

Organic Trade Association’s Fall 2023 National Organic Standards Board Meeting Report

HIGHLIGHTS, OUTCOMES, AND NEXT STEPS

On October 24-26, the National Organic Standards Board (NOSB) held its biannual public meeting in Providence, RI. The primary purpose of NOSB meetings is to provide an opportunity for organic stakeholders to give input on proposed NOSB recommendations and discussion items. The meetings also allow NOSB to receive updates from USDA’s National Organic Program (NOP) on issues pertaining to organic agriculture. The full agenda for the meeting, all proposals and discussion documents presented at the meeting, as well as full text of OTA’s submitted written comments are available on the [OTA’s NOSB Meeting Webpage](#).

INTRODUCTIONS, UPDATES, AND PRESENTATIONS

- **Welcoming remarks and comments:** The fall 2023 meeting got underway with a call to order and opening remarks from Dr. Jennifer Tucker, the National Organic Program (NOP) Deputy Administrator. The welcome included an introduction of NOP staff, including the hiring of two NOSB support specialists, as well as the announcement of Andrew Malone as the new Assistant Deputy Director.
- **NOSB Chair Report:** Nate Powell-Palm, NOSB Chair, welcomed the audience, introduced Board members, and shared his personal story of being welcomed into the organic community.
- **USDA/AMS/NOP Update:** Dr. Tucker gave a presentation on program updates and then opened the floor for questions from NOSB members. A pre-recorded NOP update was made available in advance of the meeting and is available via NOP’s Organic Integrity Learning Center.
⇒ [Direct link to the pre-recorded presentation](#)

Highlights of the in-person presentation are included below. OTA is tracking closely the following rules/topics and will continue to provide updates to OTA members:

- **Strengthening Organic Enforcement (SOE):** The program’s current focus is communicating the what and the why of the rule, which has helped certifiers and the trade better understand the requirements and how to meet them. During the board Q&A, Tucker again emphasized that it behooves everyone in a supply chain to get certified. Tucker noted the Organic Integrity Learning System is continually getting updated with courses, with a focus on content designed to educate on tools for enforcement and fraud detection, key areas of the SOE rule.
- **Global Organic Control Systems:** Dr. Tucker broke down components of the NOP’s global organic control system, with a focus on oversight of imports. The NOP launched the import certification module in the Organic INTEGRITY Database earlier this year. Certifiers are already working with the system and are issuing certificates ahead of the March 19, 2024, SOE implementation date, which will require the use of the system for all organic imports entering the country. Tucker also noted agreements with the USDA Agricultural Marketing Service (AMS) that allows for increased sampling of organic product at U.S. ports. In addition to the partnership with AMS, USDA is working with Customs and Border Protection, which can now hold product under investigation at the importers’ expense or turn it away. “Our goal is to take the profit out of fraud,” said Tucker.

- **Transition to Organic Partnership Program (TOPP) Presentations:** Regional leads and project partners from the Mid-Atlantic/Northeast regions shared updates and successes from across the area. In the one year since the TOPP project commenced, there have been several events and activities touching thousands of producers across the country. For a closer look at resources and events, the [TOPP website](#) has a wealth of information.
- **Francie Kucera Tolle, USDA Risk Management Agency (RMA), Federal Crop Insurance Update:** Director of RMA Product Administration & Standards Division, Kucera Tolle, provided an update on RMA's options for organic and transitioning producers. RMA has held numerous listening sessions and is responding with expanded offerings for the organic sector. More information on RMA's organic and transitional offerings can be found on RMA's [website](#).
- **Organic Livestock and Poultry Standards (OLPS) Announced:** On Wednesday, the NOSB agenda was paused as the Under Secretary for Marketing and Regulatory Programs appeared on screen to announce the publishing of the Organic Livestock and Poultry Standards final rule. A culmination of nearly twenty years of work, including the incorporation of a number of NOSB recommendations, the NOSB meeting was a fitting venue for the announcement. More information on the final rule can be found on [OTA's Organic Animal Welfare Standards page](#).

