

Note: Committee 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 or regulations. 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)
Compliance, Accreditation & Certification Committee Notes
Tuesday, February 14, 2011, 3:00 pm ET**

Attending: Joe Dickson (Chair), Barry Flamm, Carmela Beck, Harold Austin and Mac Stone

Absent: John Foster and Jean Richardson

Staff: Lorraine Coke

Project	Point Person	Status	Target Meeting
Pesticide residue testing	?	On hold; perhaps provide feedback at a later point	?
Retail certification	JD	On hold, lower priority	?
Processing aids in 100% products	JFo	Discussion document	Spring 2012
Review Criteria and Procedures for Material Review Organizations	JD and HA	Proposed recommendation	Spring 2012
Monitoring Practices and procedures for 205.201(a)	MS and BF	Proposed recommendation	Spring 2012
Calculating percentage of organic	?		Spring 2012?

Agenda

Discuss and confirm work plan items for spring meeting. Assign leader and deadlines for each. The draft work plan from Savannah is as follows:

- Processing aids in 100% organic products
- Calculating percentage of organic
- Monitoring Practices and procedures for 205.201(a) – the construction and composition of the organic system plan.
- Review Criteria and Procedures for Material Review Organizations – 2nd part of the recommendation from the fall, which requires us to hunker down and specifically give our guidance on the specific procedures to be followed by certifiers and non-certifiers in evaluating specific substances.

Discussion

Review criteria and procedures for MROs – Joe and Harold

→ This will be a continuation of the recommendation from

Monitoring practices and procedures for 205.201(a) – Mac and Barry

→ This issue may have come from certifiers or from certifiers via John Foster. There is inconsistency in

Processing aids in “100% organic” products – John

→Started out with inert gasses as processing aids (to prevent spoilage), then moved on to diatomaceous earth, and other materials of concern. This was a previous issue on the Board. Can the final product be labeled 100% organic even though it has non-agricultural, non-organic products? The committee will broaden this topic a little more and look more specifically.

Calculating percentage of organic – no assigned CACC member at this time

→When you have an ingredient that is not 100% organic, but it is in a 100% organic product – how to calculate?

Another area of consideration:

Review of materials/inputs for use on individual operation

-certifiers often review and approve materials for use on individual operations, there is no set of criteria and there are varying degrees of consistency
-this area should be revisited in the MRO recommendation to ensure that some level of oversight

Future CACC Calls

February 28 – rough draft of MRO procedures/review criteria document, review old recommendation on calculating percentage of organic, draft/outline of 205.201(a), draft of processing aids in 100% products

March 13 – final draft of MRO document, vote?

March 27 –

Milestone	Deadline
Finalize Spring 2012 Agenda	March 23, 2012
Committee Proposals	April 2, 2012
Spring 2012 NOSB Meeting	May 21 – 24

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**National Organic Standards Board (NOSB)
Compliance, Accreditation & Certification Committee Notes
Tuesday, February 28, 2011, 3:00 pm ET**

Attending: Joe Dickson (Chair), Barry Flamm, Carmela Beck, Harold Austin, Mac Stone, John Foster and Jean Richardson

Absent: none

Staff: Lorraine Coke

Project	Point Person	Status	Target Meeting
Pesticide residue testing	?	On hold; perhaps provide feedback at a later point	?
Retail certification	JD	On hold, lower priority	?
Processing aids in 100% products	JFo	Discussion document	Spring 2012
Review Criteria and Procedures for Material Review Organizations	JD and HA	Proposed recommendation	Spring 2012
Monitoring Practices and procedures for 205.201(a)	MS and BF	Proposed recommendation	Spring 2012
Calculating percentage of organic	?		Spring 2012?

Agenda

- Discuss MRO Recommendation (Joe),
- Processing aids in “100% organic” products (John),
- Monitoring practices/procedures for 205.201 (Mac)
- Review/discuss old Board recommendations on calculating percentage of organic.

Discussion

Review minutes from last call, minutes were approved

Review/discuss old Board recommendation on calculating percentage of organic

- this has been a discussion point, not really a recommendation
- a variation in the way ingredients/percentages are calculated from certifier to certifier
- basic products, with minimal ingredients are fairly straightforward, but it becomes more complicated when multiple/compound ingredients are added
- certifiers' ability to understand issues really varies – many ACAs have trouble verifying the organic content in ingredients

- use of additives, lack of consistent process in calculating, using weight vs. volume
- how you calculate and what the percentages are – these become real issue for producers and certifiers
- opportunity for this committee to flush out the tasks that certifiers will need to do on regular basis and formulate a list of materials (should this be a list of application questions? Or other?)
- big issue of variability among certifiers

Questions:

Where would the recommendation go? How would it be presented? What is content?

→this is more of a training issue for certifiers and their staff, this is more applicable to processed products, should be able to demonstrate to auditor that they have these competencies

How do ACAs get this training? Who provides?

→doesn't matter who provides it, but the certifier should have staff that can perform these calculations, if a certifier is accredited for certifying handling operations they should have these skills

Are there issues with proprietary information?

What tools do certifiers use to calculate the percentages in these types of materials?

Next steps:

- engage with the ACA groups about these issues and have a discussion
- create list of questions for public input – to be presented at spring 2012 meeting
- this proposal/recommendation will be developed for spring 2012

Monitoring practices/procedures for 205.201(a)(3)

- basic outline/background – this came from public comment at former meeting, regarding the organic system plan (variability in how ACAs are monitoring how producers are managing OSPs and meeting compliance)
- relatively rare for inspectors to find no changes on an operation from year to year, but how the producer is monitoring this and verifying that the OSP is followed and updated
- inspectors' role is to verify OSP, if producer has changes then it is grounds for noncompliance
- need mechanism in place to verify compliance with OSP

Next steps:

- develop proposal with mechanism to monitor/verify OSP →what does this look like?
- is this restricted to 205.201(a)(3) or are there other parts of the regulation that are applicable?
- general feeling from committee members that this section is the focus of the proposal
- develop draft for discussion and further development of proposal for spring 2012 meeting

Discuss MRO Recommendation

- general outline/skeleton of document was sent out to committee members
- the rec put forth in Savannah was well developed, but the initial question of how the MROs would be monitored was not fully explored, synthetic vs. non-synthetic

Processing aids in 100% organic products

- this document is still in progress
- initially this was brought up by previous Board members
- processing aids vs. sanitizer and how contact with these materials affects 100% claim

Future CACC Calls

March 13 – final draft of MRO document, vote?, review list of questions regarding percentage organic calculation, review monitoring practices/procedures

March 29 (1pm) –

Milestone	Deadline
Finalize Spring 2012 Agenda	March 23, 2012
Committee Proposals	April 2, 2012
Spring 2012 NOSB Meeting	May 21 – 24, 2012

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**National Organic Standards Board (NOSB)
Compliance, Accreditation & Certification Committee Notes
Tuesday, March 13, 2011, 3:00 pm ET**

Attending: Joe Dickson (Chair), Barry Flamm, Carmela Beck, Harold Austin, Mac Stone, John Foster and Jean Richardson

Absent: none

Staff: Lorraine Coke and Michelle Arsenault

Project	Point Person	Status	Target Meeting
Pesticide residue testing	?	On hold; perhaps provide feedback at a later point	?
Retail certification	JD	On hold, lower priority	?
Sanitizers in 100% organic products	JFo	Discussion document	Spring 2012
Review Criteria and Procedures for Material Review Organizations	JD and HA	Proposed recommendation	Spring 2012
Monitoring Practices and procedures for 205.201(a)	MS and BF	Discussion document; in progress	Spring 2012
Calculating percentage of organic	MS		Fall 2012?

