



2525 SE 3rd Street | Corvallis, OR 97333 | www.tilth.org | PH 503.378.0690 | FX 541.753.4924 | organic@tilth.org

October 3, 2019

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

RE: Docket: AMS-NOP-17-0057

Crops Subcommittees – Paper Pots

Dear Ms. Arsenault,

Oregon Tilth appreciates the opportunity to provide additional comment on the petition for adding paper pots to the National List at §205.601. If added, organic producers will be able to reduce the use of non-biodegradable discarded plastic pots. Oregon Tilth supports the use of paper pots and requests thoughtful consideration of how best to add them to the National List. We have addressed the discussion questions posed by the National Organic Standards Board (NOSB) below.

Biobased, Biodegradability and Polymer Content

Requiring paper pots to adhere to standards, such as the American Society for Testing Materials (ASTM) D5988, requires manufacturers to obtain certification that is not yet present for paper pots currently on the market. Although ASTM is a relevant standard, requiring it may lead to the prohibition of paper pots until such certification is granted. Imposing additional limitations on biodegradability, polymer content, and percent biobased components adds additional hurdles for paper pots to be used in organic production. For example, current market paper pots are biobased, made from plant-based cellulose. Furthermore, manufacturing requirements must be uncomplicated for certifiers to verify and must not result in the prohibition of an item that is on the National List. We recommend a general listing for “paper pots” on the National List with the understanding that these products contain small amounts of binders and polymers meant to biodegrade in the soil. Non-paper based planting aids would continue to be prohibited, including 100 percent biodegradable bioplastics, until an appropriate standard is assessed, and biobased plastic planting aids are added to the National List.

Excluded Methods

The use of excluded methods has not been adequately addressed with regard to the reliance on the bioplastic polylactic acid (PLA), which is commonly used in paper pots. This material is produced using

genetically modified yeast (via fermentation) for forming lactic acid prior to it being polymerized by a chemical process.¹ It is unclear if PLA produced without the use of excluded methods is available. Oregon Tilth suggests the NOSB address the use of excluded methods in paper pots prior to listing on the National List.

Restrictions on Pesticides and other Synthetics

Oregon Tilth does not see a need to specify that fungicides, insecticides, or other synthetic materials not typically found in paper are prohibited. It is understood that production aids do not have a pesticidal effect. During the certifier review of materials, we would prohibit anything that was not in the standard of identity for "paper pots" as defined in the technical report unless they are allowed nonsynthetics not prohibited on §205.602 or allowed synthetics listed at §205.601.

Proposed listing for 205.601(o)

Oregon Tilth does not suggest listing paper pots on the National List at this time since the reliance on PLA made from excluded methods has not been adequately addressed.² The proposal for a general listing to include "virgin or recycled paper, without colored or glossy inks" does not clearly represent the technology used to produce the paper pots petitioned, is not in line with other paper listings already on 205.601, and adds a new concern regarding the use of paper from unsustainable agricultural products (e.g., clear-cutting, old-growth trees). NOP Guidance 5034-1 clarifies that virgin paper is prohibited with respect to the listing at §205.601(b)(2)(i) and (c). Inks and dyes do not appear to be commonly used in paper pots.

Oregon Tilth appreciates the NOSB for its time and consideration in adding a more sustainable option for transplanting and potting plants used in organic production. Sunset review provides an opportunity to review the use of these materials over time to ensure long-term effects are not detrimental to the environment and if additional restrictions or changes are needed.

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.

¹ <https://www.ams.usda.gov/sites/default/files/media/Biobased%20mulches%20report.pdf>

² <https://www.ams.usda.gov/sites/default/files/media/PaperTRFinal7262019.pdf>