

**NATIONAL ORGANIC STANDARDS BOARD
PUBLIC INPUT SESSION
Santa Fe, New Mexico
June 1, 1994**

(1) Julie Anton, Research Coordinator, USDA National Organic Program:

A report on the status of private and State organic certification services was given, accompanied by a map noting the location of program headquarters across the United States. A presentation on the status of State legislation pertaining to the labeling of organic food and fiber products was also made. Both are to be finalized and provided in written form within the next couple of months.

Anton also presented her findings based on in-person interviews with 22 natural food retailers across the country; a written report is to be provided at a later date. Board members were advised of retailer views on standards issues as well as on retailer certification. A report of the market status of several categories of organic products was included.

(2) Scott Taylor, representing Lon Johnson of Trout Lake Farms:

A letter from Johnson to the Board dated June 1, 1994, was read, citing his opposition to "the categorical listing of all natural ingredients on the National List." Availability of natural ingredients is "not a valid problem," according to Johnson, who would consider a 2-3 year grace period for natural ingredient producers to come into compliance.

Also read were the views of Mary Mulry, Standards Committee Chair for the American Herbal Products Association, who recommended that herbs and spices appearing on the National List be identified by species. Mulry argues that National List petition procedures should be prescribed for ingredients that are difficult to source; procedures should also be prescribed for the removal of ingredients that become available. Concern is also expressed for the herbs and spices produced in developing countries where "toxic materials are not well-monitored or controlled." She suggests that ingredients sourced from such places be required to undergo testing for compliance with U.S. tolerances.

On a different subject, Mulry states that the term "wildcrafting" not be considered synonymous with "organic."

Craig Weakley countered Johnson's availability argument by stating that Trout Lake Farms Co. had not been able to supply an herb recently due to crop failure, and that there are many times that it is impossible to source a needed organic herb from any supplier at any price.

Theuer pointed out that the petition procedure would not result in instantaneous placement of herbs and spices on the National List, frustrating manufacturers in need of ingredients.

Gene Kahn stressed that the variety of the herb can be critical to a manufacturer, stating that "not all basil is basil."

(3) Joan Sullivan Cowan, Executive Director for Education, REACH International:

REACH International is comprised of persons who are chemically handicapped or disabled from "Multiple Chemical Sensitivity/Environmental Illness" (description enclosed in testimony). These people seek a guarantee that organic food has received no contact with synthetic pesticides from seed to consumer purchase. Cowan remarked on a personal history of exposure to agricultural chemicals and their effect on her as one "hereditarily predisposed to becoming chemically disabled." She expressed a greater level of comfort with purchases made from local organic growers, and questioned the integrity of growers with which she is not personally familiar. She recommended that certified organic food meet the standards of "Ecology Action" (located in Willets, California) and the Rodale Institute Research Center.

Stoneback asked if Cowan reacted differently to the same processed product purchased at different times of the year; she replied that she did not purchase processed products.

In response to a question from Eppley, Cowan revealed that 90% of her diet is organic food.

(4) Rhoda K. Geselle, Executive Director, REACH International:

A Ph.D. cereal chemist and biochemist, Geselle recommended that the Board consider various ways that organic products could be "contaminated" by chemicals, and suggested requiring: least toxic glues and inks in packaging; segregated transport of organic and non-organic products; regulation of cleaning materials,

particularly those used at the retail level; carbon-filtered water (with reverse osmosis used for purification) for processed products; and prohibition of shelf-life enhancing materials. She also asked that the Board consider what it will take for imported food labeled organic to meet the scrutiny received by U.S.-grown food.

Margaret Clark expressed concern about the cost of filtering water and the cost of having to provide separate transport vehicles; Geselle noted that the people most debilitated by chemical sensitivities were on budgets and could not afford substantial increases in organic food prices.

Chandler reported that the scrutiny of imports from Mexico is increasing; buyers as well as government agencies are testing loads. For example, Pace Company (makers of picante sauce) sample every carton imported.

