

TITLE XXI—ORGANIC CERTIFICATIONOrganic Foods
Production Act
of 1990.
Labeling.
7 USC 6501 note.**SEC. 2101. SHORT TITLE.**

This title may be cited as the “Organic Foods Production Act of 1990”.

SEC. 2102. PURPOSES.

7 USC 6501.

It is the purpose of this title—

- (1) to establish national standards governing the marketing of certain agricultural products as organically produced products;
- (2) to assure consumers that organically produced products meet a consistent standard; and
- (3) to facilitate interstate commerce in fresh and processed food that is organically produced.

SEC. 2103. DEFINITIONS.

7 USC 6502.

As used in this title:

(1) **AGRICULTURAL PRODUCT.**—The term “agricultural product” means any agricultural commodity or product, whether raw or processed, including any commodity or product derived from livestock that is marketed in the United States for human or livestock consumption.

(2) **BOTANICAL PESTICIDES.**—The term “botanical pesticides” means natural pesticides derived from plants.

(3) **CERTIFYING AGENT.**—The term “certifying agent” means the chief executive officer of a State or, in the case of a State that provides for the Statewide election of an official to be responsible solely for the administration of the agricultural operations of the State, such official, and any person (including private entities) who is accredited by the Secretary as a certifying agent for the purpose of certifying a farm or handling operation as a certified organic farm or handling operation in accordance with this title.

(4) **CERTIFIED ORGANIC FARM.**—The term “certified organic farm” means a farm, or portion of a farm, or site where agricultural products or livestock are produced, that is certified by the certifying agent under this title as utilizing a system of organic farming as described by this title.

(5) **CERTIFIED ORGANIC HANDLING OPERATION.**—The term “certified organic handling operation” means any operation, or portion of any handling operation, that is certified by the certifying agent under this title as utilizing a system of organic handling as described under this title.

(6) **CROP YEAR.**—The term “crop year” means the normal growing season for a crop as determined by the Secretary.

(7) **GOVERNING STATE OFFICIAL.**—The term “governing State official” means the chief executive official of a State or, in the case of a State that provides for the Statewide election of an official to be responsible solely for the administration of the agricultural operations of the State, such official, who administers an organic certification program under this title.

(8) **HANDLE.**—The term “handle” means to sell, process or package agricultural products.

(9) **HANDLER.**—The term “handler” means any person engaged in the business of handling agricultural products, except

such term shall not include final retailers of agricultural products that do not process agricultural products.

(10) **HANDLING OPERATION.**—The term “handling operation” means any operation or portion of an operation (except final retailers of agricultural products that do not process agricultural products) that—

(A) receives or otherwise acquires agricultural products; and

(B) processes, packages, or stores such products.

(11) **LIVESTOCK.**—The term “livestock” means any cattle, sheep, goats, swine, poultry, equine animals used for food or in the production of food, fish used for food, wild or domesticated game, or other nonplant life.

(12) **NATIONAL LIST.**—The term “National List” means a list of approved and prohibited substances as provided for in section 2118.

(13) **ORGANIC PLAN.**—The term “organic plan” means a plan of management of an organic farming or handling operation that has been agreed to by the producer or handler and the certifying agent and that includes written plans concerning all aspects of agricultural production or handling described in this title including crop rotation and other practices as required under this title.

(14) **ORGANICALLY PRODUCED.**—The term “organically produced” means an agricultural product that is produced and handled in accordance with this title.

(15) **PERSON.**—The term “person” means an individual, group of individuals, corporation, association, organization, cooperative, or other entity.

(16) **PESTICIDE.**—The term “pesticide” means any substance which alone, in chemical combination, or in any formulation with one or more substances, is defined as a pesticide in the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).

(17) **PROCESSING.**—The term “processing” means cooking, baking, heating, drying, mixing, grinding, churning, separating, extracting, cutting, fermenting, eviscerating, preserving, dehydrating, freezing, or otherwise manufacturing, and includes the packaging, canning, jarring, or otherwise enclosing food in a container.

(18) **PRODUCER.**—The term “producer” means a person who engages in the business of growing or producing food or feed.

(19) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture.

(20) **STATE ORGANIC CERTIFICATION PROGRAM.**—The term “State organic certification program” means a program that meets the requirements of section 2107, is approved by the Secretary, and that is designed to ensure that a product that is sold or labeled as “organically produced” under this title is produced and handled using organic methods.

(21) **SYNTHETIC.**—The term “synthetic” means a substance that is formulated or manufactured by a chemical process or by a process that chemically changes a substance extracted from naturally occurring plant, animal, or mineral sources, except that such term shall not apply to substances created by naturally occurring biological processes.

SEC. 2104. NATIONAL ORGANIC PRODUCTION PROGRAM.

7 USC 6503.

(a) **IN GENERAL.**—The Secretary shall establish an organic certification program for producers and handlers of agricultural products that have been produced using organic methods as provided for in this title.

(b) **STATE PROGRAM.**—In establishing the program under subsection (a), the Secretary shall permit each State to implement a State organic certification program for producers and handlers of agricultural products that have been produced using organic methods as provided for in this title.

(c) **CONSULTATION.**—In developing the program under subsection (a), and the National List under section 2118, the Secretary shall consult with the National Organic Standards Board established under section 2119.

(d) **CERTIFICATION.**—The Secretary shall implement the program established under subsection (a) through certifying agents. Such certifying agents may certify a farm or handling operation that meets the requirements of this title and the requirements of the organic certification program of the State (if applicable) as an organically certified farm or handling operation.

SEC. 2105. NATIONAL STANDARDS FOR ORGANIC PRODUCTION.

7 USC 6504.

To be sold or labeled as an organically produced agricultural product under this title, an agricultural product shall—

(1) have been produced and handled without the use of synthetic chemicals, except as otherwise provided in this title;

(2) except as otherwise provided in this title and excluding livestock, not be produced on land to which any prohibited substances, including synthetic chemicals, have been applied during the 3 years immediately preceding the harvest of the agricultural products.

(3) be produced and handled in compliance with an organic plan agreed to by the producer and handler of such product and the certifying agent.

SEC. 2106. COMPLIANCE REQUIREMENTS.

7 USC 6505.

(a) **DOMESTIC PRODUCTS.**—(1) **IN GENERAL.**—On or after October 1, 1993—

(A) a person may sell or label an agricultural product as organically produced only if such product is produced and handled in accordance with this title; and

(B) no person may affix a label to, or provide other market information concerning, an agricultural product if such label or information implies, directly or indirectly, that such product is produced and handled using organic methods, except in accordance with this title.

(2) **USDA STANDARDS AND SEAL.**—A label affixed, or other market information provided, in accordance with paragraph (1) may indicate that the agricultural product meets Department of Agriculture standards for organic production and may incorporate the Department of Agriculture seal.

(b) **IMPORTED PRODUCTS.**—Imported agricultural products may be sold or labeled as organically produced if the Secretary determines that such products have been produced and handled under an organic certification program that provides safeguards and guidelines governing the production and handling of such products that are at least equivalent to the requirements of this title.

(c) **EXEMPTIONS FOR PROCESSED FOOD.**—Subsection (a) shall not apply to agricultural products that—

(1) contain at least 50 percent organically produced ingredients by weight, excluding water and salt, to the extent that the Secretary, in consultation with the National Organic Standards Board and the Secretary of Health and Human Services, has determined to permit the word “organic” to be used on the principal display panel of such products only for the purpose of describing the organically produced ingredients; or

(2) contain less than 50 percent organically produced ingredients by weight, excluding water and salt, to the extent that the Secretary, in consultation with the National Organic Standards Board and the Secretary of Health and Human Services, has determined to permit the word “organic” to appear on the ingredient listing panel to describe those ingredients that are organically produced in accordance with this title.

(d) **SMALL FARMER EXEMPTION.**—Subsection (a)(1) shall not apply to persons who sell no more than \$5,000 annually in value of agricultural products.

