



May 22, 2026

Mr. Jared Clark
Assistant Director, Standards Division
National Organic Program
USDA-AMS-NOP

Docket: AMS-NOP-22-0029

RE: National Organic Program: National List of Allowed and Prohibited Substances per October 2021, October 2022, and October 2024 Recommendations (Crops and Livestock)

Dear Mr. Clark:

Thank you for this opportunity to provide feedback regarding the proposed rule that addresses amendments and additions to the National List of Allowed and Prohibited Substances. The Organic Trade Association (OTA) is the membership-based business association for organic agriculture and products in North America. OTA is the leading voice for the organic trade in the United States. Our members include growers, shippers, processors, certifiers, farmers' associations, distributors, importers, exporters, brands, retailers, material input providers, and others. OTA's mission is to grow and protect organic with a unifying voice that serves and engages its diverse members from farm to marketplace.

OTA appreciates the National Organic Program's efforts in tandem with the National Organic Standards Board to ensure the National List remains an effective toolbox for organic operations. We offer the following comments and responses to the questions posed regarding the amendments contained in this proposed rule.

Sodium nitrate

OTA supports renewing the listing for sodium nitrate as a natural substance allowed for limited use in organic crop production. The current status of the sodium nitrate listing on the National List is confusing, and it lacks oversight and transparency. When one reads the organic regulations and sees sodium nitrate listed with its restriction, its status noted elsewhere outside of the regulation as "invalid" is obscure. Organic stakeholders need to be able to reference the standards and readily understand the compliance requirements.

The NOP sought to provide clarity in September 2011 when it published NOP Notice 12-1 *Sodium Nitrate Use in Organic Crop Production*. This notice addressed the invalid nature of the listing and noted sodium nitrate would not be a prohibited nonsynthetic on the National List until a final rule on its listing was made. This determination allowed continued use of sodium nitrate, provided organic producers meet the requirements of 7 CFR §205.200 which states that production practices must maintain or improve the natural resources of the operation, including soil and water quality.

Since publication of Notice 12-1, OTA understands that certifiers have largely allowed and enforced the use of sodium nitrate in compliance with the invalid listing, which limits its use to 20 percent of a crop's total nitrogen requirement. OTA understands from our members that in certain regions and for certain crops, sodium nitrate serves a useful purpose to provide available nitrogen during times when other organic fertilizers have low mineralization. This use is supplemental to a fertility program that otherwise relies on crop rotation, compost and manure-based inputs, and limits sodium nitrate to 20 percent of the crop's total nitrogen needs.

The NOSB recommendation and this proposed rule's intent to renew the listing as it appears at §205.602 stands to remedy this confusing situation. Further, with its renewal on the National List, sodium nitrate will be returned to a five-year sunset review cycle, and with it a predictable, transparent, and public process to evaluate the listing against the Organic Foods Production Act criteria as is required by law. As we do with all substances up for review before the NOSB, we look forward to engaging our membership and organic stakeholders when sodium nitrate comes due for a future review.

1. Is the proposed regulatory language and accompanying discussion in this document clear enough to allow operations and certifying agents to comply with the proposed requirements?

Yes, we find the language and discussion clear.

2. Do the proposed amendments create any conflict with current USDA organic regulations or other Federal regulatory requirements?

We see the renewal of sodium nitrate on the National List as providing greater clarity regarding the allowance of its use and do not see any conflicts.

Meloxicam

On behalf of our members in the livestock sector, OTA supports the addition of meloxicam to the National List. This support is echoed by a broad cross section of the organic industry—producers, veterinarians, businesses, and animal welfare advocates. Meloxicam is an important pain management tool that aligns with organic principles and fills a gap left by the recent FDA restrictions placed on the use of aspirin in lactating bovines. While other pain management medications are allowed in organic production, these are sometimes difficult to administer by the producer and do not share the same applications or effectiveness. The addition of meloxicam to the National List will bring USDA organic regulations in line with leading animal welfare standards, enabling producers to provide a high standard of animal care and meet the expectations of organic consumers.

1. Is the proposed regulatory language and accompanying discussion in this document clear enough to allow operations and certifying agents to comply with the proposed requirements?

Please see our comments in response to question 3 (a). We see an opportunity for a minor edit to the regulatory language that would provide greater clarity to the annotation requiring a withdrawal period twice that of FDA. We do not believe this suggested edit to be significant enough to delay

rulemaking through further stakeholder consultation as it seeks to clarify versus change what is intended when referencing a withdrawal period twice that of FDA.

2. Do the proposed amendments create any conflict with current USDA organic regulations or other Federal regulatory requirements?

We do not foresee conflict with the listing of meloxicam. In fact, our concern is that failing to move forward with this action could cause conflict with the existing regulations. The livestock care and production practices standard notes producers must establish and maintain preventive health care practices, but may administer allowed medications to alleviate pain or suffering when preventive practices are inadequate [§ 205.238(b)]. Additionally, producers must not withhold treatment to minimize pain and suffering [§ 205.238(c)(8)]. With an October 2024 FDA decision restricting aspirin as an off label pain treatment for bovines, and limited allowed options for pain currently listed, urgent action is needed to provide access to meloxicam.

