

Note: Subcommittee notes may include preliminary discussions regarding substances considered for addition to or removal from the National List. They do not represent official National Organic Program (NOP) policy/regulations or NOSB recommendations. Proposals must be voted on by the full Board, to become recommendations to the USDA. Please see the NOP website for official NOP policy, regulations, and status of substances used in organic production and handling.

**National Organic Standards Board (NOSB)
Executive Committee (EC) Meeting Notes and
Summary of NOSB Subcommittee Activities
Tuesday, February 16, 2021, 4:00 pm ET**

Attending: Steve Ela (SE), NOSB Chair; Nate Powell-Palm (NPP); NOSB Vice Chair & CACS Chair; Mindee Jeffery (MJ), NOSB Secretary & PDS Chair; Rick Greenwood (RG), Crops Chair; Jerry D'Amore (JD), Handling Chair; Kim Huseman (KH), Livestock Chair; Kyla Smith (LP) - observer

Absent: Wood Turner (WT), Materials Chair

Staff: Jennifer Tucker (JT); Erin Healy (EH); Michelle Arsenault (MA); Jared Clark (JC); Dave Glasgow (DG)

Agenda

- Approve notes of January 19, 2021
- Chairs Report - SE
- NOP news and update - JT
- Advisory Board Specialist (ABS) update - MA
- Spring Meeting timeline
- Subcommittee Reports/Updates (5 minutes each)
 - Crops (CS) - RG
 - Livestock (LS) - KH
 - Handling (HS) - JD
 - Materials/GMO ad hoc (MS/GMO) - WT
 - Policy Development (PDS) - MJ
 - Compliance, Accreditation, & Certification (CACS) - NPP
- Additional Items
- Adjourn

Discussion

- **Notes of January 19, 2021** were accepted as written.
- **Chairs Report - SE**
 - NOSB meeting update: The NOSB Chair reminded the Executive team of the impending proposal deadline of February 18, 2021. This early deadline will allow the NOP to prepare the documents for web posting, so the public has a 30-day comment period.
 - Board/Subcomm call agenda and management. The Chair asked that Subcommittee Chairs strive to send call agendas out the Friday before the meeting, to give folks enough time to review any documents and provide constructive feedback.
 - April Executive call was rescheduled for Monday, April 19 because it conflicts with the public comment webinar.
- **NOP news and update - JT**
 - Update on Human Capital project. NOP has compiled several projects for possible multi-award cooperative agreements. It is likely the call for proposals will move forward after the Spring NOSB meeting, and after the NOSB has received feedback from the public.
 - Rulemaking update:
 - Origin of Livestock (OOL). The NOP responded to a letter from stakeholders reaffirming the USDAs current plan to do a second proposed rule. This proposed path forward will be held until the new Secretary is appointed.

