



NOSB in Savannah: Fall 2011 Meeting Summary

The National Organic Standards Board (NOSB) held their public meeting November 29 – December 2, 2011, in Savannah, Georgia. At the beginning, the NOP provided an update on its activities and priorities. Over the course of four days, the NOSB heard comments from over 100 members of the public on a wide range of issues. The NOSB then discussed these and other suggested changes to their proposals from about 1,000 written public comments. A summary of the NOSB's subsequent votes is provided below.

Note: NOSB is an advisory body to the Secretary of Agriculture. NOSB recommendations are not NOP policy unless the NOP issues final rules, final guidance, final instructions, or a policy memorandum that adopts the NOSB recommendations. They are not part of the USDA organic standards unless such action is taken.

Petitioned Substances

The NOSB responded to several petitions to add, amend, and remove the listing of substances on the National List:

Substance	Section	Petitioned Action	NOSB Recommendation	Notes
Ammonium nonanoate	§ 205.601(b)	Add to list	Rejected	None
Indole-3-butyric acid	§ 205.601(k)	Add to list	Rejected	None
Propane (odorized)	§ 205.601(g)	Add to list	Rejected	None
Annatto extract color	§ 205.606	Remove from list	Remove	None
Arachidonic (ARA) single-cell oil	§ 205.605(a)	Add to list	Add to the list with the following annotation:	Arachidonic acid fungal oil (ARA), not hexane extracted; other ingredients that are agricultural must be organic
Beta-carotene color	§ 205.606	Amend listing	Amend annotation to read:	Beta-carotene extract color, derived from carrots or algae (CAS#7235-40-7)
Docosahexaenoic (DHA) algal oil	§ 205.605(a)	Add to list	Add to the list with the following annotation:	DHA from Algal Oil, not hexane extracted; other ingredients that are agricultural must be organic.
Potassium hydroxide	§ 205.605(b)	Amend listing	Amend annotation to read:	Potassium hydroxide—prohibited for use in lye peeling of fruits and vegetables except when used for peeling peaches.
Silicon dioxide	§ 205.605(b)	Remove from list	Amend annotation to read:	Silicon dioxide – for use as a defoamer. May be used in other applications when non-synthetic alternatives are not commercially available.
Sulfur dioxide	§ 205.605(b)	Amend listing	Rejected	None



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Sunset 2013 Substances

The NOSB must review all National List substances every five years and recommend renewing, removing, or changing each listing. This process is commonly referred to as “Sunset” review. The NOSB made recommendations on the following National List substances as part of their Sunset 2013 review:

Substance	Section	NOSB Recommendation	Notes
Copper sulfate	§ 205.601(a)	Relist	None.
Copper sulfate	§ 205.601(e)	Relist	None.
Ozone	§ 205.601(a)	Relist	None.
Peracetic acid	§ 205.601(a)	Relist	None.
Peracetic acid	§ 205.601(i)	Relist	None.
Calcium chloride	§ 205.602	Relist	None.
Animal enzymes	§ 205.605(a)	Relist	None.
Tartaric acid	§ 205.605(a)	Relist	None.
Tartaric acid	§ 205.605(b)	Remove from list	None.

Other Recommendations

Animal welfare. After making amendments based on public comments, the NOSB made recommendations to strengthen the animal welfare requirements in organic livestock production. The NOSB recommended new regulations on physical alterations and livestock living conditions for mammals and birds. The NOSB also recommended new language to cover animal handling and transit to slaughter. Additionally, the following stocking rates were recommended:

Livestock Species	Indoor Space	Outdoor Runs and Pens
Chickens		
Laying hens and breeders	2.0 square feet per bird	2.0 - 5.0 square feet per bird
Pullets	2.0 - 3.0 pounds per square foot	2.0 - 3.0 pounds per square foot
Broilers	1.0 - 5.0 pounds per square foot	2.0 - 5.0 pounds per square foot

Chlorine materials. The NOSB voted to amend the annotation for chlorine products used in food handling that is consistent with recent NOP guidance on chlorine use. This change will clearly permit use of chlorine up to maximum labeled rates for sanitation of equipment. Additionally, it permits labeled uses in direct contact with products like fruit or vegetables, as long as there is a potable water rinse with no higher than drinking water levels after use. Chlorine in water used as an ingredient must also not be used as levels higher than those permitted in drinking water.



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Evaluation of material review organization. To facilitate consistent and uniform material review decisions, the NOSB recommended that the NOP actively regulate material review organizations. The NOSB recommended that material review organizations:

- Become accredited certifying agents. In the interim, request for guidance on the material review process. Use the NOP's material classification guidance (in development) when making synthetic versus non-synthetic determinations.
- Be accredited to ISO 65 standards, which require the development of detailed review protocols and policies. Use the NOP's guidance for permitted generic substances (in development). Be at least partially financed by manufacturers of products seeking review.
- Adopt the appeals process utilized by certifying agents and be subject to compliance and enforcement actions by the NOP.

Inspector qualifications. The NOSB recommended that the NOP develop guidance on baseline qualification criteria for organic inspectors to cover specific metrics in three areas (continued on page 6):

- Baseline pre-requisite expertise for initial "organic inspector" status.
- Continuing education requirements for inspectors.
- Accreditation criteria for certifying agents to ensure adequate monitoring and oversight.

Unannounced inspections. To uphold organic integrity, the NOSB recommended that the NOP develop guidance on unannounced inspections to address the following:

- Required unannounced inspections for at least five percent of their certified operations per year.
- Unannounced inspections may be random, risk-based, or the result of a complaint or investigation.
- Unannounced inspections may be limited in scope, depth, and breadth; samples may be collected. If a full inspection is conducted, it may be used as the annual on-site inspection.

Policy and Procedure Manual. The NOSB amended the following sections of their Policy and Procedures Manual:

- *Administrative team (Section IV).* The NOSB voted to add a description of the Administrative Team.
- *Committee transparency (Section I).* The NOSB amended the role of the Executive Director to include more regular updates with the public. This will include the posting of committee meeting minutes and other resources.
- *NOSB member and leadership transition (Section V).* The NOSB clarified transition procedures for officers, committee chairs, and new members.