

**Formal Recommendation by the  
National Organic Standards Board (NOSB)  
to the National Organic Program (NOP)**

**Date:** October 28, 2010

**Subject:** Establishing Ad Hoc Committees

**Chair:** Daniel G. Giacomini

**The NOSB hereby recommends to the NOP the following:**

Rulemaking Action  
Guidance Statement  
Other X

**Statement of the Recommendation (Including Recount of Vote):**

The NOSB recommends that the formation of ad hoc committees be allowed when required, and that procedures for doing so be described in Section IV of the NOSB Policy Manual, as attached.

**Rationale Supporting Recommendation (including consistency with OFPA and NOP):**

Currently, although they have been formed in the past, there are no provisions in the NOSB Policy Manual for commissioning Ad Hoc committees when policy or guidance development would clearly benefit from the experience and input of members from various standing committees, or from the combination of two or more standing committees. A recent example of this arrangement is the Joint Handling and Materials Committee that was formed to collaborate on and develop recommended policy regarding classification of materials for the National List. Additionally, at times, excessive workload could require formation of an ad hoc or joint committee to tackle large NOSB mandated tasks, such as sunset material reviews or evaluation of large numbers of concurrently submitted petitions to add materials to the National List. With input from standing committee chairs, the NOSB Chairperson should monitor committee work plans and workload, and determine when and if the formation of an ad hoc committee would benefit the effectiveness of the NOSB. Once a determination is made by the NOSB chair that an ad hoc committee should be formed, that decision would be brought to the Executive Committee for discussion and approval.

**NOSB Vote:**

<b>Moved: Steve DeMuri</b>		<b>Second: Barry Flamm</b>		
<b>Yes: 14</b>	<b>No: 0</b>	<b>Abstain: 0</b>	<b>Absent: 0</b>	<b>Recusal: 0</b>

**National Organic Standards Board  
Policy Development Committee  
Ad Hoc Committees**

**July 22, 2010**

**Introduction**

This recommendation allows for the formation of Ad Hoc Committees comprised of NOSB members when deemed necessary to carry out critical work.

**Background**

The National Organic Standards Board is comprised of six standing committees: Crops (CC), Livestock (LC), Handling (HC), Policy Development (PDC), Certification, Accreditation, and Compliance (CACC), and Materials (MC), and an Executive Committee (EC) comprised of the NOSB officers and the chair of each of the standing committees. At times, policy or guidance development cuts across multiple committee jurisdictions and requires the expertise of, and input from, members of several standing committees to be completed. In these cases, it would be beneficial for a provision in the NOSB Policy and Procedures Manual (PPM) allowing for the formation of Ad Hoc committees to effectively carry out NOSB work.

**Relevant Areas in the Rule**

Sections §205.600, §205.607.

**Discussion**

Currently, although they have been formed in the past, there are no provisions in the NOSB Policy Manual for commissioning Ad Hoc committees when policy or guidance development would clearly benefit from the experience and input of members from various standing committees, or from the combination of two or more standing committees. A recent example of this arrangement is the Joint Handling and Materials Committee that was formed to collaborate on and develop recommended policy regarding classification of materials for the National List. Additionally, at times, excessive workload could require formation of an ad hoc or joint committee to tackle large NOSB mandated tasks, such as sunset material reviews or evaluation of large numbers of concurrently submitted petitions to add materials to the National List. With input from standing committee chairs, the NOSB Chairperson should monitor committee work plans and workload, and determine when and if the formation of an ad hoc committee would benefit the effectiveness of the NOSB. Once a determination is made by the NOSB chair that an ad hoc committee should be formed, that decision would be brought to the Executive Committee for discussion and approval.

## **Recommendation**

The Policy Development Committee recommends that the formation of ad hoc committees be allowed when required, and that procedures for doing so be described in Section IV of the NOSB Policy Manual, as attached.

## **Committee Vote:**

Motion: Steve DeMuri      Second: Jay Feldman  
Yes: 4      No: 0      Abstain: 0      Absent: 1

## SECTION IV

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### *Board Committees*

Committees play an important role in administering the Board's responsibilities. Committees exist to provide greater depth and clarity in the Board's responsibility to make informed decisions. For example, at the request of the Secretary seeking advice on a matter related to the NOP, the full Board may request that a committee conduct research and analysis or draft proposed recommendations to be considered by the full Board. Except for the Executive Committee, no committees are authorized to act in place of the Board. Committees are empowered to analyze information and bring draft recommendations to the Board for action.

Committee chairs are appointed by the Board Chair. The current standing committees are:

- Certification, Accreditation, and Compliance
- Crops
- Handling
- Livestock
- Materials
- Policy Development

The Livestock Committee, the Crops Committee and the Handling Committee will each have co-chairs. One co-chair will guide all committee discussion and will oversee the committee's work plan. The other co-chair will be responsible for the committee's consideration of materials and will serve as the liaison to the Materials Committee.