NOSB MEMBERS

This 15-person citizen advisory board brings together volunteers from around the United States. It is made up of 4 farmers/growers, 2 handlers/processors, 1 retailer, 1 scientist, 3 consumer/public interest advocates, 3 environmentalists, and 1 USDA accredited certifying agent. At this meeting, 13 members were in attendance.



[Current NOSB members](#) Top (L to R): Brian Caldwell, Franklin Quarcoo, Dilip Nandwani, Gerald D'Amore, Kyla Smith, Nathan Powell-Palm, Kimberly Huseman, Nathaniel Lewis
Bottom (L to R): Wood Turner, Allison Johnson, Carolyn Dimitri, Logan Petrey, Amy Bruch, Mindee Jeffrey

OFFICER ELECTIONS: NOSB elected **Kyla Smith** as Chair, **Amy Bruch** as Vice Chair, and **Nate Lewis** as Secretary.

MEETING OUTCOMES

PROPOSALS: 3 proposals were considered by NOSB, of which 2 passed. NOSB proposals are referred to USDA for approval and implementation and do not become effective until accepted by the USDA and implemented through rulemaking.

- **Oversight Improvements to Deter Fraud Consistent Location Identification (CAC) Passed (13 yes, 1 absent)** – proposal recommends NOP provide guidance to accredited certifiers to obtain consistent location information of certified operations (parcels, production units - grower groups, handling locations, importers, brokers, etc.). The desired result is the harmonization of data collection to streamline cross-checks and information sharing between operation, certifier, and inspector.
- **Potassium Sorbate (CROPS) Failed (13 no, 2 absent)** – petitioned for use as an active ingredient for plant disease and insect control/suppression in field and greenhouse applications.
- **Research Priorities 2023 (MATERIALS) Passed (13 yes, 2 absent)** – NOSB’s annual list of organic food and agriculture research priorities.

DISCUSSION DOCUMENTS: NOSB considered 5 discussion documents at this meeting. Once considered by the full board, the usual process is to bring the discussion documents back to the respective subcommittee, incorporate public comments and board discussion, and bring them to the Spring meeting as a proposal for a full board vote.

- **Enforcement: Residue Testing for a Global Supply Chain (CAC)** – considers whether updates to periodic residue testing programs will augment accredited certifiers' ability to verify compliance, deter fraud, and prevent contaminated products from entering the organic marketplace.
- **Organic and Climate-Smart Agriculture: Climate-Induced Farming Risk and Crop Insurance (CAC)** – continues the conversation started at the Spring 2023 meeting and seeks to build on the body of evidence specifying problems organic farmers face and offers concrete ways to improve organic crop insurance.
- **Opportunities in Organic – Improving Support for Organic Transition (CAC)** – seeks to gather feedback from inside and outside the organic community on effective tools, resources, and alignment strategies to support organic transition and requirements for participation in programs that support organic transition.
- **Magnesium carbonate – petitioned (HANDLING)** – for addition as a processing aid to §205.605 and is used as a drying/anti-caking agent.
- **Magnesium carbonate hydroxide – petitioned (HANDLING)** – for addition as a processing aid to §205.605 and is used as a drying/anti-caking agent. Used interchangeably with magnesium carbonate.

SUNSET REVIEWS: NOSB voted to **renew all listings** of materials on the National List under sunset review at the meeting. See the chart below for a list.