7 USC 6506.

SEC. 2107. GENERAL REQUIREMENTS.

(a) **IN GENERAL.**—A program established under this title shall—

(1) provide that an agricultural product to be sold or labeled as organically produced must—

(A) be produced only on certified organic farms and handled only through certified organic handling operations in accordance with this title; and

(B) be produced and handled in accordance with such program;

(2) require that producers and handlers desiring to participate under such program establish an organic plan under section 2114;

(3) provide for procedures that allow producers and handlers to appeal an adverse administrative determination under this title;

(4) require each certified organic farm or each certified organic handling operation to certify to the Secretary, the governing State official (if applicable), and the certifying agent on an annual basis, that such farm or handler has not produced or handled any agricultural product sold or labeled as organically produced except in accordance with this title;

(5) provide for annual on-site inspection by the certifying agent of each farm and handling operation that has been certified under this title;

(6) require periodic residue testing by certifying agents of agricultural products that have been produced on certified organic farms and handled through certified organic handling operations to determine whether such products contain any pesticide or other nonorganic residue or natural toxicants and to require certifying agents, to the extent that such agents are aware of a violation of applicable laws relating to food safety, to report such violation to the appropriate health agencies;

(7) provide for appropriate and adequate enforcement procedures, as determined by the Secretary to be necessary and consistent with this title;

(8) protect against conflict-of-interest as specified under section 2116(h);

(9) provide for public access to certification documents and laboratory analyses that pertain to certification;

(10) provide for the collection of reasonable fees from producers, certifying agents and handlers who participate in such program; and

(11) require such other terms and conditions as may be determined by the Secretary to be necessary.

(b) **DISCRETIONARY REQUIREMENTS.**—An organic certification program established under this title may—

(1) provide for the certification of an entire farm or handling operation or specific fields of a farm or parts of a handling operation if—

(A) in the case of a farm or field, the area to be certified has distinct, defined boundaries and buffer zones separating the land being operated through the use of organic methods from land that is not being operated through the use of such methods;

(B) the operators of such farm or handling operation maintain records of all organic operations separate from records relating to other operations and make such records available at all times for inspection by the Secretary, the certifying agent, and the governing State official; and

(C) appropriate physical facilities, machinery, and management practices are established to prevent the possibility of a mixing of organic and nonorganic products or a penetration of prohibited chemicals or other substances on the certified area; and

(2) provide for reasonable exemptions from specific requirements of this title (except the provisions of section 2112) with respect to agricultural products produced on certified organic farms if such farms are subject to a Federal or State emergency pest or disease treatment program.

(c) **STATE PROGRAM.**—A State organic certification program approved under this title may contain additional guidelines governing the production or handling of products sold or labeled as organically produced in such State as required in section 2108.

SEC. 2108. STATE ORGANIC CERTIFICATION PROGRAM.

7 USC 6507.

(a) **IN GENERAL.**—The governing State official may prepare and submit a plan for the establishment of a State organic certification program to the Secretary for approval. A State organic certification program must meet the requirements of this title to be approved by the Secretary.

(b) **ADDITIONAL REQUIREMENTS.**—

(1) **AUTHORITY.**—A State organic certification program established under subsection (a) may contain more restrictive requirements governing the organic certification of farms and handling operations and the production and handling of agricultural products that are to be sold or labeled as organically produced under this title than are contained in the program established by the Secretary.

(2) **CONTENT.**—Any additional requirements established under paragraph (1) shall—

- (A) further the purposes of this title;
- (B) not be inconsistent with this title;

(C) not be discriminatory towards agricultural commodities organically produced in other States in accordance with this title; and

(D) not become effective until approved by the Secretary.

(c) **REVIEW AND OTHER DETERMINATIONS.**—

(1) **SUBSEQUENT REVIEW.**—The Secretary shall review State organic certification programs not less than once during each 5-year period following the date of the approval of such programs.

(2) **CHANGES IN PROGRAM.**—The governing State official, prior to implementing any substantive change to programs approved under this subsection, shall submit such change to the Secretary for approval.

(3) **TIME FOR DETERMINATION.**—The Secretary shall make a determination concerning any plan, proposed change to a program, or a review of a program not later than 6 months after receipt of such plan, such proposed change, or the initiation of such review.

7 USC 6508.

SEC. 2109. PROHIBITED CROP PRODUCTION PRACTICES AND MATERIALS.

(a) **SEED, SEEDLINGS AND PLANTING PRACTICES.**—For a farm to be certified under this title, producers on such farm shall not apply materials to, or engage in practices on, seeds or seedlings that are contrary to, or inconsistent with, the applicable organic certification program.

(b) **SOIL AMENDMENTS.**—For a farm to be certified under this title, producers on such farm shall not—

(1) use any fertilizers containing synthetic ingredients or any commercially blended fertilizers containing materials prohibited under this title or under the applicable State organic certification program; or

(2) use as a source of nitrogen: phosphorous, lime, potash, or any materials that are inconsistent with the applicable organic certification program.

(c) **CROP MANAGEMENT.**—For a farm to be certified under this title, producers on such farm shall not—

(1) use natural poisons such as arsenic or lead salts that have long-term effects and persist in the environment, as determined by the applicable governing State official or the Secretary;

(2) use plastic mulches, unless such mulches are removed at the end of each growing or harvest season; or

(3) use transplants that are treated with any synthetic or prohibited material.

7 USC 6509.

SEC. 2110. ANIMAL PRODUCTION PRACTICES AND MATERIALS.

(a) **IN GENERAL.**—Any livestock that is to be slaughtered and sold or labeled as organically produced shall be raised in accordance with this title.

(b) **BREEDER STOCK.**—Breeder stock may be purchased from any source if such stock is not in the last third of gestation.

(c) **PRACTICES.**—For a farm to be certified under this title as an organic farm with respect to the livestock produced by such farm, producers on such farm—

(1) shall feed such livestock organically produced feed that meets the requirements of this title;

(2) shall not use the following feed—

(A) plastic pellets for roughage;

(B) manure refeeding; or

- (C) feed formulas containing urea; and
 (3) shall not use growth promoters and hormones on such livestock, whether implanted, ingested, or injected, including antibiotics and synthetic trace elements used to stimulate growth or production of such livestock.

(d) HEALTH CARE.—

(1) **PROHIBITED PRACTICES.**—For a farm to be certified under this title as an organic farm with respect to the livestock produced by such farm, producers on such farm shall not—

- (A) use subtherapeutic doses of antibiotics;
 (B) use synthetic internal paraciticides on a routine basis;
 or
 (C) administer medication, other than vaccinations, in the absence of illness.

(2) **STANDARDS.**—The National Organic Standards Board shall recommend to the Secretary standards in addition to those in paragraph (1) for the care of livestock to ensure that such livestock is organically produced.

(e) ADDITIONAL GUIDELINES.—

(1) **POULTRY.**—With the exception of day old poultry, all poultry from which meat or eggs will be sold or labeled as organically produced shall be raised and handled in accordance with this title prior to and during the period in which such meat or eggs are sold.

(2) **DAIRY LIVESTOCK.**—A dairy animal from which milk or milk products will be sold or labeled as organically produced shall be raised and handled in accordance with this title for not less than the 12-month period immediately prior to the sale of such milk and milk products.

(f) LIVESTOCK IDENTIFICATION.—

(1) **IN GENERAL.**—For a farm to be certified under this title as an organic farm with respect to the livestock produced by such farm, producers on such farm shall keep adequate records and maintain a detailed, verifiable audit trail so that each animal (or in the case of poultry, each flock) can be traced back to such farm.

Records.

(2) **RECORDS.**—In order to carry out paragraph (1), each producer shall keep accurate records on each animal (or in the case of poultry, each flock) including—

- (A) amounts and sources of all medications administered;
 and
 (B) all feeds and feed supplements bought and fed.