- Strengthening Organic Enforcement (SOE). The NOP has analyzed all the comments and is working on the rule.
 - Organic Livestock and Poultry Practices (OLPP). NOP cannot comment on ongoing litigation.
 - National List. There are a couple of rules underway that address NOSB recommendations for National List materials, including fatty alcohols, collagen gel, oxalic acid, and pullulan.
 - A rule addressing NOSB recommendations from the Fall 2020 for several sunset removals is in development.
 - The NOP noted that clearance times vary depending on the complexity of a rule. For example, sunset renewals move more quickly than sunset removals, and other rulemaking generally takes longer and may have to go through multiple levels of approval both within the USDA and other agencies.
- New Administration updates. The new deputy undersecretary for the Marketing and Regulatory Program (MRP) is Mae Wu. The USDA Secretary will likely be confirmed in the coming weeks. There are four key goals for the new administration: Covid-19/Pandemic relief, economic recovery, climate change, and racial equality.
- National Institute of Food and Agriculture (NIFA) update at the Spring NOSB meeting. The NOSB is interested in hearing an update from NIFA about organic research. The NOP will identify a representative and will send invitation.
- Rule writing training for NOSB members? Members are interested in having a training or tutorial about rule writing best practices, to aid proposal writing and ultimately rule writing. The NOP supports the idea and also noted that because the program is required to write an independent analysis, and include an economic analysis, training could solve some challenges and not others, with regard to the rule making process.
- **Advisory Board Specialist (ABS) update - MA**
 - April NOSB meeting logistics. Final recommendations are due February 18. The NOP will send out the list and instructions soon for NOSB members to identify any conflicts of interest. The next milestone will be the comment webinars on April 20 & 22.
- **Subcommittee Reports/Updates (5 minutes each)**
 - Crops (CS) - RG. Crops met earlier today and during the call voted on the proposal for biobased mulch film and the discussion document for ammonia extract. There is some indication from the community that there are potential fraud issues associated with ammonia extract especially in mixed operations. Two sunset substances under initial review at the spring 2021 meeting may garner attention - coppers and EPA List 3 inerts.
 - Livestock (LS) - KH. The petition for chitosan is pending, and the LS is waiting for a response from the petitioner. The Crops Subcommittee also has a chitosan petition from the same petitioner, and LS is coordinating with them to set a deadline for response so they can move forward. The LS completed its sunset reviews and is working on three materials that seem to have overlap with electrolytes: calcium borogluconate, calcium propionate, and nutritive supplements. The LS Chair indicated that there doesn't seem to be inconsistency among these listings as far as certifiers are concerned.
 - Handling (HS) - JD. The HS Chair noted the importance of being timely with agendas and documents to allow members enough time to prepare before a call. The HS Subcommittee discussed four items during its call earlier today: Sunset review of glucono-delta lactone (GDL), a zein, fish oil, and ion exchange. There are twelve sunset rev none seemed too concerning.
 - Materials/GMO ad hoc (MS/GMO) - WT. The MS has two documents completed and ready for the Spring meeting: Research Priorities and Excluded Methods.
 - Policy Development (PDS) - MJ. The PDS has submitted a work agenda request for a discussion document to look at the process for public comment to make sure it is fair and transparent. The PDS is also discussing an exit survey for members, and updates to the member guide. The

Executive committee approved the request to review the process for public comment and will forward the request to the NOP. Any guidance that results from this project would likely be added to the PPM.

- Compliance, Accreditation, & Certification (CACs) - NPP. The CACS has two documents as part of the Human Capital Project for the Spring meeting: One on Inspector mentorship/ apprenticeship/consistency and one on support for the NOSB.
- **Additional Items.** None.
- **The meeting was adjourned**

[Previous ES Notes](#)
[NOSB Work Agenda](#)

Future call schedule: All calls 4:00 ET/1:00 PT 3rd Tuesday except where noted

- January 19, 2021
- February 16, 2021
- March 16, 2021
- April 19, 2021 - Monday**
- May 18, 2021
- June 15, 2021
- July 20, 2021
- August 17, 2021
- September 21, 2021
- October 19, 2021
- November 16, 2021
- December 21, 2021

Spring 2021 Milestones	Target dates (tentative)
NOP - Publish FRN, Open public comment	Feb 18, 2021
NOSB - Spring 2021 proposals due to NOP	Feb 18, 2021
New NOSB member training	Feb 3-5, 2021
NOP - Draft Spring 2021 NOSB meeting tentative agenda	Feb 2, 2021
NOP - Post proposals	Mar 3, 2021
Public comment closes	Apr 1, 2021
NOP - Send compiled public comments to NOSB	Apr 6, 2021
Public comment webinars	Apr 20 & 22, 2021
Spring 2021 NOSB meeting - Virtual	Apr 28 - 30, 2021

Note: Subcommittee notes may include preliminary discussions regarding substances considered for addition to or removal from the National List. They do not represent official National Organic Program (NOP) policy/regulations or NOSB recommendations. Proposals must be voted on by the full Board, to become recommendations to the USDA. Please see the NOP website for official NOP policy, regulations, and status of substances used in organic production and handling.

