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October 3, 2018

Ms. Michelle Arsenault, Advisory Committee Specialist
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Ave. S.W.
Room 2642-S, Mail Stop 0268
Washington, DC 20250-0268

Docket: AMS-NOP-18-0029
Materials Subcommittee – Marine Plants (Discussion)

Dear Ms. Arsenault,

Thank you for the opportunity to provide comments to the Materials Subcommittee *Discussion Document on Marine Materials in Organic Crop Production*. The subcommittee is inviting discussion on a proposal that would require aquatic plants used in crop input materials to be certified organic under the USDA National Organic Program (NOP). Currently, Oregon Tilth certifies operations for kelp under the NOP's wild crop scope. Our organization reviews a large volume of crop production materials for use by our certified organic producers and appreciates the overarching concern on environmental impacts related to harvesting of marine materials used as crop inputs.

The discussion document proposes a new way of looking at the sourcing of materials for organic crop production under the USDA NOP and we recognize there is a precedent set in other complimentary international organic standards. For example, the Canadian Organic Standards require organic status of selected crop inputs, such as molasses (shall be organic), alfalfa meal and pellets (shall be organic if commercially available) and oilseed meals (shall be organic if commercially available). While we understand that the review process for allowing natural materials receive far less scrutiny than those derived from synthetic sources, to require the certification of such resources is outside our purview. Oregon Tilth does not agree with the proposal to amend the National List §205.601 or §205.602 to require the organic certification of materials used in organic crop production.

We fully support the sustainable harvest and protection of marine environments under the scope of the wild crop harvesting standard, §205.207, concerning the certification of such crops for human and livestock consumption.

Oregon Tilth does not agree that the NOP is the appropriate standard to regulate the harvesting of marine materials for uses that are not designated as “must be certified” per §205.100. Marine materials harvested for use as an agricultural input should not be equated to the definition of a *wild crop* or an *agricultural product* when its purpose is not for human or livestock consumption. Requiring the certification of crop production materials that are not intended for human or livestock consumption sets a precedent for all agricultural inputs that are marine (or terrestrial) plant-based.



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Crop production materials do not fall under the scope of NOP certification or the requirements for labeling under Subpart D. The NOP regulates the term “organic” as it applies to agricultural products, which has historically only included products that are intended for livestock or human consumption. In our understanding and opinion, organic claims on fertilizers, soil amendments, and other crop input materials (i.e., fertilizers that are not certified organic can be marketed as “organic” without violating NOP regulations) are beyond the NOP’s scope of authority. Certifiers will not be able to use organic claims on crop inputs as a means of verifying organic status and must obtain proper organic certification documents for the aquatic plant ingredient to verify its organic status.

Oregon Tilth recognizes the lack of a standard for “sustainable harvest” within marine environments. We would be in support of the development of an additional third-party standard for marine-safe harvesting practices specific for crop production material use. Oregon Tilth is also in support of further NOP guidance on both the wild crop standard and *NOP 5022 Guidance: Wild Crop Harvesting*, specifically for marine ecosystems.

Respectfully submitted,
Oregon Tilth

Oregon Tilth is a leading certifier, educator and advocate for organic agriculture and products since 1974. Our mission to make our food system and agriculture biologically sound and socially equitable requires us to find practical ways to tackle big challenges. We advance this mission to balance the needs of people and planet through focus on core areas of certification, conservation, policy and the marketplace.