

PUBLIC INPUT SESSION
National Organic Standards Board Meeting
January 31, 1994

Presenters Documented by Julie Anton

Preparation Date: February 7, 1994

(1) **Stephen Zoller, Vice President and General Manager,**
San-J International, Inc.

HANDOUT. Mr. Zoller focused his remarks on the unique concerns of soybean product manufacturers regarding the NOSB Processing, Handling and Labeling Committee's literal interpretation of the OFPA in calculating the percent organic ingredients in processed products to be labeled "organically produced." Mr. Zoller argued for water to be included in the calculation of percent organic, given that soybeans require a lot of water to make them consumable "without serious gastro-intestinal distress." In response to a question by Mr. Rich Theuer, Mr. Zoller describe the San-J soy sauce as 2% alcohol, 79% water and salt, and 21% soybean after fermentation, although the percentage of soybeans by weight is twice as high before processing. Mr. Theuer suggested that the before-processing weight of the ingredients be considered by the NOSB.

(2) John Ardrey (MH or TR)

(3) **Annie Kirschenmann, Co-Chair, Organic Certifiers Caucus**
(OCC).

HANDOUT. The OCC, which represents 17 certifying agencies, met in Asilomar on January 20, 1994, and hammered out a position on the peer review process, which Ms. Kirschenmann presented to the Board. Essentially, the OCC views peer review and on-site evaluation as one in the same. [Please see the handout for a complete description of the peer review process proposed.] Ms. Kirschenmann argued that the OCC position is based on a reading of the Senate Committee Report, which states that the peer review process should utilize existing certifying agencies and base the procedure on the university system of peer review, with the intent to provide "integrity and consistency." The OCC believes in a separation of review and decision-making functions. Ms. Kirschenmann also commented that if certifiers cannot be adequately represented in Board deliberations, the issue will be "revisited at greater cost." Ms. Kirschenmann noted that revisions to the OCC position will be made, given that greater detail is needed. The OCC has committed to work together and negotiate on contentious issues. In response to a concern expressed by Mr. Bob Quinn, Ms. Kirschenmann noted that the OCC is open to all current certifiers, including State agencies. [New Hampshire is currently the only State in the Caucus.] Ms. Margaret Clark suggested involving States through NASDA.

(4) Barbara Altemeier (MH or TR)

48 (5) **Bob Peer, BioGro Systems.**

49 Representing his company's product, wastewater treatment solids
50 for use as fertilizer, Mr. Peer described the impending EPA
51 regulations of February 19, 1994. Stricter quality standards
52 will be placed on sludge; more composting with lime stabilization
53 and controls for pathogens and heavy metals will be included.
54 Mr. Peer expressed his feeling that the quality of the BioGro
55 product has improved to the point that he could approach the
56 NOSB. He stated his sense of moral obligation to try and use the
57 wastewater solid products, as he has farmed organically
58 essentially for ten years. Mr. Tom Stoneback suggested that Mr.
59 Peer approach the Composting Council, which sets different grades
60 for sludge products. Mr. Theuer commented that Beechnut
61 prohibits the application of sludge to fields where baby food
62 ingredients are produced for five years prior to harvest. Mr.
63 Peer agreed to provide a copy of the ten heavy metal standards
64 and pesticides allowed at nondetectable levels.

65 (6) Victor Bennet, Really Raw Honey (MH or TR)

66 (7) Anne Schwartz (MH or TR or MJ)

67 (8) June Taylor, NViro Soil (MH or TR)