Agenda

- Approve 2/28 Minutes
- Discuss MRO recommendation
- Discuss % of organic content (Mac)
- Discuss OSP monitoring (Mac and Barry)
- Discuss processing aids in 100% organic products recommendation (John)

Discussion

- Minutes reviewed – approved with no changes
- Discussion - status and feedback on OSP monitoring and % of organic content
 - there is some hesitation on moving the OSP monitoring document forward, some initial feedback from ACAs has been more defensive
 - suggestion to put out some specific questions for the ACAs and get feedback
 - should this be a discussion document for spring?

-this could really be beneficial for ACAs and committee – the feedback so far has demonstrated the importance of this topic
-will provide update/document on the 29th

- Discuss processing aids in 100% organic products recommendation
 - in context of discussing 100% organic – does the CACC want to spend time on sanitizers in “100% organic” products?
 - there seems to be variation on how ACAs approach this
 - developing a discussion document on eliminating (or changing) 100% organic claim within two weeks could be difficult – may need to focus this topic on sanitizers
 - are handlers/processors dealing with this issue often? How are ACAs dealing with this?
 - the “100% organic” claim is a unique labeling category – this is a discussion that should be addressed/reviewed more thoroughly
 - for this particular document we will draw the line when it is a “sanitizer” that is used – food contact cleaning materials (they also carry their own restrictions and instructions for use) – these typically include chlorine, peracetic acid, and hydrogen peroxide
 - committee members supported the idea of developing a discussion document more focused on sanitizers and contact with
- Calculating percentage of organic
 - this was not a high priority on the committee
 - will take this issue to the ACA group for additional feedback and discussion
 - will develop this further over summer and present something (discussion document?) at the fall meeting
- Discuss MRO recommendation
 - what are the specific criteria that ACAs should use for reviewing materials?
 - at the fall 2011 meeting there was a fair amount of feedback from the public
 - this recommendation should provide guidance on direction that the NOP should go with this
 - balance with too little vs. too much detail
 - question regarding the recommendation portion and suggestion for MROs to become accredited – this could be more clear
 - some areas could be more specific or more targeted
 - some additional edits will be added and then sent

Future CACC Calls

March 27 – no call

March 29 (1pm EDT) - wrap up documents for spring meeting, final votes on any proposals, etc.

Milestone	Deadline
Finalize Spring 2012 Agenda	March 23, 2012
Committee Proposals	April 2, 2012
Spring 2012 NOSB Meeting	May 21 – 24, 2012

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**National Organic Standards Board (NOSB)
Compliance, Accreditation & Certification Committee Notes
Thursday, March 29, 2011, 3:00 pm ET**

Attending: Joe Dickson (Chair)(JD), Barry Flamm (BF), Harold Austin (HA), Mac Stone (MS), John Foster (JFo) and Calvin Walker (CW)

Absent: Carmela Beck (CB), Jean Richardson (JR)

Staff: Michelle Arsenault (MA)

Work Plan

Project	Point Person	Status	Target Meeting
Pesticide residue testing	?	On hold; perhaps provide feedback at a later point	?
Retail certification	JD	On hold, lower priority	?
Sanitizers in 100% organic products	JFo	Discussion document	Spring 2012
Review Criteria and Procedures for Material Review Organizations (MRO)	JD and HA	Proposed recommendation	Spring 2012
Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)	MS and BF	Discussion document	Spring 2012
Calculating percentage of organic	MS		Fall 2012?

Agenda

- Approve minutes from March 13 meeting
- MROs: Updated recommendation based on discussion with Organic Materials Review Institute (OMRI) and other stakeholders.
- Sanitizers in 100% organic products discussion doc: (JF)
- Organic System Plan (OSP)/205.201(a) Monitoring discussion doc (MS)

Discussion

- Minutes reviewed-approved without objections

- **MROs:** An updated recommendation document was sent to members, including some new ideas that resulted from a discussion the Chair had with Organic Materials Review Institute (OMRI) and other stakeholders. Would like to clarify when NOP makes decision about un-allowed material; what happens when a material review organization already has listed a product? Is “act upon” too generic a phrase? Committee edited doc to clarify, and agreed that the doc is ready to go forth. JD moved to accept recommendation. Seconded by BF. No discussion. Yes: 6 No: 0 Abstain: 0 Absent: 2 Recuse: 0
- **Monitoring Practices and Procedures for 205.201(a) OSP.** Committee has removed this from the agenda for the spring 2012 meeting while they collect more information. Felt that they should not rush this, and would rather seek more information about the 2010 public comment and response. MS will forward public comments to BF.
- **Sanitizers:** Discussed document which will be submitted as discussion doc at spring meeting. Clarified some language and formatting. According to FDA, “sanitizers” and “processing agents” are distinct.
Motion to accept discussion document made by JF: Second: CW Yes: 7 No: 0 Abstain: 0 Absent: 1 Recuse: 0

Future CACC Calls

April 10 (3pm EDT)

April 24 (3pm EDT). JD might not be able to make this call.

Milestone	Deadline
Public Comment Period	April 9 - May 3, 2012
Spring 2012 NOSB Meeting	May 21 – 24, 2012

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**National Organic Standards Board (NOSB)
Compliance, Accreditation & Certification Committee Notes
Thursday, May 1, 2012, 4:00 pm ET**

Attending: Joe Dickson (Chair)(JD), Barry Flamm (BF), Harold Austin (HA), Jean Richardson (JR)
Absent: Mac Stone (MS) Vice Chair, John Foster (JFo) and Calvin Walker (CW), Carmela Beck (CB)
Staff: Michelle Arsenault (MA)

Work Plan

Project	Point Person	Status	Target Meeting
Pesticide residue testing	?	On hold; perhaps provide feedback at a later point	?
Retail certification	JD	On hold, lower priority	?
Sanitizers in 100% organic products	JFo	Discussion document	Spring 2012
Review Criteria and Procedures for Material Review Organizations (MRO)	JD and HA	Proposed recommendation	Spring 2012
Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)	MS and BF	Discussion document	Fall 2012?
Calculating percentage of organic	MS		Fall 2012?

Agenda

Approve minutes from March 29th

Discussion

- Approved minutes from March 29th
- Would like to ask Miles McEvoy about retail certification as JD feels he might have a COI with this since he works for one of the only large scale retailers who does this
- Follow up on CACC/CC biodiversity document. Need to be revisited and tightened? BF is the only NOSB member still on Board who was present during the original Biodiversity recommendation from spring 2009. (Discussion document in fall 2008 and recommendation in 2009). MA will circulate this to all.
- Sanitizers could become recommendation for fall. (§205.201).

