

Note: Subcommittee notes may include preliminary discussions regarding substances considered for addition to or removal from the National List. They do not represent official National Organic Program (NOP) policy or regulations. Please see the NOP website for official NOP policy, regulations, and status of substances used in organic production and handling.

**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, January 8, 2016, 1:00 pm ET**

**Attending:** Tracy Favre (TF), NOSB Chair; Tom Chapman (TC), NOSB Vice Chair & PDS Chair; Lisa de Lima (LD), NOSB Secretary & Materials/GMO ad hoc Chair; Harold Austin (HA), Handling Chair; Ashley Swaffar (AS), Livestock Chair; Zea Sonnabend (ZS), Crops Chair; Carmela Beck (CBe), CACS Chair; Colehour Bondera (CBo) - sitting in; Jean Richardson (JR) - sitting in; Calvin Walker (CW) - sitting in; Jennifer Taylor (JT) - sitting in.

**Absent:** Miles McEvoy (MM)

**Staff:** Michelle Arsenault (MA); Emily Brown Rosen (EBR); Paul Lewis (PL)

**Agenda**

- **Approve notes of December 11, 2015**
- **Chairs Report - TF**
  - Sunset review timeline
  - Farewell to outgoing members
  - New NOSB members
  - New template for petitioned materials
- **Advisory Board Specialist (ABS) update – MA**
  - New member orientation/training
  - Public comment webinars April 2016 – dates?
  - Fall 2016 meeting locations update
- **NOP news and update - PL**
- **Subcommittee Reports (5 minutes each)**
  - Handling (HS) - HA.
  - Materials/GMO ad hoc (MS/GMO) - LD.
  - Compliance, Accreditation, & Certification (CACS) - CBe.
  - Crops (CS) - ZS.
  - Livestock (LS) - AS.
  - Policy Development (PDS) - TC.
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of December 11** approved with no changes
- **Chairs Report – TF**
  - Sunset review timeline. The group briefly discussed the proposal to adjust the timeline for sunset reviews, which would redistribute the reviews more evenly over 5 years. The Executive team officially requested that the project be added to the work agenda and anticipates a response from the NOP soon. There is broad support for this as it will better distribute the workload and resources, and make analyses more robust. A member noted that there will still be a 2-phase review process for sunset materials.

- Farewell to outgoing members. The NOSB Chair thanked the outgoing members, whose terms end January 23. One of the outgoing members asked that the NOSB keep vigilant about organic research priorities, specifically NIFA's Agriculture and Food Research Initiative (AFRI). The Board Chair requested that the member pass along any helpful information to the new Material's Chair.
- New NOSB members. The NOSB Chair spoke with all new members last week, and relayed their excitement and enthusiasm for being chosen to serve on the NOSB. The NOP will send the new Subcommittee rosters today, and the new members will sit in on calls next week if they are available. The NOSB Chair asked for feedback from the Subcommittee Chairs about the new assignments.
- New template for petitioned materials. Two NOSB members developed a template for materials' review that converts the current checklist format into narrative form based on OFPA criteria and the regulations. The template is considered an internal NOSB tool. The NOP will provide feedback on the template, then new templates will be disseminated ASAP. Templates will be used to guide analysis and will provide more robust justification for rulemaking. The NOSB Chair noted that standardization across all Subcommittees is also key.
- **Advisory Board Specialist (ABS) update - MA**
  - New member orientation/training. The NOP is searching for a date for which all new members and NOSB officers can attend a training in DC.
  - Public comment webinars - April 2016. The group discussed potential dates for a public comment webinar(s) prior to the spring meeting. Members asked that the webinar be held the week prior to the meeting.
  - Fall 2016 meeting locations update. The fall 2016 meeting will be held in either St. Louis or Indianapolis in November 2016, after the 2016 Presidential election. Members emphasized their opposition to holding the meeting any later, as was originally proposed.
- **NOP news and update - PL**
  - The NOP is working on several Federal Register notices including one for the five NOSB nominations (for terms beginning in 2017) and renewal of the NOSB Charter. The notice will also announce an open call for nominations so the Secretary has a pool of applicants for any unexpected vacancies.
  - There are several other projects and documents underway that are at various stages of completion: Guidance on Post Harvest Handling, Sound & Sensible resources, the 2016 NOSB training, and Classification of Materials guidelines.
  - The NOP will participate in a seminar next week on emerging technologies with a senior scientist from APHIS and the NOSB will likely have a panel on GMO technology at the April NOSB meeting.
  - A member asked about the status of the aquaculture rule, and if it would be published before the spring NOSB meeting. The document is in final clearance but the NOP is unsure when it will be completed and returned.
  - Either the NOP or EPA will present a report on Inerts at the spring NOSB meeting. The Inerts Working Group will hold a couple of calls before the spring meeting and will discuss this.
  - Animal welfare. This is a top priority and the NOP is working diligently to get it completed. Currently it is at the departmental level and not yet in clearance.
  - An outgoing member asked about adding a potential work agenda item looking at ways to address farm worker welfare and health. The CACS will discuss this on the next call and determine whether to submit a request to add it to the work agenda.
- **Subcommittee Reports (5 minutes each)**

- Handling (HS) - HA. The HS has 3 scheduled calls before the proposal deadline and is working on several documents for the spring 2016 NOSB meeting. This includes its review of the 2018 sunset materials for which it is anticipating the draft guidance on materials' classification. The HS Chair indicated that some of these materials may be impacted by this, but the Subcommittee does not want to change anything until the rule has been finalized. The NOP indicated that the guidance should be completed soon. The Subcommittee is waiting for several TR's that are in development, and is also preparing to transition several materials to new members. The discussion on Packaging Materials will be deferred to the fall meeting because the TR is still in development. The group discussed a possible panel on carrageenan for the spring 2016 meeting, but would prefer to wait until the TR is available before deciding. The HS is waiting for a response for NOP regarding several other potential work agenda items, including marine plant extracts, nutrient vitamins and minerals, reclassification of magnesium chloride, and the cumulative health effects of phosphate food additives. A member noted the controversial nature of carrageenan, which may elicit media attention given that the meeting is being held in DC.
- Materials/GMO ad hoc (MS/GMO) - LD. The MS has not met since the last Executive call. The group is working on the next draft of excluded methods terminology document.
- Compliance, Accreditation, & Certification (CACS) - CBe. The CACS will meet next week and will discuss an update from the NOP regarding the Soil Assessment document. The Subcommittee has no other work agenda items at this time and asked for suggestions.
- Crops (CS) - ZS. Crops is working on several new petitioned items, and is waiting for TRs for some. The Chair noted the receipt of a petition to amend calcium chloride at §205.602, which appears to be similar, if not identical, to the petition submitted in 2010. CS will discuss how to proceed. The Subcommittee had a brief discussion about the project on Contamination in Farm Inputs, and how to transition this to a new NOSB member. The project will be on hold until a new lead is identified and therefore it won't be on spring 2016 agenda. The CS Chair submitted a formal request to add a project for an annotation change for newspaper. The previous TAP was from 1995, so the CS is requesting a new TR to glean information on the composition of inks and paper.
- Livestock (LS) - AS. The LS is working on a number of projects including several petitioned materials for litter amendments for which they are waiting on a TR, as well as a petition for hypochlorous acid. All materials will be presented at the April 2016 meeting. The Subcommittee also has several annotation changes on the work agenda. The Crops Subcommittee will review hypochlorous acid after the LS completes its review and feels they will have adequate time to do so.
- Policy Development (PDS) - TC. The PDS has not met since last ES call but is meeting next week to discuss the PPM and public comments it received at the last NOSB meeting. The Sunset Material Review Timeline project will be added to the work agenda, as well as a revision of the member guide.
- **Additional Items.** The NOSB Chair asked that the Subcommittee Chairs send her comments or suggestions for mentors for the new members so she can make assignments before the training at the end of February. ZS & HA volunteered to be mentors.
- **The meeting was adjourned**

[Previous ES Notes](#)

**Future call schedule:**

December 11, 2015 1:00 ET

January 8, 2016 1:00 ET

February 12, 2016 1:00 ET  
 March 11, 2016 1:00 ET  
 April 8, 2016 1:00 ET  
 May 13, 2016 1:00 ET  
 June 10, 2016 1:00 ET  
 July 8, 2016 1:00 ET  
 August 12, 2016 1:00 ET  
 September 9, 2016 1:00 ET  
 October 14, 2016 1:00 ET  
 November 11, 2016 1:00 ET  
 December 9, 2016 1:00 ET

Spring 2016 Milestones	Target date
New NOSB member orientation	Feb 29, 2016
NOP - Complete Spring 2016 NOSB meeting tentative agenda	Feb 10, 2016
NOSB - Spring 2016 proposals due to NOP	Feb 26, 2016
NOP - Post proposals, Publish FRN, Open public comment	Mar 8, 2016
Discuss work agendas on ES call	Mar 11, 2016
Public comment webinars	Apr 18, 2016
Public comment closes	Apr 6, 2016
Work agendas finalized on ES call (last call before fall meeting)	Apr 8, 2016
NOP - Send compiled public comments to NOSB	Apr 11, 2016
Spring 2016 NOSB meeting – Washington, DC	Apr 25 - 27, 2016

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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, February 12, 2016, 1:00 pm ET**

**Attending:** Tracy Favre (TF), NOSB Chair; Tom Chapman (TC), NOSB Vice Chair & PDS Chair; Harold Austin (HA), Handling Chair; Ashley Swaffar (AS), Livestock Chair; Zea Sonnabend (ZS), Crops Chair; Carmela Beck (CBe), CACS Chair; Jean Richardson (JR) - sitting in; Scott Rice (SR) - sitting in

**Absent:** Lisa de Lima (LD), NOSB Secretary & Materials/GMO ad hoc Chair; Miles McEvoy (MM)

**Staff:** Michelle Arsenault (MA); Emily Brown Rosen (EBR); Paul Lewis (PL)

**Agenda**

- **Approve notes of January 8, 2016**
- **Chairs Report - TF**
  - Draft meeting agenda for spring 2016
  - New template for petitioned materials
- **Advisory Board Specialist (ABS) update - MA**
  - New member orientation/training - February 29
  - Ethics Training
  - Comment webinar run-through and public comment webinar
  - Fall 2016 meeting locations update
  - Charter renewal/2017 nominations
  - Spring meeting announcement and comment period
- **NOP news and update - PL**
- **Subcommittee Reports (5 minutes each)**
  - Materials/GMO ad hoc (MS/GMO) - ZS.
  - Compliance, Accreditation, & Certification (CACS) - CBe.
  - Crops (CS) - ZS.
  - Livestock (LS) - AS.
  - Policy Development (PDS) - TC.
  - Handling (HS) - HA.
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of January 8, 2016** were approved with no changes
- **Chairs Report - TF**
  - Draft meeting agenda for spring 2016. Members discussed the Hydroponics Task Force. The sense from the Board is that at this stage in the process, the Task Force likely will not need 45 minutes to present an update at the April 2016 meeting, and perhaps the schedule should be reduced from 45 minutes to 30. PL will speak with the Deputy Administrator about this idea. Alternatively, the members suggested that rather than invite task force members to present preliminary information, perhaps the Crops Subcommittee task force liaisons could provide an update, or instead the update could be provided via webinar. Members also discussed the

emerging technologies panel and asked for some adjustments to the time and location on the agenda. The revised draft agenda will be recirculated prior to the scheduled posting date of March 8.

