



January 29, 2020

Docket Clerk
Marketing Order and Agreement Division
Specialty Crops Program, AMS, USDA
1400 Independence Avenue SW, STOP 0237
Washington, DC 20250-0237

**RE: Establishment of a Domestic Hemp Production Program
Doc. No. AMS-SC-19-0042; SC19-990-2 IR**

Thank you for this opportunity to provide comment on the United States Department of Agriculture (USDA) Interim Final Rule on the Establishment of a Domestic Hemp Production Program.

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. Our mission is to promote and protect organic with a unifying voice that serves and engages its diverse members from farm to marketplace.

We support the USDA's work to establish a regulatory framework for hemp production in the United States, as mandated by the 2018 Farm Bill. We also appreciate the timely response by USDA's National Organic Program to confirm the eligibility of hemp to be certified organic. Following the publication of the USDA interim rule, the National Organic Program updated its instruction on Organic Certification of Industrial Hemp¹ to refer to the new USDA program. The instruction, which had previously only referred to the 2014 Farm Bill provisions for hemp grown under research pilot programs, now clearly states that hemp produced under the new USDA Domestic Hemp Production Program can be certified organic. This action clears the pathway for U.S. organic farmers to grow organic hemp on a commercial scale.

As USDA develops its final rule on the Domestic Hemp Production Program, it is critical that the regulations do not conflict with the USDA organic regulations. The Domestic Hemp Production Program should avoid any prescriptive requirements that could mandate the use of production inputs, technologies or practices that are not allowed in organic agriculture and processing. For example, the disposal of non-compliant crops must not prescribe use of synthetic herbicides or burning of crop residues, which are prohibited under the National Organic Program regulations. A focus on outcomes and goals will allow organic farmers and processors to meet both the Domestic Hemp Production Program standards and the standards set by the National Organic Program.

On behalf of our members across the supply chain and the country, we thank USDA for the opportunity to comment, and for your commitment to protecting the health and value of American agriculture.

Respectfully submitted,

Johanna Mirinda, Farm Policy Director, Organic Trade Association

cc: Laura Batcha, Executive Director/CEO, Organic Trade Association

¹ <https://www.ams.usda.gov/sites/default/files/media/NOP%202040%20Hemp%20Instruction.pdf>