(h) **NOTICE AND PUBLIC COMMENT.**—The Secretary shall hold public hearings and shall develop detailed regulations, with notice and public comment, to guide the implementation of the standards for livestock products provided under this section.

Regulations.

SEC. 2111. HANDLING.

7 USC 6510.

(a) **IN GENERAL.**—For a handling operation to be certified under this title, each person on such handling operation shall not, with respect to any agricultural product covered by this title—

- (1) add any synthetic ingredient during the processing or any post harvest handling of the product;
 (2) add any ingredient known to contain levels of nitrates, heavy metals, or toxic residues in excess of those permitted by the applicable organic certification program;
 (3) add any sulfites, nitrates, or nitrites;

(4) add any ingredients that are not organically produced in accordance with this title and the applicable organic certification program, unless such ingredients are included on the National List and represent not more than 5 percent of the weight of the total finished product (excluding salt and water);

(5) use any packaging materials, storage containers or bins that contain synthetic fungicides, preservatives, or fumigants;

(6) use any bag or container that had previously been in contact with any substance in such a manner as to compromise the organic quality of such product; or

(7) use, in such product water that does not meet all Safe Drinking Water Act requirements.

(b) **MEAT.**—For a farm or handling operation to be organically certified under this title, producers on such farm or persons on such handling operation shall ensure that organically produced meat does not come in contact with nonorganically produced meat.

7 USC 6511.

SEC. 2112. ADDITIONAL GUIDELINES.

(a) **IN GENERAL.**—The Secretary, the applicable governing State official, and the certifying agent shall utilize a system of residue testing to test products sold or labeled as organically produced under this title to assist in the enforcement of this title.

(b) **PRE-HARVEST TESTING.**—The Secretary, the applicable governing State official, or the certifying agent may require preharvest tissue testing of any crop grown on soil suspected of harboring contaminants.

(c) **COMPLIANCE REVIEW.**—

(1) **INSPECTION.**—If the Secretary, the applicable governing State official, or the certifying agent determines that an agricultural product sold or labeled as organically produced under this title contains any detectable pesticide or other non-organic residue or prohibited natural substance the Secretary, the applicable governing State official, or the certifying agent shall conduct an investigation to determine if the organic certification program has been violated, and may require the producer or handler of such product to prove that any prohibited substance was not applied to such product.

(2) **REMOVAL OF ORGANIC LABEL.**—If, as determined by the Secretary, the applicable governing State official, or the certifying agent, the investigation conducted under paragraph (1) indicates that the residue is—

(A) the result of intentional application of a prohibited substance; or

(B) present at levels that are greater than unavoidable residual environmental contamination as prescribed by the Secretary or the applicable governing State official in consultation with the appropriate environmental regulatory agencies;

such agricultural product shall not be sold or labeled as organically produced under this title.

(d) **RECORDKEEPING REQUIREMENTS.**—Producers who operate a certified organic farm or handling operation under this title shall maintain records for 5 years concerning the production or handling of agricultural products sold or labeled as organically produced under this title, including—

(1) a detailed history of substances applied to fields or agricultural products; and

(2) the names and addresses of persons who applied such substances, the dates, the rate, and method of application of such substances.

SEC. 2113. OTHER PRODUCTION AND HANDLING PRACTICES.

7 USC 6512.

If a production or handling practice is not prohibited or otherwise restricted under this title, such practice shall be permitted unless it is determined that such practice would be inconsistent with the applicable organic certification program.

SEC. 2114. ORGANIC PLAN.

7 USC 6513.

(a) **IN GENERAL.**—A producer or handler seeking certification under this title shall submit an organic plan to the certifying agent and the State organic certification program (if applicable), and such plan shall be reviewed by the certifying agent who shall determine if such plan meets the requirements of the programs.

(b) **CROP PRODUCTION FARM PLAN.**—

(1) **SOIL FERTILITY.**—An organic plan shall contain provisions designed to foster soil fertility, primarily through the management of the organic content of the soil through proper tillage, crop rotation, and manuring.

(2) **MANURING.**—

(A) **INCLUSION IN ORGANIC PLAN.**—An organic plan shall contain terms and conditions that regulate the application of manure to crops.

(B) **APPLICATION OF MANURE.**—Such organic plan may provide for the application of raw manure only to—

- (i) any green manure crop;
- (ii) any perennial crop;
- (iii) any crop not for human consumption; and
- (iv) any crop for human consumption, if such crop is harvested after a reasonable period of time determined by the certifying agent to ensure the safety of such crop, after the most recent application of raw manure, but in no event shall such period be less than 60 days after such application.

(C) **CONTAMINATION BY MANURE.**—Such organic plan shall prohibit raw manure from being applied to any crop in a way that significantly contributes to water contamination by nitrates or bacteria.

(c) **LIVESTOCK PLAN.**—An organic livestock plan shall contain provisions designed to foster the organic production of livestock consistent with the purposes of this title.

(d) **MIXED CROP LIVESTOCK PRODUCTION.**—An organic plan may encompass both the crop production and livestock production requirements in subsections (b) and (c) if both activities are conducted by the same producer.

(e) **HANDLING PLAN.**—An organic handling plan shall contain provisions designed to ensure that agricultural products that are sold or labeled as organically produced are produced and handled in a manner that is consistent with the purposes of this title.

(f) **MANAGEMENT OF WILD CROPS.**—An organic plan for the harvesting of wild crops shall—

- (1) designate the area from which the wild crop will be gathered or harvested;
- (2) include a 3 year history of the management of the area showing that no prohibited substances have been applied;

(3) include a plan for the harvesting or gathering of the wild crops assuring that such harvesting or gathering will not be destructive to the environment and will sustain the growth and production of the wild crop; and

(4) include provisions that no prohibited substances will be applied by the producer.

(g) **LIMITATION ON CONTENT OF PLAN.**—An organic plan shall not include any production or handling practices that are inconsistent with this title.

7 USC 6514.

SEC. 2115. ACCREDITATION PROGRAM.

(a) **IN GENERAL.**—The Secretary shall establish and implement a program to accredit a governing State official, and any private person, that meets the requirements of this section as a certifying agent for the purpose of certifying a farm or handling operation as a certified organic farm or handling operation.

(b) **REQUIREMENTS.**—To be accredited as a certifying agent under this section, a governing State official or private person shall—

(1) prepare and submit, to the Secretary, an application for such accreditation;

(2) have sufficient expertise in organic farming and handling techniques as determined by the Secretary; and

(3) comply with the requirements of this section and section 2116.

(c) **DURATION OF DESIGNATION.**—An accreditation made under this section shall be for a period of not to exceed 5 years, as determined appropriate by the Secretary, and may be renewed.

7 USC 6515.

SEC. 2116. REQUIREMENTS OF CERTIFYING AGENTS.

(a) **ABILITY TO IMPLEMENT REQUIREMENTS.**—To be accredited as a certifying agent under section 2115, a governing State official or a person shall be able to fully implement the applicable organic certification program established under this title.

(b) **INSPECTORS.**—Any certifying agent shall employ a sufficient number of inspectors to implement the applicable organic certification program established under this title, as determined by the Secretary.

(c) **RECORDKEEPING.**—

(1) **MAINTENANCE OF RECORDS.**—Any certifying agent shall maintain all records concerning its activities under this title for a period of not less than 10 years.

(2) **ACCESS FOR SECRETARY.**—Any certifying agent shall allow representatives of the Secretary and the governing State official access to any and all records concerning the certifying agent's activities under this title.

(3) **TRANSFERENCE OF RECORDS.**—If any private person that was certified under this title is dissolved or loses its accreditation, all records or copies of records concerning such person's activities under this title shall be transferred to the Secretary and made available to the applicable governing State official.

(d) **AGREEMENT.**—Any certifying agent shall enter into an agreement with the Secretary under which such agent shall—

(1) agree to carry out the provisions of this title; and

(2) agree to such other terms and conditions as the Secretary determines appropriate.

