion passed by a voice vote. No voting numbers noted.

Post-vote discussion: Mr. Bandele asked Mr. Mathews how this recommendation affected the interpretation of the regulation. Mr. Mathews, Ms Koenig and Mr. Bandele discussed this for awhile. Mr. Sideman said that Ms Robinson agreed to let Mr. Sideman and others to develop a practice standard from the recommendation, which in effect would make it possible to meet the requirements in the regulations without meeting the present requirement for carbon-to-nitrogen ratios. Mr. Mathews said he would need more time to study the issue.

Motion: Ms. Koenig moved to put a compost update, re: NOP's position, on the agenda for the next NOSB meeting.

Second: Mr. Bandele seconded.

Vote: The motion passed unanimously.

Transitional Products Recommendation (Attach. P – Final Document)

Mr. Riddle read the recommendation on transitional products, which recognized that they are beyond the scope of the OFPA. He said that the recommendation is offered for guidance and clarification, and to bring consistency to existing state and private requirements. Inasmuch as USDA's NRCS provides incentive payments to transitional operations, this will provide guidance to NRCS.

Motion: Mr. Riddle moved that the Board approve the transitional products recommendation.

Second: Mr. Bandele seconded.

Discussion: Mr. Lockeretz questioned the act of proposing a recommendation on something over which the Board, NOP, and USDA have no authority. Mr. Mathews agreed. Ms Caughlan agreed. Mr. King supported the recommendation as guidance. Mr. Riddle agreed to posting recommendation on NOSB website with disclaimer.

Friendly amendment: Mr. King suggested adding retailers to target audience named in recommendation.

Vote: The motion passed 13 to 1.

Organic Farm Plan Template

Mr. Riddle explained Organic Farm Plan Template discussed earlier will be posted to the web site for comment.

Hydroponics

In response to a question from the audience, Mr. Bandele explained that the Crops Committee accepts that hydroponics is covered under the regulations, but that the Committee will come up with a guidance document at a later date.

LIVESTOCK COMMITTEE – George Siemon, Chair (pp. 683-690)

Access-to-outdoors for poultry

Motion: Mr. Siemon moved that the Board approve the Committee's recommendation on access to the outside for poultry as originally presented.

Second: Mr. Lockeretz seconded.

Amendment: Mr. Siemon moved to add the following to the recommendation: The area provided outdoors shall be a minimum of 2 square feet per bird, and that area shall be managed in compliance with all the requirements of this rule.

Second: Mr. Carter said Mr. Lockeretz seconded.

Discussion: The Board called on the audience for information on pasture for poultry. Ms Brickey responded by advising the Board not to vote on this issue before getting all the information they want. Mr. Mathews reminded that the 2 feet per bird would not be enforceable. Mr. Carter recommended that the amendment be withdrawn.

Withdrawal of amendment: Mr. Siemon withdrew the amendment.

Mr. Carter announced that the motion would be taken up again tomorrow (May 8). The Board then discussed the possibility of extending the September meeting to 3 full days. Mr. Carter reviewed tomorrow's agenda.

ADJOURNED AT 5:00 P.M.

CALL TO ORDER WEDNESDAY, MAY 8 – 8:00 a.m.

LIVESTOCK COMMITTEE – George Siemon, Chair (p.690)

Access to outdoors for poultry (Attach. Q – Final Document)

Mr. Siemon read the committee's revised recommendation on access to the outside for poultry.

Motion: Mr. Siemon moved that the Board approve this recommendation.

Second: Ms. Ostiguy seconded.

Discussion: Mr. Lacy explained his dissenting vote in committee by saying that science does not support that access to the outdoors is in the best interest of the birds from a health and welfare standpoint, nor in the best interest of consumers from a food safety standpoint. Ms. Caughlan expressed surprise that material underneath the feet of the birds was not addressed. Mr. Mathews said he viewed this recommendation as a clarification, reinforcing that birds must be able to go outside of the building, and this was enforceable as it is already in the regulations. Mr. Lockeretz agreed with Ms Caughlan. Ms Ostiguy and Ms Caughlan agreed that this recommendation might act as a starting point for more detailed guidance. Mr. Riddle suggested that at least scratching material should be provided in accordance with the regulation's livestock health care practice standard. He further noted that as an inspector, he would view lack of scratching material as a potential minor noncompliance. Mr. Mathews brought some clarity to the discussion by pointing out that if because of the surface the bird is living on, it isn't able to do the natural things that are required by the standards, then to say [in a guidance or clarification document] that you can't have those surfaces is correct—and would not require rulemaking.

Ms Caughlan and Mr. Siemon contemplate an amendment about surfaces. Mr. Mathews suggested striking the sentence regarding a phase-in period.

Amendment: Ms. Ostiguy moved to strike the sentence regarding a phase-in period: A producer shall demonstrate reasonable progress in efforts to comply with this provision; full compliance shall be completed no later than 18 months from October 21, 2002.

