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Ms. Michelle Arsenault, Advisory Committee Specialist
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Ave. SW
Room 2648, Mail Stop 0268
Washington, DC 20250

RE: Docket: AMS-NOP-26-0892

Dear Ms. Arsenault:

Oregon Tilth thanks you for the opportunity to provide comments to the National Organic Standards Board (NOSB). We appreciate the work of the NOSB and its subcommittees and are grateful to have an opportunity to provide feedback. As always, Oregon Tilth supports the NOSB's work to improve and refine the organic system and its processes. We believe that collaborative actions that support and promote continuous improvement will result in a more robust, consistent, and beneficial system.

Livestock Subcommittee (LS)

Discussion Document: Integrating Livestock and Agroforestry Crops

Oregon Tilth supports the position that manure from grazing animals may pose less risk than direct raw manure applications to crop fields. We also believe evaluation of site-specific contamination risks should distinguish between mammalian and avian livestock. Avian livestock may present different food safety considerations because birds can perch directly in trees and potentially deposit manure on the harvested portion of a crop. The risk may also differ between poultry production methods, for example, chickens roosting in fruit trees versus broilers maintained in moveable pens within an orchard.

There should be consideration of whether livestock are organic or non-organic and whether prohibited substances may be applied to livestock while they are on the organic production site. For example, the use of prohibited dewormers, fly sprays, or other animal health products could create additional contamination concerns and should be addressed in the operation's Organic System Plan and prevention measures.

Any revisions to NOP 5025 should distinguish between perennial crops, annual crops, and crops that have direct soil contact. The type of crop and intended harvest and handling should also be considered when evaluating risk.

For perennial tree and vine crops where the harvested portion does not contact the ground, OTCO could support a different pre-harvest interval when appropriate risk-based controls are in place. Relevant factors could include whether livestock can directly contact the harvested portion, whether manure can

reasonably contaminate the harvested portion, the type of livestock, and the intended use of the crop.

Crops that undergo a post-harvest processing step that mitigates potential food safety risks could also be a consideration. If processing is used as a control, the guidance should clearly define what types of processing are sufficient and the scientific basis for considering them effective. For example, heating, cooking, or fermentation may provide different levels of risk mitigation, and the appropriate controls should be based on current food-safety research.

Clear food-safety guidance is important to maintaining consumer confidence in organic products, while science-based, risk-based requirements can allow beneficial integrated crop-livestock systems without creating unnecessary restrictions.

Materials Subcommittee (LS)

Oregon Tilth supports the relisting of all materials currently under Sunset review. Based on OTCO's current certification records, these materials continue to be used by certified operations and/or are important components of products approved for organic production.

For § 205.603 livestock materials, current OTCO records show that chlorine materials have the broadest use, with 256 livestock clients approved to use at least one of the listed chlorine materials. Nutritive supplements, including injectable trace minerals, vitamins, and electrolytes, are also widely used, with 134 clients approved for injectable nutritive supplements, 167 approved for nutrient blends, and 209 approved for electrolytes. Mineral oil is approved for use by 59 clients, activated charcoal by 10 clients, propylene glycol by 14 clients, sodium chlorite (acidified) by 12 clients, kaolin-pectin by 1 client, and zinc sulfate by 6 clients. Although calcium borogluconate and calcium propionate are not currently approved for standalone use by OTCO clients, calcium borogluconate is commonly included in electrolyte and nutrient formulations used for livestock health purposes. OTCO supports either a separate listing for calcium borogluconate or under electrolytes. OTCO also has 74 clients approved to use copper sulfate, including formulations used for purposes such as footbaths.

For § 205.605(a) materials, OTCO has 90 clients approved to use enzyme products, although the specific enzymes contained in individual formulations are not always identifiable because some products contain blends. Calcium sulfate is also used by certified operations in a variety of products. Notably, none of OTCO's current tofu-producing clients use calcium sulfate; current users include operations producing products such as tapioca, syrups, beer, baked goods, and yeast products. Carrageenan is currently approved for use by 8 clients, glucono delta-lactone by 2 clients, and tartaric acid by 11 clients, respectively.

For § 205.605(b) materials, cellulose is approved for use by 21 clients, chlorine materials by 195 clients, potassium hydroxide by 21 clients, and silicon dioxide by 34 clients. OTCO does not have any clients currently approved to use potassium lactate or sodium lactate by themselves.

Compliance, Accreditation, & Certification Subcommittee (CACS)

Discussion Document: Consistency in Organic Seed Use

Oregon Tilth supports the proposed changes to NOP 5029 on organic seed use and commercial availability.

Measuring increased organic seed usage may vary from one operation to the next as part of an operation's Organic System Plan. One option includes comparing percentages of organic and non-organic seed varieties used.

Licensing and proprietary seed arrangements can significantly limit a producer's ability to access or use organic seed for popular market varieties. Certain widely used proprietary varieties are licensed through specific seed companies and cannot legally be saved by growers. The grower may have limited ability to identify or use an organic equivalent while still meeting market or production requirements.

Oregon Tilth has not observed a general increase in organic seed use and organic seed use appears to be stagnant or decreasing overall. This is concerning given the long-standing organic seed requirement and the need for continued growth in the organic seed sector.

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