(9) **Ken Commins, IFOAM Accreditation Programme.**

As stated in the IFOAM proposal to the NOSB and USDA of September
70 23, 1993, there are two possible areas where IFOAM-USDA
71 cooperation may occur: in the domestic accreditation program and
72 in the determination of equivalency for the purpose of verifying
73 imports into the United States. Mr. Commins cited the advantage
74 of utilizing IFOAM's experience: 28 evaluations have been
75 conducted over the course of 7 years. Typically, a 58-page
76 report would accompany an IFOAM accreditation. IFOAM's
77 services ensure that the three NOSB accreditation principles,
78 competency, independence, and transparency, are adhered to.
79 IFOAM's methodology is investigative. IFOAM could assist in the
80 timely implementation of the OFPA, and is ready to begin to
81 discuss the idea of joint evaluation with AMS. From IFOAM's
82 experience, Mr. Commins suggested that the pre-evaluation phase
83 involve an assessment of application completeness, with the
84 evaluation visit including a second phase of application
85 screening for compliance with the OFPA. Mr. Commins noted that
86 the IFOAM criteria details how an agency is to be assessed; the
87 NOSB proposed questionnaire does not currently provide specific
88 questions which would render detailed responses. Mr. Commins
89 stated his basic satisfaction with the NOSB International
90 Committee's document on import equivalency, with the exception of
91 a few points [brought up in later discussion]. In closing, Mr.
Commins noted that the IFOAM Accreditation Programme will be
moved to the United States within a year.

(10) Katherine DiMatteo, Executive Director, OFPANA (MH or TR)

97 (11) **Rod Crossley, Health Valley Foods, Irwindale, California.**

98 Mr. Crossley focused on the fact that processors are governed by
99 the FDA. He stated that the FDA supports organic food labeling
100 because organic production reduces the use of pesticides. The
101 FDA may declare a mislabeling violation if an organic product's
102 label does not meet the letter of the law. Labeling
103 specifications must be made clear. Blanket labeling would not be
104 allowed. Incidental additives must be indicated. It is not
105 currently clear who in FDA will write the FDA regulations
106 governing the labeling of organic processed products; p this issue
107 is to be resolved by FDA's legal counsel. CFR 2408C of January
108 6, 1993, describes FDA's function following action by USDA, and
109 indicates that FDA will determine if additional FDA regulations
110 are needed after the USDA rulemaking procedure is concluded. Mr.
111 Crossley emphasized that the Board needs to consider this factor
112 in developing its timeline, "spinning off" labeling regulations
113 to FDA as soon as possible. Dr. Hal Ricker commented that USDA
114 is working with John Vanderveen and Cathy Carnaval of FDA, in an
attempt to coordinate efforts. They have already received an
early draft of the NOSB PHL Committee's labeling document.

115 (12) David Haenn (MH or TR)

116 (13) **Zea Sonnabend, California Certified Organic Farmers (CCOF).**

117 Ms. Sonnabend asked the NOSB to consider the following concerns
of CCOF as it develops its guidelines for accreditation: CCOF is
120 a membership-based organizations, with decision-making conducted
121 by volunteers through a local peer review process. She asked if
122 certification decisions must necessarily be made by a paid staff?
123 Dr. Ricker noted for the record that conflict of interested
124 would be assessed on a case by case basis. In response to an
125 inquiry by Mr. Robert Beauchemin, Dr. Ricker stated that the
126 criteria for this assessment would be spelled out. Regarding a
127 document written by USDA staff members Ted Rogers and Michael
128 Hankin on National List issues, Ms. Sonnabend questioned the
129 premise that off-farm inputs must only be used in emergency
130 situations and an inference that farmers bringing in off-farm
131 inputs were suspect, or, "guilty til proven innocent." She noted
132 that the "rank and file" growers do not understand the difference
between NOSB and USDA.

133 (14) Ron Gargas (MH or TR)

134 (15) **Allen Rosenfeld, Public Voice for Food and Health Policy.**

135 Mr. Rosenfeld noted his involvement in the writing of the OFPA.
136 He stated that given the recent passage of the nutrition labeling
137 legislation, organic labeling should be consistent. His view is
138 that processors should be required to state the percentage
139 organic ingredients on the principle display panel, in contrast
140 to the NOSB PHL Committee's current position prohibiting such a
statement. Mr. Rosenfeld stressed that the consumer should have
as much information as possible. Regarding the allowance of

synthetics in organic processed products, Mr. Rosenfeld argued that only public health considerations be of importance; otherwise, a sunset provision for such ingredients should be developed, and the products containing such ingredients should be clearly labeled. He stated his opposition to the use of ethylene gas to ripen bananas, describing its use as a classic example of product manipulation for commerce purposes. He noted that his problem was not with the 5% non-organic ingredients allowed in processed products labeled organic but with the synthetic ingredients that might make up that 5 percent. In conclusion, he described the recent Public Voice national opinion survey entitled, "What Americans think about agrichemicals?"