Future CACC Calls

May 8 (3pm EDT)

June 12 (3pm EDT)

Milestone	Deadline
Public Comment Period	April 9 - May 3, 2012
Spring 2012 NOSB Meeting	May 21 – 24, 2012

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**National Organic Standards Board (NOSB)
Compliance, Accreditation & Certification Subcommittee Notes
Thursday, May 8, 2012, 3:00 pm EDT**

Attending: Joe Dickson (Chair)(JD), Barry Flamm (BF), Harold Austin (HA), Jean Richardson (JR), John Foster (JFo) and, Carmela Beck (CB)

Absent: Mac Stone (MS) Vice Chair, Calvin Walker (CW)

Staff: Michelle Arsenault (MA)

Work Plan

Project	Point Person	Status	Target Meeting
Pesticide residue testing	?	On hold; perhaps provide feedback at a later point	?
Retail certification	JD	On hold, lower priority	?
Sanitizers in 100% organic products	JFo	Discussion document	Spring 2012
Review Criteria and Procedures for Material Review Organizations (MRO)	JD and HA	Proposed recommendation	Spring 2012
Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)	MS and BF	Discussion document	Fall 2012?
Calculating percentage of organic	MS		Fall 2012?

Agenda

- Approve minutes from May 1, 2012 (not sent yet)
- Discuss the CACC's input to the GMO ad hoc Committee
- Public comment received to date.

Discussion

- Approval of minutes deferred until next meeting
- Discuss the CACC's input to the GMO Ad Hoc Committee
 - JD led discussion in Mac's absence. JR offered that GMO waste-corn as compost could be a potential intersection. This is an issue because GMOs weren't as pervasive when the legislation was written, and perhaps things need to be refreshed. Would like to add this to workplan: i.e. How certifiers evaluate various items that are used as feedstock, compost, etc. Another potential topic could be the issue of how far back in the chain one must look to determine what is considered GMO. i.e. When does something stop being what it is, and when does it start becoming something else? These questions are at the root of the problem. Residue levels and thresholds may also be another issue that

CACC could address. A member asked if the OMRI model of a decision tree is something that NOP would adopt, and would like CACC to discuss this.

- Public comment received to date.
 - o Heard from major stakeholders about MROs and it seems to be well received.
 - o Received a lot of comments about food contact sanitizers and whether or not they are food additives. USDA does not define separately but FDA does. There were some useful comments and committee would like to make sure this is on the fall workplan
 - o Discussed details of language surrounding the “100% organic claim”. It is difficult to determine the percentage, and a member suggested that better training might help. Doing away with the 100% claim would work, but committee feels that would not garner public support. Short of that the NOP has several options - OTA comments address this - Only ingredients should be listed on 605, and all other materials should be under processing aids, and sanitizers are not part of that. This can be confusing to certifiers so perhaps NOP needs to clarify this and provide some training to certifiers.
 - o Will include a brief summary of the comments at the meeting and a statement that this will potentially be on the fall workplan. A member asked whether or not this should be a proposal for the fall meeting, but others felt it would be more useful as a discussion document.

Future CACC Calls

June 12 (3pm EDT)

June 26 (3pm EDT)

Milestone	Deadline
Public Comment Period	April 9 - May 3, 2012
Spring 2012 NOSB Meeting	May 21 – 24, 2012

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National Organic Standards Board (NOSB)
Compliance, Accreditation & Certification Subcommittee Notes
Friday, June 15, 2012, 12:00 pm EDT

Attending: Joe Dickson (Chair)(JD), Barry Flamm (BF), Harold Austin (HA), Jean Richardson (JR), John Foster (JFo) and, Mac Stone (MS) Vice Chair

Absent: Carmela Beck (CB), Calvin Walker (CW)

Staff: Michelle Arsenault (MA), Matthew Michael (MMi), Lorraine Coke (LC)

Work Plan

Project	Point Person	Status	Target Meeting
Pesticide residue testing	MS/JFo	Discussion doc. NOP will send formal request in mid-June	fall 2012
Sanitizers in milk trucks	JR	Discussion doc or rec? NOP will send formal request at end June	fall 2012
Sanitizers in 100% organic products	JFo	Discussion doc. NOP will provide overview to CACS of food contact substances and processing aids	spring 2012
Retail certification	JD	Discussion doc	spring 2013
Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)	MS and BF?	Discussion doc	fall 2012?
Calculating percentage of organic	MS	Discussion doc. NOP is interested in how formulated "organic" products should be calculated	spring 2012?
Biodiversity	BF?	Update	fall 2012?

Agenda

- Approve minutes from May 1, 2012 and May 8
- Talk through the fall work plan and assign projects and timelines.

Discussion

- Matthew Michael (NOP) introduced himself and indicated he will be designating someone from his staff to act as the technical rep for the CACS, or he might take that role.
- Approved minutes from May 1 and May 8
- Two agenda items tentatively scheduled for fall 2012 meeting: Pesticide residue testing and sanitizers in milk trucks
- NOP indicated that the final rule for residue testing is in clearance and should be out this summer. NOP will have a letter to committee in mid-June.

- A member asked for clarification about the Subcommittee role in light of the fact that the final rule on residues is coming out soon. MS offered to captain this topic with JFo.
- Milk trucks/sanitizers -JR offered to take this topic.
 - o FDA mandate vs NOP mandate is the crux of the OIG's audit. Perhaps the only solution is to petition the specific substances. Need to get feedback from Standards division.
 - o NOP had requested extra info during ABQ meeting about this topic. JFo prepared a paragraph and will resend it to group for consideration.
 - o With regard to biodiversity BF offered that it is an overarching topic in Organic. NOSB put out guidance in 2004, 2005, 2008 and 2009, via a joint committee between Crops and LS. BF would like to see discussion on this topic continue. NOP said they are working on implementation of 2009 recommendation and chair felt that perhaps an update on this topic would be valuable. The 2009 recommendation did not include regulatory change - just an update to the checklist, therefore it was guidance. BF will work on this for next call (June 26). And asked that others look at 2009 recommendation.
- The Subcommittee requested that MBailey and MMcEvoy be on next call to answer questions about standards and workplan.
- Calculating percentage of organic: JR will circulate a doc from Oregon Tilth about how they calculate the % organic. (Product formulation sheet).

Future Scheduled Subcommittee Calls:

June 26, 2012 3:00pm EDT –

Biodiversity (BF)

Summary paragraph about sanitizers in milk trucks (JFo?)

July 10, 2012 3:00pm EDT

July 24, 2012 3:00pm EDT

August 14, 2012 3:00pm EDT

August 28, 2012 3:00pm EDT

September 11, 2012 3:00pm EDT

September 25, 2012 3:00pm EDT

October 9, 2012 3:00pm EDT

Milestone	Deadline
NOP - "Finalize" agenda	August 13, 2012
Fall 2012 proposals due to NOP	August 20, 2012
NOP - Post proposals, Publish FRN, Open public comment	August 27, 2012
Public comment closes	September 24, 2012
NOP - Send compiled public comments to NOSB	October 1, 2012
Fall 2012 NOSB Meeting – Providence, RI	October 15-18, 2012

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National Organic Standards Board (NOSB)
Compliance, Accreditation & Certification Subcommittee Notes
Tuesday, June 26, 2012, 3:00 pm EDT

Attending: Joe Dickson (Chair)(JD), Mac Stone (MS) Vice Chair, Barry Flamm (BF), Harold Austin (HA), John Foster (JFo) and, Calvin Walker (CW), Carmela Beck (CB)

Absent: Jean Richardson (JR)

Staff: Michelle Arsenault (MA), Emily Brown Rosen (EBR)

