



2525 SE 3rd Street | Corvallis, OR 97333 | [www.tilth.org](http://www.tilth.org) | PH 503.378.0690 | FX 541.753.4924 | [organic@tilth.org](mailto:organic@tilth.org)

October 1, 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-20-0041**

**Materials Subcommittee Proposals:**

**Paper Based Crop Planting Aids and Wild, Native Fish for Fertilizer Production**

Dear Ms. Arsenault,

Thank you for the opportunity to comment on the National Organic Standards Board (NOSB) Crops Subcommittee's proposals regarding paper based planting aids and fish for fertilizer production. Oregon Tilth appreciates the Subcommittee's approach to increase sustainability of materials used in organic crop production.

**Petitioned Material Proposal: Paper Based Crop Planting Aids**

Please refer to [Oregon Tilth's previous comments](#) regarding paper based planting aids from NOSB Spring 2020 on the petition to add paper (Plant Pots and Containers) to the National List at §205.601(o).

Oregon Tilth supports the addition of paper-based crop planting aids to the National List. We have a few questions regarding the new annotation, to create clarity and consistency among certifiers:

1. Who specifically is "qualified personnel" in the context of the proposed annotation, and what are the required qualifications?
  - a. For example, is any NOP accredited certifier qualified to assess the percentage of biobased content, or only approved Material Review Organizations?
  - b. Oregon Tilth recommends qualified personnel to include both NOP-accredited certifiers *and* approved Material Review Organizations.
2. How must biobased content and cellulose-based content be determined outside of the ASTM standard per the proposed annotation?



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- a. We request specific guidance for certifiers on how to assess the cellulose and biobased content, such as definitions for each, when not using ASTM laboratory tests to determine compliance with the annotation.
  - b. For example, is a by-weight formulation statement of cellulose-based content and non-petroleum based sources for cellulose and biobased content sufficient to verify paper planting aids per the annotation?
  - c. Should the qualification of “cellulose based” be established on the disclosure of exact material identity as described by the [July 2019 Technical Review of Paper Pots and Containers](#)? Does this include “wood, trees, straw, hemp, bamboo, reeds, kenaf, sisal, jute, sugarcane bagasse, sunflower stalks as well as recycled sources of pulp?”
3. Are antimicrobials allowed when used to inhibit degradation of the paper and not as an active pesticide in crop production? The 2019 Technical Report states that “various thiocyanates” may be used as antimicrobials to inhibit degradation of the paper.
- a. Oregon Tilth recommends clarifying that added antimicrobial ingredients must also comply with §205.105, 205.203, and 205.206.

Currently, Oregon Tilth has approved two unique paper-based planting aids (paper pots), in use by four certified organic operations. We’ve prohibited one due to the presence of a synthetic fungicide used as an “intelligent additive” to protect the cellulose fibres. The paper pots were approved by OTCO on the basis that they met the standard identity of paper per the November 11, 2018 email clarification from the NOP. Oregon Tilth has not reviewed any paper pots that include claims or approvals regarding the percentage of cellulose, biobased content, or ASTM testing on the label. Additionally, Oregon Tilth did not request ASTM laboratory results or third-party testing as a review requirement prior to their approval.

We request additional clarification on how to define and evaluate biobased and cellulose-based content to determine if our currently approved paper pots would comply with the proposed annotation, in absence of an ASTM laboratory test.

We appreciate the direction of the proposed annotation, including that added pesticides, antimicrobials, and nutrients are only allowed if they comply with §205.105, 205.203, and 205.206. Oregon Tilth also supports the removal of the biodegradability standard. Requiring only 80 percent biobased content is sensible and will allow products currently on the market to be used by organic operations, but will prevent the use of planting aids made solely from petroleum sources.



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### **Petitioned Material Proposal: Wild, Native Fish for Fertilizer Production**

Oregon Tilth supports the proposed revision to the annotation for liquid fish products at 205.601(j)(8). The intent of this annotation — to ensure a more sustainable harvest of fish for fertilizer — ensures organic agriculture protects the biodiversity and resilience of our marine ecosystems and environment. In addition, the annotation puts pressure on organic fertilizer manufacturers to avoid contributing to overfishing, using terminology that certifiers may reasonably verify. As the board noted, the majority of fish fertilizer is currently sourced from offal or invasive species, in line with the proposed annotation. We also recommend an exemption for small non-commercial harvests from the annotation, similar to the marine macroalgae recommendation. Oregon Tilth believes this revision is one small step of many more, and even stronger, revisions to the organic standard that will protect our planet's intricately linked biodiversity, marine habitats and climate.

We ask the NOSB to consider what adequate verification of the annotation should look like on part of the certifier. We believe that a statement from the manufacturer confirming the annotation as proposed may be sufficient. If the NOSB has more specific requirements in mind for verification, we ask that guidance be included in the final proposed rule, and that the burden to certifiers be balanced with the quantifiable benefits to sustainability and the environment.

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.*