



United States
Department of
Agriculture

Agricultural
Marketing
Service

STOP 0201 – Room 3071-S
1400 Independence Avenue, SW.
Washington, D.C. 20250-0201

Date: September 30, 2005

Notice to: NOSB Members
All USDA-Accredited Certifying Agents
Interested Members of the Organic Industry

Subject: Public Comment at Upcoming NOSB November Meeting

The National Organic Standard Board (NOSB) November meeting agenda has been set for the NOSB to provide its recommendations to the U.S. Department of Agriculture (USDA) regarding the expiration of materials on the National List (known as "sunset"). At this meeting, the Board will likely hear from the public, as well as USDA-certifying agents, on issues related to the sunset of the National List.

It has come to our attention that many members of the organic dairy industry remain concerned about the issue of access to pasture. This issue was raised at the August NOSB meeting, a Board recommendation was discussed, and the NOSB agreed to continue work on its recommendation. Since that meeting, USDA continues to hear from many in the organic community that they would like to be able to present views on various aspects of the pasture recommendation.

Therefore, on the second day of this upcoming meeting in November, two hours will be reserved for public comment on dairy, beginning at 3 p.m. on November 17th. Specifically, USDA would like to hear public comment on the following topics: growing season, birthing, stage of life vs. production, economic implications of imposing further restrictions on dairy farmers under the NOP through specific pasture requirements; how variations in the geographic and climate conditions of the United States and other parts of the world that wish to comply with the NOP requirements should be accounted for in contemplating changes to the access to pasture for dairy animals; and, whether this change should be imposed on all ruminant livestock, not just dairy.

We understand this is a brief time for comment. This is a period of continuing dialogue, while the NOP is under legal deadlines to comply with a Federal court order to amend the NOP regulation due to a lawsuit and to comply with OFPA with respect to the sunset of the National List. Nevertheless, we recognize that this issue is of importance to members of the industry. By bringing viewpoints, research, and other materials to this meeting before members of the NOSB and the NOP, we believe this will aid us in addressing this issue carefully and through the most appropriate manner. We urge parties to prepare statements that are concise and not duplicative, and to provide materials that are helpful to the Board and the NOP in understanding how best to proceed on this issue. The NOSB will not be voting on a recommendation on dairy pasture at this meeting.

To facilitate the public comment process for sunset and for dairy issues, there will be two sign-up sheets for this meeting; one sign-up sheet will be for comment on materials for sunset (sign-up sheet "sunset") and one will be for comment on dairy pasture issues (sign-up sheet "dairy"). A Federal Register notice containing this information will be published no later than 15 days prior to the meeting, and published on the NOP web site as well.