(16) Joan Dine, Consumer (MH or TR)

(17) Eric Ardapple Kindberg (MH or TR)

(18) Jay Feldman, National Coalition Against the Misuse of Chemicals (NCAMP).

HANDOUT. Mr. Feldman emphasized that the Board needs to aggressively pursue consumer involvement as it develops its recommendations. He cited the results of a recent NCAMP survey, distributed to NCAMP newsletter subscribers. Mr. Feldman stressed his view that full disclosure be required on labels. The farm plan should indicate what inputs are in use and for what time period, and should assess whether inputs are basic or periodic and infrequent.

(19) Tom Harding, Agrisystems International, Inc. (MH or TR)

(20) John Clark, Roseland Farms, Cassopolis, Michigan (MH or TR)

NATIONAL ORGANIC STANDARDS BOARD
FULL BOARD MEETING MINUTES
WASHINGTON, D.C. 1/30/94 - 2/2/94

(Revised and adopted on May 31, 1994 in Santa Fe, New Mexico.)

January 30, 1994

Chairperson Michael Sligh called the National Organic Standards Board (NOSB) meeting to order at 1:00 p.m. and requested that the members of the Board introduce themselves.

Members in attendance were: Dean Eppley, Gary Osweiler, Robert Quinn, Jay Friedman, Don Kinsman, Gene Kahn, K. Chandler, Tom Stoneback, Merrill Clark, Margaret Clark, Rich Theuer, Michael Sligh, and Craig Weakley. Participating as the temporary certifying agent advisor to the NOSB was Robert Beauchemein.

Staff members present from USDA were: Julie Anton, Michael Hankin, Ted Rogers, and Hal Ricker.

The minutes from the July and September 1993 meetings were approved unanimously.

A written USDA update of activities was submitted by Ricker.

Ricker suggested that the Board make a resolution during this meeting to request additional Advisory Committee money from USDA to help cover the costs of the May 1994 meeting and possibly a meeting in September before the end of the 1994 fiscal year.

The Board held a discussion on the appointment of the permanent NOSB Certifier representative. Ricker explained that the OFPA prohibits a certifier representative appointment until after certifiers have been accredited. Robert Beauchemein, from OCIA, was appointed as "advisor" for this meeting and was invited to join Board members at the head table.

Chandler moved that we establish the certifier "advisor" position as a rotating position available to a different person for each meeting. Seconded by Margaret Clark. Passed by unanimous vote.

Margaret Clark moved to strike from the previously accepted resolution (from the Arkansas meeting) the provision that the Organic Certifiers Caucus (OCC) make the nomination for the certifier "advisor" position. Instead, the Accreditation committee would make a recommendation to the NOSB for filling this advisor position and the full board would discuss this and other nominations and make the final decision. Passed by unanimous vote.

Theuer moved to vote at this time on the May NOSB meeting location. Seconded. Motion failed.

A discussion of the process for moving from Draft Recommendations to Final Board Recommendations was initiated by Sligh. Sligh reviewed the current proposed recommendation development process and asked Quinn for clarification of Point 6 which involves receiving USDA comments prior to drafting of the Final Recommendations. Ricker reported that the "inter-agency task force" is scheduled to meet on 2/15/94 with comments back to USDA and the NOSB before 4/1/94. The recommendation process was amended to add step 8: NOSB reviews USDA proposed regulatory language and may submit comments and seek clarification on such language.

The discussion then shifted to the subject of whether minority views should be distributed to the public.