1. Committee recommendations are finalized by the NOSB according to the following process:
2. Committee drafts the recommendation.
3. Draft recommendation is posted for public comment.
4. Public comments are considered by committee when making recommendation to the Board.
5. Board takes action on the recommendation

Board actions may include adoption of the recommendation as presented by the committee, amending and then adopting the recommendation, rejecting the recommendation, or referring the recommendation back to committee for further development.

### *Committee Meetings*

Committees may hold meetings via telephone conference calls. Two weeks' notice should be provided in scheduling such calls. The date and time set for the call is a product of committee dialog regarding the most conducive schedule. This dialog may occur on a previous conference call or through E-mail. All E-mail requests for meeting times should

allow 48 hours to respond.

Emergency calls may be scheduled with less notice only after each member is contacted to reach a consensus on time and date of the meeting. If the members do not respond to E-mail requests, the chair or their designee must contact the member by phone.

## *Standing Committees*

*Certification, Accreditation, and Compliance Committee (CACC)* The Certification, Accreditation, and Compliance Committee drafts recommendations for consideration by the Board to provide guidance, clarification or proposed standards of certification, accreditation and compliance sections of the organic regulations [7CFR Part 205] and OFPA. The CACC occasionally works with other committees to develop joint recommendations where certification and compliance issues are involved.

*Crops Committee (CC)* The Crops Committee drafts recommendations for consideration by the Board to provide guidance, clarification or proposed standards of the crop production section of the organic regulations as contained in [7CFR Part 205] and OFPA. The CC reviews petitions, substances scheduled to sunset, technical advisory panel reports, and public comments concerning materials used for crop production which have been requested for addition to or removal from the National List. The CC occasionally works with other committees to develop joint recommendations where crop issues are involved.

*Handling Committee (HC)* The Handling Committee makes draft recommendations for consideration by the Board to provide guidance, clarification or proposed standards of the handling and labeling sections of the organic regulations as contained in [7CFR Part 205] and OFPA. The HC reviews petitions, substances scheduled to sunset, technical advisory panel reports and public comments concerning materials used for processing and handling which have been requested for addition to or removal from the National List. The HC occasionally works with other committees to develop joint recommendations where handling issues are involved.

*Livestock Committee (LC)* The Livestock Committee drafts recommendations for consideration by the Board to provide guidance, clarification or proposed standards of the livestock and livestock feed sections of the organic regulations as contained in [7CFR Part 205] and OFPA. The LC reviews petitions, substances scheduled to sunset, technical advisory panel reports and public comments concerning materials used for livestock production which have been requested for addition to or removal from the National List. The LC occasionally works with other committees to develop joint recommendations where livestock issues are involved.

*Materials Committee (MC)* The Materials Committee drafts recommendations for consideration by the Board to provide guidance, clarification or proposed standards of the National List section of the organic regulations as contained in [7CFR Part 205] and OFPA. The MC works with the NOP, NOSB Committees and TAP Contractors in managing the Materials Review Process including tracking petitions, sufficiency reports, materials scheduled to sunset and sunset review process. In addition to a chair appointed by the Board Chair, the MC shall include in its membership one of the co-chairs from each of the Livestock, Crops, and Handling committees. Other members may be appointed as needed.

The MC occasionally works with other committees to develop joint recommendations where materials are involved.

*Policy Development Committee (PDC)* The Policy Development Committee makes draft recommendations for consideration by the Board to provide guidance, clarification or proposed standards of Board operations, policies and procedures. The PDC maintains the content and updates to the NOSB Policy and Procedures Manual and New Member Guide. The PDC occasionally works with other committees to develop joint recommendations where policy issues are involved.

### *Task Forces*

As determined by the Board or Executive Committee, task forces shall be appointed to explore specific issues and present draft recommendations to the Board or to a committee. Task forces may include non-Board members of the public. Each task force shall include at least one member of the NOSB. Minutes shall be taken of task force meetings. Each task force shall submit a final report to the Board. Each task force shall be disbanded when its work has concluded or when the Board determines the task force is no longer necessary.

### **Ad Hoc Committees**

At the discretion of the NOSB Chairperson, with approval of the Executive Committee, an ad hoc NOSB committee may be formed to develop policy and guidance on specific issues that involve multiple standing committee jurisdictions, or for issues or tasks that are very large and require additional resources to complete. Ad hoc committees may be comprised only of current NOSB members, and could either be a combination of two or more standing committees to form a "joint" committee, or could be a totally new committee comprised of selected NOSB members from various standing committees. Ad-hoc committees can be dissolved at the recommendation of the NOSB chairperson with the approval of the executive committee. The position of the ad-hoc committee chairperson is a non-voting member of the executive committee.