Work Plan

Project	Point Person	Status	Target Meeting
Calculating percentage of organic	MS	Discussion doc. NOP is interested in how formulated “organic” products should be calculated	fall 2012
Biodiversity	BF?	Update	fall 2012?
Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)	JFo	Discussion doc	spring 2013?
Sanitizers in 100% organic products	JFo	Discussion doc. NOP will provide overview to CACS of food contact substances and processing aids	spring 2013
Retail certification	JD	Discussion doc	spring 2013

Agenda

- Approve minutes from June 15, 2012
- Discuss NOP’s latest changes to work plan (Emily)
- Biodiversity – Barry (discuss next steps, and whether this item is satisfactory to NOP)
- Calculating Percentage Organic – JFo (see Emily’s memo)
- Monitoring Practices – JFo (see JFo’s summary, and whether this item is satisfactory to NOP)

Discussion

- Minutes from June 15, 2012 approved with no changes
- Workplan: Timeline for response to OIG/sanitizers in milk trucks and GMO residues in feed is by Feb 2013, so NOP is going to work on these issues internally. CACS asked about putting forth a recommendation on sanitizers instead of a discussion document at the fall 2012 meeting, recognizing that there may be time constraints. EBR is working on guidance and will consult with CACS if there are specific questions. Residue testing as pertains to livestock feed and GMOs is more complicated and NOP is handling internally in order to respond to OIG by February.
- Biodiversity (BF) - Discuss next steps.

- o BF sent draft discussion document to Subcommittee to frame the subject. The purpose of the discussion document is twofold: 1) To review progress in implementing the Board's recommendations on biodiversity conservation, made on May 6, 2009, and to identify other aspects of implementation of the NOP biodiversity standards that may require attention; and 2) To draw attention to the value of biodiversity to organic production systems and the importance of implementing conservation practices.
- Calculating Percentage Organic – Discussion doc for fall 2012. MS
 - o Certifiers are not using uniform standards to calculate percentages. Would like CACS to check with several certifiers for templates currently in use. NOP is seeking overarching principles and would like more information. Team would welcome public input and will continue this conversation on next call.
- Monitoring Practices (JFo)

Organic Systems Plans (OSPs) are supposed to include description of monitoring practices and procedures (205.201(a)(3)). A public commenter indicated that groups that had internal audits and formal employee training are more likely to have a robust system. The group chose to defer this workplan item until next spring, and evaluate the need.

Future Scheduled Subcommittee Calls:

June 26, 2012 3:00pm EDT –

Biodiversity (BF)

Summary paragraph about sanitizers in milk trucks (JFo)

July 10, 2012 3:00pm EDT

July 24, 2012 3:00pm EDT

Calculating Percentage Organic

August 14, 2012 3:00pm EDT –

August 28, 2012 3:00pm EDT

September 11, 2012 3:00pm EDT

September 25, 2012 3:00pm EDT

October 9, 2012 3:00pm EDT

Milestone	Deadline
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**National Organic Standards Board (NOSB)
Compliance, Accreditation & Certification Subcommittee Notes
Tuesday, July 10, 2012, 3:00 pm EDT**

Attending: Joe Dickson (Chair)(JD), Mac Stone (MS) Vice Chair, Barry Flamm (BF), Harold Austin (HA), John Foster (JFo) and, Calvin Walker (CW), Carmela Beck (CB), Jean Richardson (JR)

Absent:

Staff: Michelle Arsenault (MA), Emily Brown Rosen (EBR)

Work Plan

Project	Point Person	Status	Target Meeting
Calculating percentage of organic	MS	Discussion doc. NOP is interested in how formulated “organic” products should be calculated	fall 2012
Biodiversity	BF	Update	fall 2012
Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)	JFo	Discussion doc	spring 2013?
Sanitizers in 100% organic products	JFo	Discussion doc. NOP will provide overview to CACS of food contact substances and processing aids	spring 2013
Retail certification	JD	Discussion doc	spring 2013

Agenda

- Approve minutes from June 26, 2012 call
- Biodiversity (Barry)
- Quick check-in on Percentage progress (Mac)
- Also note on the agenda for July 24 is a discussion and vote on Calculating Percentage of Organic (Mac).

Discussion

- Minutes from June 26, 2012 call approved with no changes
- MS is conducting discussions about “Calculating percentage of organic” with several other entities and JR offered to send him additional information prior to his meetings.
- Biodiversity document: BF requested comments and received one from JR. NOP has no objection to an NOSB update on biodiversity at fall meeting. NOP noted that the following additions:
 - o To checklist for petition review: Is the substance harmful to the environment and biodiversity? [§6517c(1)(A)(i);6517(c)(2)(A)i]

- o To the TR template provided to contractors:
Evaluation Question #8: Describe any effects of the petitioned substance on biological or chemical interactions in the agro-ecosystem, including physiological effects on soil organisms (including the salt index and solubility of the soil), crops, and livestock (7 U.S.C. § 6518 (m) (5)). In addition, the response should describe the potential or actual impacts of the substances upon endangered species, population, viability or reproduction of non-target organisms and the potential for measurable reductions in genetic, species or eco-system biodiversity, if possible
- Group reviewed some parts of the document. Perhaps any discussion of “high value conservation land” should be highlighted not as an update but as new item.
- Discussion regarding applicability of biodiversity: general feeling is this is not applicable to handling operations unless it’s associated with a farm. Processing area would be covered under processing facilities. BF asked if this question should be posed or if it should be eliminated altogether. BF requested that other members submit comments so he can further edit the doc
- JR asked that members test out some of the programs/spreadsheets for calculating percent-organic, to see how they work.

Future Scheduled Subcommittee Calls:

July 24, 2012 3:00pm EDT

Calculating Percentage Organic

August 14, 2012 3:00pm EDT

Finalize Biodiversity update document

August 28, 2012 3:00pm EDT

September 11, 2012 3:00pm EDT

September 25, 2012 3:00pm EDT

October 9, 2012 3:00pm EDT

Milestone	Deadline
NOP - “Finalize” tentative agenda	August 13, 2012
Fall 2012 proposals due to NOP	August 20, 2012
NOP - Post proposals, Publish FRN, Open public comment	August 27, 2012
Public comment closes	September 24, 2012
NOP - Send compiled public comments to NOSB	October 1, 2012
Fall 2012 NOSB Meeting – Providence, RI	October 15-18, 2012

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National Organic Standards Board (NOSB)
Compliance, Accreditation & Certification Subcommittee Notes
Thursday, July 26, 2012, 1:00 pm EDT

Attending: Joe Dickson (Chair)(JD), Mac Stone (MS) Vice Chair, Barry Flamm (BF), John Foster (JFo), Carmela Beck (CB), Jean Richardson (JR), Harold Austin (HA)

Absent: Calvin Walker (CW)

Staff: Michelle Arsenault (MA), Emily Brown Rosen (EBR)

Work Plan

Project	Point Person	Status	Vote	Target Meeting
Calculating percentage of organic ingredients	MS/JFo	Discussion doc. NOP is interested in how formulated “organic” products should be calculated		Fall 2012
Biodiversity	BF	Update.	07 26 12	Fall 2012
Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)	JFo	Discussion doc		Spring 2013?
Sanitizers in 100% organic products	JFo	Discussion doc. NOP will provide overview to CACS of food contact substances and processing aids		Spring 2013
Retail certification	JD	Discussion doc		Spring 2013

Agenda

- Approve minutes from July 10, 2012 call
- Biodiversity update
- Calculating % of organic materials

