



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

Docket: AMS-NOP-19-0038
Materials Subcommittee – Marine Plants (Discussion)

Dear Ms. Arsenault,

Thank you for the opportunity to provide additional comment to the Materials Subcommittee discussion document on *Marine Materials in Organic Crop Production*.

Oregon Tilth stands by our previous comment on October 3, 2018 regarding the discussion document on *Marine Materials in Organic Crop Production*. Our original comment is attached for reference.

Oregon Tilth does not agree with the proposal to amend the National List at §205.601 or §205.602 to require the organic certification of marine materials used in organic crop production. Historically, crop fertility inputs are not eligible for organic certification, so requiring organic certification of a specific crop input would create a precedent at odds with the existing scope of organic certification, which applies only to products intended for human or livestock consumption and not to crop inputs.

As an alternative, Oregon Tilth encourages the USDA National Organic Program (NOP) to reference existing sustainability standards within the organic regulation at §205.207(b) without requiring marine materials to be certified organic when used for crop production. A specific sustainability standard would better address the environmental and ecological concerns regarding harvest of marine algae. Oregon Tilth acknowledges the difficulty of enforcing a sustainability standard without certification. In the absence of consensus on NOP or third party sustainability standards, it may be appropriate to amend the regulations to require that all marine materials — even crop inputs used in organic production — comply with any existing local and federal sustainability laws. This would address the comments provided by some producers of marine materials who state that their inputs are already sustainably harvested per requirements of local laws.

Oregon Tilth supports the development of a new sustainable harvest guidance for marine materials in crop production that addresses natural resources conservation and biodiversity. This new sustainability requirement for crop inputs could be a separate guidance or an expansion of the existing guidance, *Natural Resources and Biodiversity Conservation for Certified Organic Operations* (NOP 5020). Either option should outline sustainability requirements specifically for marine materials used as a crop input. The guidance should provide benchmarks certifiers can verify for sustainable production specific to marine environments because NOP Guidance 5020 was designed for terrestrial crops. In developing this marine material sustainability guidance, Oregon Tilth encourages the consideration of and borrowing

from existing sustainability standards of international certification bodies such as The European Commission [Regulation 710/2009](#) and [JONA Organic Standards](#) for farmed marine algae. Additionally, experts on natural resources conservation and biodiversity should be consulted in the development of these standards to ensure any new standards are biologically and ecologically sound.

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.