Friedman moved that minority views not be attached to NOSB Final Recommendations to USDA. Passed 9-y, 2-n, 1-a.

Chandler moved that minority views be allowed on all documents except Final Recommendations. Failed 5-y, 5-n, 2-a.

Weakley moved that minority positions be allowed on all documents except Full Board Draft Recommendations and Full Board Final Recommendations. Passed 11-y, 1-n.

Weakley moved that it be incumbent on the minority viewholders to submit minority positions in writing to the Committee chairperson. After the minority position is received by the chairperson, it will be included with the next mailing of the recommendation document to the public. Passed by unanimous vote.

Amendments to Board draft recommendations were discussed next. Friedman moved that written amendments from board members to board draft recommendations be considered at any time during full board meetings. Passed unanimously.

A clarification was sought of the format of the NOSB Final Recommendations to USDA. It was ascertained that USDA will not modify the actual Final NOSB Recommendation document in any way; also, USDA will attempt to provide the majority of its comments and concerns about any NOSB document prior to the vote by the NOSB on the Final Recommendation.

This segment of the meeting concluded with a discussion of the USDA projected timeline for implementation of the Organic Program. Ricker indicated that he thought the target dates as indicated on the handout were achievable.

Next on the agenda was the Genetic Engineering Discussion. Margaret Clark and Theuer discussed their document. Friedman moved that we recognize organisms and their products created by Recombinant DNA Technology as synthetic under the OFPA. Seconded. Passed by unanimous vote.

Friedman moved that no material or substance arising from rDNA Technology be allowed on the National List for 5 years. Seconded. Motion withdrawn by Friedman after several board members expressed concern that more debate and information was needed before a decision is adopted.

Sligh initiated a discussion on the NOSB By-Laws. Referencing page 6 of the 1/25/94 document faxed to all board members by Sligh, Sligh also distributed four new proposals for consideration: 1) A revised proposal for the continuing role of the NOSB; 2) Consideration of certain phase-in regulations with requirements for review and sunsets; 3) Procedures for handling mail Addressed to USDA; and 4) Evaluation Criteria for NOSB Recommendations.

The comments focused around the continuing role of the NOSB. Sligh outlined the various issues and actions that the NOSB must address after the Final Recommendations for program implementation are submitted to the Secretary. Several suggestions were made for modifications to the document and Sligh agreed to make such modifications via the task force.

Margaret Clark then talked about the Technical Advisory Panel (TAP) process and displayed a flow chart developed by the Executive Committee on how the TAP process should work and discussed how the Committees, the Full Board, the TAPs, and the USDA should be expected to work together.

Meeting adjourned at 5:35 p.m.

January 31, 1994

A recorder was not in attendance for the morning session which was the public input session.

The meeting was called to order at 9:00 a.m. by Sligh.
NOSB Members present: Eppley, Osweiler, Quinn, Taylor, Kinsman, Kahn, Stoneback, Merrill Clark, Margaret Clark, Theuer, Sligh, Weakley, Chandler;
Certifier Advisor present: Robert Beauchemein
USDA Staff present: Anton, Hankin, Ricker, Rogers

The public input session was held. (Notes on the presentations by the various speakers are available on file at USDA).

A recorder was present for the afternoon session which began with presentations by Assistant Secretary Pat Jensen and AMS Administrator Lon Hatamiya.

Mark Bradley then led an information seminar on the ISO 9000 program for the Board to consider in its recommendations on accreditation of certifying agencies.

Committee presentations

Friedman began the International Committee report with a discussion of the document "Proposed Rule Regarding Importation of Organic Agricultural Products."

Theuer moved that the International committee develop appropriate language for satisfying the equivalency requirement. Seconded. Motion was then withdrawn by Theuer after discussion.

Weakley then moved that the following language be substituted at Section IV, Importation B. and also at paragraphs A and C of this Section: "Products may enter the US if they bear the official shield, seal, or mark of a certification program or agent regulated by an ISO which is recognized by the Secretary, provided that, the ISO ensures observance of standards equivalent to those set forth in the US organic certification program. Seconded. Passed unanimously.