Discussion

- Minutes from July 10, 2012 call approved with no changes
- Vote on Biodiversity Update document.
 Motion to accept Biodiversity document as presented:
 Motion made by: JR
 Seconded by: MS

Additional discussion: minor changes to some language re: EBR, otherwise, document is approved by NOP. BF asked EBR to forward the new language. One vote was cast via email post-call

Yes: 8 No: 0 Abstain: 0 Absent: 0 Recuse: 0

- Calculating % of organic ingredients
 - Written as a discussion document in order to solicit feedback from stakeholders. Group discussed the various formats and templates that are used to calculate percentages. JR is going to take the lead on this with support from MS and JFo. The group discussed processing aids and the fact that they are being included in the calculation in some of the templates, but not others. NOP and group agreed that they are not ingredients and should not be included. The definition of a processing aid is clear in the regulation (205.2). NOP indicated that it would be helpful to include broad ideas for certifiers: 1) Certifiers must review all sub-ingredients or else only attribute content as 95% for ingredients labeled “organic”, 2) Clarify that processing aids are not part of percentage calculation 3) Revisit language of 205.302 as per the 2001 NOSB recommendation. JR and JFo will work together on doc via email, and MS will then assimilate and finalize doc. JR asked that EBR also weigh in while the document is in process. With regard to public comment on this topic, the group felt that they might get a lot of written comments, but not many at meeting in Providence. If group structures questions right, then they feel they will glean the most useful information.
 - A discussion about salt ensued. MS asked if salt is considered to be NaCl, or does it also include KCL. It was noted that salt is not on National List. And that there was a CODEX definition, though no NOP definition. It is a non-agricultural mined mineral. The Chair asked about keeping these issues separate, which may be a future topic. [NOP note: FDA regulations at 21CFR 101.22(a) (4) - “Any salt (sodium chloride) used as an ingredient in food shall be declared by its common or usual name “salt.””]

Future Scheduled Subcommittee Calls:

July 26, 2012 1:00pm EDT

- Biodiversity update-done
- Calculating Percentage Organic Ingredients

August 14, 2012 3:00pm EDT

Vote/Calculating Percentage of Organic Ingredients

August 28, 2012 3:00pm EDT

September 11, 2012 3:00pm EDT

September 25, 2012 3:00pm EDT

October 9, 2012 3:00pm EDT

Milestone	Deadline
NOP - “Finalize” tentative agenda	August 10, 2012

Fall 2012 proposals due to NOP	August 20, 2012
NOP - Post proposals, Publish FRN, Open public comment	August 27, 2012
Public comment closes	September 24, 2012
NOP - Send compiled public comments to NOSB	October 1, 2012
Subcommittee prep meetings	October 14, 2012
Fall 2012 NOSB Meeting – Providence, RI	October 15-18, 2012

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**National Organic Standards Board (NOSB)
Compliance, Accreditation & Certification Subcommittee Notes
Thursday, August 14, 2012, 3:00 pm EDT**

Attending: Joe Dickson (Chair)(JD), Mac Stone (MS) Vice Chair, Barry Flamm (BF), Carmela Beck (CB), Jean Richardson (JR), Harold Austin (HA), Calvin Walker (CW)

Absent: John Foster (JFo)

Staff: Michelle Arsenault (MA), Stacy Jones King (SJK)

Work Plan

Project	Point Person	Status	Vote	Target Meeting
Calculating percentage of organic ingredients	MS/JR/JFo	Discussion doc. NOP is interested in how formulated “organic” products should be calculated	08 17 12	Fall 2012
Biodiversity	BF	Update.	07 26 12	Fall 2012
Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)	JFo	Discussion doc		Spring 2013?
Sanitizers in 100% organic products	JFo	Discussion doc. NOP will provide overview to CACS of food contact substances and processing aids		Spring 2013
Retail certification	JD	Discussion doc		Spring 2013

Agenda

- Approve minutes from July 26, 2012
- Vote on calculating % of organic materials discussion document

Discussion

- Minutes from July 26, 2012 call approved with no changes
- Calculating % of organic ingredients
 - o Group discussed language in proposal and made edits. Will continue to make edits via email and will vote when final document is ready.

DFO note: Vote taken via email Friday August 17, 2012

Motion: To put forth the “Calculating % of organic ingredients” discussion document as edited during the August 14th conference call

Motion made: JR

Seconded: CW

Yes: 8 No: 0 Absent: 0 Abstain: 0 Recusals: 0

Future Scheduled Subcommittee Calls:

July 26, 2012 1:00pm EDT

- Biodiversity update-done
Calculating Percentage Organic Ingredients

August 14, 2012 3:00pm EDT

Vote/Calculating Percentage of Organic Ingredients

August 28, 2012 3:00pm EDT

September 11, 2012 3:00pm EDT

September 25, 2012 3:00pm EDT

October 9, 2012 3:00pm EDT

Milestone	Deadline
NOP - "Finalize" tentative agenda	August 10, 2012
Fall 2012 proposals due to NOP	August 20, 2012
NOP - Post proposals, Publish FRN, Open public comment	August 27, 2012
Public comment closes	September 24, 2012
NOP - Send compiled public comments to NOSB	October 1, 2012
Subcommittee prep meetings	October 14, 2012
Fall 2012 NOSB Meeting – Providence, RI	October 15-18, 2012

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 or regulations. 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)
Compliance, Accreditation & Certification Subcommittee Notes
Thursday, August 28, 2012, 3:00 pm EDT

Attending: Joe Dickson (Chair)(JD), Mac Stone (MS) Vice Chair, Barry Flamm (BF), Carmela Beck (CB), Jean Richardson (JR), Harold Austin (HA), Calvin Walker (CW)

Absent: John Foster (JFo)

Staff: Michelle Arsenault (MA), Emily Brown Rosen (EBR)

Work Plan

Project	Point Person	Status	Vote	Target Meeting
Calculating percentage of organic ingredients	MS/JR/JFo	Discussion doc. NOP is interested in how formulated "organic" products should be calculated	08 17 12	Fall 2012
Biodiversity	BF	Discussion documents/update	07 26 12	Fall 2012
Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)	JFo	Discussion doc		Spring 2013?
Sanitizers in 100% organic products	JFo	Discussion doc. NOP will provide overview to CACS of food contact substances and processing aids		Spring 2013
Retail certification	JD	Discussion doc		Spring 2013

Agenda

- Approve notes from August 14, 2012
- Follow up questions from MS on the calculating % document

Discussion

- Notes from August 14, 2012 approved with no changes
- Group has received some informal comments from colleagues and certifiers about Calculating percentage of organic ingredients. The group discussed the complexity of this issue and the plan moving forward with a discussion document and gathering formal public comment.
- EBR will provide background info to group about...?
- Chair suggested discussing this on a future call before the fall 2012 meeting

Future Scheduled Subcommittee Calls:

July 26, 2012 1:00pm EDT

- Biodiversity update-done
- Calculating Percentage Organic Ingredients

August 14, 2012 3:00pm EDT

Vote/Calculating Percentage of Organic Ingredients

August 28, 2012 3:00pm EDT

September 11, 2012 3:00pm EDT-cancelled

September 25, 2012 3:00pm EDT

October 9, 2012 3:00pm EDT

Milestone	Deadline
NOP - "Finalize" tentative agenda	August 10, 2012
Fall 2012 proposals due to NOP	August 20, 2012
NOP - Post proposals, Publish FRN, Open public comment	August 27, 2012
Public comment closes	September 24, 2012
NOP - Send compiled public comments to NOSB	October 1, 2012
Subcommittee prep meetings	October 14, 2012
Fall 2012 NOSB Meeting – Providence, RI	October 15-18, 2012