MATERIAL (SUBCOMMITTEE)	MOTION & VOTE	OUTCOME
Ethanol (LIVESTOCK) – sanitizer	To remove from §205.603(a) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Isopropanol (LIVESTOCK) – disinfectant	To remove from §205.603(a) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Aspirin (LIVESTOCK) – inflammation control	To remove from §205.603(a) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Vaccines (LIVESTOCK) – preventive health care	To remove from §205.603(a) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Electrolytes (LIVESTOCK) – correcting dehydration, metabolic conditions	To remove from §205.603(a) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Glycerin (LIVESTOCK) – teat dip	To remove from §205.603(a) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Phosphoric acid (LIVESTOCK) – equipment cleaner	To remove from §205.603(a) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Hydrated lime (LIVESTOCK) – external pest control	To remove from §205.603(b) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Mineral oil (LIVESTOCK) – topical use and lubricant	To remove from §205.603(b) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Ethanol (CROPS) – sanitizer, disinfectant	To remove from §205.601(a) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Isopropanol (CROPS) – sanitizer, disinfectant	To remove from §205.601(a) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Sodium carbonate peroxyhydrate (CROPS) – algicide	To remove from §205.601(a) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Newspaper / Recycled paper (CROPS) – weed control, compost feedstock	To remove from §205.601(b) 0 Yes, 13 No, 2 absent. Motion fails. To remove from §205.601(c) 0 Yes, 12 No, 1 abstention, 2 absent. Motion fails.	RELIST: Remains on National List.
Plastic mulch and covers (CROPS) – weed control	To remove from §205.601(b)(2)(ii) 1 Yes, 12 No, 2 absent. Motion fails.	RELIST: Remains on National List. The yes vote reflected the Board’s continued discussion on the use of plastic in organic production and members’ desire to reduce use as much as possible.

MATERIAL (SUBCOMMITTEE)	MOTION & VOTE	OUTCOME
Aqueous potassium silicate (CROPS) – insecticide, disease control	To remove from §205.601(e), (i) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Elemental sulfur (CROPS) – insecticide, disease control, soil amendment	To remove from §205.601(e), (i), (j) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Lime sulfur (CROPS) – insecticide, disease control	To remove from §205.601(e), (i)(6) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Hydrated lime (CROPS) – disease control	To remove from §205.601(i) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Liquid fish products (CROPS) – plant and soil amendment	To remove from §205.601(j) 1 Yes, 11 No, 1 abstention, 2 absent. Motion fails.	RELIST: Remains on National List. The yes vote reflected the Board’s continued discussion and desire by some members to have clearer standards to determine what defines a sustainable fishery and from which fisheries should liquid fish products used in organic production be sourced.
Sulfurous acid (CROPS) – plant and soil amendment	To remove from §205.601(j) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Ethylene (CROPS) – for regulation of pineapple flowering	To remove from §205.601(k) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Microcrystalline cheesewax (CROPS) – for log-grown mushroom production	To remove from §205.601(o) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Potassium chloride (CROPS) – prohibited nonsynthetic	To remove from §205.602(e) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Calcium carbonate (HANDLING) – nutrient supplement, acidifier, thickener	To remove from §205.605(a) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Flavors, nonsynthetic (HANDLING) – only when organic form not commercially available; no synthetic solvents, carriers or preservatives	To remove from §205.605(a) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Gellan gum, high-acyl (HANDLING) – thickener, stabilizer, crystallization inhibitor, flavor release	To remove from §205.605(a) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Oxygen (HANDLING) – modified atmosphere packaging	To remove from §205.605(a) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Potassium chloride (HANDLING) – nutrient supplement, thickener, pH control, salt replacement for low sodium foods	To remove from §205.605(a) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.