- New template for petitioned materials. The group discussed the draft template which is a narrative version of the questions formerly included in the petitioned materials checklist. The NOSB felt that the checklist was not adequate for presenting a complicated review, and at times the limitations of a checklist did not allow for proper justification. Members will review the document and provide feedback for the next iteration. The NOP will then prepare the document so it can be distributed to the members as well as presented to the new members during training. The current proposals for the April 2016 NOSB meeting will remain on the old checklist form as the new one will not be ready for this meeting.
- **Advisory Board Specialist (ABS) update - MA**
  - New member orientation/training is scheduled for February 29.
  - Ethics training for the entire NOSB will be provided via webinar in early March. The date has yet to be scheduled.
  - The public comment webinar run-through is scheduled for April 14, and the public comment webinar is scheduled for April 19.
  - Fall 2016 meeting locations update. The fall meeting is scheduled for November 16-18, 2016 in St Louis at the Chase Park Plaza Hotel.
  - Charter renewal. The NOSB Charter is in the process of being revised. The expiry date is May 8, 2016 and the NOP anticipates it will be renewed on or before that date. The next round of call for nominations will be published this spring. Five positions will become vacant in January 2017.
  - Spring meeting announcement. The April 2016 NOSB meeting is due to be announced on or about March 8 in the Federal Register and on the NOSB website.
- **NOP news and update - PL**
  - Ethics training. The NOP will hold a virtual training for the annual ethics update, which will be provided by the USDA deputy ethics officer
  - TR reports. The NOP is looking at how these reports can be enhanced to address Board's needs in reviewing materials.
  - The NOP has a number of activities and reports in progress with the goal of finalizing them before the change in administration.
  - April 2016 panel on emerging technologies. Lisa Brines will be facilitating the choice of panelists. The NOP and Materials Subcommittees wish to include a range of expertise for the panel, including plant breeding, domestic and international perspectives, and expertise in detection methods. The Animal and Plant Health Inspection Service (APHIS) has also provided some references.
- **Subcommittee Reports (5 minutes each)**
  - Materials/GMO ad hoc (MS/GMO) - ZS. The MS will have two documents for the April meeting, although the excluded methods document will have two parts: one proposal and one discussion document. The proposal will include definitions, criteria and principles, and terminology about emerging technologies. The discussion document will contain supplementary issues such as detection, enforcement, and additional proposed definitions. The second MS document is a discussion document on seed purity next steps. This document includes a summary of the public comment from the last two years and suggestions on how to move forward. The MS chose a new lead for the Research Priorities.
  - Compliance, Accreditation, & Certification (CACS) - CBe. The CACS discussed the soil assessment document during the last Subcommittee call, and will put forth suggestions to the NOP emphasizing education and training for certifiers, inspectors and producers. The Subcommittee

will provide a verbal update on this at the spring NOSB meeting. The group also discussed revisiting past recommendations such as the eligibility of products treated with sanitizers for the 100% organic label. The CACS chair has solicited ideas from members about other topics to add to the work agenda.

- Crops (CS) - ZS. The Subcommittee has been working through the topics on the work agenda and has one call left before proposal submission deadline. The five 2018 sunset materials have been reviewed and the CS is working on several petitions. The Chair will follow up with the NOP about biodegradable biobased mulch, as the Subcommittee is unsure how to move forward procedurally.
- Livestock (LS) - AS. The LS has one proposal to complete before spring, and will have three proposals for the April meeting. The group has several other work agenda items including continuing discussions about forming an organic poultry working group. The LS Chair noted that she received an email from a stakeholder regarding kelp, and the members discussed the process for responding to direct communications. The NOP suggested that members ask that all communication regarding materials be uploaded to the public comment site, so it is part of the public record and everyone has access to it.
- Policy Development (PDS) - TC. The PDS will have two documents for the April 2016 NOSB meeting: Updates to the policy & procedures manual, and a discussion document about the reorganization of the sunset review. Additionally, the Subcommittee hopes to have a revised member guide for fall.
- Handling (HS) - HA. The Handling Subcommittee has a number of items for the April NOSB meeting: ten sunset 2018 materials, six proposals, and one discussion document. The HS is currently awaiting several TRs for some of these reviews. The Subcommittee recently received the TR for carrageenan, as well as several others, and have added an additional conference call to discuss these. There are several other petitioned materials under review, which the HS will conduct once the spring meeting documents are submitted. The lead reviewer for Carrageenan urged the other members to read the TR prior to the spring meeting.
- **Additional Items.** The Crops Chair reminded the members that the work agendas would be discussed on the March 11 Executive call, and suggested that the Subcommittee Chairs bring the topic to their respective Subcommittees.
- **The meeting was adjourned**

### [Previous ES Notes](#)

#### **Future call schedule:**

February 12, 2016 1:00 ET

March 11, 2016 1:00 ET

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May 13, 2016 1:00 ET

June 10, 2016 1:00 ET

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December 9, 2016 1:00 ET

Spring 2016 Milestones	Target date
New NOSB member orientation	Feb 29, 2016
NOP - Complete Spring 2016 NOSB meeting tentative agenda	Feb 10, 2016
NOSB - Spring 2016 proposals due to NOP	Feb 26, 2016
NOP - Post proposals, Publish FRN, Open public comment	Mar 8, 2016
Discuss work agendas on ES call	Mar 11, 2016
Public comment closes	Apr 5, 2016
Work agendas finalized on ES call (last call before fall meeting)	Apr 8, 2016
NOP - Send compiled public comments to NOSB	Apr 11, 2016
Public comment webinars	Apr 18, 2016
Spring 2016 NOSB meeting – Washington, DC	Apr 25 - 27, 2016



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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, March 11, 2016, 1:00 pm ET**

**Attending:** Tracy Favre (TF), NOSB Chair; Harold Austin (HA), Handling Chair; Ashley Swaffar (AS), Livestock Chair; Zea Sonnabend (ZS), Crops Chair; Carmela Beck (CBe), CACS Chair; Jean Richardson (JR) - sitting in; Scott Rice (SR) - sitting in

**Absent:** Lisa de Lima (LD), NOSB Secretary & Materials/GMO ad hoc Chair; Tom Chapman (TC), NOSB Vice Chair & PDS Chair

**Staff:** Michelle Arsenault (MA); Emily Brown Rosen (EBR); Paul Lewis (PL)

**Agenda**

- **Approve notes of February 12, 2016** (attached)
- **Chairs Report** - TF
  - Training recap
  - Work agendas for fall 2016 (3 attachments)
  - List of previous NOSB recommendations and the current status.
- **Advisory Board Specialist (ABS) update** - MA
  - Ethics Training
  - Comment webinar run-through and public comment webinar
  - Spring meeting announcement and comment period.
- **NOP news and update** - PL
- **Subcommittee Reports** (5 minutes each)
  - Compliance, Accreditation, & Certification (CACS) - CBe.
  - Crops (CS) - ZS.
  - Livestock (LS) - AS.
  - Policy Development (PDS) - TC.
  - Handling (HS) - HA.
  - Materials/GMO ad hoc (MS/GMO) - ZS.
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of February 12, 2016** were approved with no changes
- **Chairs Report** - TF
  - Training recap. The NOSB Chair felt the new member training went well and relayed that the new members are engaged and eager. While the training was condensed to one day from two, the new members completed some reading ahead of time, which allowed for more hands-on activities during the face to face training. Members appreciated the exercises on how to review petitions and TRs, and develop proposals.
  - Work agendas for fall 2016. Members discussed the draft work agenda for the fall semester. The Chair asked that members review it and provide any feedback for the next Executive call. A member asked about the addition of marine materials to the Livestock Subcommittee work

- agenda. Both Crops and Handling are working on a project on marine materials, and while the LS will not conduct a separate review, they will consult with the other Subcommittees and provide feedback. The item will be added to the LS work agenda table as a placeholder.
- List of previous NOSB recommendations and the current status. The Chair requested a list of outstanding NOSB recommendations and their status. Since Board members often get questions from stakeholders about the status of previous recommendations, and due to the timelines involved, both the members and the NOP feel it's important that the current members be kept informed as to the progress of their work.
  - **Advisory Board Specialist (ABS) update - MA**
    - Ethics Training. Scheduled for March 28. Slides and presentation materials will be provided to members who cannot attend the webinar.
    - Comment webinar run-through and public comment webinar. Scheduled for April 14 and April 19 respectively.
    - Spring meeting announcement and comment period. The meeting announcement was delayed and will not post in the Federal Register until March 16. The 30-day comment period will be open from March 16 through April 14.
  - **NOP news and update - PL**
    - NOSB recommendations and status. The NOP will provide a list of previous NOSB recommendations and the status of those recommendations. The NOP supports the idea of maintaining such a list as it will serve to better gauge the interests of stakeholders in organic agriculture.
    - Organic livestock and poultry practices (animal welfare) is currently at OMB for review.
    - There is a Sound & Sensible webinar on March 16.
    - The Federal Register notice announcing the NOSB charter renewal and the call for nominations should be published in the next two weeks. The NOP is intent on announcing the new members before or by the fall 2016 meeting. The NOSB members are supportive of early announcement and encouraged the program to do so because it is beneficial for the new members to have time to get oriented before the outgoing members rotate off the Board.
  - **Subcommittee Reports (5 minutes each)**
    - Compliance, Accreditation, & Certification (CACS) - CBe. The CACS will have an oral update on the soil assessment document at the spring meeting that includes the history and path forward. The CACS requested the addition of a work agenda item regarding the requirement for annual on-site evaluations of inspectors as per the NOP Instruction 2027. -The NOSB feels that the requirement of having annual assessments is burdensome to both time and resources. The previous NOSB recommendation included a request for a 3-year/or 300 inspections (whichever is less) review cycle. A member added that annual in-field reviews have implications for certifiers, who may reduce the number of inspectors to compensate for the added costs, and it may also have a negative impact on the organic industry as a whole. The NOP forwarded the request to the Accreditation and International Activities Division (AIA) as they are currently revising this instruction, and will review the request further.
    - Crops (CS) - ZS. The CS is beginning work on the fall 2016 proposals and discussion documents. There are a couple of projects that are on hold until the Subcommittee determines a path forward, for example, contamination in farm inputs. The CS Chair informed the ES that the petition for calcium chloride was denied, because the Subcommittee determined it did not contain any new information from the previous submission. The NOP will include this in the materials update at the spring NOSB meeting. The CS has a new request for a work agenda item: Strengthening the organic seed guidance. Members were unanimously in support of this agenda