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National Organic Standards Board (NOSB)
Compliance, Accreditation & Certification Subcommittee Notes
Thursday, September 25, 2012, 3:00 pm EDT

Attending: Joe Dickson (Chair) (JD), Mac Stone (MS) Vice Chair, Jean Richardson (JR), John Foster (JFo)

Absent: Barry Flamm (BF), Harold Austin (HA), Carmela Beck (CB), Calvin Walker (CW)

Staff: Michelle Arsenault (MA), Emily Brown Rosen (EBR)

Work Plan

Project	Point Person	Status	Vote	Target Meeting
Calculating percentage of organic ingredients	MS/JR/JFo	Discussion doc. NOP is interested in how formulated "organic" products should be calculated	08 17 12	Fall 2012
Biodiversity	BF	Discussion documents/update	07 26 12	Fall 2012
Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)	JFo	Discussion doc		Spring 2013
Sanitizers in 100% organic products	JFo	Discussion doc. NOP will provide overview to CACS of food contact substances and processing aids		Spring 2013
Retail certification	JD	Discussion doc		Spring 2013

Agenda

- Review the notes from the August 28 call
- Discuss Workplan post - Providence
- Discuss any comments received to date

Discussion

- Notes from August 28, 2012 not approved due to lack of quorum
- Comments with regard to % calculation: MS will compile info so the group can have a meaningful conversation about this.
- A member suggested clarifying some language in the % calculation discussion document when presenting it at the meeting. This document could potentially be turned into a proposal based on the outcome from the fall 2012 meeting.
- The group will discuss the comments further on the October 9 call.
- Workplan:
 - o Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a): the group feels this is ready to be a discussion document for spring 2013. NOP asked for clarification about what problem the group is trying to solve with this document. Methods are supposed to be in the OSP and should be up-to-date, and in practice

changes are sometimes made that are not reflected in OSP. When this occurs, certifiers often issue a non-compliance after the fact, so perhaps looking at the root cause would be more effective. A member added that a good OSP provides rule references, to help give reason for the requirements.

- o Sanitizers in 100% organic products, NOP will provide overview/guidance before group works on this item.
- o Retail certification: JD feels there are many topics needing clarification or guidance in this area but did not think it appropriate for him to be the lead on this issue. The group discussed the language in the regulation at 205.101(a)(2): Retail exemption, and staff provided a link to the Nov 2009 NOSB recommendation on Voluntary Retail Certification.
- A member asked about training for inspectors.

Future Scheduled Subcommittee Calls:

September 11, 2012 3:00pm EDT-cancelled

September 25, 2012 3:00pm EDT

October 9, 2012 3:00pm EDT

Milestone	Deadline
NOP - "Finalize" tentative agenda	August 10, 2012
Fall 2012 proposals due to NOP	August 20, 2012
NOP - Post proposals, Publish FRN, Open public comment	August 27, 2012
Public comment closes	September 24, 2012
NOP - Send compiled public comments to NOSB	October 1, 2012
Subcommittee prep meetings	October 14, 2012
Fall 2012 NOSB Meeting – Providence, RI	October 15-18, 2012

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National Organic Standards Board (NOSB)
Compliance, Accreditation & Certification Subcommittee Notes
Thursday, October 9, 2012, 3:00 pm EDT

Attending: Joe Dickson (Chair) (JD), Mac Stone (MS) (Vice Chair), Jean Richardson (JR), John Foster (JFo), Barry Flamm (BF), Harold Austin (HA), Carmela Beck (CB)

Absent: Calvin Walker (CW)

Staff: Michelle Arsenault (MA), Emily Brown Rosen (EBR)

Work Plan

Project	Point Person	Status	Vote	Target Meeting
Calculating percentage of organic ingredients	MS/JR/JFo	Discussion doc. NOP is interested in how formulated “organic” products should be calculated	08 17 12	Fall 2012
Biodiversity	BF	Discussion documents/update	07 26 12	Fall 2012
Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)	JFo	Discussion doc		Spring 2013
Sanitizers in 100% organic products	JFo	Discussion doc. NOP will provide overview to CACS of food contact substances and processing aids		Spring 2013
Retail certification	JD	Discussion doc		Spring 2013

Agenda

- Review the notes from the August 28 and September 25 calls
- Discuss Workplan for Spring 2013

Discussion

- Notes from the August 28 and September 25 calls were approved without changes.
- The group discussed the workplan item entitled “Monitoring Practices and Procedures for Organic System Plan (OSP) 205.201(a)” and the fact that the NOP does not support this item. Group would like to discuss this further with the NOP after the Providence meeting.
- The group discussed how to streamline certification and reduce paperwork, and would like to discuss this issue further. There is a perceived connection between the pasture rule and the increased paperwork burden for farmers. Another member added that this was an issue that was predicted and eventually the Board will need to address it.
- Comments on Biodiversity: Comments are overwhelmingly supportive. JR also received positive feedback from colleagues about this topic.

Future Scheduled Subcommittee Calls:

October 9, 2012 3pm EDT

October 23, 2012 3pm EDT

November 13, 2012 3pm EST

November 27, 2012 3pm EST

December 11, 2012 3pm EST

Milestone	Deadline
NOP - "Finalize" tentative agenda	August 10, 2012
Fall 2012 proposals due to NOP	August 20, 2012
NOP - Post proposals, Publish FRN, Open public comment	August 27, 2012
Public comment closes	September 24, 2012
NOP - Send compiled public comments to NOSB	October 1, 2012
Subcommittee prep meetings	October 14, 2012
Fall 2012 NOSB Meeting – Providence, RI	October 15-18, 2012

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National Organic Standards Board (NOSB)
Compliance, Accreditation & Certification Subcommittee Notes
Thursday, November 13, 2012, 3:00 pm EST draft

Attending: Joe Dickson (Chair) (JD), Mac Stone (MS) (2012-Vice Chair), Jean Richardson (JR) (2013-Vice Chair), John Foster (JFo), Harold Austin (HA), Calvin Walker (CW)

Absent: Barry Flamm (BF), Carmela Beck (CB)

Staff: Michelle Arsenault (MA), Emily Brown Rosen (EBR)

Work Plan

Project	Point Person	Status	Vote	Target Meeting
Calculating percentage of organic ingredients	MS/JR/JFo	Proposal NOP is interested in how formulated "organic" products should be calculated		Spr 2013
Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)	JFo	Discussion doc. NOP requested additional information.		TBD
Sanitizers in 100% organic products	JFo	On hold. NOP will provide overview to CACS of food contact substances and processing aids in ~January 2013		TBD
Retail certification	?/JD (not lead)	Discussion doc. Will look at previous NOSB recommendation and current conditions, and see if an additional recommendation would be helpful.	JD will recuse from vote	Spring 2013

Agenda

- Approve notes from October 9 call
- Plan work plan items and timelines for Spring meeting:
 - o Calculating Percentage of Organic Ingredients
 - o Retail Certification (see August 2009 recommendation as background)
- Discuss:
 - o Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)
 - o Sanitizers in 100% organic products