Geselle noted that hydroponic production is favorably viewed by the chemically sensitive, as pesticide drift is not possible.

(5) Allen Shainsky, Petaluma Poultry:

Petaluma Poultry is a completely vertically-integrated, 150,000 per week meat bird operation, which produces and markets 80,000-90,000 antibiotic-free birds per week. Shainsky supports strict standards pertaining to antibiotic use. On the confinement issue, however, he resists any requirement that livestock have access to the outdoors. He claims that his birds are free-roaming within the 10,000-20,000 square foot barns, and that his birds naturally will not go more than 20-30 feet from where they were brooded. His operation allows 1-1/4 square feet per bird (compared with 3/4 square feet in conventional operations); he argued that this is reasonable, given that birds gain 40% of their weight in the last 14 days of life. The birds have an internal body temperature of 107 degrees; at 40 degrees, they would become chilled. Therefore, the birds could not go outdoors in the winter months; it would be misrepresentation to consumers to claim that organic poultry had access to the outdoors at all times.

Shainsky recommended that synthetic vitamins and amino acids be added to the National List; the natural vitamins sources are not stable nor consistent, and would affect the flavor of the meat. He claimed amino acid supplements would reduce ammonia pollution caused

by the overfeeding of protein.

Shainsky uses sodium bisulfate for cleansing the floor of the litter house; the change in the PH environment of the floor exterminates salmonella and clostridium. Weakley argued that soil sulfur would be equally effective for acidification.

Anton pointed out the consumer demand for free-range eggs in California -- an evidently bigger market there than that for organic eggs. Shainsky argued that the real concern for poultry living conditions has to do with cages for egg layers.

(6) Robert Beauchemin, representing Hirzel Canning Company, an OCIA-certified tomato processor:

Hirzel Canning Company recommends the listing of potassium hydroxide as an allowable processing aid. A description of the lye peeling process (provided) emphasizes the benign nature of the aid, which is typically used to "loosen skins from tomatoes, pears, peaches, apples, some vegetables, and many tropical fruits."

Over the last decade, tomato processors in California with large amounts of capital have been able to convert their peeling process to a non-chemical, mechanical means. However, the non-caustic peeler has proved "cost ineffective," and many operations are resuming use of sodium hydroxide for peeling.

Hirzel points out the difficulty small scale, family owned processing facilities across the country will have without the option of utilizing potassium hydroxide as a cost-effective peeling aid.

7. Dave Carter, President of the Rocky Mountain Farmer's Union, Secretary of the National Farmer's Union

Dave represents a large body of medium sized farmers and ranchers. His group is manifesting an increasing interest in the Organic Standards issues, and generally support an alternative and sustainable food system and urge the recognition of the need for expanded research and training in this area. Dave voiced the concerns of the producers in the Farmer's Union that the organic standards maintain some balance, protecting organic integrity without overburdening producers.

Five specific concerns have come to the fore recently:

1. That in making allowances for processors to use non-organic ingredients in foods labeled organic that there be some consistency or equality in restrictions on processors and producers under the National Standards;
2. That the Peer review panel be a balance panel representing diverse concerns and expertise;
3. That there be consistency between imported and domestic standards;
4. That the 1995 Farm Bill contain cost share provisions for conversion to organic methods;
5. In considering the acreage under the Conservation Reserve Program due to come back into production the Farmer's Union asks:
 - * might this be an opportunity for beginning farmers;
 - * might this acreage be an opportunity for quick starting into organic production?

8. Robert Beauchemin, speaking for the Organic Certifier's Caucus

Robert urged that the Peer Review Panel include a recommendation to the Secretary in its function. He also noted the suggestion from the OCC that a third arm of the Accreditation process be a review committee made up of certifiers and NOSB members to perform public oversight of the Accreditation Program.

On the fees issue, OCC thinks it appropriate that all those benefiting from the program cover part of the costs in fees. They confirm the need for public funds in the program, since the public as represented by the organic consumer is a beneficiary. They likewise feel that the relationship between the State and the private certifiers needs to be clarified in recommendations from the Board. The certifiers also think that parameters for reasonable State registration fees need to be recommended by the Board. These fees could be abused in such a way that private certifiers were excluded from certain States.