(e) **PRIVATE CERTIFYING AGENT AGREEMENT.**—Any certifying agent that is a private person shall, in addition to the agreement required in subsection (d)—

(1) agree to hold the Secretary harmless for any failure on the part of the certifying agent to carry out the provisions of this title; and

(2) furnish reasonable security, in an amount determined by the Secretary, for the purpose of protecting the rights of participants in the applicable organic certification program established under this title.

(f) **COMPLIANCE WITH PROGRAM.**—Any certifying agent shall fully comply with the terms and conditions of the applicable organic certification program implemented under this title.

(g) **CONFIDENTIALITY.**—Except as provided in section 2107(a)(9), any certifying agent shall maintain strict confidentiality with respect to its clients under the applicable organic certification program and may not disclose to third parties (with the exception of the Secretary or the applicable governing State official) any business related information concerning such client obtained while implementing this title.

(h) **CONFLICT OF INTEREST.**—Any certifying agent shall not—

(1) carry out any inspections of any operation in which such certifying agent, or employee of such certifying agent has, or has had, a commercial interest, including the provision of consultancy services;

(2) accept payment, gifts, or favors of any kind from the business inspected other than prescribed fees; or

(3) provide advice concerning organic practices or techniques for a fee, other than fees established under such program.

(i) **ADMINISTRATOR.**—A certifying agent that is a private person shall nominate the individual who controls the day-to-day operation of the agent.

(j) **LOSS OF ACCREDITATION.**—

(1) **NONCOMPLIANCE.**—If the Secretary or the governing State official (if applicable) determines that a certifying agent is not properly adhering to the provisions of this title, the Secretary or such governing State official may suspend such certifying agent's accreditation.

(2) **EFFECT ON CERTIFIED OPERATIONS.**—If the accreditation of a certifying agent is suspended under paragraph (1), the Secretary or the governing State official (if applicable) shall promptly determine whether farming or handling operations certified by certifying such agent may retain their organic certification.

SEC. 2117. PEER REVIEW OF CERTIFYING AGENTS.

7 USC 6516.

(a) **PEER REVIEW.**—In determining whether to approve an application for accreditation submitted under section 2115, the Secretary shall consider a report concerning such applicant that shall be prepared by a peer review panel established under subsection (b).

Reports.

(b) **PEER REVIEW PANEL.**—To assist the Secretary in evaluating applications under section 2115, the Secretary may establish a panel of not less than three persons who have expertise in organic farming and handling methods, to evaluate the State governing official or private person that is seeking accreditation as a certifying agent under such section. Not less than two members of such panel shall be persons who are not employees of the Department of Agriculture or of the applicable State government.

7 USC 6517.

SEC. 2118. NATIONAL LIST.

(a) **IN GENERAL.**—The Secretary shall establish a National List of approved and prohibited substances that shall be included in the standards for organic production and handling established under this title in order for such products to be sold or labeled as organically produced under this title.

(b) **CONTENT OF LIST.**—The list established under subsection (a) shall contain an itemization, by specific use or application, of each synthetic substance permitted under subsection (c)(1) or each natural substance prohibited under subsection (c)(2).

(c) **GUIDELINES FOR PROHIBITIONS OR EXEMPTIONS.**—

(1) **EXEMPTION FOR PROHIBITED SUBSTANCES.**—The National List may provide for the use of substances in an organic farming or handling operation that are otherwise prohibited under this title only if—

(A) the Secretary determines, in consultation with the Secretary of Health and Human Services and the Administrator of the Environmental Protection Agency, that the use of such substances—

(i) would not be harmful to human health or the environment;

(ii) is necessary to the production or handling of the agricultural product because of the unavailability of wholly natural substitute products; and

(iii) is consistent with organic farming and handling;

(B) the substance—

(i) is used in production and contains an active synthetic ingredient in the following categories: copper and sulfur compounds; toxins derived from bacteria; pheromones, soaps, horticultural oils, fish emulsions, treated seed, vitamins and minerals; livestock paracitocides and medicines and production aids including netting, tree wraps and seals, insect traps, sticky barriers, row covers, and equipment cleansers;

(ii) is used in production and contains synthetic inert ingredients that are not classified by the Administrator of the Environmental Protection Agency as inerts of toxicological concern; or

(iii) is used in handling and is non-synthetic but is not organically produced; and

(C) the specific exemption is developed using the procedures described in subsection (d).

(2) **PROHIBITION ON THE USE OF SPECIFIC NATURAL SUBSTANCES.**—The National List may prohibit the use of specific natural substances in an organic farming or handling operation that are otherwise allowed under this title only if—

(A) the Secretary determines, in consultation with the Secretary of Health and Human Services and the Administrator of the Environmental Protection Agency, that the use of such substances—

(i) would be harmful to human health or the environment; and

(ii) is inconsistent with organic farming or handling, and the purposes of this title; and

(B) the specific prohibition is developed using the procedures specified in subsection (d).

(d) PROCEDURE FOR ESTABLISHING NATIONAL LIST.—

(1) **IN GENERAL.**—The National List established by the Secretary shall be based upon a proposed national list or proposed amendments to the National List developed by the National Organic Standards Board.

(2) **NO ADDITIONS.**—The Secretary may not include exemptions for the use of specific synthetic substances in the National List other than those exemptions contained in the Proposed National List or Proposed Amendments to the National List.

(3) **PROHIBITED SUBSTANCES.**—In no instance shall the National List include any substance, the presence of which in food has been prohibited by Federal regulatory action.

(4) **NOTICE AND COMMENT.**—Before establishing the National List or before making any amendments to the National List, the Secretary shall publish the Proposed National List or any Proposed Amendments to the National List in the Federal Register and seek public comment on such proposals. The Secretary shall include in such Notice any changes to such proposed list or amendments recommended by the Secretary.

Federal
Register,
publication.

(5) **PUBLICATION OF NATIONAL LIST.**—After evaluating all comments received concerning the Proposed National List or Proposed Amendments to the National List, the Secretary shall publish the final National List in the Federal Register, along with a discussion of comments received.

Federal
Register,
publication.

(e) **SUNSET PROVISION.**—No exemption or prohibition contained in the National List shall be valid unless the National Organic Standards Board has reviewed such exemption or prohibition as provided in this section within 5 years of such exemption or prohibition being adopted or reviewed and the Secretary has renewed such exemption or prohibition.

SEC. 2119. NATIONAL ORGANIC STANDARDS BOARD.

Establishment.
7 USC 6518.

(a) **IN GENERAL.**—The Secretary shall establish a National Organic Standards Board (in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 2 et seq.)) (hereafter referred to in this section as the “Board”) (to assist in the development of standards for substances to be used in organic production and to advise the Secretary on any other aspects of the implementation of this title.

(b) **COMPOSITION OF BOARD.**—The Board shall be composed of 15 members, of which—

(1) four shall be individuals who own or operate an organic farming operation;

(2) two shall be individuals who own or operate an organic handling operation;

(3) one shall be an individual who owns or operates a retail establishment with significant trade in organic products;

(4) three shall be individuals with expertise in areas of environmental protection and resource conservation;

(5) three shall be individuals who represent public interest or consumer interest groups;

(6) one shall be an individual with expertise in the fields of toxicology, ecology, or biochemistry; and

(7) one shall be an individual who is a certifying agent as identified under section 2116.

(c) **APPOINTMENT.**—Not later than 180 days after the date of enactment of this title, the Secretary shall appoint the members of the Board under paragraph (1) through (6) of subsection (b) (and

under subsection (b)(7) at an appropriate date after the certification of individuals as certifying agents under section 2116) from nominations received from organic certifying organizations, States, and other interested persons and organizations.

(d) **TERM.**—A member of the Board shall serve for a term of 5 years, except that the Secretary shall appoint the original members of the Board for staggered terms. A member cannot serve consecutive terms unless such member served an original term that was less than 5 years.

(e) **MEETINGS.**—The Secretary shall convene a meeting of the Board not later than 60 days after the appointment of its members and shall convene subsequent meetings on a periodic basis.