It was suggested that in the Section on "Exportation of Imported Products", paragraph A, line 28, the following words be deleted: "labeled as organically produced and handled." Accepted as an amendment by the Committee.

It was moved that in Section IV, Importation, paragraph C, that "or" be deleted and "and, if applicable" be inserted at both places where "or" appears. Seconded. Passed 10-y, 3-n.

Sligh moved to table further discussion of the document. Seconded. Failed.

Friedman moved to approve the document, as amended, as an NOSB Draft Recommendation. Seconded. Passed 10-y, 3-n.

Weakley moved that the Resolution entitled "USDA-IFOAM Accreditation Cooperation", submitted by the Accreditation Committee in a previous mailing for review by NOSB members, be adopted. Seconded. Passed by unanimous vote.

The meeting was adjourned.

February 1, 1994

NOSB Members present: Osweiler, Quinn, Taylor, Kahn, Chandler, Stoneback, Merrill Clark, Margaret Clark, Kinsman, Eppley, Theuer, Sligh, Weakley, Friedman;
Certifier Advisor Present: Robert Beauchemein
USDA Staff Present: Ricker, Hankin, Anton, Rogers

The meeting was called to order at 8:00 a.m.

Processing Committee

Theuer began a discussion of the various Processing Committee issues. Topics intended to be discussed are: (1) Organic Food Labeling Standards; (2) National List for Processing and Handling; (3) Organic Good Manufacturing Practices; and (4) Organic Handling Plan.

Theuer began with an exploration of tailoring the definition of "synthetic," which will be critical to the discussion of National List issues, for processing, crops, and livestock standards. He discussed three examples of processing ingredients (citric acid, baking soda, and corn starch) which may or may not be synthetic based on how "synthetic" is defined. This topic will be discussed more extensively at the next NOSB meeting.

A straw vote on whether citric acid should be considered as synthetic based on the discussion at this meeting was held. Synthetic status: 11-y, 2-n, 1-a; still appropriate for foods labeled "organic" even though it may be synthetic: 12-y, 2-a.

Similar straw votes were held for baking soda [Synthetic status: 13-y, 1-a; appropriate for organic: unanimous] and for corn starch [Synthetic status: 11-y, 3-n; appropriate for organic: unanimous].

Theuer then switched to a discussion of the Committee labeling document "General Organic Food Labeling Standards."

Merrill Clark commented in regard to non-organic ingredients being allowed in organic foods, and described it as "counterproductive." This was followed by a motion to add at Section 2.B. paragraph 1.b.: 'the non-organic ingredients should be identified with the word "non-organic".' Seconded. Motion failed 1-y, 13-n.

The Processing Committee agreed to a suggested change at Section 2.B., paragraphs 2.a.(ii) and 2.b., to delete the phrase "non-synthetically processed."

The Committee also agreed to a suggested change on Page 0, paragraphs (b), (c), (d), and (e), to insert the word "total" in front of the word "percentage."

Kahn moved that the Board approve page 0 as amended and page 2 as amended. Seconded. Passed 13-y, 1-a.

Weakley moved that page 4 be approved as amended. Seconded. Passed 12-y, 1-a.

Eppley moved that lines 19 through 54 on page 5 be approved. Seconded. Failed 9-y, 5-n.

Quinn moved on a procedural matter that 9 votes out of 14 members

in attendance should constitute a 2/3 majority vote for this meeting and should be sufficient for a motion to pass. Seconded. Failed 5-y, 4-n, 1-a.

Theuer began a discussion of the composition sections of the labeling document. A lengthy discussion ensued on the issue of "availability of organic ingredients." Kinsman moved that the Processing Committee include in the OHP a provision for review between the certifier and the handler as to the availability of an organic source for any non-organic ingredient of agricultural origin used in organically labeled foods. Passed by unanimous vote.