**National Organic Standards Board (NOSB)
Executive Committee (EC) Meeting Notes and
Summary of NOSB Subcommittee Activities
Tuesday, January 19, 2021, 4:00 pm ET**

Attending: Steve Ela (SE), NOSB Chair; Nate Powell-Palm (NPP); NOSB Vice Chair & CACS Chair; Mindee Jeffery (MJ), NOSB Secretary & PDS Chair; Rick Greenwood (RG), Crops Chair; Jerry D'Amore (JD), Handling Chair; Kim Huseman (KH), Livestock Chair; Wood Turner (WT), Materials Chair; Scott Rice (SR); Logan Petrey (LP) - observer; Amy Bruch (AB) - observer

Absent: None

Staff: Jennifer Tucker (JT); Erin Healy (EH); Michelle Arsenault (MA); Jared Clark (JC)

Agenda

- **Approve notes of December 15, 2020**
- **Chairs Report - SE**
 - Spring meeting plans - virtual
 - New member training, mentors
 - Meet and Greet Zoom call - January 22, 2021
 - Reminder about proposal deadline - February 18, 2021
- **NOP news and update - JT**
 - Welcome Erin Healy - Acting Director, Standards
 - Update on rulemaking (Strengthening Organic Enforcement (SOE), Organic Livestock and Poultry Practices (OLPP), Origin of Livestock (OOL)
 - Updates about new administration priorities
 - Cost Share
 - Update on Human Capital Management project
- **Advisory Board Specialist (ABS) update - MA**
- **Spring Meeting timeline**
 - Next round of sunset reviews (2024)
 - Proposal deadline - Tracking sheet sent Jan. 6
 - Comment period
- **Subcommittee Reports/Updates (5 minutes each)**
 - Compliance, Accreditation, & Certification (CACS) - NPP.
 - Crops (CS) - RG.
 - Livestock (LS) - KH.
 - Handling (HS) - JD.
 - Materials/GMO ad hoc (MS/GMO) - WT.
 - Policy Development (PDS) - MJ. Work agenda request on public comment process.
- **Additional Items**
- **Adjourn**

Discussion

- **Notes of December 15, 2020 notes were approved as written.**
- **Chairs Report - SE**
 - Spring meeting plans. The NOSB supports meeting virtually in April due to ongoing travel restrictions. A member noted that some stakeholders expressed support for virtual meetings

and found it increased participation. The NOSB is interested in moving to a hybrid model of meeting in person and broadcasting live.

- New member training, mentors. New member training is scheduled for three days in early February. The NOSB Chair will assign mentors soon.
- Meet and Greet Zoom call - January 22, 2021. All members, outgoing and incoming, are welcome to join to meet each other.
- Proposal deadline. Each Subcommittee is working through its work agenda and reviews for the fall meeting, which are due to NOP February 18, 2021.
- **NOP news and update - JT**
 - The NOP introduced and welcomed Erin Healy - Acting Director for the Standards Division. Erin will be with NOP until at least April.
 - Update on rulemaking. NOP key priorities:
 - Strengthening Organic Enforcement (SOE). NOP is currently analyzing public comments.
 - Organic Livestock and Poultry Practices (OLPP). The OLPP rule is currently in the court system and NOP has no update at this time.
 - Origin of Livestock (OOL). NOP plans to discuss this rule and the options with the new Administration.
 - New administration priorities. Today is the last day of the current administration, and the new administration begins tomorrow. The Marketing and Regulatory Programs (MRP) is expecting a new Deputy Undersecretary soon. NOP noted that non-Senate-confirmed positions are filled more quickly than positions that need to be confirmed.
 - Cost Share. The incoming administration is aware of the concerns from industry/stakeholders about the reduction in the cost-share funding.
 - Update on Human Capital Management project. The NOP received increased funding in the most recent budget appropriation, and is developing a paper with possible ideas for moving forward with the human capital project. The NOP should have more information for the next NOSB Executive Team call.
- **Advisory Board Specialist (ABS) update - MA**
 - Spring meeting timeline. See table below. The two major impending milestones are the proposal due date (February 18) and the Spring meeting (April 28 - 30, 2021).
 - Next round of sunset reviews. The NOP will compile the list of sunsets due to sunset in 2024, so the Subcommittees can determine the need for technical reports (TRs).
 - Proposal deadline. The NOP sent a tracking sheet to the Subcommittee Chairs on January 6 to help track which proposals have been completed and submitted as we approach the Spring deadline.
- **Subcommittee Reports/Updates (5 minutes each)**
 - Compliance, Accreditation, & Certification (CACs) - NPP. The CACS is working on two projects as part of the Human Capital Management work agenda item: Support personal for NOSB members; and Inspector Recruitment and Retention.
 - Crops (CS) - RG. The Crops Subcommittee has had a full agenda on each call, and the Chair praised members for having candid, thorough, discussions. The CS is working through sunset reviews and discussed biodegradable biobased mulch film (BBMF) and its relationship to plastic. The CS finalized the proposal for paper pots for discussion at the Spring 2021 meeting, and chose to defer several projects to the Fall 2021 meeting while waiting for technical reports or additional information from the petitioner. Those projects include biochar, hydronium, chitosan, and ammonia extract.
 - Livestock (LS) - KH. On the most recent call, the LS finalized two sunset reviews, and the research priorities, which will be forwarded to the Materials Subcommittee soon. The LS also discussed two sunset substances under review for the first time - calcium borogluconate and calcium propionate. The NOP clarified questions as to why these two substances are listed individually