MATERIAL (SUBCOMMITTEE)	MOTION & VOTE	OUTCOME
Alginates (HANDLING) – thickener, emulsifier	To remove from §205.605(b) 0 Yes, 10 No, 3 abstentions, 2 absent. Motion fails.	RELIST: Remains on National List.
Calcium hydroxide (HANDLING) – buffer, firming agent, nutrient supplement	To remove from §205.605(b) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Ethylene (HANDLING) – postharvest ripening of tropical fruit and degreening of citrus	To remove from §205.605(b) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Glycerides, mono and di (HANDLING) – only for drum drying of organic foods	To remove from §205.605(b) 1 Yes, 10 No, 2 abstentions, 2 absent. Motion fails.	RELIST: Remains on National List. The yes vote reflected hesitation from the Board regarding the essentiality of this substance. During the discussion, a Board member noted its use by at least one manufacturer in the production of potato flakes.
Magnesium stearate (HANDLING) – anti-caking agent; only in “made with” organic products	To remove from §205.605(b) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Phosphoric acid (HANDLING) – cleaning food-contact surfaces and equipment	To remove from §205.605(b) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Potassium carbonate (HANDLING) – drying agent, pH control	To remove from §205.605(b) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Sulfur dioxide (HANDLING) – in wine labeled “made with organic grapes,” Provided, That, total sulfite concentration does not exceed 100 ppm	To remove from §205.605(b) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Xanthan gum (HANDLING) – thickener, emulsifier, crystallization inhibitor, flavor release	To remove from §205.605(b) 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Fructooligosaccharides (HANDLING) – soluble prebiotic fiber ingredient; only when organic form not commercially available	To remove from §205.606 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Arabic gum (HANDLING) – thickener, stabilizer; only when organic form not commercially available	To remove from §205.606 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Guar gum (HANDLING) – thickener, stabilizer; only when organic form not commercially available		RELIST: Remains on National List.
Locust/Carob bean gum (HANDLING) – thickener, stabilizer; only when organic form not commercially available		RELIST: Remains on National List.

MATERIAL (SUBCOMMITTEE)	MOTION & VOTE	OUTCOME
Lecithin, de-oiled (HANDLING) – emulsifier; only when organic form not commercially available	To remove from §205.606 4 Yes, 7 No, 2 abstentions, 2 absent. Motion fails.	RELIST: Remains on National List. The mixed vote on this substance reflected the Board’s desire to see domestic sourcing of organic sunflower seed as a source of lecithin. Some Board members noted that while there may be sufficient supply, the production of lecithin is quite complex, with manufacturers of conventional lecithin unable to simply run organic seed through their operations.
Tamarind seed gum (HANDLING) – thickener, stabilizer; only when organic form not commercially available	To remove from §205.606 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.
Tragacanth gum (HANDLING) – thickener, emulsifier; only when organic form not commercially available	To remove from §205.606 0 Yes, 13 No, 2 absent. Motion fails.	RELIST: Remains on National List.

OTHER TOPICS AND CLOSING REMARKS

The Board closed the meeting with a brief discussion of topics they intend to focus on in 2024. In response to a [work agenda request from NOP](#) and a petition for rulemaking, the Board will look at the use of compost in organic production, focusing on the definition of “compost feedstock. Also on the docket and in response to a [NOP request](#) is the important work of determining a replacement for the long-outdated reliance on EPA List 3 and 4 inerts for the formulation of substances allowed for use in organic production. Finally, the Board noted its intention to work on streamlining the process to clean up annotations as part of the sunset review of substances. The discussion revealed the complex nature and timing of this work, with more consideration to come.

LOOKING FORWARD

The [Spring 2024 NOSB Meeting](#) is scheduled for April 29 – May 1 in Milwaukee, WI. The public comment webinars are scheduled for April 23 and April 25 from Noon – 5:00 pm Eastern. The NOSB Work Agenda can be found on the [NOSB’s website](#) and will be updated to reflect the Board’s work for the Spring meeting.

About the Organic Trade Association’s NOSB Report: As a service to its members, the Organic Trade Association attends NOSB meetings. The NOSB Report, a member publication, summarizes the meeting and provides an overview of the agenda topics, public commentary, and key decisions made by NOSB. The items included in this report represent recommendations that NOSB developed and reviewed at its meetings. If accepted by the Board, recommendations pass to the National Organic Program, which determines the final form of the NOSB recommendations. Our members are alerted to steps in rulemaking through our News Flash or other member communications. Archives of our NOSB Report are available on our website. Please contact [Scott Rice](#), OTA’s Regulatory Director, for more information.