Robert also cautioned about the difficulties of using a large peer review panel and supported the notion of contracting out the evaluation phase.

9. Annie Kirschenmann, FVO

Annie made three points:

1. FVO supports the current NOSB position on Accreditation and Review;

2. On site evaluation of certifiers by certifiers is critical and will foster program improvement and should not be regionally based;

3. All beneficiaries should share in the cost of the program.

She also urged the finalization of the recommendations on accreditation at this meeting, suggesting that refinements could be an ongoing process.

10. Robert Donley

Robert is involved in the processing of wool and has been approached by a manufacturer to locate and process organic wool. In essence he was asking the Processing and Handling committee and the Livestock Committee how they would approach such standards. He was in turn asked to proffer suggestions for such standards.

11. Ron Gargas, Chair of the United States Legislative Task Force (USLTF) for OCIA International.

What appears herein is a synopsis of the written transcript of the June 1, 1994 comments received from Mr. Gargas on June 13, 1994. The USLTF noted the difficult but commendable goals of the NOSB process: attempting to unify organic standards, encouraging organic practices, and assuring consumer confidence in the market place. They warn however that:

- vested interests may be drawing the process beyond the intent of the OFPA;
- it may be difficult to legislate a prototypical formula for success in an implementation plan;
- education, crop improvement, and technical assistance are the critical functions of the Certifying Agent;
- dedicated growers and handlers have invested greatly to get organic production to where it is today and to burden them with a further and rising expense of the program would be unfair;
- although the industry was built on a shoelace, a burdensome federal bureaucracy may result.

They also find it disturbing that after three years they still do not know how the role of the private certifier will play out state to state. Nor are they sure that OCIA will be accredited as one certification organization or on a chapter by chapter basis.

Ron also noted a concern for the general malaise within agriculture as a whole due to operation at 56% of a par exchange rate.

Finally, Ron offered language to assure that a certifying agent's

accreditation extended to licensed agents of that certifier.

12. Ron Roller, of American Soy Products, Saline, Michigan

Ron discussed the ongoing questions related to the calculation of the percentage of organic ingredients in a product, excluding water and salt as is required in the OFPA. His main presentation was on soy milk, and he emphasized that soy milk is not just a mixture of soybeans and water, but rather an inseparable product that should be considered as one ingredient. In the case of soy milk, he pointed out, water must be included in the calculation because of its interaction with the soybeans.

13. Sharon Palmer, of Seed International, Inc., Rio Rancho, New Mexico

Sharon presented an overview of the closed system greenhouse which she has designed and is perfecting. The system is designed to produce sprouts for human consumption and feed for livestock. It uses aeroponics growing system approved organic inputs and organic seed. She was also asking if the system is eligible to be certified organic.

14. Yvonne Frost, Certification Director for Oregon Tilth, a nonprofit research and education organization dedicated to environmentally sound agriculture, testified on behalf of Tilth. Most of the comments made during the testimony were directed towards Accreditation. Tilth supports the OCC and OFPANA positions on Accreditation. In addition, Tilth believes that the initial costs of Accreditation should be absorbed by the NOP. It was commented that at this point, the industry needs the funding jump-start from the NOP.

15. Diane Bowen, Executive Director for the California Certified Organic Farmers (CCOF), testified on behalf of CCOF. CCOF supports the OCC position on Accreditation. This support for the OCC position is based upon the results of a consumer poll conducted by CCOF. Ms. Bowen also commented on the transparency issue, stating that CCOF provides reasonable access to certifier and grower information, particularly for the chemically sensitive consumer. Also, CCOF feels that **all** consumers should have access to certifier and grower information, with the Secretary having ultimate authority on issues of access. CCOF will be submitting further comments to the Accreditation Committee in the future.