- item, which will likely be a discussion document for fall 2016. The ES Committee approved the addition of this to the CS agenda. NOP will review the request and respond further.
- Livestock (LS) - AS. The Livestock Subcommittee has several petitions and projects underway for the fall meeting. The group has had several discussions about the formation of an organic poultry working group. .
  - Policy Development (PDS) - TC. The PDS has two items for the spring 2016 NOSB meeting agenda: An update to the Policy and Procedures Manual (PPM), which governs internal Board policy and procedure, and a discussion document proposing a redistribution of sunset reviews. The PDS Chair encouraged all members to read the PPM proposal and provide feedback. The discussion document for the sunset review timeline includes several options for distributing materials more evenly over the 5-year review cycle, and addresses concerns from the public and other Board members. The document also includes questions for stakeholders. The group also discussed the policy of calling on experts during the meeting for added clarification or response. The PPM does not contain any guidance about this. There doesn't seem to be an issue if the Board would like to recall a commenter for clarification, but calling on an expert from the audience if that person did not provide oral comments could be viewed as unfair, unless everyone is afforded that opportunity. The NOP will discuss this issue for the next ES call. The PDS will develop a procedure for this and add it to the next PPM update.
  - Handling (HS) - HA. The HS held an extra call to finish its work for the semester. The Subcommittee currently has several materials in progress for the fall meeting, including 10 sunset 2018 materials and several petitions. There are several TRs in development for these materials. The HS received a TR for peracetic acid which both Crops and Livestock are reviewing.
  - Materials/GMO ad hoc (MS/GMO) - ZS. The MS has three items for the spring meeting: A proposal on excluded methods terminology and a discussion document on the same, as well as a discussion document on seed purity. The Materials Subcommittee/NOP will also convene a panel of experts to discuss emerging technologies to help inform the complex issues in the excluded methods documents. The seed purity document and research priorities (RP) document will be on the fall meeting agenda. A new NOSB member, Emily Oakley, will be the Subcommittee liaison for research priorities and will facilitate communication between Subcommittees.
  - Expert panel on emerging technologies. The Materials Subcommittee and NOP have identified four panelists with a range of expertise including biotechnology, synthetic biology, plant breeding and international perspectives. The MS requested a new work agenda item: a follow-up letter and 5-year progress report for the Secretary regarding GMOs. The MS undertook these topics approximately 5 years ago, and sent a letter to the Secretary that included goals for the NOSB. The new letter will include a status report on the science and progress made over the last 5 years.
  - The NOSB Chair asked that the MS Chair circulate the spring 2016 documents to the members for discussion.
- **The meeting was adjourned**

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**Absent:** Lisa de Lima (LD), NOSB Secretary & Materials/GMO ad hoc Chair

**Staff:** Michelle Arsenault (MA); Emily Brown Rosen (EBR); Miles McEvoy (MM); Paul Lewis (PL)

**Agenda**

- **Approve notes of March 11, 2016**
- **Chairs Report - TF**
  - Work agendas for fall 2016
  - Communicating with stakeholders
  - Coordination for the board meeting
  - Pre-meeting admin meeting
- **Advisory Board Specialist (ABS) update - MA**
  - April meeting miscellany
  - Comment webinar run-through and public comment webinar
  - Pre-meeting admin meeting
- **NOP news and update - PL**
- **Subcommittee Reports (5 minutes each)**
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  - Handling (HS) - HA.
  - Materials/GMO ad hoc (MS/GMO) - ZS.
  - Compliance, Accreditation, & Certification (CACS) - CBe.
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of March 11, 2016** were approved with no changes
- **Chairs Report - TF**
  - The Chair congratulated the NOP for the recently released proposed rule on Animal Welfare (Organic Livestock and Poultry Practices)
  - **Work agendas for fall 2016.** Members discussed various items on the work agenda that will be reviewed at the spring meeting. There are several requests under review by NOP for additional work agenda items that could potentially be added as we approach the fall NOSB meeting. CACS has requested to add a project on inspector evaluations. The NOP's position is that the current

requirement for annual on-site evaluation of inspectors is very important for program quality. , but will respond to the CACS's request with an email.

- **Communicating with stakeholders.** The NOPs Office of General Council (OGC) provided feedback to the NOSB members about responding to emails that are sent to their personal email addresses. Members discussed the various approaches and opinions, and may develop some guidance for the member guide.
- **Coordination for the board meeting.** The NOSB Chair discussed uniformity for introductions and presentations at the NOSB meeting. The Board will employ a roll call vote instead of the hand voting that was used for the fall 2016 meeting, which was chosen for time and efficiency. The group also discussed introductory remarks or perhaps a video to help set the tone for the meeting. The National Organic Coalition (NOC) meeting is Sunday April 24, and the NOSB Chair suggested people attend if they can. An NOSB member, Emily Oakley, is scheduled to speak about organic certifications
- **Pre-meeting admin meeting.** The members will meet briefly before the NOSB meeting to introduce themselves to the new members, receive their meeting materials, and run through the logistics of the agenda.
- **Advisory Board Specialist (ABS) update - MA**
  - April meeting miscellany. The NOP updated the group about logistics for the meeting including travel and hotel info.
  - Comment webinar run-through is April 14 and the public comment webinar is April 19. To date there are about 17 people signed up for the webinar and about 70 signed up for the face-to-face meeting.
  - Panel logistics. The NOP discussed the time and format for the panel on Excluded methods.
- **NOP news and update – MM**
  - **OLPP (Organic Livestock and Poultry Practices [Animal welfare rule]).** The proposed rule amending the organic livestock and poultry production requirements was posted and the comment period officially opens next week. The AMS deputy Administrator reminded members that they can provide personal comments, but cannot submit comments as a Board.
  - **Mexico organic regulations.** NOP is in consultation with Mexico about a possible equivalency agreement.
  - **List of NOSB recommendations and the status.** NOP is compiling a list and will share it with the Board as soon as it is completed.
  - **Origin of Livestock.** The NOP is currently drafting the final rule.
  - **Classification guidance for materials.** Currently under review and will undergo legal review soon. The NOP anticipates that the Classification Guidance will be published by the end of the year.
- **Subcommittee Reports (5 minutes each)**
  - Crops (CS) - ZS. Crops has several new petitions. The Subcommittee will not request a TR on 1-MCP. The group is also working on, or will be working on, hydroponics, biodegradable biobased mulch, marine materials, and next steps for contaminations issues in farm input. The CS also discussed the possibility of proposing a work agenda item regarding water: more specifically oil field water and flood waters that infiltrate organic fields. The CS Chair will outline the scope of problem before requesting this for the work agenda.
  - Livestock (LS) - AS. The LS Subcommittee is moving forward with its research priorities and continues to discuss the formation of a poultry working group. The LS is also reviewing a petition for sulfur, as well as three poultry litter amendments, for which they recently received a technical report (TR).

- Policy Development (PDS) - TC. The PDS has not met since the last Exec call. The PDS will proceed with implementation of the Sunset reorganization document the spring meeting.
- Handling (HS) - HA. The HS is currently reviewing public comments. It has received a number of comments regarding carrageenan. There are several petitions under review. One of the petitions, for chlorine dioxide (dry gas), is going to be returned to the petitioner for revision. The HS determined that the petitioned substance needs to be more correctly identified, and is asking the petitioner for revision. The Subcommittee is awaiting several TRs that are in development, and is also working on research priorities.
- Materials/GMO ad hoc (MS/GMO) - ZS. The MS is meeting April 12 to discuss the panel on emerging techniques in agricultural biotechnology. The Subcommittee will continue to work on excluded methods, and seed purity, and will be discussing research priorities. The NOSB Chair has had several conversations with the USDAs Organic Policy Advisor and the Organic Working Group about structure and format for the research priorities. The MS requested a new work agenda item to begin work on a letter to secretary, as a 5-year report on GMOs.
- Compliance, Accreditation, & Certification (CACS) - CBe. The CACS will meet next week and will discuss a potential work agenda item on inspector evaluations.
- **Additional Items.** A member suggested some changes to the language in the current NOSB nominations materials, specifically, the entry for the “individual who represents a public interest or consumer interest group”. In the press release and Insider notice it said “a representative of a public or consumer interest group. The member indicated that this is not the exact language as found in OFPA and may be confusing.
- **The meeting was adjourned**

[Previous ES Notes](#)

**Future call schedule:**

- March 11, 2016 1:00 ET
- April 8, 2016 1:00 ET
- May 13, 2016 1:00 ET
- June 10, 2016 1:00 ET
- July 8, 2016 1:00 ET
- August 12, 2016 1:00 ET
- September 9, 2016 1:00 ET
- October 14, 2016 1:00 ET
- November 11, 2016 1:00 ET
- December 9, 2016 1:00 ET

Spring 2016 Milestones	Target date
New NOSB member orientation	Feb 29, 2016
NOP - Complete Spring 2016 NOSB meeting tentative agenda	Feb 10, 2016
NOSB - Spring 2016 proposals due to NOP	Feb 26, 2016
NOP - Post proposals, Publish FRN, Open public comment	Mar 16, 2016
Discuss work agendas on ES call	Mar 11, 2016

Public comment closes	Apr 14, 2016
Work agendas finalized on ES call (last call before fall meeting)	Apr 8, 2016
NOP - Send compiled public comments to NOSB	Apr 11, 2016
Public comment webinar	Apr 19, 2016
Spring 2016 NOSB meeting – Washington, DC	Apr 25 - 27, 2016



Note: Subcommittee notes may include preliminary discussions regarding substances considered for addition to or removal from the National List. They do not represent official National Organic Program (NOP) policy or regulations. Please see the NOP website for official NOP policy, regulations, and status of substances used in organic production and handling.

**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, May 13, 2016, 1:00 pm ET**

**Attending:** Tracy Favre (TF), NOSB Chair; Tom Chapman (TC), NOSB Vice Chair & PDS Chair; Lisa de Lima (LD), NOSB Secretary & Materials/GMO ad hoc Chair; Harold Austin (HA), Handling Chair; Zea Sonnabend (ZS), Crops Chair; Jean Richardson (JR); Jesse Buie (JB) - observer; Harriet Behar (HB) - observer

**Absent:** Miles McEvoy (MM); Carmela Beck (CBe), CACS Chair; Ashley Swaffar (AS), Livestock Chair

**Staff:** Michelle Arsenault (MA); Emily Brown Rosen (EBR); Paul Lewis (PL)

**Agenda**

- **Approve notes of April 8, 2016** (attached)
- **Chairs Report** - TF
  - Debrief of April 2016 NOSB meeting
  - Federal register notice comment period for fall 2016 meeting
  - Submission of final recommendations
- **Advisory Board Specialist (ABS) update** - MA
  - Update on nominations - deadline June 3
  - Charter renewal
  - Fall milestone table (see below)
- **NOP news and update** - PL
- **Subcommittee Reports** (5 minutes each)
  - Livestock (LS) - AS.
  - Policy Development (PDS) - TC. Sunset reorganization timeline (attached)
  - Handling (HS) - HA.
  - Materials/GMO ad hoc (MS/GMO) - LD.
  - Compliance, Accreditation, & Certification (CACS) - CBe.
  - Crops (CS) - ZS.
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of April 8, 2016** were approved with no changes
- **Chairs Report** - TF
  - Debrief of April 2016 NOSB meeting. Members felt the meeting went smoothly and flowed well. The NOSB officers discussed the use of roll call votes versus hand votes for time management, and noted a preference for roll call votes for consistency, if time allows. The group will discuss room layout and logistics for the fall meeting.
  - Federal Register (FR) notice for fall 2016 meeting. The NOP intends on publishing the FR notice announcing the fall 2016 meeting early, which will extend the comment period. The deadline to submit proposals to the NOP is September 14, although the Board will submit proposals as they are completed, many of them will not be posted until later in the summer. The NOP anticipates that this will allow the public to upload comments early in the process.