Theuer moved that page 1 of labeling document be approved. Seconded. Passed 10-y, 3-n, 1-a.

A break from the Committee presentation was approved so that the Board could listen to remarks from Deputy Secretary Richard Rominger.

Deputy Secretary Rominger

USDA is committed to implementation of the organic program. Budgetary appropriations are tight. USDA will work closely with the NOSB to get appropriate recommendations in place because Secretary Espy will have to defend the program once it is established. USDA will consider any additional recommendations that NOSB wishes to submit relating to how organic production relates to program policy and work of other USDA divisions, such as crop insurance for organic farmers subjected to accidental spray drift.

Processing Committee (continued)

Theuer reopened the discussion with page 3 of the labeling document. Theuer moved that the board adopt page 3. Seconded. Passed 13-y, 0-n.

Theuer then discussed page 5 of the labeling document. It was moved that this page of the document be sent back to the Processing Committee for further development. Seconded. Passed 12-y, 2-n.

Procedural

At this time, the NOSB conducted a vote on the location and dates of the next NOSB meeting. The two choices were Santa Fe, New Mexico and Fresno, California. Eight members voted for Santa Fe and four members voted for Fresno. The next meeting will be held in Santa Fe, New Mexico during the first week of June. Exact location and dates will be determined later.

Livestock Committee

Merrill began discussion of the Livestock Committee documents.

Use of synthetic antibiotics in organic Livestock production:

Kahn and Chandler presented their minority view on synthetic antibiotic use. The minority opinion presents a less restrictive attitude toward the use of antibiotics.

Merrill Clark moved to adopt the original, majority-view Committee document on antibiotics as a Board Draft Recommendation. Seconded. Failed 7-y, 5-n, 2-a.

Use of synthetic parasiticides in organic Livestock production:

Friedman opened discussion of this document and reviewed the Committee position as written.

Kahn presented the minority view on synthetic parasiticide use which presented a less restrictive attitude toward the practice of administering parasiticides to organic livestock.

Merrill Clark moved that the original, majority-view Committee document on parasiticides be approved as a Board Draft Recommendation. Seconded. Failed 3-y, 6-n, 5-a.

Quinn moved that the livestock committee be instructed by the NOSB to consider the possibility of a phase-in time for implementation of antibiotic and parasiticide standards. Seconded. Passed unanimously.

Livestock Feed

Quinn began discussion of the livestock feed standard document. He indicated that the committee had amended the document as follows:

B. Feed additives fed to livestock shall meet the following requirements:

1. Natural feed additives shall be from any source, provided the additive is not classified as a Prohibited Natural on the National List;
2. Synthetic feed additives shall be materials which are classified as Allowed Synthetics on the National List.

D. Added as the last sentence to D. "Efforts to locate feed which have been produced without use of prohibited substances shall be documented."

Theuer moved that the definition of "feed" in the livestock

committee definitions document be amended to include the phrase "may include bedding." Seconded. Passed by unanimous vote.

Chandler moved to delete the phrase "before conventional sources are used." Seconded. Passed 9-y, 1-n, 2-a.

Weakley moved that we accept the feed standard document as amended. Seconded. Passed by unanimous vote.

Organic Livestock Healthcare Practices

Kinsman initiated a discussion of the proposed revisions to this document.

Theuer moved that in the first sentence of paragraph 3, "minimizes" should be replaced by "limits" and "maximizes" should be replaced by "promotes." Seconded. Passed 9-y, 1-a.

Kahn moved that "the conduction of" be deleted from (3)(c)(1). Seconded. Passed by unanimous vote.

Quinn moved that the document be accepted as a Board Draft Recommendation as amended. Seconded. Passed 10-y, 2-a.

Crops Committee

Kahn opened discussion of Committee proposed amendments to current crops Board Draft recommendation documents.

Split Operations

Eppley moved that at line 82 of the Split Operations document: "requires producers to" should be changed to "requests that producers." Seconded. Passed 10-y, 1-n.

