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Mr. Jared Clark, Standard Division  
USDA-AMS National Organic Program  
USDA-AMS-NOP  
1400 Independence Ave. SW,  
Room 2642-S, Mail Stop 0268  
Washington, DC 20250-0268

**Docket Number:** AMS-NOP-21-0060 NOP-21-02  
**Agency:** Agricultural Marketing Service (AMS), National Organic Program  
**Subject:** Paper-based crop planting aids proposal.

Dear Mr. Clark,

Thank you for the opportunity to provide comments to the U.S. Department of Agriculture's (USDA) Agricultural Marketing Service (AMS) petition to add paper-based crop planting aids. Oregon Tilth has previously submitted comments in response to each of the previous petitions, and thanks the AMS for its consideration of our past submissions. In each of our submissions, including the present, Oregon Tilth has consistently supported the proposition to allow organic growers to use paper-based crop planting aids on their certified organic farms.

#### Paper-Based Crop Planting Aids

The AMS's current motion is to amend §205.2 proposes to define a paper-based crop planting aid as, "[a] material that is comprised of at least 60% cellulose-based fiber by weight." While Oregon Tilth supports establishing minimum regulatory standards, it is important to note that this new composition requirement is a significant deviation from current industry standards and practices. Specifically, many certified manufacturers and users of paper-based crop planting aids currently would not be in compliance with this requirement inasmuch as they do not cite 3rd-party standards nor provide a breakdown of the percentage of biobased or cellulose content in the paper-based crop planting aid.

In addition, the current motion proposes that a paper-based crop planting aid must “[c]ontain no less than 80% biobased content as verified by a qualified third-party assessment (e.g., laboratory test using ASTM D6866 or composition review by qualified personnel).”

Oregon Tilth restates its previously submitted concern that imposing requirements on the percentage of biobased components would add potentially insurmountable hurdles for paper-based planting aids to be used in organic production. After a review of our current clients utilizing paper-based crop planting aids, it appears that all of them could potentially fail to meet the requirements as currently drafted. This unfortunate and unnecessary outcome is likely because, as the regulation currently exists, paper-based crop planting aids must contain paper, whereas the proposed language would demand that the inputs in the paper meet defined content percentages. None of Oregon Tilth’s certified clients currently produce that information. What makes the proposed amendment even more difficult is that it is not clear from the proposed language what type(s) of verification will be required or who would be “qualified” to conduct the verification. The proposed amendment imposes new, complex and burdensome requirements to evaluate the exact formulation of paper products and planting aids—requiring that certifiers and manufacturers alike perform multiple calculations, which calculations have not been required of similarly allowed recycled paper materials. The detailed requirements regarding the percentage of cellulose and biobased content would demand more time and expense of certifiers and their clients without affording significant tangible benefits to organic integrity.

We request that the AMS enumerate specific standards/methods by which biobased content is to be verified by qualified personnel other than an ASTM D6866-12 laboratory result. Additionally, we request that the amendment clearly set out minimum qualifications to meet the definition of “qualified personnel,” other than to be a third party (i.e., certifier or material review organization). If these key concepts from the proposed amendment are not made clear, the result will be inconsistent interpretation and application. Absent clearly defined definitions, individual certifiers will provide their own interpretations and applications, much as they do now regarding this issue, leading to inconsistencies, confusion, and disparate applications. Prolonged postponing of the guidance creates a strain on the industry.

Oregon Tilth agrees with AMS’ proposed definition of “paper-based crop planting aids and the addition of paper-based crop planting aids to the National List as a synthetic substance allowed for use in organic crop production.” Further, Oregon Tilth appreciates the continued work to advance this proposed amendment. Thank you for your consideration of our submission.

Respectfully,

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 the planet through focus on core areas of certification, conservation, policy and the marketplace.*