- Submission of final recommendations. The majority of recommendations have been submitted to the NOP for posting.
- **Advisory Board Specialist (ABS) update - MA**
  - Update on nominations - deadline June 3
  - Charter renewal. The Charter was renewed May 8, 2016 and will expire again in two years.
  - Fall milestone table (see below). The group discussed the date for the webinar and capacity for commenters. The webinar will be scheduled for November 3, and in an effort to schedule as many commenters as possible, comments will be limited to 3-minutes.
- **NOP news and update - PL**
  - Submission of refereed journal articles. When commenters submit links to journal articles, NOP can likely access them via the USDA library and make them available to Board members.
  - Comment period for OLPP. Open through June 13. NOP has received less than 100 comments so far.
  - The NOP has a number of rules in development.
  - The program is completing the NOSB recommendation table, which includes the responses and status of all NOSB work to date. The document will be posted on the NOP website.
  - Hydroponics Task Force. The task force report is due to the Crops Subcommittee in June, and the group discussed the process for submission of the report
- **Subcommittee Reports (5 minutes each)**
  - Livestock (LS) - AS. Topics for the next LS call include research priorities and the organic poultry working group. The LS will submit a paper to the NOP regarding the formation of a poultry working group. The charge for the working group would include evaluating systems-based issues in poultry, and would take into consideration the current proposed rule on organic livestock and poultry practices (OLPP). The group also discussed the process by which an NOSB member could remove a substance from the National List. A member developed a proposal regarding paracitocides and the removal of ivermectin, and the NOP suggested the member submit the petition as a private citizen, as opposed to having the LS request it as a work agenda item. Currently the process by which a Board member could propose removal of a substance is not in the PPM. Several members supported adding it to the work agenda rather than submitting a formal petition. The member will go through the formal process and asked that the NOP be expeditious in its review. She also asked about recusing herself from voting, which the NOP concluded was not necessary as there is no conflict of interest (COI).
  - Policy Development (PDS) - TC. The draft sunset reorganization timeline was circulated to the full Board so members can review it and send feedback before the next NOSB meeting. The PDS Chair asked that the Subcommittees review their respective 2019 proposed materials for TR needs. To begin this process, he will send the lists to the Subcommittee Chairs so they can add them to the work agendas. TR requests should be submitted to the NOP by mid-July.
  - Handling (HS) - HA. The HS Chair noted that there are eight Subcommittee calls between now and the proposal deadline. The HS is scheduled to discuss several substances including: SDBS, which was referred back to Subcommittee at the last NOSB meeting; a revised petition for sodium chlorite, which was originally petitioned as dry gas; as well as a discussion document on phosphates. The group is also waiting for two TRs for other projects. A member asked about ancillary substances and confirmed that they will be reviewed from this point forward, and previous proposals will not be re-evaluated.
  - Materials/GMO ad hoc (MS/GMO) - LD. The MS had two updates. The Research Priorities review document has been circulated and the MS expects the Subcommittee's updated priorities back by July 8. A member is moving forward with an ad hoc group to look at excluded methods and seed purity. This idea garnered a lot of support from stakeholders and Board members.

- Compliance, Accreditation, & Certification (CACS) - CBe. Cheri Courtney, Director of the Accreditation and International Activities (AIA) Division participated on the last call to talk about the NOP 2027 instruction regarding in-field inspector evaluations. The group felt the conversation was informative and useful. The Subcommittee will be working on a discussion document or memo regarding this issue and will reach out to various Accredited Certifying Agents for more data.
- Crops (CS) - ZS. The CS has many projects underway, including five 2018 sunset materials, the petition for soy wax that was referred back to Subcommittee at the last NOSB meeting, the new anaerobic digestate petition that will be reviewed concurrently with the memo on the same, as well as the hydroponics document. The hydroponics task force is expected to deliver its report to the Crops Subcommittee in June.
- **Additional Items** - none
- **The meeting was adjourned**

[Previous ES Notes](#)

**Future call schedule:**

- May 13, 2016 1:00 ET
- June 10, 2016 1:00 ET
- July 8, 2016 1:00 ET
- August 12, 2016 1:00 ET
- September 9, 2016 1:00 ET
- October 14, 2016 1:00 ET
- November 4, 2016 1:00 ET
- December 9, 2016 1:00 ET

Fall 2016 Milestones	Target dates (tentative)
NOP - Publish FRN, Open public comment	June/TBD
NOP - Complete fall 2016 NOSB meeting tentative agenda	Sept 8, 2016
NOSB - Fall 2016 proposals due to NOP	Sept 14, 2016
NOP - Post proposals	On or before Sept 27, 2016
Discuss work agendas on ES call	Oct 14, 2016
Public comment closes	Oct 26, 2016
NOP - Send compiled public comments to NOSB	Nov 2, 2016
Public comment webinars	Nov 3, 2016
Work agendas finalized on ES call (last call before fall meeting)	Nov 4, 2016
Fall 2016 NOSB meeting - St Louis, MO	Nov 16-18, 2016

Note: Subcommittee notes may include preliminary discussions regarding substances considered for addition to or removal from the National List. They do not represent official National Organic Program (NOP) policy or regulations. Please see the NOP website for official NOP policy, regulations, and status of substances used in organic production and handling.

**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, June 10, 2016, 1:00 pm ET**

**Attending:** Tracy Favre (TF), NOSB Chair; Tom Chapman (TC), NOSB Vice Chair & PDS Chair; Lisa de Lima (LD), NOSB Secretary & Materials/GMO ad hoc Chair; Harold Austin (HA), Handling Chair; Zea Sonnabend (ZS), Crops Chair; Carmela Beck (CBe), CACS Chair; Ashley Swaffar (AS), Livestock Chair; Harriet Behar (HB) - observer

**Absent:**

**Staff:** Michelle Arsenault (MA); Paul Lewis (PL); Jessica Walden (JW); Devon Pattillo (DP)

**Agenda**

- **Approve notes of May 13, 2016**
- **Chairs Report - TF**
  - Fall 2016 Panel on marine materials
  - Sunset Reorganization
- **Advisory Board Specialist (ABS) update - MA**
  - Update on nominations
  - Fall milestone table (see below)
- **NOP news and update - PL**
- **Subcommittee Reports (5 minutes each)**
  - Policy Development (PDS) - TC.
  - Handling (HS) - HA.
  - Materials/GMO ad hoc (MS/GMO) - LD.
  - Compliance, Accreditation, & Certification (CACS) - CBe.
  - Crops (CS) - ZS.
  - Livestock (LS) - AS.
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of May 13, 2016** approved with no changes
- **Chairs Report - TF**
  - **Fall 2016 panel on marine materials.** The Chair led a discussion about the proposed panel on marine materials that was suggested for the fall 2016 meeting. A member indicated that fall 2016 might be premature, as the relevant Subcommittees are waiting for the Technical Report (TR) and have not yet developed a proposal(s). The Executive Committee supports delaying the decision to host a panel until the TR is received, which is expected in July 2016.
  - **Sunset Reorganization.** The Executive Committee discussed feedback regarding the reorganization of the sunset materials. A member felt that some of the materials should be delayed for a later review since the current recommendations are still pending. This would allow the NOP to complete rulemaking before the Board reviewed the materials again. Another member agreed that it could complicate the process if materials have not made it through the

rulemaking process yet, but at this time the Subcommittees are only determining the need for TRs for the 2019 materials.

- The group discussed photos and video taken at NOSB I meetings in light of the recent FOIA request. The NOP drafted language, based on guidance from the Office of General Council, the NOP drafted language for the Federal Register notice announcing the fall 2016 meeting regarding the allowance of photos and video as long as it is not disruptive to the meeting. In addition to the FR notice, the NOSB Chair will announce this at the meeting, and the Chair will have the discretion and authority to limit this activity if it is disruptive.
- **Advisory Board Specialist (ABS) update - MA**
  - NOSB nominations. The NOP received 60 applications, and hopes to have the Secretary's decision for the 5 new nominees by October.
  - Fall milestone table (see below). A member asked about the timeline for receiving comments, and asked if the deadline could be set earlier for future meetings so the Board has extra time to read them.
- **NOP news and update - PL**
  - The NOP added to the previous discussion regarding photos at the NOSB meetings, indicating its support of this process.
  - The NOSB recommendation indices was published this week and sent to the Board. The table lists all recommendations the NOSB has put forth and the current status of those recommendations. The intent is to update these documents after each NOSB meeting.
  - Origin of Livestock and Poultry Practices (OLPP) comment period was extended to July 13 based on feedback from the public.
  - FOIA requests for photos from personal cell phones. The group discussed the current FOIA request and questioned whether their personal email and photos are subject to FOIA. The NOP will look further at the FOIA requirements and the Office of General Council (OGC) guidance and provide feedback to the NOSB.
  - The aquaculture rule is under review at the Office of Management and Budget (OMB)
  - Materials classification guidance is in departmental clearance. .
- **Subcommittee Reports (5 minutes each)**
  - Policy Development (PDS) - TC. The PDS hasn't met since the last ES call. Currently the Subcommittee is working on the sunset reorganization and updates to the PPM, but may not produce a proposal for the fall 2016 NOSB meeting.
  - Handling (HS) - HA. The Handling Subcommittee has a large workload for the fall meeting. Currently they are working on the TR determinations for the sixteen (16) 2019 sunset materials, reviews for ten (10) 2018 sunset materials, and several petitioned materials. Other projects include reclassification of xanthan gum, which the HS determined did not warrant reclassification at this time. The HS is seeking feedback from the NOP about how to finalize this project without a proposal. Ancillary substances that are allowed will be written into the proposal, and those ancillaries that are not allowed will be brought forth as separate proposals. The HS plans to formally request that the TR author check ancillaries against International Agency for Research on Cancer (IARC) and the National Toxicology Program (NTP) lists per the ancillary review criteria. Several other projects are in development and are either waiting for TRs or the materials classification guidance to be finalized.
  - Materials/GMO ad hoc (MS/GMO) - LD. The MS has not met since the last Executive call. A member is working with an ad hoc group of ~8-10 people on the topic of excluded methods, and specifically definitions and criteria.
  - Compliance, Accreditation, & Certification (CACs) - CBe. The CACS has not met since the last Executive call. The Subcommittee currently has three (3) topics under discussion: An update to

the in-field, annual evaluations of inspectors (NOP 2027) for which they have received feedback from accredited certifying agents; eliminating the incentive to convert native ecosystems into organic crop production; and notification of operators via their certifier of sunset materials that were not renewed at sunset. The CACS also received feedback from the ACAs regarding this topic and will discuss this on the next call.