Residue Testing

Sligh moved that in the Residue Testing document, line 294, the following phrase should be added after "Act": "Strict confidentiality will be maintained by all parties notified of a drift or misapplication incident during the investigation."

Planting Stock

Quinn moved that in the Planting Stock document, line 196, the following phrase should be inserted between "available." and "Plastic": "Pelletized seed is allowed unless it contains prohibited substances." Passed 11-y, 1-a.

Other editorial motions and revisions were discussed and accepted and incorporated into documents which are contained in the December 1993 "Crops Committee Comprehensive Document".

Small Farmer Exemption

Kahn presented the Small Farmer Exemption document that had been greatly revised after public input. Quinn moved that the recordkeeping requirement of 5 years be changed to 3 years (line 85). Seconded. Passed unanimously.

Kahn moved that line 97 of Small Farmer Exemption document be changed by deleting "processors" and inserting "certified handlers." Seconded. Passed by unanimous vote.

Kahn moved that the following be added at line 80: "Declaration form must be completed annually." Seconded. Passed 11-y, 2-n.

Chandler moved that the word "ANNUAL" be inserted in front of the word "DECLARATION" at line 108. Passed 10-y, 2-a.

Quinn moved that the document be approved as amended. Seconded. Passed 9-y, 3-n, 1-a.

Materials Committee

The Materials Committee discussion began with Margaret Clark describing the flow chart for the TAP process.

Weakley moved that the flow chart of the TAP process be adopted. Seconded. Passed by unanimous vote.

Sligh recommended that some key categories for the TAP experts to be concerned with when providing information to the NOSB regarding reviewed materials are: 1) how the material is produced and manufactured and what inputs are used; 2) what is the historical use or prohibition of the material in organic production or handling; 3) is the material allowed or prohibited by domestic and international certification agents or programs; 4) information related to the evaluation criteria outlined in OFPA Sections 2118 and 2119; 5) government registration numbers and literature citations that support the information submitted. Weakley moved that Sligh's recommendation be adopted by the board. Seconded. Passed unanimously.

Taylor suggested that the NOSB create a task force to develop the petition process as stated in the OFPA Section 2119 (n) and to develop the process for satisfying the OFPA requirement in 2119 (l) (2). Sligh moved that we charge the Materials Committee with oversight of these tasks. Failed 7-y, 5-n.

Kahn moved to disband the Materials Committee and to charge the Livestock, Crops, Processing, and International Committees with oversight for satisfying the two tasks outlined above. Seconded. Passed by unanimous vote.

Kahn opened discussion of the Crops Committee List of Materials to be considered for inclusion on the National List and indicated that the intent of the Crops Committee is to get NOSB approval to send these materials to the TAP for information gathering as part of the formal review process and to send the document out for widespread public comment.

Taylor suggested that the Crops Committee submit documentation to the TAP that was used by the Committee in drawing conclusions on materials included on its List so that the TAP process could be expedited.

Merrill Clark moved that we send the entire Crops Materials List to the TAP. Seconded. Motion amended to specify that the list of Allowed Naturals be evaluated only for determination of natural vs. synthetic in order to limit the work of the TAP. Passed 10-y, 2-n.

After a brief discussion by Theuer of the Processing Committee's list of materials to be considered for the National List, Weakley moved that the List, excluding the category of non-synthetic, non organic agricultural products, be submitted to the TAP as part of the formal review process. Seconded. Passed unanimously.

Because of the late hour and without discussion of the Livestock Committee's list of materials to be considered for the National List, Sligh moved that the list be submitted to the TAP as part of the formal review process. Second. Passed unanimously.

Meeting adjourned by Sligh at 10:15 p.m.

February 2, 1994

Sligh opened the meeting at 8:02 a.m.

NOSB Members present: Margaret Clark, Sligh, Theuer, Quinn, Taylor, Osweiler, Kahn, Chandler, Stoneback, Kinsman, Eppley, Merrill Clark, Craig Weakley;

Certifier Advisor present: Robert Beauchemein

USDA Staff present: Hankin, Rogers, Anton

Accreditation Committee

Margaret Clark led a discussion of the Accreditation Program issues.

