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April 3, 2020

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

**Docket: AMS-NOP-19-0095**  
**Crops Subcommittee Proposal: Paper Based Crop Planting Aids**

Dear Ms. Arsenault,

Thank you for the opportunity to provide comments to the National Organic Standards Board (NOSB) Crops Subcommittee's (CS) petition to add paper-based crop planting aids. Oregon Tilth has previously submitted comments on the 2018 discussion document, Paper Planting Pots, and 2019 proposal to add paper pots to the National List. Our stance has been consistently in support of allowing organic growers to use paper pots as planting aids on their certified organic farms.

Recently, the feedback we received from our certified farmers is that many would like to invest in the labor-saving technology of paper chain pots for their farms, but due to the uncertainty about future allowance of paper-based crop planting aids, they are waiting for a final decision to make the investment. We hope a final decision will come from this spring's meeting, and we are strongly supportive of this proposal with a few requests for further clarification, as outlined below.

**Evaluating Biobased Content**

The proposed revision to *Paper-based crop planting aid* definition includes "Contains no less than 85 percent biobased content with biobased content determined using ASTM D6866 (incorporated by reference; see §205.3)." Imposing requirements on the percentage of biobased components adds additional hurdles for paper-based planting aids to be used in organic production. It is not clear from the proposed annotation what type of verification is required.

We request the NOSB clarify what certifiers may accept to verify the 85 percent biobased content. Some questions that arise from the current language as written:

- Is ASTM D6866 laboratory testing the sole method of verifying 85 percent biobased content, or is an analysis of the percent biobased content based on the identity of ingredients acceptable? For example, would a product composed of 90 percent coconut fiber also require a lab test?
  - If a lab test is always required, we recommend the term "cellulose based" be changed to "biobased content per ASTM D6866 testing," to clarify that this determination must be made with ASTM D6866 method test using radiocarbon analysis.
  - If evaluation of biobased content based only on the identity of ingredients is also sufficient, then that should be clarified.

- Is a label claim of third-party ASTM certification sufficient to confirm compliance without further information?

## **Evaluating Non-Biobased Content**

### *Pesticides*

Oregon Tilth would consider any planting aid containing prohibited pesticides or nutrients to be a prohibited input. Any added pesticides and/or nutrients in a planting aid must be an allowed crop pesticide and/or nutrient, and we support including this clarification in the annotation. We have had certified operations request a review of paper pots that were impregnated with prohibited fungicides, so we know those products exist. We believe that the regulation should make it clear that any added pesticides would need to be allowed per the National List, and not considered part of the allowed 15 percent synthetic, non-biobased content.

### *Excluded Methods*

Previously, Oregon Tilth commented that the use of excluded methods with regard to the reliance on the bioplastic polylactic acid (PLA) was not adequately addressed. The most recent petition states that “genetically modified materials are prohibited under the organic regulation, and would not be allowed as ingredients in paper-based crop planting aids.” However, the petition also acknowledges that paper-based planting aids do contain “a small percentage of adhesives and coatings” (presumably synthetic), and these are already allowed in paper as mulch or compost feedstocks. PLA is most commonly produced using genetically modified yeast (via fermentation) for forming lactic acid prior to it being polymerized by a chemical process. PLA does not appear to be a common ingredient in newspapers or other recycled paper, so it remains unclear whether this ingredient is covered under the “small percentage of adhesives and coatings,” or not allowed since it is produced using a genetically modified organism (though it is not a genetically modified ingredient itself).

## **Commercial Availability**

Oregon Tilth supports the additional annotation to require producers to use paper-based crop planting aids with 100 percent biobased content, when commercially available, as it promotes the production and use of 100 percent biobased biodegradable paper planting aids. We request guidance on how to verify the availability of 100 percent biobased planting aids even when they are not third-party certified to make biobased claims, or when no biobased content information is available. How do certifiers verify commercial availability in cases where producers want to use proprietary systems, such as the Nitten paper pot chain system that relies on equipment specifically required for their use?

## **Summary**

Oregon Tilth appreciates the NOSB for its time and consideration in adding a more sustainable option for planting aids used in organic production, and we support the adoption of this proposal. We also know that the NOSB sunset review provides an opportunity to reassess the use of these materials over time to ensure long-term effects are not detrimental to the environment, as well as the opportunity to add additional restrictions if 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.*