- Crops (CS) - ZS. The Crops Subcommittee has a very full and complex workload this semester. The Hydroponics Task Force report will be delayed until early July. The Subcommittee has discussed how to structure the proposal while they are waiting for the details. The CS has several other large projects underway including: anaerobic digestate; biobased biodegradable mulch, which is up for sunset review; research priorities; marine materials, and an annotation change for newspaper. TRs are in development for some of these projects. The CS is putting the 'prohibition of NPEs in inerts annotation change' work item on hold until the proposed rule on inerts is published. The CS Chair requested that the NOP invite a speaker from the Organic Seed Alliance to the fall 2016 meeting to discuss the work agenda item on strengthening and clarifying the requirements for use of organic seed (NOP 5029).
  - Livestock (LS) - AS. The LS Chair submitted a request to the NOP to form a working group on Organic Poultry (OPWG), and the LS is waiting for feedback. A primary goal for the working group would be to evaluate alternatives to methionine. Discussion during the meeting included delaying the formation of an OPWG until the origin of livestock project is completed so they can insure that the working group will be aligned with what is in the final rule. The LS Chair commented that the charge for the working group and the origin of livestock rule do not overlap in that the working group would be looking at methionine issues and not animal welfare issues per se. In addition to research priorities, the LS members are discussing several projects they would like to add to the work agenda; a project to define the phrase "emergency treatment" in paracitocides; and antibiotic use in day-old chicks. Currently the LS is awaiting guidance from NOP about adding this project to its work agenda.
- **Additional Items** - none
  - **The meeting was adjourned**

[Previous ES Notes](#)

**Future call schedule:**

- May 13, 2016 1:00 ET
- June 10, 2016 1:00 ET
- July 8, 2016 1:00 ET
- August 12, 2016 1:00 ET
- September 9, 2016 1:00 ET
- October 14, 2016 1:00 ET
- November 4, 2016 1:00 ET
- December 9, 2016 1:00 ET

Fall 2016 Milestones	Target dates (tentative)
NOP - Publish FRN, Open public comment	June/TBD
NOP - Complete fall 2016 NOSB meeting tentative agenda	Sept 8, 2016

NOSB - Fall 2016 proposals due to NOP	Sept 14, 2016
NOP - Post proposals	On or before Sept 27, 2016
Discuss work agendas on ES call	Oct 14, 2016
Public comment closes	Oct 26, 2016
NOP - Send compiled public comments to NOSB	Nov 2, 2016
Public comment webinar	Nov 3, 2016
Work agendas finalized on ES call (last call before fall meeting)	Nov 4, 2016
Fall 2016 NOSB meeting - St Louis, MO	Nov 16-18, 2016

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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, July 8, 2016, 1:00 pm ET**

**Attending:** Tracy Favre (TF), NOSB Chair; Tom Chapman (TC), NOSB Vice Chair & PDS Chair; Lisa de Lima (LD), NOSB Secretary & Materials/GMO ad hoc Chair; Harold Austin (HA), Handling Chair; Zea Sonnabend (ZS), Crops Chair; Carmela Beck (CBe), CACS Chair; Ashley Swaffar (AS), Livestock Chair; Harriet Behar (HB) – observer; Jean Richardson (JR)

**Absent:**

**Staff:** Miles McEvoy (MM); Paul Lewis (PL); Michelle Arsenault (MA); Jessica Walden (JW)

**Agenda**

- **Approve notes of June 10, 2016**
- **Chairs Report - TF**
- **Advisory Board Specialist (ABS) update - MA**
  - FOIA/FACA requests
  - Proposals - web posting
  - Ongoing submissions of Fall 2016 proposals
- **NOP news and update - PL**
  - FOIA/FACA requests
  - Update on the impact of the compost ruling
- **Subcommittee Reports (5 minutes each)**
  - Handling (HS) - HA.
  - Materials/GMO ad hoc (MS/GMO) - LD.
  - Compliance, Accreditation, & Certification (CACS) - CBe.
  - Crops (CS) - ZS.
  - Livestock (LS) - AS.
  - Policy Development (PDS) - TC.
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of June 10, 2016** were approved with no changes
- **Chairs Report - TF**
  - The Chair noted that the agenda includes discussions about the compost ruling and FOIA/FACA.
- **Advisory Board Specialist (ABS) update - MA**
  - NOSB Proposals - web posting. The NOP is currently populating the Subcommittee proposal webpages with the previous NOSB proposals. The section of the website that housed the proposals was not migrated to the new website, but after receiving comments from various stakeholders and Board members, the pages were recovered.
  - Ongoing submissions of Fall 2016 proposals. The Subcommittee Chairs are encouraged to submit proposals and discussion documents as they are finalized. The Federal Register Notice opening the comment period is due to post in the next couple of weeks and the final proposal



deadline is September 14. The NOP aims to open the meeting docket early from this point forward, in an effort to respond to the NOSB's recommendation, and requests from stakeholders, for a longer comment period.

- **NOP news and update - MM**

- **FOIA/FACA requests.** AMS receives a considerable number of FOIA requests, of which, about half are for NOP. Currently the NOP is responding to twenty (20) FOIA requests, 6 FOIA appeals, and 8 FOIA lawsuits. Four (4) NOP staff are working full-time on responding to FOIA requests, appeals and lawsuits. The process includes: finding responsive records; redacting any personally identifiable information (PII) or confidential business information; and posting released records in the FOIA reading room. In response to a Board member's inquiry, the NOP noted that two of the twenty FOIA requests pertain to the NOSB: one requesting photographs taken at the April 2016 Board meeting, and one requesting the 2017 nominations applications.
- **FACA records.** The group discussed Section 10(b) of FACA, which governs access to committee records, as well as the General Records Schedule 6-2, which governs record retention. Both documents prescribe which Advisory Committee records need to be retained and made available upon request.
- **Green Waste/Compost.** The NOP provided some background and an update on the recent judicial ruling on NOP 5016 - green waste (compost). On June 20, 2016, a judicial decision from the United States District Court, Northern District of California, ruled that the guidance was a legislative rule subject to notice-and-comment rulemaking under the Administrative Procedures Act. The judge vacated the NOP 5016, effective August 22, 2016, and grandfathered compost purchased or used prior to that date. NOP is assessing the court's ruling and considering next steps.
- **Senate bill on GMOs.** The NOP noted that the Senate bill would give rulemaking authority to AMS to implement the legislation.
- **Hydroponics Task Force (HTF).** The Task Force report is being finalized, and will be submitted to the NOP in the next week and provided to the NOSB in the next few weeks. The report will be forwarded to the NOSB for review, and posted on the AMS website. Members discussed the implications for the timing of the report. Some members felt that it will not be submitted in time to become a discussion document for the fall meeting, and might have to be delayed until spring 2017, at which time there will be five new Board members. Another member expressed concern about the compressed timeframe to prepare a discussion document for the fall meeting, and based on the technical nature and quantity of information, that perhaps it would be best to not press for a fall review. The group also discussed the possibility of having a presentation from task force members at the fall 2016 meeting. A member requested that when the document is posted, the NOP also note that the comment period is open, as public comment is crucial.
- **NOP operating plan for 2017.** The NOP is developing its operating plan for 2017, and has a number of priorities, including the Organic Livestock and Poultry Practices final rule, the Origin of Livestock final rule, follow up on the Green Waste ruling, and the proposed rule on Import Certificates. There are also several organic integrity topics and sunset responsibilities. The NOP requested feedback and suggestions for additional priorities from the Board, which they will discuss on the August Executive call. Prior to the call, the Subcommittees will discuss preliminary ideas. In addition to the NOSB Indices of recommendations, which is already available on the AMS website, the NOP plans to provide a list of projects to the Board. This will be added to the Subcommittee's work agendas.

- **Subcommittee Reports** (5 minutes each)
  - Handling (HS) - HA. Each of the Subcommittees has four calls left before the proposal deadline. The HS has finalized its TR requests for the 2019 sunset materials. The group has a couple of TRs in development, including marine materials and BPA. Some TRs are not expected back in time for a fall review.
  - Materials/GMO ad hoc (MS/GMO) - LD. The MS is continuing to work on discussion documents on excluded methods and seed purity, and is anticipating the submission of the research priorities from each of the Subcommittees. The deadline for submission is today.
  - Compliance, Accreditation, & Certification (CACS) - CBe. The next CACS meeting is July 12, and the group will continue to discuss several topics including: The project on the NOP Instruction 2027 – Inspector evaluations, for which members have sought information from ACAs regarding evaluations and witness audits; and calculating the percentage of organic in multi-ingredient products, which the NOP requested the CACS work on. The proposed project on notification from certifiers of changes to the National List will not be pursued, as there was lack of support from the Subcommittee based on feedback from stakeholders. The CACS is seeking NOP approval for a project on eliminating the incentive to convert native ecosystems into organic crop production.
  - Crops (CS) - ZS. The Crops Subcommittee has a very ambitious work agenda. The 2018 sunset reviews are complete, and there are several petitions under review. There are TRs in all stages of development, including a TR on anaerobic digestate. The research priorities are nearly complete and the CS will send those forth to the Materials Subcommittee soon. The CS requested only one TR for the 2019 sunset materials - biodegradable biobased mulch. The contamination in farm inputs project likely won't be ready for fall as it was transitioned from a Board member whose term ended this past January. In support of the document on strengthening the organic seed guidance, the Crops Subcommittee has requested to invite a member of the Organic Seed Alliance to give a presentation at the fall NOSB meeting about the state of seed alliance report.
  - Livestock (LS) - AS. The Livestock research priorities will be finalized very soon. The Subcommittee completed its initial review of the 2019 sunset substances, and did not request any new TRs. The LS is waiting for feedback from NOP about the definition of “emergency treatment”, and is currently reviewing a new petition for the removal of ivermectin.
  - Policy Development (PDS) - TC. The PDS is working on the sunset reorganization proposal. The current draft, which included minor revisions based on public comments, was circulated to the NOP for feedback. The project on ancillary substances is in progress and the Subcommittee discussed whether to delay the PPM revisions until the NOP provides feedback regarding the review of ancillaries. The NOP indicated that the NOSB procedures are separate from the Certifier procedures, which is what NOP is reviewing, so the language could be incorporated into the PPM without delay. The PDS Chair noted that they will be adding some new members to the PDS soon.
- **Additional Items.** The NOSB Chair expressed appreciation for the NOP's input on the call.
- **The meeting was adjourned**

### [Previous ES Notes](#)

#### **Future call schedule:**

June 10, 2016 1:00 ET

July 8, 2016 1:00 ET

August 12, 2016 1:00 ET

September 9, 2016 1:00 ET  
October 14, 2016 1:00 ET  
November 4, 2016 1:00 ET  
December 9, 2016 1:00 ET

Fall 2016 Milestones	Target dates (tentative)
NOP - Publish FRN, Open public comment	July TBD
NOP - Complete fall 2016 NOSB meeting tentative agenda	Sept 8, 2016
NOSB - Fall 2016 proposals due to NOP	Sept 14, 2016
NOP - Post proposals	On or before Sept 27, 2016
Discuss work agendas on ES call	Oct 14, 2016
Public comment closes	Oct 26, 2016
NOP - Send compiled public comments to NOSB	Nov 2, 2016
Public comment webinar	Nov 3, 2016
Work agendas finalized on ES call (last call before fall meeting)	Nov 4, 2016
Fall 2016 NOSB meeting - St Louis, MO	Nov 16-18, 2016

Note: Subcommittee notes may include preliminary discussions regarding substances considered for addition to or removal from the National List. They do not represent official National Organic Program (NOP) policy or regulations. Please see the NOP website for official NOP policy, regulations, and status of substances used in organic production and handling.