(f) **COMPENSATION AND EXPENSES.**—A member of the Board shall serve without compensation. While away from their homes or regular places of business on the business of the Board, members of the Board may be allowed travel expenses, including per diem in lieu of subsistence, as is authorized under section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

(g) **CHAIRPERSON.**—The Board shall select a Chairperson for the Board.

(h) **QUORUM.**—A majority of the members of the Board shall constitute a quorum for the purpose of conducting business.

(i) **DECISIVE VOTES.**—Two-thirds of the votes cast at a meeting of the Board at which a quorum is present shall be decisive of any motion.

(j) **OTHER TERMS AND CONDITIONS.**—The Secretary shall authorize the Board to hire a staff director and shall detail staff of the Department of Agriculture or allow for the hiring of staff and may, subject to necessary appropriations, pay necessary expenses incurred by such Board in carrying out the provisions of this title, as determined appropriate by the Secretary.

(k) **RESPONSIBILITIES OF THE BOARD.**—

(1) **IN GENERAL.**—The Board shall provide recommendations to the Secretary regarding the implementation of this title.

(2) **NATIONAL LIST.**—The Board shall develop the proposed National List or proposed amendments to the National List for submission to the Secretary in accordance with section 2118.

(3) **TECHNICAL ADVISORY PANELS.**—The Board shall convene technical advisory panels to provide scientific evaluation of the materials considered for inclusion in the National List. Such panels may include experts in agronomy, entomology, health sciences and other relevant disciplines.

(4) **SPECIAL REVIEW OF BOTANICAL PESTICIDES.**—The Board shall, prior to the establishment of the National List, review all botanical pesticides used in agricultural production and consider whether any such botanical pesticide should be included in the list of prohibited natural substances.

(5) **PRODUCT RESIDUE TESTING.**—The Board shall advise the Secretary concerning the testing of organically produced agricultural products for residues caused by unavoidable residual environmental contamination.

(6) **EMERGENCY SPRAY PROGRAMS.**—The Board shall advise the Secretary concerning rules for exemptions from specific requirements of this title (except the provisions of section 2112) with respect to agricultural products produced on certified organic

farms if such farms are subject to a Federal or State emergency pest or disease treatment program.

(l) **REQUIREMENTS.**—In establishing the proposed National List or proposed amendments to the National List, the Board shall—

(1) review available information from the Environmental Protection Agency, the National Institute of Environmental Health Studies, and such other sources as appropriate, concerning the potential for adverse human and environmental effects of substances considered for inclusion in the proposed National List;

(2) work with manufacturers of substances considered for inclusion in the proposed National List to obtain a complete list of ingredients and determine whether such substances contain inert materials that are synthetically produced; and

(3) submit to the Secretary, along with the proposed National List or any proposed amendments to such list, the results of the Board's evaluation and the evaluation of the technical advisory panel of all substances considered for inclusion in the National List.

(m) **EVALUATION.**—In evaluating substances considered for inclusion in the proposed National List or proposed amendment to the National List, the Board shall consider—

(1) the potential of such substances for detrimental chemical interactions with other materials used in organic farming systems;

(2) the toxicity and mode of action of the substance and of its breakdown products or any contaminants, and their persistence and areas of concentration in the environment;

(3) the probability of environmental contamination during manufacture, use, misuse or disposal of such substance;

(4) the effect of the substance on human health;

(5) the effects of the substance on biological and chemical interactions in the agroecosystem, including the physiological effects of the substance on soil organisms (including the salt index and solubility of the soil), crops and livestock;

(6) the alternatives to using the substance in terms of practices or other available materials; and

(7) its compatibility with a system of sustainable agriculture.

(n) **PETITIONS.**—The Board shall establish procedures under which persons may petition the Board for the purpose of evaluating substances for inclusion on the National List.

(o) **CONFIDENTIALITY.**—Any confidential business information obtained by the Board in carrying out this section shall not be released to the public.

SEC. 2120. VIOLATIONS OF TITLE.

7 USC 6519.

(a) **MISUSE OF LABEL.**—Any person who knowingly sells or labels a product as organic, except in accordance with this title, shall be subject to a civil penalty of not more than \$10,000.

(b) **FALSE STATEMENT.**—Any person who makes a false statement under this title to the Secretary, a governing State official, or a certifying agent shall be subject to the provisions of section 1001 of title 18, United States Code.

(c) **INELIGIBILITY.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), any person who—

(A) makes a false statement;

(B) attempts to have a label indicating that an agricultural product is organically produced affixed to such product that such person knows, or should have reason to know, to have been produced or handled in a manner that is not in accordance with this title; or

(C) otherwise violates the purposes of the applicable organic certification program as determined by the Secretary; after notice and an opportunity to be heard, shall not be eligible, for a period of 5 years from the date of such occurrence, to receive certification under this title with respect to any farm or handling operation in which such person has an interest.

(2) **WAIVER.**—Notwithstanding paragraph (1), the Secretary may reduce or eliminate the period of ineligibility referred to in such paragraph if the Secretary determines that such modification or waiver is in the best interests of the applicable organic certification program established under this title.

(d) **REPORTING OF VIOLATIONS.**—A certifying agent shall immediately report any violations of this title to the Secretary or the governing State official (if applicable).

(e) **VIOLATIONS BY CERTIFYING AGENT.**—A certifying agent that is a private person that violates the provisions of this title or that falsely or negligently certifies any farming or handling operation that does not meet the terms and conditions of the applicable organic certification program as an organic operation, as determined by the Secretary or the governing State official (if applicable) shall, after notice and an opportunity to be heard—

(1) lose its accreditation as a certifying agent under this title; and

(2) be ineligible to be accredited as a certifying agent under this title for a period of not less than 3 years subsequent to the date of such determination.

(f) **EFFECT OF OTHER LAWS.**—Nothing in this title shall alter the authority of the Secretary under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), and the Egg Products Inspection Act (21 U.S.C. 1031 et seq.) concerning meat, poultry and egg products, nor any of the authorities of the Secretary of Health and Human Services under the Federal Food, Drug and Cosmetic Act (21 U.S.C. 301 et seq.), nor the authority of the Administrator of the Environmental Protection Agency under the Federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. 136 et seq.).

7 USC 6520.

SEC. 2121. ADMINISTRATIVE APPEAL.

(a) **EXPEDITED APPEALS PROCEDURE.**—The Secretary shall establish an expedited administrative appeals procedure under which persons may appeal an action of the Secretary, the applicable governing State official, or a certifying agent under this title that—

(1) adversely affects such person; or

(2) is inconsistent with the organic certification program established under this title.

(b) **APPEAL OF FINAL DECISION.**—A final decision of the Secretary under subsection (a) may be appealed to the United States District Court for the District in which such person is located.

SEC. 2122. ADMINISTRATION.

7 USC 6521.

(a) REGULATIONS.—Not later than 540 days after the date of enactment of this title, the Secretary shall issue proposed regulations to carry out this title.

(b) ASSISTANCE TO STATE.—

(1) TECHNICAL AND OTHER ASSISTANCE.—The Secretary shall provide technical, administrative, and Extension Service assistance to assist States in the implementation of an organic certification program under this title.

(2) FINANCIAL ASSISTANCE.—The Secretary may provide financial assistance to any State that implements an organic certification program under this title.

SEC. 2123. AUTHORIZATION OF APPROPRIATIONS.

7 USC 6522.

There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out this title.

TITLE XXII—CROP INSURANCE AND DISASTER ASSISTANCE

Subtitle A—Crop Insurance

SEC. 2201. SUBMISSION OF SOCIAL SECURITY ACCOUNT NUMBERS AND EMPLOYER IDENTIFICATION NUMBERS.