and are not covered under the listing for electrolytes: Both have restricted use while electrolytes are used more broadly.

- Handling (HS) - SE for JD. The Handling Subcommittee discussed sunset reviews on today’s call and is working on several petitions and proposals, including cetylpyridinium chloride (CPC), zein, and ion exchange filtration. The research priorities were completed and forwarded to the Materials Subcommittee. All other sunset reviews have been scheduled for discussion.
- Materials/GMO ad hoc (MS/GMO) - WT. The MS will finalize the research priorities’ discussion document once it receives the lists from the other Subcommittees, and is also working on the next iteration of the excluded methods document. The MS is also waiting for the technical report (TR) for tall oil. Tall oil was sent to the Materials Subcommittee for review rather than the CS, HS, or LS since it cuts across all Subcommittees and is petitioned as an inert.
- Policy Development (PDS) - MJ. The PDS intends on submitting a work agenda request to assess the public comment process. Specifically, written comments submitted after the deadline, and requests from oral commenters to be placed in a specific speaking order. The Board is seeking fairness for all commenters. NOP finalized the member guide and resent it to the PDS, who may review it again. The PDS is also considering developing an exit surveys for outgoing NOSB members. NOP will contact the USDA’s Committee Management Officer (CMO) to ask if other Boards use/have an exit survey.
- **Additional Items.** The NOSB Chair thanked the outgoing NOSB members for their service and mentioned the transition of their work agenda items to remaining members.
- **The meeting was adjourned.**

[Previous ES Notes](#)
[NOSB Work Agenda](#)

Future call schedule: All calls 4:00 ET/1:00 PT 3rd Tuesday

- December 15, 2020
- January 19, 2021
- February 16, 2021
- March 16, 2021
- April 20, 2021 - public comment webinar
- May 18, 2021
- June 15, 2021
- July 20, 2021
- August 17, 2021
- September 21, 2021
- October 19, 2021
- November 16, 2021
- December 21, 2021

Spring 2021 Milestones	Target dates (tentative)
NOP - Publish FRN, Open public comment	Nov 15, 2020
NOSB - Spring 2021 proposals due to NOP	Feb 18, 2021
New NOSB member training	TBD
NOP - Draft Spring 2021 NOSB meeting tentative agenda	Feb 2, 2021

NOP - Post proposals	Mar 3, 2021
Public comment closes	Apr 1, 2021
NOP - Send compiled public comments to NOSB	Apr 6, 2021
Public comment webinars	Apr 20 & 22, 2021
Spring 2021 NOSB meeting - Crystal City, VA	Apr 28 - 30, 2021