**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, August 12, 2016, 1:00 pm ET**

**Attending:** Tracy Favre (TF), NOSB Chair; Tom Chapman (TC), NOSB Vice Chair & PDS Chair; Lisa de Lima (LD), NOSB Secretary & Materials/GMO ad hoc Chair; Zea Sonnabend (ZS), Crops Chair; Scott Rice (SR); Jean Richardson (JR) - observer; Jesse Buie (JB) - observer

**Absent:** Carmela Beck (CBe), CACS Chair; Ashley Swaffar (AS), Livestock Chair; Harold Austin (HA), Handling Chair

**Staff:** Miles McEvoy (MM); Paul Lewis (PL); Michelle Arsenault (MA); Jessica Walden (JW)

**Agenda**

- **Approve notes of July 8, 2016 (attached)**
- **Chairs Report - TF**
  - NOP Operating Plan - feedback
  - Hydroponics TF Report follow up.
- **Advisory Board Specialist (ABS) update - MA**
  - Fall Meeting update - proposal deadline and status, comments to date
  - Vacation schedule
- **NOP news and update - PL**
- **Subcommittee Reports (5 minutes each)**
  - Materials/GMO ad hoc (MS/GMO) - LD.
  - Policy Development (PDS) - TC.
  - Compliance, Accreditation, & Certification (CACS) - CBe.
  - Crops (CS) - ZS.
  - Livestock (LS) - TF.
  - Handling (HS) - SR.
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of July 8, 2016** were approved with no changes.
- **Chairs Report - TF**
  - NOP Operating plan feedback. The NOP requested that the NOSB submit suggestions for prioritization of the projects currently on the operating plan. Going forward, and on an ongoing basis, the NOSB will provide feedback about the prioritization of outstanding projects. The Subcommittees will discuss this on upcoming calls, and have feedback for the NOP for the fall meeting.
  - Hydroponics TF report follow up. The members discussed the report and how to move forward for the fall meeting and beyond, given the complexity and controversial nature of this topic. The NOSB Chair asked that the NOSB members familiarize themselves with the report in preparation for the fall meeting, and noted that the CS Chair invites any and all NOSB members to sit in on the next Crops call so they can hear the conversation. The CS Chair discussed some ideas for how to proceed, including writing a proposal, and/or discussion documents to address different components of the issue. The Crop Subcommittee will determine what form the document will take when it comes out of Subcommittee for the fall meeting.

The NOSB mentioned the idea of having task force member present at the fall meeting to answer questions. Members felt that if they are developing a discussion document instead of a proposal, it would not be useful, and instead it may be more helpful at the Spring 2017 meeting if it is more likely the Board will be voting on a proposal then.

- **Advisory Board Specialist (ABS) update - MA**
  - Fall Meeting update - proposal deadline and status, comments to date (17 written, 11 oral). Proposals are due September 14. Comment period closes October 26
  - Vacation schedule - MA will be out of the office Aug 23- Sept 7.
  - Field Trip. The group discussed a potential field trip to an organic farm school the day before the Fall 2016 meeting. A member noted that the organic community in the St. Louis area is very small, and it would be beneficial to show support. Since the meeting is W-F, the field trip could be scheduled for Tuesday morning so members would still have time to prep and attend the pre-meeting administrative meeting.
- **NOP news and update - MM/PL**
  - **Request from the Materials Subcommittee for a Seed Task Force.** With the impending changes in administration, the desire to complete several large projects this fiscal year, and the availability of resources, it is not likely this request can be addressed in the very near future.
  - **Work projects:** The NOP continues to work on a number of projects, some of which are in the final stages, such as calculating percentage of ingredients in multi-ingredient products, materials classification guidance, draft guidance on treated lumber, and the interim material review instruction. There are several other large projects the NOP is working on including follow up to the court ruling on compost (Green Waste) and rulemaking for Organic Livestock and Poultry Practices (OLPP).
  - **Nominations.** Currently under review by AMS/NOP
  - **NOP Operating Plan.** The NOSB was asked to submit suggestions for prioritizing outstanding NOSB recommendations as listed in the NOSB recommendation indices <https://www.ams.usda.gov/sites/default/files/media/NOSBCoverPage.pdf> to help inform the development of the NOP Operating Plan. NOP requests that the NOSB present their suggestions at the fall meeting.
- **Subcommittee Reports (5 minutes each)**
  - **Materials/GMO ad hoc (MS/GMO) - LD.** The Subcommittee completed the fall 2016 Research Priorities and will have three other projects for the fall meeting: A discussion document on Seed Purity from GMOs; Excluded methods terminology (two parts - one discussion document and one proposal); and a letter to the Secretary with a 5-year report on GMO issues in organic agriculture.
  - **Policy Development (PDS) - TC.** The PDS is working on updates to the policy and procedures manual (PPM), has completed the proposal on the sunset reorganization, and will begin review on revisions to the Member Guide.
  - **Compliance, Accreditation, & Certification (CACS) - SR.** The CACS has two projects going forth for the Fall 2016 meeting: A verbal update on in-field, annual evaluations of inspectors (NOP 2027), as they are not ready to move forward with a discussion document yet; and a discussion document on eliminating the incentive to convert native ecosystems into organic crop production.
  - **Crops (CS) - ZS.** Most of the Crops Fall projects (2018 sunset substances, 1-MCP, Soy Wax, aluminum sulfate) are completed, and the CS has received several new petitions. Currently there are eight (8) other petitions in progress, some of which may be ready for fall. The TR for marine materials was just received so it likely won't be ready for the fall meeting. The hydroponics document is in progress, as well as a discussion document for strengthening

organic seed guidance. The CS invited a guest speaker to the fall meeting to speak about the state of organic seed. A TR for biobased mulch is in development.

- Livestock (LS) - TF. On the last LS call, the group discussed defining “emergency treatment” and is continuing to work on the draft document. All proposals for the Fall 2016 meeting were submitted and posted. Received new petition for hypochlorous acid for use as a topical treatment.
- Handling (HS) - SR. The Sunset 2018 reviews are almost completed. Seven of the ten substances have already been submitted to the NOP for posting for the fall meeting, two others have been voted on and need to be finalized and submitted, and one is slated for discussion and voting next week. There are several other projects under discussion: Carrageenan should be completed next week; a petition for sodium chlorite; a discussion document on phosphates; tocopherols reclassification; and marine materials for which the HS just received the TR. The TR for BPA is overdue, so it may not be ready until the spring 2017 meeting. The National List manager relayed the information that the BPA TR was received and should be sent to the HS by the end of the month. The HS may add an extra call on August 30 if needed.
- **Additional Items** - none
- **The meeting was adjourned**

[Previous ES Notes](#)

**Future call schedule:**

- July 8, 2016 1:00 ET
- August 12, 2016 1:00 ET
- September 9, 2016 1:00 ET
- October 14, 2016 1:00 ET
- November 4, 2016 1:00 ET
- December 9, 2016 1:00 ET

Fall 2016 Milestones	Target dates (tentative)
NOP - Publish FRN, Open public comment	Aug 1, 2016
NOP - Complete fall 2016 NOSB meeting tentative agenda	Sep 8, 2016
NOSB - Fall 2016 proposals due to NOP	Sep 14, 2016
NOP - Post proposals	On or before Sep 27, 2016
Discuss work agendas on ES call	Oct 14, 2016
Public comment closes	Oct 26, 2016
NOP - Send compiled public comments to NOSB	Nov 2, 2016
Public comment webinar	Nov 3, 2016
Work agendas finalized on ES call (last call before fall meeting)	Nov 4, 2016
Fall 2016 NOSB meeting - St Louis, MO	Nov 16-18, 2016

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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, September 9, 2016, 1:00 pm ET**

**Attending:** Tracy Favre (TF), NOSB Chair; Tom Chapman (TC), NOSB Vice Chair & PDS Chair; Lisa de Lima (LD), NOSB Secretary & Materials/GMO ad hoc Chair; Scott Rice (SR); Ashley Swaffar (AS), Livestock Chair; Harold Austin (HA), Handling Chair; Jean Richardson (JR) - observer; Jesse Buie (JB) - observer; Harriet Behar (HB)

**Absent:** Zea Sonnabend (ZS), Crops Chair; Carmela Beck (CBe), CACS Chair

**Staff:** Miles McEvoy (MM); Paul Lewis (PL); Michelle Arsenault (MA); Jessica Walden (JW)

**Agenda**

- **Approve notes of August 12, 2016**
- **Chairs Report** - TF
- **Advisory Board Specialist (ABS) update** - MA
- **NOP news and update** - PL
- **Subcommittee Reports** (5 minutes each)
  - Policy Development (PDS) - TC.
  - Compliance, Accreditation, & Certification (CACS) - HB.
  - Crops (CS) - TF.
  - Livestock (LS) - TF.
  - Handling (HS) - SR.
  - Materials/GMO ad hoc (MS/GMO) - LD.
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of August 12, 2016** were approved with no changes
- **Chairs Report** - TF
  - **Contributing to NOP operating plan.** The Chair asked that the Subcommittees discuss agenda items for the NOP Operating plan on upcoming calls prior to the fall meeting, so the NOSB can provide feedback to the NOP before the meeting. The potential topics are already on the work agenda, and the NOP is asking the NOSB to prioritize projects.
- **Advisory Board Specialist (ABS) update** - MA
  - The deadline to submit proposals is September 14. MA thanked the members for submitting many of them early. The posting deadline is September 27, but as documents are finalized, they may be posted to the website.
  - Travel planning is underway and members should be able to make travel arrangements for the fall meeting soon.
- **NOP news and update** - MM/PL
  - There are a number of rulemaking actions in progress including the organic livestock and poultry practices (OLPP) final rule, which is a top priority. Currently the NOP is reviewing comments and drafting the rule. The NOP is also working on a notice about the green waste (compost) proposed rule, the draft guidance on lumber and the interim instruction for materials review were published at the end of August and are open for comment. The NOSB nominations are still under review, and the NOP hopes to receive the Secretary's decision in time to announce them

prior to the fall meeting. Both the NOSB and the NOP are eager to get new nominees seated as soon as possible, given that the next sunset material review will be in progress when there is a significant transition in NOSB membership.

- **Subcommittee Reports** (5 minutes each)
  - Policy Development (PDS) - TC. The Subcommittee voted on its sunset reorganization proposal, and the policy and procedure manual update is underway.
  - Compliance, Accreditation, & Certification (CACCS) - HB. The Subcommittee will discuss the discussion document on conversion of land to organic during the next call, next week. The CACCS intends on bringing this document to the fall meeting.
  - Crops (CS) - TF. The NOSB Chair noted that the Crops Subcommittee had a robust conversation about both the hydroponics proposals and the container and greenhouse production documents during the last call. Both documents will be posted for comment for discussion at the fall meeting. She also noted that there are some details yet to be worked on. The CS will also complete the discussion document on strengthening seed guidance, and invited Kiki Hubbard of the organic Seed Alliance to give a presentation at the fall meeting. The marine algae project will be deferred to spring 2017 meeting.
  - Livestock (LS) - AS. The Livestock Subcommittee completed review of three (3) petitions for litter amendments, and one petition for the removal of Ivermectin, for presentation at the Fall 2016 meeting. The LS will continue to work on the project concerning the definition of “emergency treatment” for parasiticides with the intention of presenting it at the spring 2017 meeting. Additionally the LS also has two other petitions for spring 2017, as well as 10 sunset materials.
  - Handling (HS) - HA. The HS Chair noted that all work is completed, or nearly complete, and after finalizing the documents, they will be sent to the NOP for posting to the comment docket. Work continues on tocopherols. The carageenan review is completed for the fall meeting, and the Chair noted that the vote in Subcommittee was not unanimous. Looking forward, the HS has 16 sunset materials for 2019, a couple petitioned materials, and is waiting for the TR for BPA, which is still under development. The Chair expressed his concern that after the fall meeting there are only 4 calls left before the Board transition. After that, 5 new members will join the NOSB and will only have 2 calls before the proposal deadline. The group discussed the shorter timeline between the Fall 2016 and Spring 2017 meetings, and emphasized the need to keep the schedule as consistent as possible, because it can have adverse effects. The fall meeting is two weeks later than normal because of the presidential election. Current Board members support the idea that the incoming members be announced, oriented and trained as early as possible so the transition is smooth. The NOP noted that the selection of the nominees is a priority.
  - Materials/GMO ad hoc (MS/GMO) - LD. The materials Subcommittee has three documents for the fall 2016 meeting which will be finalized next week. Two documents on excluded methods terminology - a proposal and a discussion document, and the 5-year report to the Secretary on GMOs.
- **Additional Items** - none
- **The meeting was adjourned**