(a) SUBMISSION REQUIRED.—Section 506 of the Federal Crop Insurance Act (7 U.S.C. 1506) is amended by adding at the end the following new subsection:

“(1) SUBMISSION OF CERTAIN INFORMATION.—

“(1) SOCIAL SECURITY ACCOUNT AND EMPLOYER IDENTIFICATION NUMBERS.—The Corporation shall require, as a condition of eligibility for participation in the multiple peril crop insurance program, submission of social security account numbers, subject to the requirements of section 205(c)(2)(C)(iii) of the Social Security Act, and employer identification numbers, subject to the requirements of section 6109(f) of the Internal Revenue Code of 1986.

“(2) NOTIFICATION BY POLICYHOLDERS.—Each policyholder shall notify each individual or other entity that acquires or holds a substantial beneficial interest in such policyholder of the requirements and limitations under this title.

“(3) IDENTIFICATION OF HOLDERS OF SUBSTANTIAL INTERESTS.—The Manager of the Corporation may require each policyholder to provide to the Manager, at such times and in such manner as prescribed by the Manager, the name of each individual that holds or acquires a substantial beneficial interest in the policyholder.

“(4) DEFINITION.—For purposes of this subsection, the term ‘substantial beneficial interest’ means not less than 5 percent of all beneficial interests in the policyholder.”

(b) ACCESS BY FCIC TO SOCIAL SECURITY ACCOUNT NUMBERS.—Section 205(c)(2)(C) of the Social Security Act (42 U.S.C. 405(c)(2)(C)) is amended—

(1) by redesignating clauses (ii), (iii), and (iv) as clauses (iv), (v), and (vi), respectively;

United States Department of Agriculture
ADVISORY COMMITTEE OR RESEARCH AND PROMOTION
BACKGROUND INFORMATION
National Organic Standards Board
[Insert the board/council name above]

Privacy Act Notice
Public Laws 95-113 and 93-579 permit collection of the data requested on this form. The information is used to determine qualifications, suitability and availability for service on advisory committees or research and promotion boards/councils. The information will be used to conduct background clearances and/or for annual reports on advisory committees or research and promotion boards/councils. Failure to submit this information may result in non-selection of a prospective advisory committee member, board/council member or termination of the committee or board/council.

PLEASE PRINT CLEARLY OR TYPE

<p>1. Name (Last, First, Middle) – Mr., Mrs., Miss., Ms., Dr. Swaffar, Ashley, Denise</p>	<p>2. Social Security Number: (b) (6) Passport Number and Issuing Country: (foreign citizens only)</p>			
<p>3. Residence Address (include ZIP code) (b) (6)</p>	<p>4. Business No. 479-824-3656 Home No: (b) (6) Cell or Mobile: (b) (6) FAX: 479-824-5912 e-Mail Address: ashley@arkansasegg.com</p>			
<p>5. Place of Birth Fayetteville, AR</p>	<p>6. Date of Birth (b) (6)</p>			
<p>7. <i>This information is Voluntary and data will not be used to grant preferential treatment.</i> (See last page for definition of categories.)</p> <table border="0"> <tr> <td data-bbox="198 1052 527 1171"> <p>What is your gender?</p> <p><input type="checkbox"/> Male <input checked="" type="checkbox"/> Female</p> </td> <td data-bbox="534 1052 868 1171"> <p>Ethnicity:</p> <p>(b) (6) Hispanic or Latino (b) (6) Not Hispanic or Latino</p> </td> <td data-bbox="875 1052 1450 1297"> <p>What is your race? (Mark all that apply)</p> <p>(b) (6) American Indian or Alaska Native (b) (6) Asian Black or African American Native Hawaiian or Other Pacific Islander White</p> </td> </tr> </table>		<p>What is your gender?</p> <p><input type="checkbox"/> Male <input checked="" type="checkbox"/> Female</p>	<p>Ethnicity:</p> <p>(b) (6) Hispanic or Latino (b) (6) Not Hispanic or Latino</p>	<p>What is your race? (Mark all that apply)</p> <p>(b) (6) American Indian or Alaska Native (b) (6) Asian Black or African American Native Hawaiian or Other Pacific Islander White</p>
<p>What is your gender?</p> <p><input type="checkbox"/> Male <input checked="" type="checkbox"/> Female</p>	<p>Ethnicity:</p> <p>(b) (6) Hispanic or Latino (b) (6) Not Hispanic or Latino</p>	<p>What is your race? (Mark all that apply)</p> <p>(b) (6) American Indian or Alaska Native (b) (6) Asian Black or African American Native Hawaiian or Other Pacific Islander White</p>		
<p>8. Company/Business Name Arkansas Egg Company</p>				
<p>9. Company/Business Address (include ZIP Code) 24185 Mill Rd. Summers, AR 72769</p>	<p>9a. Occupation/Title Director of Special Projects</p>			

10. [Insert appropriate commodity question(s) from supplemental list.] (To be completed by R&P Board Members Only)

10a. If applicable, how long have you been engaged in farming or production, and what is the size of your farming operation. (i.e. List acreage and pounds produced by kind of crop, as well as, kinds and numbers of livestock?)

I have always been involved in farming. I grew up showing poultry and dairy cattle through 4-H and FFA. I attended the University of Arkansas and obtained my Poultry Science degree. I started working with Arkansas Egg Company in 2008 developing organic system plans. We currently have 275,000 Organic laying hens and 275,000 non-Organic and Non-GMO laying hens.

11. List your business experience. (Use the Continuation Sheet for additional space to answer.)

I have been involved in all aspects of organic egg production at Arkansas Egg Company. I have managed the following: organic certification, all aspects of operations, government and industry relations, farmer relations, financial planning, customer and growth development, animal welfare program development and plant food safety audits.

12. List education and any specialized experience. (Use the Continuation Sheet for additional space to answer.)

I have a BS degree in Poultry Science from the University of Arkansas. I have managed organic certification since 2008 for Arkansas Egg Company and our 40+ family farms in 4 states throughout the South. I have been involved with the NOSB by giving public comment at most of the meetings since 2010.

13. List applicable farm/handler/producer/importer or co-op member industry organizations (indicate whether a member or officer and how long affiliated).

-Organic Egg Farmers of America-President 2014-Present
-Organic Egg Farmers of America-Vice President and Founding Member 2012-2014
-Organic Trade Association-Member 2012-Present

14. List other affiliations and/or service as a community leader that would benefit you in your role as a member of the advisory committee or research and promotion board/council.

Mort Marshall for 2014 Washington County, AR Sheriff Campaign Treasurer
Washington County Fair- JR Ambassador Advisor 2012-Present
Farmington FFA Booster Club-President and Founding Member-2011-2013

15. List any Federal advisory committee or board on which you are currently a member and the number of years you have served on that committee or board. (To be completed by current Advisory Committee Members Only)

None

16. List sources of income in excess of \$10,000 for the past calendar year from other than your primary employment. List only sources; do not show amounts of income from each source. (To be completed by Advisory Committee Nominees Only)

Arkansas Egg Company

17. Have you ever been convicted of a felony? (A felony is defined as any violation of law punishable by imprisonment of longer than one year). Yes No. If yes, please explain on the attached continuation sheet.

18. As a result of your participation in Federal programs, have any judgments been rendered against you? As a result of participation in any governmental programs relative to the purposes of the advisory committee or research and promotion board/council for which you are a nominee, have any civil or criminal actions been initiated against you?

Yes No. If yes, please explain on the attached continuation sheet.

19. Name as you would prefer it to appear on official correspondence.

Ashley Swaffar

(b) (6)

Date

5-5-2014

Ashley Swaffar

(b) (6)

(b) (6)

ashley@arkansasegg.com

OBJECTIVE: It is my objective to obtain the farmer position on the National Organic Standards Board. I bring an extensive knowledge of the Organic Food Protection Act as it relates to Poultry and Crop Production. I will provide sound and sensible recommendations to the NOP with my previous experience. I am truly dedicated to the advancement and growth of organic agriculture, in particular with Southern States and Young Farmer development.