In addition, Ms. Bowen briefly addressed a project related to Materials in organiculture. Brian Baker will be helping the development of the National List through a project that received a \$20,000 grant. He will be concentrating on these five areas: botanicals, sewer sludge, livestock inputs, inerts, and recombinant DNA.

16. **John Phillips, a scientist in the area of "Natural Biotechnology"**, addressed several issues. These issues included (as they relate to organics) biotechnology, probiotics, and the creation of fermentation products. Mr. Phillips recommended the exclusion of synthetic biotechnology from organiculture. Also, Mr. Phillips has asked for provisions allowing the use of non-toxic bio-technology in organiculture.

17. **Renee Robin , attorney and Director of the National Organic Cotton Association (NOCA)**, led her testimony with an overview of NOCA. NOCA is a non-profit, organic cotton trade association. Currently the acreage for organic cotton in the U.S. stands around 10-15,000 acres. For the most part, her testimony focused on development and formation issues of the NOCA. There was very little comment about the NOP in remarks.

18. **Cissy Bowman, the Vice-President of the Organic Crop Improvement Association (OCIA)**, testified on behalf of the OCIA, Indiana Chapter. Cissy is the State Coordinator of Organics in Indiana. Indiana hopes that the industry can disregard personal and vested interests at this stage of standard development and move towards more consensus building. Indiana wishes desperately to get the National Program up and going soon, for their state is unwilling to move forward on Organics until the national standards are in place.

19. **George Siemon, of the Coulee Region Organic Producers Pool (CROPP)**, spoke for strict, high standards and a strong, progressive Farm Plan. He expressed concerns about how the implementation of the National Program would occur - specifically, that currently certified farmers might be given an advantage over those seeking certification after implementation. He again stated a desire for a new herd clause for dairy animals.

20. **Eric Ardapple Kindberg, of Farmer to Farmer magazine**, also addressed the new dairy herd clause, and stated his non-support for the suggestion because of the precedence it might begin for other livestock products. He then asked that the national list process and content be better defined in the areas of synthetic categories, synthetic ingredients allowable in handling, and no synthetic ingredients allowed in organic processed foods. He distributed a letter from Allen Rosenfeld of Public Voice supporting percentage organic ingredient listing on labels.

21. **Steven Badger, of Seeds of Change**, talked about growing and selling organic seeds on a national level. He emphasized that usage of seeds subject to chemical production (including fungicides) for organic production should not be permitted and that work should start now to increase the availability of organically raised seeds for ecological reasons. He explained the difference between treated, untreated, and organic seeds. Treated is treated at harvest; untreated is not treated at

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harvest, but is produced from plants raised on soil to which substances not permitted in organiculture are applied; organic is untreated at harvest and raised on organically managed land.

22. **John Ellis, of Colorado Organic Growers**, spoke about the Small Farmer Exemption. He asked that the maximum amount allowable before certification becomes mandatory be raised to \$10,000, citing the fact that many farmers gross more than \$5,000 on less than 1 acre and certification costs would be a problem for them.

23. **David Haenn, of Ozark Small Farm Viability Project**, offered critiques of the Crops Comprehensive document. He reminded members that farms, fields, and sites are actually certified, not the food products produced on the land. He took exception with the greenhouse and mushroom proposals that allowed organic production without accounting for the requirement that no prohibited materials be applied for 3 years preceding harvest.

24. **Allan Shainsky, speaking for Steve Mahrt**, who raises egg laying chickens, pointed out that egg layers do not need access to the outdoors. In fact, producers have better control over maintaining uniform flock hen weight if chickens are kept inside. He further offered that uniform hen weight would be better achieved if amprolium and synthetic amino acids and vitamins were allowed up until 16 weeks before the start of laying, at which time organic feed would be initiated.

25. **Steve Wisbausch, of Kansas Organic Producers**, asked that the livestock standards remain strict and that medications not be permitted in organic production. He thought that enzymes could be allowed since charcoal is from a natural source and also that there should be no exceptions for small farmers from the total organic feed requirement. Speaking for himself, Steve referenced his recently submitted comments on accreditation and his concern about having a strong audit trail for organic goods.