### [Previous ES Notes](#)

#### **Future call schedule:**

August 12, 2016 1:00 ET

September 9, 2016 1:00 ET

October 14, 2016 1:00 ET

November 4, 2016 1:00 ET



December 9, 2016 1:00 ET

Fall 2016 Milestones	Target dates (tentative)
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NOP - Complete fall 2016 NOSB meeting tentative agenda	Sep 8, 2016
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Discuss work agendas on ES call	Oct 14, 2016
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Work agendas finalized on ES call (last call before fall meeting)	Nov 4, 2016
Fall 2016 NOSB meeting - St Louis, MO	Nov 16-18, 2016

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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, October 14, 2016, 1:00 pm ET**

**Attending:** Tracy Favre (TF), NOSB Chair; Tom Chapman (TC), NOSB Vice Chair & PDS Chair; Lisa de Lima (LD), NOSB Secretary & Materials/GMO ad hoc Chair; Scott Rice (SR) - sitting; Harold Austin (HA), Handling Chair; Carmela Beck (CBe), CACS Chair; Jesse Buie (JB) - observer; Harriet Behar (HB)

**Absent:** Ashley Swaffar (AS), Livestock Chair; Zea Sonnabend (ZS), Crops Chair

**Staff:** Paul Lewis (PL); Michelle Arsenault (MA); Jessica Walden (JW)

**Agenda**

- **Approve notes of September 9, 2016**
- **Chairs Report - TF**
  - NOSB list of priority projects for NOP operating plan
  - ANSI report
  - Fall NOSB meeting agenda
  - Subcommittee draft work agendas for post 2016 meeting.
- **Advisory Board Specialist (ABS) update - MA**
  - Travel update
  - Fall meeting logistics
  - DOIs/COIs due Monday Oct 17
  - 2019 sunset templates sent yesterday
  - Spring 2017 meeting timeline
- **NOP news and update - PL**
- **Subcommittee Reports (5 minutes each)**
  - Compliance, Accreditation, & Certification (CACS) - CBe.
  - Crops (CS) - HA for ZS.
  - Livestock (LS) - AS.
  - Handling (HS) - HA.
  - Materials/GMO ad hoc (MS/GMO) - LD.
  - Policy Development (PDS) - TC.
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of September 9, 2016** were approved as written
- **Chairs Report - TF**
  - NOSB suggested list of priority projects for NOP FY 2017 operating plan. The Subcommittees will continue to discuss their respective lists, which are based on previous NOSB recommendations. The NOSB was asked by the NOP to rank the outstanding recommendations by priority. The Subcommittee Chairs will send them to the NOSB Chair for finalization on the November 4 Executive call. The NOSB will discuss their priorities at the Fall 2016 NOSB meeting, and the list will be then be submitted to the NOP.

- ANSI report. The American National Standards Institute (ANSI) completed a peer review of the NOP, as per a recommendation from the NOSB. The report was submitted to the NOP and the NOSB asked that the report be published prior to the Board meeting, so stakeholders can review it. Two members of the review panel are scheduled to present at the fall meeting.
- Fall NOSB meeting agenda. Aside from the addition of time to discuss the priority list for the NOP FY 2017 operating plan, the group had no additional suggested changes for the tentative fall meeting agenda. The agenda will be finalized after the public comment period closes, and will be reposted on the NOSB webpage.
- Subcommittee draft work agendas for post-2016 meeting. The group reviewed the draft work agenda and found it to be comprehensive. OLPP is a top priority for the Sec.
- **Advisory Board Specialist (ABS) update - MA**
  - Travel update - Board members are free to make travel arrangements.
  - Fall meeting logistics. The NOP will update the fall meeting agenda after comment period closes. MA will send additional information about dinner and the field trip to EarthDance Farm School.
  - Comments to date: 1083 written comments and 67 oral commenters signed up (11 for the webinar).
  - DOIs/COIs are due Monday Oct 17.
  - Nominations. NOP is awaiting the Secretary's decision, and hopes to be able to announce the new appointees before the fall meeting.
  - The 2019 sunset templates were sent to the Chairs of Livestock, Handling, and Crops yesterday.
  - Spring 2017 meeting timeline. The members suggested some changes to the proposed timeline. The NOSB new member training will be moved to earlier in January, and the Mar 10 Exec call will be moved to March 17 as it coincides with the Expo West meeting.
- **NOP news and update - PL**
  - Organic Livestock and Poultry Practices (OLPP) rule continues to be a top priority for the Secretary.
  - The comment period on the guidance on treated lumber is currently open.
  - The NOP is currently working on several rulemaking and guidance documents, which are in various stages of completion.
  - The NOP is adding a disclaimer to the NOSB webpage noting that the NOSB views, proposals and recommendations are not necessarily those of the NOP.
  - The Spring 2017 meeting notice is in clearance, and once published will mark the opening of the comment period. Aside from a short period of time immediately before the NOSB meeting, this will provide a nearly continuous open comment docket
- **Subcommittee Reports (5 minutes each)**
  - Compliance, Accreditation, & Certification (CACS) - CBe. No update at this time. The CACS as one more call before the fall meeting.
  - Crops (CS) - HA for ZS. The Crops Subcommittee discussed the NOP operating plan priorities on the last call. The Crops Chair will send the list to the NOSB Chair. Crops is currently working on several projects and petitions, and waiting for TRs to be able to complete its reviews.
  - Livestock (LS) - TF for AS. The Livestock Subcommittee discussed the petition for hypochlorous acid, as well as public comments on the last call. The LS members also discussed the priorities for the NOP operating plan. The October 18 LS call was cancelled.
  - Handling (HS) - HA. Waiting for TRs on two 2019 sunset substances, sodium dodecylbenzene sulfonate (SDBS) and BPA (TR is currently under review by the NOP for completeness and should be sent to the HS soon). The BPA project is a high priority for the HS as the current lead author will be rotating off the NOSB in January. The HS has received public comment on carrageenan: both for and against the continued listing. Handling has two more calls before the fall meeting and will discuss comments.

- Materials/GMO ad hoc (MS/GMO) - LD. The list for the NOP operating plan was discussed during the last call. The MS has identified one priority for consideration by the ES and NOSB.
- Policy Development (PDS) - TC. The PDS has completed both proposals for the fall meeting: The latest updates to the PPM, and the sunset reorganization proposal. During the most recent call the group finalized the updated Member Guide, which they hope to have available when the 5 new members are appointed in January.
- **Additional Items** - none
- **The meeting was adjourned**

[Previous ES Notes](#)

**Future call schedule:**

October 14, 2016 1:00 ET  
 November 4, 2016 1:00 ET  
 December 9, 2016 1:00 ET  
 January 13, 2017 1:00 ET  
 February 10, 2017 1:00 ET  
 March 10, 2017 1:00 ET

Fall 2016 Milestones	Target dates (tentative)
NOP - Publish FRN, Open public comment	Aug 1, 2016
NOP - Complete fall 2016 NOSB meeting tentative agenda	Sep 8, 2016
NOSB - Fall 2016 proposals due to NOP	Sep 14, 2016
NOP - Post proposals	On or before Sep 27, 2016
Discuss work agendas on ES call	Oct 14, 2016
Public comment closes	Oct 26, 2016
NOP - Send compiled public comments to NOSB	Nov 2, 2016
Public comment webinar	Nov 3, 2016
Work agendas finalized on ES call (last call before fall meeting)	Nov 4, 2016
Fall 2016 NOSB meeting - St Louis, MO	Nov 16-18, 2016

Spring 2016 Milestones	2017 Target date
New NOSB member orientation	Feb 7/8?, 2017
NOP - Complete Spring 2016 NOSB meeting tentative agenda	Feb 10, 2017
NOSB - Spring 2016 proposals due to NOP	Feb 17, 2017

NOP - Post proposals, Publish FRN, Open public comment	Mar 1, 2017
Discuss work agendas on ES call	Mar 10, 2017 (coincides with Expo West)
Public comment closes	Mar 30, 2017
NOP - Send compiled public comments to NOSB	Apr 5, 2017
Work agendas finalized on ES call (last call before fall meeting)	Apr 7, 2017
Public comment webinar	Apr 13, 2017
Spring 2016 NOSB meeting – Washington, DC	Apr 19-21, 2017 (W-F)

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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, November 4, 2016, 1:00 pm ET**

**Attending:** Tracy Favre (TF), NOSB Chair; Tom Chapman (TC), NOSB Vice Chair & PDS Chair; Lisa de Lima (LD), NOSB Secretary & Materials/GMO ad hoc Chair; Ashley Swaffar (AS), Livestock Chair; Zea Sonnabend (ZS), Crops Chair; Harold Austin (HA), Handling Chair; Carmela Beck (CBe), CACS Chair; Jesse Buie (JB) - observer; Harriet Behar (HB) - observer; Jean Richardson (JR) - observer

**Absent:**

**Staff:** Paul Lewis (PL); Michelle Arsenault (MA); Jessica Walden (JW)

**Agenda**

- **Approve notes of October 14, 2016**
- **Chairs Report - TF**
  - Update on new board members
  - Recommendations for NOP 2017 work plan
  - NOSB meeting logistics (Admin meeting, Potential issues at the meeting)
- **Advisory Board Specialist (ABS) update - MA**
  - Meeting logistics/travel
  - Public comments
  - Projections for meeting
- **NOP news and update - PL**
- **Subcommittee Reports (5 minutes each)**
  - Crops (CS) - ZS.
  - Livestock (LS) - AS.
  - Handling (HS) - HA.
  - Materials/GMO ad hoc (MS/GMO) - LD.
  - Policy Development (PDS) - TC.
  - Compliance, Accreditation, & Certification (CACS) - CBe.
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of October 14, 2016** were approved with no changes
- **Chairs Report - TF**
  - **Update on new board members.** The NOP plans to announce the names of the new NOSB members at the fall NOSB meeting.
  - **Recommendations for NOP 2017 work plan.** The Chair circulated the short list of priorities that the NOSB ranked. These projects are previous NOSB recommendations that are currently pending at the NOP. Included on this list as top priorities was Classification of Materials and Calculating percentages of Organic Ingredients.
- **NOSB meeting logistics.** The Chair reminded members about the administrative meeting to discuss logistics. At the meeting members will receive meeting materials, affirm presentations, and discuss mechanics. Officer elections are held at the fall NOSB meeting and after the meeting there will be a

transition to new Subcommittee chairs. The NOSB Chair asked the Subcommittee Chairs to think about recommendations about who will replace them.

