



May 3rd, 2012

Ms. Michelle Arsenault
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Avenue, SW
Room 2648-So, Ag Stop 0268
Washington, DC 20250-0268

Docket: AMS-NOP-12-0017

RE: CACC – Criteria for Material Review by Material Review Organizations

Dear Ms. Arsenault:

Thank you very much for this opportunity to provide comment on the NOSB Compliance, Accreditation, and Certification Committee's Recommendation on Criteria for Material Review by Material Review Organizations.

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 organic businesses across 49 states. Its members include growers, shippers, processors, certifiers, farmers' associations, distributors, importers, exporters, consultants, retailers and others. OTA's Board of Directors is democratically elected by its members. OTA's mission is to promote and protect the growth of organic trade to benefit the environment, farmers, the public and the economy.

OTA strongly *supports* the CACC proposal and urges NOSB to pass the recommendation at this meeting *with the addition of one minor but important clarifying point to be added to the second paragraph of the recommendation*. Our requested revision is as follows:

Since the creation of a new accreditation scope is a complicated and potentially long-term undertaking, the NOSB also recommends a number of short-term measures to support the consistency of decisions currently being made by MROs. In conjunction with, and parallel to, NOP's work in creating an accreditation scope for material review, On an immediate basis, NOP should immediately provide detailed guidance and criteria on the material review process in order to promote consistency and uniformity among currently operating MROs while longer term regulatory changes are undertaken.

OTA believes that it is essential to the health and well-being of the organic sector that uniform procedures for materials review be implemented as an integral part of NOP **as quickly as possible**. We also believe that such procedures must come under adequate oversight and enforcement of NOP. We agree that certifiers and MROs need guidance on material review immediately. However, we do not want to see guidance take the place of, **or delay** the development of, an accreditation scope for materials review. **We believe they go hand-in-hand, and the development of BOTH must begin immediately.**

That being said, we commend the CACC for its thorough consideration of the challenges at hand, and for crafting review criteria framework that clearly incorporates the public comments provided to the committee in fall 2011. The recommendation should provide NOP with the critical framework needed to develop more detailed guidance. We're confident that NOP will collaborate with material review experts, certifiers and MROs in this process, and develop criteria that will reflect the common practice that has informed material review decisions for over a decade.

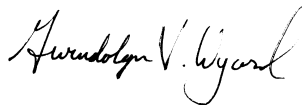
OTA cannot emphasize enough the need for guidance on the Classification of Materials and the integral role it plays in the overall material review process. Therefore we applaud CACC for urging NOP to expedite the publication of clear guidance for making synthetic vs. non-synthetic or agricultural vs. non-agricultural determinations. From the CACC recommendation:

Establish that material review organizations may not make synthetic vs. non-synthetic or agricultural vs. non-agricultural determinations except when made in strict compliance with NOP guidance. **We urge NOP to expedite the publication of clear guidance for making such determinations, based on earlier recommendations of NOSB.** The classification of materials is of foundational importance to the integrity of organic products, and such **guidance is extremely critical, given the thousands of synthetic vs. non-synthetic and agricultural vs. non-agricultural determinations made by certifiers each year.**

The organic sector is facing a serious challenge regarding material review. We believe that a lack of a uniform, accredited and transparent materials review program has, in fact, caused negative impact both to organic production and to our marketplace in the United States. We thank NOSB for its immediate and thorough work on this issue, and urge NOSB to accept our suggested changes and pass this recommendation without delay. We also urge NOP to prioritize its work on both the Classification of Materials Draft Guidance and on accreditation and criteria for material review for certifiers and MROs.

Again, 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 time and dedication to upholding the organic standards.

Respectfully submitted,



Gwendolyn Wyard
Associate Director of Organic Standards and Industry Outreach
Organic Trade Association (OTA)

CC: Laura Batcha
Executive Vice President
Organic Trade Association (OTA)