QUALIFICATIONS:

- Excellent communication and leadership skills.
- Proven program development and implementation skills.
- Extensive experience with Organic System Plan Development and Implementation 2008-Present
- Represents 48 Family and Company Owned Farms in 4 states throughout the South.

EXPIRENCE:

- **Director of Special Projects, Arkansas Egg Company.** Responsible for financial planning, developing new products and customers, industry relations, growth planning, government relations and compliance, animal welfare program development and compliance, liaison between contract growers and company and organic system plan development and compliance. Responsible for compliance oversight for 48 family and company owned farms in 4 states. December 2013-Present.
- **President, Organic Egg Farmers of America.** Responsible for leading a group of Organic Egg Farmer members in a growing organization with educational seminars and panel discussions on current industry topics. Current attendance at annual meeting and seminar is over 125 farmer and producer representatives. The OEFA membership is currently 44 member companies with over 7 million organic laying hens. March 2014-Present
- **Operations Manager, Arkansas Egg Company.** Responsible for production, processing and quality assurance departments and growth plans of a fast growing specialty egg company. Experience with customer relations, financial planning, developing new products and customers, industry relations, government regulations. Responsible for researching new and upcoming government and customer regulations and how they will affect the current business model. January 2010-December 2013.
- **Quality Assurance and Production Manager, Arkansas Egg Company.** Implementation and development of an Organic System Plan, FDA Shell Egg Compliance Requirements, Animal welfare policies, Training program, Quality Assurance program, HACCP program, SQF program including development of SOP's and SSOP's. January 2008-2010.

EDUCATION:

- Bachelor's Degree in Agriculture, majoring in Poultry Science at the University of Arkansas, Fayetteville, Arkansas. May 2007. GPA 3.216

LEADERSHIP:

- President, Organic Egg Farmers of America, March 2014-Present
- Treasurer, Mort Marshall for Washington County (AR) Sheriff Campaign, 2014
- Advisor, Washington Country Fair Jr Ambassador Program, 2012-Present
- Vice President and Founding Member, Organic Egg Farmers of America, March 2012-March 2014
- University of Arkansas Department of Poultry Science 2007 Senior Scholar
- 2006-2007 University of Arkansas Dale Bumpers College of Agriculture Senior Ambassador
- Collegiate leadership in organizations: Farm Bureau President, Poultry Science Club Vice President and Secretary, Collegiate 4-H/FFA Parliamentarian

www.ams.usda.gov/rules-regulations/organic/nosb

USDA United States Department of Agriculture
Agricultural Marketing Service

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National Organic Standards Board (NOSB)

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- Overview
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- Program Handbook
- The National List
- National Organic Standards Board (NOSB)
- Trade & Equivalency Arrangements

National Organic Standards Board (NOSB)

SHARE

NOTE: Recommendations made by the NOSB are not official policy until they are approved and adopted by USDA.

Membership

Appointed by the Secretary of Agriculture, the NOSB is a Federal Advisory Committee comprised of the following members of the organic community:

- Four farmers/growers
- Three environmentalists/resource conservationists
- Three consumer/public interest advocates
- Two handlers/processors
- One retailer
- One scientist (toxicology, ecology, or biochemistry)
- One USDA accredited certifying agent

[View a list of current members >](#)

[View a list of former members >](#)

News & Announcements

- USDA Proposes to Amend the National List of Allowed and Prohibited Substances for Use in Organic Agriculture; Invites Public Comments
- USDA Announces Meeting for the National Organic Standards Board; Invites Public Comments
- USDA Acts on National Organic Standards Board Recommendations for Five Substances in Organic Agriculture

Events

- NOSB Meeting 2015 (VT)
- NOSB Meeting 2015 (CA)
- NOSB Training 2015 (DC)

Recent Blogs

• From Market to Market Sales

10:36 AM 8/4/2015

Notices

Federal Register

Vol. 80, No. 68

Thursday, April 9, 2015

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Doc. No. AMS-NOP-15-0005; NOP-15-04]

National Organic Standards Board (NOSB): Call for Nominations

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice; call for nominations.

SUMMARY: The National Organic Standards Board (NOSB) was established to assist in the development of standards for substances to be used in organic production and to advise the Secretary on the implementation of the Organic Foods Production Act of 1990 (OFPA). Through this Notice, The USDA is requesting nominations to fill five (5) upcoming vacancies on the NOSB. The positions are as follows: Farmers/growers (2), consumer/public interest advocates (2), and a USDA Accredited Certifying Agent (1). The Secretary of Agriculture will appoint one person to each of these five positions to serve a 5-year term of office that will commence on January 24, 2016, and end January 23, 2021.

DATES: Written nominations must be postmarked on or before May 15, 2015.

ADDRESSES: Nomination applications are to be mailed to Rita Meade, USDA-AMS-NOP, 1400 Independence Avenue SW., Room 2648-S., Ag Stop 0268, Washington, DC 20250; or electronically sent via Email to: Rita.Meade@ams.usda.gov. Electronic submittals by email are preferred.

FOR FURTHER INFORMATION CONTACT: Michelle Arsenault, (202) 720-0081; Email: Michelle.Arsenault@ams.usda.gov; or Rita Meade, (202) 260-8636; Email: Rita.Meade@ams.usda.gov.

SUPPLEMENTARY INFORMATION: The OFPA of 1990, as amended (7 U.S.C. Section 6501 *et seq.*), requires the Secretary to establish an organic certification program for producers and handlers of

agricultural products that have been produced using organic methods. The OFPA includes the requirement that the Secretary establish a NOSB in accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2 *et seq.*). The purpose of the NOSB is to assist in the development of a proposed National List of Allowed and Prohibited

Substances and to advise the Secretary on the implementation of the OFPA.

The NOSB is composed of 15 members; including 4 organic producers, 2 organic handlers, a retailer, 3 environmentalists/resource conservationists, 3 public/consumer representatives, a scientist, and a certifying agent. Through this Notice, USDA is seeking nominations to fill the following five (5) positions: Farmers/growers (2), consumer/public interest advocates (2), and a USDA Accredited Certifying Agent (1). As per the OFPA, individuals seeking appointment to the NOSB at this time must: Own or operate an organic farming operation; represent public interest or consumer interest groups; and/or be a certifying agent as identified under section 6515 of this title.

Selection criteria include such factors as: Understanding of organic principles and practical experience in the organic community; demonstrated experience in the development of public policy such as participation on public or private advisory boards, boards of directors or other comparable organizations; participation in standards development or involvement in educational outreach activities; a commitment to the integrity of the organic food and fiber industry; the ability to evaluate technical information and to fully participate in Board deliberation and recommendations; and the willingness to commit the time and energy necessary to assume Board duties; demonstrated experience and interest in organic production; organic certification; support of consumer and public interest organizations; demonstrated experience with respect to agricultural products produced and handled on certified organic farms; and such other factors as may be appropriate for specific positions.

To nominate yourself or someone else, please submit: A resume, a cover letter, and a Form AD-755, which can be accessed at: www.ocio.usda.gov/forms/doc/AD-755.pdf. Resumes must

be no longer than 5 pages, and include at the beginning a summary of the following information: Current and past organization affiliations; areas of expertise; education; career positions held; any other notable positions held. You may also submit a list of endorsements or letters of recommendation, if desired. Resume

and completed requested background information are required for a nominee

to receive consideration for appointment by the Secretary.

If USDA receives a request under the Freedom of Information Act (FOIA) (5 U.S.C. 552), for records relating to NOSB nominations, your application materials may be released to the requester. Prior to the release of the information, personally identifiable information protected by the FIOA Privacy Act will be redacted.

Nominations are open to all individuals without regard to race, color, religion, gender, national origin, age, mental or physical disability, marital status, or sexual orientation. To ensure that the recommendations of the NOSB take into account the needs of the diverse groups that are served by the Department, membership on the NOSB shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

The information collection requirements concerning the nomination process have been previously cleared by the Office of Management and Budget (OMB) under OMB Control No. 0505-0001.

Dated: April 6, 2015.