Margaret explained the Committee recommended changes to Draft #9 as contained in the previously mailed Committee document, "Proposed Revisions to Accreditation Draft Recommendation Version 9.0." Sligh moved that all changes discussed and written in the proposed revisions document through the section on Transparency on page one be adopted. Seconded. Passed by unanimous vote.

Sligh moved that we adopt all changes on the proposed revisions document regarding Producer/Handler Records. Seconded. Passed by unanimous vote.

Sligh moved that we adopt Section 2.A. on the proposed revisions document as amended. Seconded. Passed by unanimous vote.

Quinn moved that section 2.B. of the proposed revisions document be adopted as amended. Second. Passed by unanimous vote.

Sligh moved that section 3 of the proposed revisions document be adopted. Seconded. Passed by unanimous vote.

Quinn moved that the change suggested for the "conflict of interest" section be adopted. Seconded. Passed 12-y, 1-n.

Sligh moved that we adopt sections #5, 6, 16, 17, and 18 of the proposed revisions document. Seconded. Passed by unanimous vote.

Sligh discussed the Draft Appeals Section Insert document dated 1/19/94. Quinn moved to adopt the Draft Appeals Section Insert as part of the Accreditation Draft Recommendation. Seconded. Passed by unanimous vote.

Julie Anton discussed the Fee Structure Model for Accreditation document dated 1/18/94. The NOSB provided some comments on the different alternatives and then requested that USDA develop and clarify the positions.

Margaret Clark discussed a flow chart of the Accreditation Program and focused on the composition of the Evaluation team and of the Peer Review Panel. She asked each Board member for comments on the current approach being taken by the committee.

Quinn began discussion of additions to Accreditation Draft Recommendation #9 contained in the International Committee Recommendation to Full Board, page 4. The first additions would be inserted at line 14 on page 5 of the Accreditation Draft Recommendation #9. The second additions would be inserted on page 30, lines 117-118, of the Accreditation Draft Recommendation #9.

Kinsman moved that the proposed additions be adopted, as amended, as part of the Accreditation Draft Recommendation. Seconded. Passed 11-y, 1-n.

Administrative

Quinn moved that the cycle for the certifier advisor appointment to the NOSB begin at the end of a full Board meeting and end after the following full Board meeting. Seconded. Passed by unanimous vote.

Sligh began discussion of his resolution regarding the receipt of

mail by USDA or NOSB members and actions designed to promote greater accountability. It was moved and seconded that this resolution be adopted with a paragraph 3 added. Passed by unanimous vote.

Sligh began discussion of his resolution regarding the continuing role of the NOSB. Sligh will revise this resolution and submit it for a vote at the June meeting.

Sligh began discussion about the length and format of the June meeting. Quinn suggested that we use the same format as used at Rodale where each Committee had 2 presentations on different dates in order to provide time to re-work critical parts of documents.

Kahn moved that all minority positions presented during discussion of Board Draft Recommendations contain complete alternate proposal language. Seconded. Passed 10-y, 1-n.

Weakley moved that as of March 1, 1994, all Committee chairpersons should submit a list of the current versions of all Committee documents to him for circulation to all NOSB members. Seconded. Passed by unanimous vote.

Processing Committee (continued)

Theuer reviewed the postponed amendments to the Food Labeling standards document section regarding the removal of the certification requirement for processors of the category "foods purporting to contain organic ingredients." Theuer then moved that they be adopted by the Board. Seconded. Passed by unanimous vote.

Weakley briefly introduced the Organic Good Manufacturing Practices Recommendation to the Full Board. He indicated that the document will be mailed out for widespread public input and will be brought to the Board for a vote at the June meeting.

Sligh asked Board members to randomly offer at this time suggestions on issues related to "organic" that should be included in the 1995 Farm Bill. A list was compiled.

Following this, the Washington, DC, NOSB meeting was adjourned at noon.