



April 3, 2020

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

Docket: AMS-NOP-19-0095

RE: Crops Subcommittee – Paper-based Crop Planting Aids (Proposal)

Dear Ms. Arsenault:

Thank you for this opportunity to provide comment on the National Organic Standards Board (NOSB) Crop Subcommittee’s Proposal on Paper-based Crop Planting Aids.

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.

Summary

- ✓ OTA continues to support the allowance of paper to be planted in the soil when used as a planting aid because paper is already allowed for equivalent uses (e.g., as mulch).
- ✓ We support the decision by NOSB to define the scope of review to be inclusive of generic products that are paper-based and used as planting or seeding aids left to degrade in the soil (e.g. pots, chains, seed tape).
- ✓ We have questions about whether particular aspects of the proposed definition will be effective in achieving the NOSB’s goal of allowing a range of paper-based crop planting aids. Our questions address the inclusivity of the 85% biobased restriction and alternatives to ASTM D6866 testing.

We offer the following more detailed comments:

I. Background

NOSB received a petition in August 2018 for the addition of paper planting pots to the National List: “§205.601(o) production aids - Plant pot or growing container-hemp or other paper, without glossy or colored inks.” Paper pots are used as a vessel for growing transplants intended to be planted directly in the soil along with the plant material. Nitten paper chain systems, which are the subject of the petition, are used to efficiently transplant closely spaced crops as part of a non-motorized machine transplanting system. The petitioned material is planted into the soil along with the plant material.

At the fall 2018 meeting, the NOSB Crops Subcommittee presented a discussion document to solicit public comments on the necessity and environmental impact of the material and the availability of alternatives. At the spring 2019 meeting, the Subcommittee presented a second discussion document that continued to explore the petitioned material, and expanded the scope of its review to include a variety of paper-based production aids including pots, seed tape, collars, and hot caps. Out of concern for the use of synthetic fibers in paper-based planting aids, the Subcommittee requested a technical report to evaluate the types of synthetic fibers and the biodegradability of the synthetic fibers used in these types of products. The [Technical Report](#) clarified that synthetic fibers in paper pots and containers are also found in other paper materials currently allowed in organic production as mulches and compost feedstocks. At the fall 2019 meeting, the Subcommittee presented a third discussion document to request comments on a proposed listing and annotation that specified limits on biobased content, synthetic polymer content, and biodegradability. Commenters provided feedback on these items as well as considerations regarding the scope of review for other paper-based planting aids that are left to decompose in the field.

At this meeting (spring 2020), the Subcommittee is presenting a [Proposal](#) to add a new definition to the NOP regulations and a new listing to the National List to allow the use of paper-based crop planting aids under certain conditions.

II. Proposed Definition and Listing

The Subcommittee proposes to add the following definition and listing to the NOP regulations:

Add to §205.2 (Terms Defined):

***Paper-based crop planting aid.* A material that is comprised primarily of cellulose-based paper, including pots, seed tape, and collars that are placed in or on the soil and are intended to degrade into the soil. Contains no less than 85% biobased content with biobased content determined using ASTM D6866 (incorporated by reference; see §205.3).**

Add to §205.601 (National List):

§205.601(o) Production Aids: Paper-based crop planting aids as defined in 205.2. Virgin or recycled paper without colored or glossy inks. If these paper-based crop planting aids are commercially available with 100% biobased fiber content, these must be used.

Consistent with our previous comments, we continue to support the allowance of paper to be planted in the soil when used as a planting aid because paper is already allowed for equivalent uses (mulch, compost feedstock) that have been determined by NOSB to meet OFPA criteria for synthetics on the National List.

The necessity of paper-based planting aids for production has also been communicated in our previous comments and directly from other stakeholders. The use of paper chain pots and other paper-based planting aids has been highlighted by OTA members as a necessary part of their operation, from small to commercial scales of production, due to the absence of natural alternative products and management practices that would achieve the equivalent level of efficiency (of time and labor), quality (of crops produced), and waste reduction (of plastic trays, for example).

We agree with the scope of review in the Subcommittee's proposed definition that is inclusive of generic products that are paper-based and used as planting or seeding aids left to degrade in the soil (e.g. pots,

chains, seed tape). This is an appropriate balance of scope and is consistent with OTA's previous comments that encouraged a scope of review that would make efficient use of NOSB's efforts to review the existing variety of paper-based planting aids that share these key common characteristics of being paper-based, used as planting or seeding aids, and were left to degrade in the soil.

We have questions about whether particular aspects of the proposed definition will be effective in achieving NOSB's goal of allowing a range of paper-based crop planting aids.

- **Is the prohibition on products containing less than 85% biobased content inclusive of the spectrum of commercially available forms of generic paper-based crop planting aids that are intended to be allowed under this listing?** We recognize that NOSB has evaluated a wealth of technical information on paper-based pots and containers, including a Technical Report as well as information submitted by the petitioner and through public comments from other paper-based pot and container manufacturers. We also recognize that it is not feasible or appropriate for NOSB to review brand-name products for compliance with a proposed listing. Rather, the question we raise is whether the spectrum of generic planting aids *other than pots* such as seed tapes and collars have been evaluated against this criteria, seeing as the NOSB's technical review has focused on pots and containers. Confirming the spectrum of allowable commercially-available products under the definition would avoid unintended consequences, such as inadvertently setting a restriction that excluded any certain class of crop planting aids.
- **Is the definition intended to *only* include pots, seed tape, and collars, or is the definition not limited to only these examples?** We question if the Subcommittee should consider clarifying that the definition includes "but is not limited to" these examples, to avoid unintended interpretations that these examples serve as a closed list.
- **Could alternative methods besides ASTM D6866 testing achieve the intended outcomes of determining the percent biobased fiber content?** Material Review Organizations have identified their ability to determine percent biobased content of previously reviewed paper-based planting aids by using the formulation list provided by manufacturers. We question if the Subcommittee should consider alternative verification methods that align with current review procedures.

The Subcommittee highlights the importance of ensuring biodegradability of non-biobased content (e.g., non-paper synthetic fibers, adhesives, and other additives that provide strength and functionality), and justifies its approach based on several factors identified throughout the proposal, including: the same materials are also found in other allowed uses of paper; these materials have not shown negative environmental impacts when used in in other allowed uses of paper, the Technical Report confirms that many of these materials biodegrade without harming the environment; limiting these materials to no more than 15% of the product will ensure minimal environmental risks.

The proposed annotation requires the use of 100% biobased materials if they are commercially available. We are supportive of efforts for continuous improvement in sourcing input materials. Although this would be the first instance of a commercial availability restriction on the National List for synthetic crop inputs, it is a common restriction already in use for the original crop input – seeds (§205.204(a)). We support certifiers' efforts to work together to develop common requirements for verifying and enforcing such a restriction should this listing be added to the National List.



In closing, we'd like to acknowledge and appreciate the Subcommittee for its thoughtful and science-based consideration of this range of products over the past two years. The Subcommittee actively pursued technical information through a third-party technical report and has worked constructively with stakeholders across the organic community and input manufacturing industry. The proposal presented at this meeting is the result of a sound process for evaluation of materials in accordance with OFPA. We also appreciate NOP for permitting the use of previously approved paper pots while the NOSB continues its deliberation on the petition, allowing NOSB to take its time to complete a thorough review and also avoiding disruptions to organic producers who have been using these materials in good faith.

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,

A handwritten signature in black ink that reads "Johanna Miranda". The signature is written in a cursive style.

Johanna Miranda
Farm Policy Director
Organic Trade Association

cc: Laura Batcha
Executive Director/CEO
Organic Trade Association