Discussion

- Notes from the October 9 call approved with no changes.
- Plan work plan items and timelines for Spring meeting:
 - o Monitoring practices and procedures for Organic System Plan (OSP) 205.201(a). There is a concern that delayed updating of the OSP to reflect changes (e.g. use of sanitizers not listed

on the OSP), is resulting in issuance of non-compliances (NONCs) and that perhaps changing the policies around issuance of non-compliance might be the solution. Issuing and following through on non-compliance paperwork is burdensome and the group and NOP are interested in simplifying the process. The NOP is working on another project related to streamlining of certification, which will involve certifier training and dialog, then will be vetted through the NOSB and the Public. May want to hold off on the monitoring project in view of this streamlining project. JFo indicated that the Deputy Administrator requested a written summary from the CACS on the monitoring project. JFo will discuss further with Deputy Administrator and the group would like to extend an invitation to him to participate in a future call. (MA will check schedule)

- o Sanitizers in 100% organic products. EBR is working on guidance that overlaps with this topic. Once the guidance is further along she will brief the subcommittee (likely in January) so they can move forward.
- o Calculating percentage of organic ingredients. JR, JFo and MS are all working on this, and will gather more information before proceeding with a public document. For the purposes of calculating percentages, 100% composition vs. 100% for labeling purposes, is not the same thing. It was suggested that perhaps the NOP needs to hold the handling certifiers accountable for this. MS asked that JFo write an initial document as a starting point for a discussion on the next call, and a recommendation. JR noted that there was some useful language in the public comments that they might want to incorporate. JFo will begin document and others can add language as needed.
- o Retail certification – in 2009 the NOSB made a recommendation to the NOP to clarify this issue although NOP did not issue guidance. The recommendation articulated 3 areas seen as problematic. JD felt that he might have a perceived Conflict of Interest, so although he will provide useful input, he will not take the lead on this or participate in the vote.

Future Scheduled Subcommittee Calls:

November 27, 2012 3:00 pm EST

Calculating percentage of organic ingredients

Retail certification

December 11, 2012 3:00 pm EST

December 19, 2012 3:00 pm EST

January 8, 2013 3:00 pm EST

January 22, 2013 3:00 pm EST

February 12, 2013 3:00 pm EST - proposals due

February 26, 2013 3:00 pm EST

March 12, 2013 3:00 pm EST

March 26, 2013 3:00 pm EST

MILESTONE	Target date
NOP – Complete tentative agenda	February 8, 2013
Spring 2013 proposals due to NOP	February 12, 2013

NOP - Post proposals, Publish FRN, Open public comment	February 19, 2013
Public comment closes	March 19, 2013
NOP - Send compiled public comments to NOSB	March 25, 2013
Spring 2013 NOSB Meeting – Portland, OR	April 8-11, 2013

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National Organic Standards Board (NOSB)
Compliance, Accreditation & Certification Subcommittee Notes
Thursday, November 27, 2012, 3:00 pm EST

Attending: Joe Dickson (Chair) (JD), Mac Stone (MS) (2012-Vice Chair), Jean Richardson (JR) (2013-Vice Chair), John Foster (JFo), Harold Austin (HA), Calvin Walker (CW), Carmela Beck (CB)

Absent: Barry Flamm (BF)

Staff: Michelle Arsenault (MA), Emily Brown Rosen (EBR), Jenny Tucker (JTU)

Work Plan

Project	Point Person	Status	Vote	Target Meeting
Calculating percentage of organic ingredients	MS/JR/JFo	Proposal. NOP is interested in how formulated “organic” products should be calculated		Spr 2013
Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)	JFo	Discussion doc. NOP requested additional information.		TBD
Sanitizers in 100% organic products	JFo	On hold. NOP will provide overview to CACS of food contact substances and processing aids in ~January 2013		TBD
Fall 2009 Guidance doc Retail certification	HA/JD (not lead)	Discussion doc. Will look at previous NOSB recommendation and current conditions, and see if an additional recommendation would be helpful.	JD will recuse from vote	Spr 2013

Agenda:

- Review and approve notes from the November 13 call.
- Strict but Sensible (SbS) discussion (JTU). Relevance to the “Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)” (JFo)
- Discuss background and discussion sections of the % Organic recommendation (JR and MS)
- Discuss background and discussion sections of the Retail Organic Certification recommendation (JD)

Discussion:

- Notes from the November 13 call approved with no changes.
- Strict but Sensible (JTU). Relevance to the “Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)” (JFo) –

- o The idea for the “Monitoring Practices and Procedures for Organic System Plans” was borne out of public comments from past NOSB meetings regarding interpretation of §205.201(a)(3), which is related to concerns about issuance of non-compliance notices. The group feeling is that preventative action is preferable to corrective action, and that perhaps this can be addressed with scale appropriate guidance. . JTu briefed the Subcommittee about the NOP initiative to re-evaluate the certification process, which is called Strict but Sensible (SbS). The goal is to streamline the certification process while lowering the paperwork burden, and although the initiative is broader than this one topic, Monitoring Practices and Procedures for Organic System Plans is a component. A member asked about reclassifying past non-compliances based on this new guidance, if the issues were not significant and didn’t affect the integrity of the process. A member added that no part of the OSP should be less important than another, since Organic is based on this OSP.
MS will be participating in the Accredited Certifiers Association (ACA) training in January in Florida, and will discuss this issue and the SbS project with them. Based on outcomes of this meeting and further updates on the SbS project, the CACS will consider the need to move forward on this topic. JFo indicated that in light of this discussion he has changed his outlook on this item, and JTu asked that he submit a(n) example(s) of a problem under the current system, which would help the NOP shape the initiative on SbS. CACS members plan to collect examples about where the process is breaking down or is redundant, to contribute to the SbS effort to strengthen and streamline. JD asked JFo to rewrite his articulation of problem and recirculate it the group and the NOP.
- Calculating Percentage of Organic ingredients recommendation (JR and MS). JFo will write the background and discussions section and JR will summarize the public comment and add to the initial document, noting the distinction between labeling and formulation calculation. A member added that the ACA has a working group addressing this and they may discuss it at the January training.
- Retail Certification recommendation (JD) – JD forwarded some notes about this topic and reiterated that HA will be the lead on this and he will assist. JD will do some outreach in the retail community to get initial reaction about this item. When the questions in the document are more fleshed out, staff will check to see if someone in the NOP Compliance Division can provide feedback.

Future Scheduled Subcommittee Calls:

November 27, 2012 3:00 pm EST

Calculating percentage of organic ingredients
Retail certification

December 11, 2012 3:00 pm EST

Discuss “Calculating percentage of organic ingredients” (JFo)

December 19, 2012 3:00 pm EST

January 8, 2013 3:00 pm EST

January 22, 2013 3:00 pm EST

February 12, 2013 3:00 pm EST - proposals due

February 26, 2013 3:00 pm EST

March 12, 2013 3:00 pm EST

March 26, 2013 3:00 pm EST

MILESTONE	Target date
NOP – Complete tentative agenda	February 8, 2013
Spring 2013 proposals due to NOP	February 12, 2013
NOP - Post proposals, Publish FRN, Open public comment	February 19, 2013
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NOP - Send compiled public comments to NOSB	March 25, 2013
Spring 2013 NOSB Meeting – Portland, OR	April 8-11, 2013

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National Organic Standards Board (NOSB)
Compliance, Accreditation & Certification Subcommittee Notes
Thursday, December 11, 2012, 3:00 pm EST