3. (a) Is the proposed annotation clear? Do veterinarians, producers, and certifying agents have the information they need to establish, document, and verify the proposed withdrawal period? If not, what additional information is necessary?

We believe the proposed annotation could be clearer. Since FDA does not have a required withdrawal period for use of meloxicam in livestock, the proposed annotation wording specifically on § 205.603(a)(20)(ii) may cause confusion for stakeholders. The explanatory background in the proposed rule, particularly the FDA Allowance section, appropriately references 21 CFR part 530 of FDA regulations governing AMDUCA and extralabel drug use and veterinarian-established withdrawal periods. For instances of extralabel drug use, veterinarians use scientific resources such as Food Animal Residue Avoidance Database (FARAD) and Plumb’s Veterinary Drug Handbook to determine an appropriate withdrawal period based on the age or stage of production of the treated animal to avoid any drug residues in meat or milk. This framework is already well understood by licensed veterinarians, but may not be as clear to organic producers, inspectors, and certifying agents. In order to clarify the listing and annotation itself for the practical use of meloxicam and support adequate enforcement, we suggest adjusting the wording, highlighted, to read:

(20) Meloxicam (CAS #71125-38-7)—Federal law restricts this drug to use by or on the lawful written or oral order of a licensed veterinarian, in full compliance with the AMDUCA and 21 CFR part 530 of the Food and Drug Administration regulations. Also, for use under 7 CFR part 205, the NOP requires:

(i) Use by or on the lawful written order of a licensed veterinarian; and

(ii) A withdrawal period of at least two times that **specified by a licensed veterinarian.**

(b) Should the annotation further restrict the use of meloxicam, such as by specifying a minimum withdrawal period for bovine species, and/or restricting non-bovine uses to disbudding and dehorning only?

No, we do not believe there is a need to further restrict the use of meloxicam through prescriptive withdrawal periods beyond the guidelines included in this proposed rule, nor do we see it necessary to restrict its use in other species.

(c) AMS welcomes comments on the NOSB Livestock Subcommittee's technical analysis appendix published as part of the NOSB final recommendation.

We do not have further comment on the appendix.

Methionine

OTA supports the proposed revision to remove the restrictive methionine annotation. While OTA and its members have found the current process manageable and did not request the NOSB take up this initiative, we acknowledge that the current restrictive annotation presents tradeoffs that the NOSB and NOP have carefully considered. Despite investments in research and development, no viable natural alternative to synthetic methionine has been identified, and its inclusion remains critical for organic poultry production.

Maintaining the restrictive annotation brings hidden costs for producers, inspectors, and certifiers who must manage feeding ratios, maintain and audit documentation, and address noncompliance. These costs, in both time and money, are either passed on to the consumer or borne by the producer. For producers, this makes organic farming less financially viable, and for consumers, it raises the price of organic poultry products, thereby limiting access to a larger portion of the U.S. population and limiting the expansion of organic poultry production.

Methionine has long been approved on the USDA's National List, and OTA is unaware of any consumer research indicating concerns over the level of use of essential feed additives that are synthetic. Additionally, restricting methionine could create challenges in meeting consumer expectations around animal welfare. As noted in the proposed rule discussion, the current limits have prevented some producers from being able to feed their poultry adequate methionine. Addressing this inadequate supply with nonsynthetic methionine sources can lead to negative outcomes on bird health and housing. According to OTA's 2024 consumer survey, 54% of consumers believe organic certification is better for animal welfare, and 45% are willing to pay a premium for organic products that protect animal health and welfare. Organic standards must safeguard the brand equity of the USDA organic seal. In removing



restrictions on essential feed inputs, the regulations continue to meet a high standard of animal welfare and consumers' expectations around the organic seal.

1. Is the proposed regulatory language and accompanying discussion in this document clear enough to allow operations and certifying agents to comply with the proposed requirements?

Yes, with limitations regarding its use struck from the proposed regulatory language, we find the language is clear and in fact offers greater clarity and efficiency for producers using methionine, and to certifiers responsible for oversight of its use.

2. Do the proposed amendments create any conflict with current USDA organic regulations or other Federal regulatory requirements?

No, with this amended listing of methionine we do not see conflict with USDA organic regulations or other Federal regulatory requirements. As we note above in our comments addressing the addition of meloxicam, we believe a lack of action to move this forward could cause conflict with the existing regulations. The livestock care and production practices standard notes producers must establish and maintain preventive health care practices, which include providing "...a feed ration sufficient to meet nutritional requirements of the animal, including vitamins, minerals, proteins and/or amino acids...[§ 205.238(a)(2)]." Removing the limit on synthetic methionine will help ensure producers can meet the regulatory requirements, and the dietary and welfare needs of their flocks.

On behalf of our members across the supply chain and the country, OTA thanks the National Organic Program for the opportunity to comment, and for your commitment to furthering organic agriculture.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott Rice", is positioned above the typed name.

Scott Rice
Sr. Director, Regulatory Affairs
Organic Trade Association

cc: Tom Chapman
Co-CEO
Organic Trade Association