



April 1, 2022

Ms. Michelle Arsenault  
National Organic Standards Board  
USDA-AMS-NOP

**Docket:** AMS-NOP-21-0087

**RE: Crops Subcommittee – Proposal on Highly Soluble Nitrogen**

Dear Ms. Arsenault:

Thank you for this opportunity to provide comment on the National Organic Standards Board (NOSB) Crops Subcommittee's Proposal on the Highly Soluble Nitrogen.

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, representing over 9,500 organic businesses across 50 states. Our members include growers, shippers, processors, certifiers, farmers' associations, distributors, importers, exporters, consultants, retailers and others. OTA's mission is to promote and protect organic with a unifying voice that serves and engages its diverse members from farm to marketplace.

The Subcommittee proposes to add a new restriction on all highly soluble nitrogen fertilizers at §205.105:

“Nitrogen fertilizers with a C: N ratio of 3:1 or less, including those individual components of a blended fertilizer formulation, are limited unless use is restricted to a cumulative total use of 20% of crop needs.”

**OTA cannot support the proposal because many of the concerns that we identified in our fall 2021 comments<sup>1</sup> remain unresolved.** We continue to have questions about whether certifiers, inspectors, operators have the information and tools to understand, demonstrate, and verify compliance with this language, and whether NOSB has enough technical information to inform a recommendation on this topic. The proposal narrative does not sufficiently overcome or resolve the outstanding questions and concerns we have about this approach.

**Our overarching concern is that the proposal over-burdens farmers without meaningful benefits.** The proposal appears to be effective only to restrict guano and any other “unknowns,” yet every farm and every fertilizer and every crop would need to be scrutinized against the restriction, regardless of whether they are using any highly soluble nitrogen fertilizers or low C:N fertilizers. (Provided that NOSB Recommendations to prohibit stripped ammonia and concentrated ammonia are implemented, as well as the NOSB Recommendation to reinstate restriction on Sodium Nitrate.) The documentation and calculation requirements for farms appears overly burdensome, *especially* for diversified organic farms that grow many crops per season and *especially* for farms that are not using guano or any other novel or new highly soluble nitrogen fertilizers or low C:N fertilizers. The impact to organic farms and businesses as a result of this proposal is largely unknown.

<sup>1</sup> [https://ota.com/sites/default/files/indexed\\_files/OTA\\_Crops\\_AmmoniaExtract\\_AMS-NOP-21-0038final.pdf](https://ota.com/sites/default/files/indexed_files/OTA_Crops_AmmoniaExtract_AMS-NOP-21-0038final.pdf)



We also question whether the Subcommittee’s proposal is the appropriate solution to be more proactive in reviewing and restricting future novel nonsynthetic nitrogen materials that are not compatible with organic principles instead of waiting for individual petitions. Is the NOSB’s fall 2021 recommendation to prohibit “concentrated ammonia” sufficient to achieve this goal? And/or can NOSB explore improvements to the communication mechanisms and feedback loops between certifiers, material reviewers, and NOP when a concern about a novel nonsynthetic substance is identified?

Lastly, we continue to support the NOSB Recommendations from fall 2021 regarding the prohibition of stripped ammonia and concentrated ammonia, and would like to see NOP advance the recommendations through rulemaking without delay.

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

Respectfully submitted,

Johanna Miranda  
Farm Policy Director, OTA

cc: Laura Batcha  
Executive Director/CEO, OTA