Attending: Mac Stone (MS), Jean Richardson (JR) (Vice Chair), John Foster (JFo), Harold Austin (HA), Barry Flamm (BF), Carmela Beck (CB), Calvin Walker (CW)

Absent: Joe Dickson (Chair) (JD)

Staff: Michelle Arsenault (MA), Emily Brown Rosen (EBR)

Work Plan

Project	Point Person	Status	Vote	Target Meeting
Calculating percentage of organic ingredients	MS/JR/JFo	Proposal. NOP is interested in how formulated "organic" products should be calculated		Spr 2013
Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)	JFo	Discussion doc. On hold until Strict but Sensible is flushed out		TBD
Sanitizers in 100% organic products	JFo	On hold. NOP will provide overview to CACS of food contact substances and processing aids in ~January 2013		TBD
Fall 2009 Guidance doc Retail Certification	HA/JD (not lead)	Discussion doc. Will look at previous NOSB recommendation and current conditions, and see if an additional recommendation would be helpful.	JD will recuse from vote	Spr 2013

Agenda:

- Approve minutes from November 27
- Discuss Calculating % of organic ingredients (MS/JR/JFo)
- Discuss the OSP monitoring issue ("Monitoring Organic Concepts")

Discussion:

- Notes from the November 27 call approved with no changes
- Calculating percentages (%) of organic ingredients. JFo will frame the issue and provide some background, which he will then send to JR for inclusion in the document. Sanitizers are part of this discussion and although the NOP didn't ask that the NOSB address this, the group feels it's difficult to decouple it. JR highlighted ten items to include in the proposal to clarify the language for certifiers and processors. The members discussed several other components, including the issue of water in the calculation, for which MS offered to engage the Accredited Certifiers Association; the difference between the labeling of a product in the organic category (95%) and

the percentage of organic content for calculation purposes; and impediments to commerce which needs to be addressed. JR will compile the document and forward it to the group.

- OSP monitoring issue ("Monitoring Organic Concepts"). The group discussed this workplan item in light of the "Strict but Sensible" (SbS) document and the comments made on the last call by the NOP. A member asked for some clarification about SbS and how it will address the issue of what qualifies as "not impacting the integrity of the process." The group also discussed the changes that will be implemented, and decided that since this is such a large, longer term project, they will put the OSP monitoring issue on hold for now.

Future Scheduled Subcommittee Calls:

November 27, 2012 3:00 pm EST

Calculating percentage of organic ingredients

Retail certification

December 11, 2012 3:00 pm EST

Discuss "Calculating percentage of organic ingredients" (JFo)

December 19, 2012 3:00 pm EST

Discuss Calculating % of organic ingredients (JR).

January 8, 2013 3:00 pm EST

January 22, 2013 3:00 pm EST

February 12, 2013 3:00 pm EST - proposals due

February 26, 2013 3:00 pm EST

March 12, 2013 3:00 pm EST

March 26, 2013 3:00 pm EST

MILESTONE	Target date
NOP – Complete tentative agenda	February 8, 2013
Spring 2013 proposals due to NOP	February 12, 2013
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National Organic Standards Board (NOSB)
Compliance, Accreditation & Certification Subcommittee Notes
Thursday, December 19, 2012, 3:00 pm EST

Attending: Joe Dickson (Chair) (JD), Mac Stone (MS), Jean Richardson (JR) (Vice Chair), John Foster (JFo), Harold Austin (HA), Calvin Walker (CW)

Absent: Barry Flamm (BF), Carmela Beck (CB)

Staff: Michelle Arsenault (MA), Emily Brown Rosen (EBR)

Work Plan

Project	Point Person	Status	Vote	Target Meeting
Calculating percentage of organic ingredients	MS/JR/JFo	Proposal. NOP is interested in how formulated "organic" products should be calculated		Spr 2013
Monitoring Practices and procedures for Organic System Plan (OSP) 205.201(a)	JFo	Discussion doc. On hold until Strict but Sensible is flushed out		TBD
Sanitizers in 100% organic products	JFo	On hold. NOP will provide overview to CACS of food contact substances and processing aids in ~January 2013		TBD
Fall 2009 Guidance doc Retail Certification	HA/JD (not lead)	Discussion doc. Will look at previous NOSB recommendation and current conditions, and see if an additional recommendation would be helpful.	JD will recuse from vote	Fall 2013

Agenda:

- Approve minutes from December 11
- Discuss Calculating % of organic ingredients (JR).

Discussion:

- Notes from the December 11 call approved with no changes
- Calculating percent (%) of organic ingredients (JR). The group discussed various components of the draft proposal and JR asked for feedback about a couple of line items, including the issue of the inclusion of water (#4) and raw crop ingredients calculations (#5).
 JFo shared the following perspectives on several of the line items. There is a definite need for the language change (#1) and that the NOSB might be asked to separate this out as a separate proposal because it changes the regulation. NOP staff suggested they divide the proposal into two sections, one for proposed rule change and the rest as guidance. Self-calculating forms (#2), salt excluded (#3) and water excluded (#4), shouldn't be complicated, but they often are for certifiers. Certifiers have said

that they do not want to just cite the FDA, but would prefer that the NOP codify this. With regard to raw agricultural ingredients (# 5) and non-organic processing aids (# 8), he noted his agreement. As for sanitizers(# 9), § 205.2 doesn't specify sanitizers and processing aids, and he feels that sanitizers and processing aids should be defined separately, and further, that sanitizers shouldn't affect the 100% organic claim. JFo noted that he does not support including this item in the proposal. JR asked how the group felt about the structure of the document and whether or not she should keep the 11 recommendations short or should include more detail and examples under each of them. The group and the NOP suggested the latter. The group discussed the fact that this proposal, which would serve to standardize the process of calculating organic percentages, is going to be controversial. JR asked that the group send her examples of processing aids. A member noted that juice concentrates is a perfect example. JFo will send JR information about apple juice, which is clarified with enzymes (a processing aid).. It is generally understood that most of this is removed in the final product, but the exact amount is not known. JR asked EBR for examples as well, especially with regard to water. A member added that the Accredited Certifiers Association (ACA) was going to provide comments about the water and sanitizers items, and give the NOSB their recommendations after the January certifier training. NOP suggested that the proposal mention the need for training for both certifiers and auditors. .

Future Scheduled Subcommittee Calls

December 19, 2012 3:00 pm EST

Discuss Calculating % of organic ingredients (JR)

January 8, 2013 3:00 pm EST

Discuss/vote on Calculating % of organic ingredients (JR or JFo)

Discuss Retail Certification (delayed until Fall 2013)

January 22, 2013 3:00 pm EST

February 12, 2013 3:00 pm EST - proposals due

February 26, 2013 3:00 pm EST

March 12, 2013 3:00 pm EST

March 26, 2013 3:00 pm EST

Spring 2013 Milestones	Target date
NOP – Complete tentative agenda	February 8, 2013
Spring 2013 proposals due to NOP	February 12, 2013
NOP - Post proposals, Publish FRN, Open public comment	February 19, 2013
Subcommittees submit tentative workplans to NOP	March 1, 2013
Discuss workplans on ES call	March 8, 2013
NOP provides written comments on workplans to NOSB	March 11, 2013
Public comment closes	March 19, 2013

NOP - Send compiled public comments to NOSB	March 25, 2013
Workplans finalized on ES call	March 29, 2013
Spring 2013 NOSB Meeting – Portland, OR	April 8-11, 2013