- **Advisory Board Specialist (ABS) update - MA**
  - Meeting logistics. Travel. Field trip logistics. Final sunset docs for 2018 templates
  - Public comments. MA summarized the schedule for public comments, and noted that the block of time was expanded to allow for a larger number of commenters.
  - Projections for meeting. MA asked that members provide any PowerPoint presentations to her by the admin meeting.
- **NOP news and update - PL**
  - The Organic Livestock and Poultry Practices (OLPP) final rule is at Office of Management and Budget for final review.
  - The NOP is currently preparing the Federal Register notice for the Spring NOSB meeting, which should be published after the fall meeting concludes.
  -
- The group discussed the use of transcripts for each of the Board meetings. Members emphasized the need for transcripts and encouraged the department to continue using them as part of the process. Several members noted that they use the transcripts often, and that they are vital and critical for proposal writing and future review.
- **Subcommittee Reports (5 minutes each)**
  - **Crops (CS) - ZS.** Hydroponics is a hot topic at the fall meeting. Comments were mixed. The Crops Subcommittee is seeking feedback from NOP regarding the structure of the document, which was something that was discussed while the proposal was being drafted. The lead noted that many commenters questioned it, and the group discussed how the NOP would implement the recommendation if it passes.
  - **Livestock (LS) - AS.** The LS Chair noted several comments, including some in favor of sodium bisulfate. The LS has scheduled all discussions for future work agenda items after the fall meeting.
  - **Handling (HS) - HA.** The HS recently received the TR for BPA and will discuss it in December. The Subcommittee is waiting for a TRs on SDBS, and two 2019 sunset materials, and received a new petition for short DNA tracers. The chair noted that the group is considering how to proceed if some of the proposals are sent back to Subcommittee during the fall meeting. The HS is preparing for the new members in January and will be working on a transition plan for materials review. The Chair summarized the public comments; most of them for carrageenan. A member noted that the Subcommittee determined that the science does not support the health claims that many commenters noted. Therefore the conversation should focus on alternatives. The HS also received a number of comments about marine materials, xanthan gum, and sodium chlorite. Based on comments about sodium chlorite, the Chair felt that there was a possibility that the HS may have to conduct a further review.
  - **Materials/GMO ad hoc (MS/GMO) - LD.** The MS has a call next week, on which they will discuss public comments. The majority of comments have been about the excluded methods documents.
  - **Policy Development (PDS) - TC.** The PDS will have two documents for the fall meeting: the sunset reorganization proposal and the PPM updates. The next PDS call is next week, and the Subcommittee will review comments and finalize the updated member guide.
  - **Compliance, Accreditation, & Certification (CACS) - CBe.** The next meeting of the CACS is next and they will review public comments on two discussion documents. The Subcommittee received some useful feedback. A member noted that commenters were disappointed that the native ecosystem document was brought forth as a discussion document and not a proposal. The Chair noted that a discussion document was appropriate at this time, because this is a very

large, complex topic, and it will allow the Subcommittee to fully develop it before bring it to the NOSB for a vote.

- **Additional Items.** None
- **The meeting was adjourned**

[Previous ES Notes](#)

**Future call schedule:**

November 4, 2016 1:00 ET  
 December 9, 2016 1:00 ET  
 January 13, 2017 1:00 ET  
 February 10, 2017 1:00 ET  
 March 10, 2017 1:00 ET

Fall 2016 Milestones	Target dates (tentative)
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Public comment webinar	Nov 3, 2016
Work agendas finalized on ES call (last call before fall meeting)	Nov 4, 2016
Fall 2016 NOSB meeting - St Louis, MO	Nov 16-18, 2016

Spring 2017 Milestones	2017 Target date
New NOSB member orientation	Feb 8, 2017
NOP - Complete Spring 2017 NOSB meeting tentative agenda	Feb 10, 2017
NOSB - Spring 2017 proposals due to NOP	Feb 17, 2017
NOP - Post proposals, Publish FRN, Open public comment	Mar 1, 2017
Discuss work agendas on ES call	Mar 17, 2017



Public comment closes	Mar 30, 2017
NOP - Send compiled public comments to NOSB	Apr 5, 2017
Work agendas finalized on ES call (last call before fall meeting)	Apr 7, 2017
Public comment webinar	Apr 13, 2017
Spring 2017 NOSB meeting – Denver, CO	Apr 19-21, 2017 (W-F)

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**National Organic Standards Board (NOSB)  
Executive Subcommittee (ES) Meeting Notes  
Friday, December 9, 2016, 1:00 pm ET**

**Attending:** Tom Chapman (TC), NOSB Chair, PDS Chair; Ashley Swaffar (AS), NOSB Vice Chair, Livestock Chair; Jesse Buie (JB) - NOSB Secretary; Zea Sonnabend (ZS), Crops Chair; Harold Austin (HA), Handling Chair; Carmela Beck (CBe), CACS Chair; Harriet Behar (HB) - observer; Tracy Favre (TF) - observer; Francis Thicke (FT) - observer  
**Absent:** Lisa de Lima (LD), Materials/GMO ad hoc Chair  
**Staff:** Paul Lewis (PL); Michelle Arsenault (MA); Jessica Walden (JW)

**Agenda**

- **Approve notes of November 4, 2016**
- **Chairs Report - TC**
  - Transition of Subcommittee Chairs
- **Advisory Board Specialist (ABS) update - MA**
  - Final recommendations due ~December 20, 2016
  - New member orientation February 8, 2017
  - Spring timeline (see below)
  - Next call for nominations (for Jan 2018)
- **NOP news and update - PL**
- **Subcommittee Reports (5 minutes each)**
  - Livestock (LS) - AS.
  - Handling (HS) - HA.
  - Materials/GMO ad hoc (MS/GMO) - LD.
  - Policy Development (PDS) - TC.
  - Compliance, Accreditation, & Certification (CACS) - CBe.
  - Crops (CS) - ZS.
- **Additional Items**
- **Adjourn**

**Discussion**

- **Notes of November 4, 2016** were approved with no changes
- **Chairs Report - TC**
  - **Subcommittee assignments for 2017.** The new Subcommittee Chairs have been identified, and the Vice Chairs will be identified by the end of January.
  - **Debrief of St. Louis meeting:** Several members provided positive feedback about the meeting. A member thought the meeting went well, and felt that the in-depth conversations were useful and important. Another member echoed that sentiment and noted that one challenge is the balance of time allotted for the Board to complete their work in relation to comment time, as nearly half of the meeting was dedicated to listening to public comment. The member asked that the NOP explore the possibility of adding a half-day to the meeting in the fall, especially in light of the new sunset review timeline. Another member noted the respect each of the Board members showed towards one another, which is important and impactful. Other comments included the room setup and the use of transcripts. The Board members emphasized the critical need to continue using transcripts.

- **New members.** The NOSB Chair indicated he has spoken with each of the new members, and reviewed the new Subcommittee rosters.
- **New member training.** The new member training will occur in February 2017
- **Advisory Board Specialist (ABS) update - MA**
  - MA will move the HS, CS, and LS calls from Feb 7 to Jan 31 to accommodate the training schedule, as the new members and officers will be traveling on February 7.
  - Final recommendations are due ~December 20, 2016
  - As noted above, the new member orientation is scheduled for February 8, 2017
  - Spring timeline (see below)
  - The next call for nominations (for Jan 2018) will be published in early spring. There will be one vacancy, that of the environmentalist/resource conservation seat.
- **NOP news and update - PL**
  - The classification of materials final guidance is now available, and the draft guidance on how to calculate the percentage of organic ingredients in organic products is posted for 60 day comment period. The NOP has several other rulemaking actions in progress.
  - A member asked about next steps in the process for the NOP operating plan, for which the NOSB was asked to provide a list of priorities. The NOP is discussing prioritization.
- **Subcommittee Reports (5 minutes each)**
  - Livestock (LS) - AS. The LS has begun its review of the 2019 sunset materials, and will continue to work on "Emergency use for paraciticides". As a reminder to the NOP, the LS sent in questions about day old chicks in light of the OLPP rule.
  - Handling (HS) - HA. The HS has a large workload this semester, including several items that were sent back to Subcommittee from the fall meeting. These include: phosphates - the HS will not take action in the immediate future, but going forward will stress that this needs to be discussed by future boards. To capture that intent, the document will be posted on the petitioned substance database; Marine materials - will work on nomenclature document for the spring meeting; and tocopherols - the HS received several comments on the two tocopherol proposals about how best to recraft the annotation. HS will discuss this in the coming weeks, and will take into consideration the materials' classification now that the guidance is published. The HS asked the Materials Subcommittee to look at the classification for materials like xanthan gum and tocopherols, which may be produced both synthetically and non-synthetically, but that are listed on 205.605(b). Specifically, the question as to whether non-synthetic versions can be used instead of synthetic versions needs to be addressed by the Materials Subcommittee. Also on the work agenda are several petitioned materials, other proposals (including TR sufficiency for BPA), and review of the 2019 sunset substances. MA will update the templates for 2019 sunset materials and add some links to the newest info.
  - Materials/GMO ad hoc (MS/GMO) - LD. The MS has the framework for the excluded methods definitions to move forward. Seed purity is on the work agenda and the MS will continue to stress the need for a task force. A member urged the Subcommittee to revisit some of the materials that were on hold until the classification of materials guidance was published. The group discussed the recommendation on research priorities from the fall meeting, and the lead will write a shortened executive summary for posting, and a brief list which will be sent to the Organic Policy Advisor for distribution to funding sources. On the next call, the MS will discuss the original recommendation on research priorities, as well as a summary of GMO issues and documents. Two MS members (DS and HB) will be taking over the lead for the outgoing member (ZS).
  - Policy Development (PDS) - TC. The PDS will continue to work on PPM updates, and will discuss a couple of topics identified in public comment and by Board members including clarification of

the COI policy, compensation for work from a member's employer, and financial disclosure from public commenters.

- Compliance, Accreditation, & Certification (CACS) - CBe. The CACS will continue work on two topics that were part of the fall meeting: A discussion document on eliminating incentives for conversion of native habitat, and the onsite field evaluations for inspectors. The CACS would like to vote on these documents before the current members rotate off.
- Crops (CS) - ZS. Some petition reviews will not likely be done in time for the Spring meeting, as the CS is waiting for TRs. Hydroponics may also not be ready for the spring meeting. The CS will discuss the path forward on this topic, and has asked the NOP to identify the most useful format for moving forward. HB and JB will lead this effort. The CS also has several large, longer term projects: contamination of farm inputs, and anaerobic digestate.
- **Additional Items.**
  - A member asked about holding a field trip at the spring meeting. Other members supported the opportunity, as it is both a bonding experience for members and helps to support local organic agriculture. The NOP asked for ideas for field trip venues for the Denver area.
  - A member asked that the PDS discuss the process by which the NOSB may call on stakeholders during an NOSB meeting to inform an issue, or clarify questions by the NOSB. This was a topic the Board discussed previously, but it was not codified in the PPM.
- **The meeting was adjourned**

[Previous ES Notes](#)

**Future call schedule: All calls 1:00 ET/10:00 PT**

- December 9, 2016
- January 13, 2017
- February 10, 2017
- March 10, 2017
- April 14, 2017 (Last call before Spring meeting)
- May 12, 2017
- June 9, 2017
- July 14, 2017
- August 11, 2017
- September 8, 2017
- October 13, 2017
- November 17, 2017 (3<sup>rd</sup> Friday, as Nov 10 is Veterans Day)
- December 8, 2017
- January 12, 2018

Spring 2017 Milestones	2017 Target date
New NOSB member orientation	Feb 8, 2017
NOP - Complete Spring 2017 NOSB meeting tentative agenda	Feb 10, 2017
NOSB - Spring 2017 proposals due to NOP	Feb 17, 2017

NOP - Post proposals, Publish FRN, Open public comment	Mar 1, 2017
Discuss work agendas on ES call	Mar 17, 2017
Public comment closes	Mar 30, 2017
NOP - Send compiled public comments to NOSB	Apr 5, 2017
Work agendas finalized on ES call (last call before fall meeting)	Apr 7, 2017
Public comment webinar	Apr 13, 2017
Spring 2017 NOSB meeting – Denver, CO	Apr 19-21, 2017 (W-F)