Second: Mr. Riddle seconded.

Discussion: Mr. Lockeretz argued for leaving the sentence in. Mr. Riddle supported striking the sentence.

Vote on amendment: The amendment is approved 12 to 1.

Amendment 2: Ms Caughlan moved to add a number 3 to the recommendation to read: Bare surfaces; e.g., metal cement, wood, do not meet the intent of the rule.

Second: Ms. Ostiguy seconded.

Discussion: Mr. Lacy pointed out that if chickens are on a bare surface for a couple of days, the surface is no longer bare, so the amendment is not needed. Ms. Caughlan reiterated her assertion that chicken manure is not waste, but valuable material. Mr. Riddle supports the amendment.

Restatement of Amendment 2: Ms Caughlan changes the amendment to be in the number 2 position instead of number 3 and changes the amendment to read: Bare surfaces other than soil do not meet the intent of the rule.

Vote on original motion as amended: The motion is passed, 12 to 1.

Dairy replacement animals (p.721) (Attach. R – Final Document)

The Board agreed to post on the web for public comment the recommendation for dairy replacement animals.

“CERTIFIED ORGANIC” VS. “ORGANIC” ON LABELS (p. 722)

Mr. Marty Mesh of Florida Certified Organic Growers and Consumers, Inc., and chair of OTA's Certifier Council was invited to come forward to talk about consumer perceptions and why it is important to allow “certified organic” on labels, not just “organic.” He originally brought up this issue during the public comment period on May 6. Mr. Mathews said he would work to address this issue.

COMMITTEE WORK PLANS (p. 730) (Attach. S – Final Document)

LIVESTOCK--George Siemon, Chair

Mr. Siemon stated that the Committee will:

- Post dairy replacement animal recommendation on the web for comment, with a vote anticipated for the September meeting.
- Develop a checklist for poultry inspections related to issues discussed at this meeting.
- Prepare to discuss excipients in medications.
- Prioritize list of materials for review.

MATERIALS--Kim Burton, Chair

Ms. Burton stated the number of materials for review at the September meeting stands at 31. The Materials Committee will also:

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- Work on a draft document identifying ways to improve the communications when a petition is submitted to remove a material from the National List.
- Work on a recommendation to review materials already on the National List.

PROCESSING—Mark King, Chair

Mr. King said the Processing Committee has several materials to review for the next meeting, and will also:

- Continue working on a technologies recommendation
- Forward cultures for a petition.

CROPS—Owusu Bandele, Chair

Mr. Bandele said the Crops Committee will:

- Develop a compost practice standard from the recommendation passed at this meeting.
- Develop guidance on hydroponics.
- Develop guidance on planting stock.
- Review materials.

In response to a question from Mr. Bandele, Mr. Mathews said that the NOP would continue to keep the Board informed of issues the NOP has identified from feedback from the organic community. The NOP is also developing lists that would go on the web that would show what materials have been ruled on, and what the rulings were.

INTERNATIONAL—Willie Lockeretz, Chair

Mr. Lockeretz said the International Committee would:

- Continue to develop “that document” [unidentified] which was distributed in a very preliminary form.
- Informally survey groups involved in international organic trade, such as IFO, OTA and USDA-accredited foreign certifiers to get their perspectives.

ACCREDITATION — Jim Riddle, Chair

Mr. Riddle said the Accreditation Committee would:

- Act as interim peer review panel to review the NOP’s accreditation program.
- Review comments on grower group certification criteria and redraft for September meeting.
- Assist NOP in developing enforcement procedures, especially as they relate to States and State Organic Programs.
- Look at the need to merge ISO-65 and NOP accreditation requirements.
- Assist NOP in complaint procedures, as they relate to accredited certifiers.
- Monitor certifier issues.
- Monitor NOP and NOSB websites and provide feedback.

BOARD POLICY TASK FORCE

Mr. Riddle said the Board Policy Task Force will send the adopted Board Policy Manual to the NOP for feedback, then back to the task force, with a report to be made in September. Any changes would be voted on in October.

PUBLIC COMMENTS – 10:45 a.m. (p. 747)

OTHER BUSINESS

Best wishes to former Board member (p.752)

Motion: As suggested by Ms. Brickey, Mr. Siemon moved that the Board pass a resolution of best wishes to former Board member Betsy Lydon.

Second: Mr. Lockeretz seconded.

Vote: The motion passed unanimously, with a formal letter to come.

Clarifying the regulations (p.844)

Mr. Mathews wanted to make sure that everyone understood the access to the outdoors for poultry will be treated as a clarification of the regulations. Ms. Burton asked for definitions of clarification document; guidance document; and policy document.

NEXT MEETING DATES AND PLACE: (p.847)

September 17, 18, 19 – 16 as a travel date and October 21 and 22, Washington, DC

MEETING ADJOURNED AT 12:00 P.M.

Second: Mr. Lacy seconded.

Vote: The Board voted unanimously to adjourn.