Rex A. Barnes,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2015-08160 Filed 4-8-15; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Document No. AMS-LPS-15-0001]

2015 Rates Charged for AMS Services

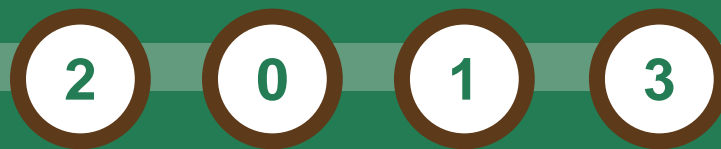
AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice.

SUMMARY: The Agricultural Marketing Service (AMS) is announcing the 2015

National Organic Standards Board

New Member Guide



Adopted: March 29, 2007 | Updated November 30, 2007 | Updated: May 22, 2008
Updated: November 19, 2008 | Updated: May 6, 2009 | Updated: October 28, 2010 |
Updated: January 23, 2012 | February 1, 2013



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Welcome New NOSB Members

Congratulations and welcome to the National Organic Standards Board (NOSB)! We look forward to working with you over the next five years to advance organic regulations as defined by the Organic Food Production Act (OFPA) and the USDA National Organic Program (NOP). This guide provides guidance and resources to new members to ease their transition to the NOSB.

Soon after joining the NOSB, you need to read and be familiar with the following materials:

- Organic Food Production Act of 1990 (OFPA)**
- USDA Organic Regulations at 7 CFR 205 Final Rule**
- NOSB Policy and Procedure Manual (PPM)**
- NOP Federal Advisory Committee Act (FACA) Training Power Point**

The first three documents listed are available at <http://www.ams.usda.gov/NOP>; brief summaries are provided below. The NOP FACA Training Power Point will be sent to all NOSB members as reference following the annual January FACA training session for NOSB members.

Questions?

Count on it. The Board Chairperson will assign you an NOSB mentor prior to your first official meeting to help you transition onto the Board. Your NOSB mentor will be available to you by phone or email to answer questions as they arise. The NOSB Chairperson or the Designated Federal Officer (DFO) can also be reached at any point to assist you. Contact information can be found at the end of this document or by contacting Michelle Arsenault at Michelle.Arsenault@ams.usda.gov.

Federal Organic Regulations & Entities: A Primer

Organic Food Production Act (OFPA)

Title XXI of the 1990 Farm Bill, known as the OFPA, established the NOP within the Agriculture Marketing Service (AMS) of the USDA. It also established the NOSB, an advisory body to the NOP.

Federal Register Final Rule Establishes the NOP

The December 21, 2000 final rule established the NOP within the AMS, an arm of the U.S. Department of Agriculture (USDA). NOP facilitates domestic and international marketing of fresh and processed food that is organically produced and assures consumers that such products meet consistent, uniform standards. NOP is required to establish national standards for the production and handling of organically produced products, including a National List of substances approved for and prohibited from use in organic production and handling. The final rule also established a national-level accreditation program, labeling requirements, and foreign organic program equivalency requirements.

National Organic Standards Board (NOSB)

OFPA authorized the Secretary of Agriculture to appoint a 15-member National Organic Standards Board (NOSB). The NOSB has the sole authority granted through OFPA to recommend additions to the National List of Allowed and Prohibited Substances. Further, the NOSB drafts recommendations based on needs of the industry with public and industry input. The Board's main mission is to make recommendations about whether a substance should be allowed or prohibited in organic production or handling, to assist in the development of standards for substances to be used in organic production, and to advise the Secretary on other aspects of OFPA implementation. Members come from all four U.S. regions.

The first NOSB was appointed by then Secretary Edward Madigan in January, 1992. Members of the initial board served staggered terms of 3, 4, or 5 years; all subsequent board appointees serve 5-year terms. Per OFPA, the board must consist of 15 members:

- Four farmers/growers
- Two handlers/processors
- One retailer
- Three environmentalists / resource conservationists
- Three consumer/public interest advocates
- One scientist (toxicology, ecology, or biochemistry)
- One USDA accredited certifying agent.

National List of Allowed and Prohibited Substances

Through OFPA, the NOSB has the sole authority to recommend adding materials to or removing materials from the National List. The Secretary of Agriculture has limited authority with regard to NOSB recommendations for additions to the National List; the Secretary of Agriculture may deny the listing of a material, but may not add a material that was not previously recommended by the Board.

Technical Information

To help NOSB members assess whether materials should be added or removed from the National List, the NOSB is authorized to request technical information on materials from internal and external sources. See The Final Rule Subpart G 205.600 and the NOSB Policy and Procedures Manual, Section VIII Materials Review Process, for additional information.

NOSB Policy and Procedure Manual (PPM)

The PPM outlines all general procedures followed by members of the NOSB. The manual is designed to assist the Board in its responsibilities and is considered mandatory reading for all members. The PPM covers many important issues such as the NOSB Vision Statement, Duties of the Board and Officers, NOSB job descriptions, NOSB Principals to Production and Handling, Materials Review Process, Technical Advisory Panel (TAP), Sunset Review Process, and other critical information. Policies and revisions are incorporated periodically, and since the PPM guides you on how to craft your documents and recommendations, it is essential to refer to it to make sure you are following the process.

Additional Helpful Reading

NOSB Website | www.ams.usda.gov/nosb

The website includes access to NOSB meeting transcripts, NOSB executive subcommittee notes, and previous NOSB recommendations.

NOP Website | www.ams.usda.gov/nop

The website includes access to NOP Newsroom, organic regulations, and resources for various stakeholder groups.

From the Margins to the Mainstream, Advancing Organic Agriculture in the United States: National Organic Action Plan | <http://www.rafiusa.org/docs/noap.pdf>

The website provides a portal to access a document on the growth of organic agriculture in the United States.

Selecting NOSB Subcommittees

You will work with the NOSB chairperson to select 2-4 standing Subcommittees from the following on which to participate

1. Compliance, Accreditation, & Certification Subcommittee
2. Crops Subcommittee
3. Handling Subcommittee
4. Livestock Subcommittee
5. Materials Subcommittee
6. Policy Development Subcommittee

New members may also have the option to join a currently-existing ad hoc subcommittee. Additional information on the different Subcommittees is available in the PPM. Generally, it is best to select a Subcommittee for which you have experience. New members are also encouraged to seek guidance from the NOSB Chairperson or the Advisory Board Specialist to best utilize your skills and experience. Subcommittee Chairpersons can update you on current topics under consideration and provide you with recent meeting notes.

Demystifying the Federal Register

The Federal Register is the official daily publication for rules, proposed rules, and notices of federal agencies and organizations, as well as executive orders and other presidential documents. The Federal Register has format and public notice rules that have to be followed.

Public comment periods are generally a minimum of 30 days, but since the organic community believes strongly in collaboration and public comment, NOP strives to allow 45 days for public comment on their notices. “If you intend to bind the public, you have to provide actual and timely notice.” Several types of Federal Register notices are used at different rulemaking stages:

Advanced Notice of Proposed Rule (ANPR)

Optional – Involves proposing an idea and formally asking for public comment *before* you draft the proposed rule. This is strictly an idea and data collecting process that discourages back-room idea and data collection.

Notice of Proposed Rule (NPR)

Required – Provides Background, Intent, Objectives via the Preamble, Proposes specific rule language, and is Open to Public Comment.

Interim Final Rule (IFR)

Optional – Very similar to the Final Rule – still open to some public comment, used primarily when issues are controversial and some tweaking of the final rule language may be required.

Supplemental Notice of Proposed Rule (SNPR)

Optional – open to public comment on an newly proposed areas that came up during NPR that were not foreseen, but also includes some areas that are more decided and not as open to comment.

Direct Final Rule (DFR)

Special Circumstances – usually not a controversial issue and requires immediate action (good cause criteria have to be met), risky because if one commenter objects, then they have to resubmit as an NPR which costs money – and allow public comment. i.e. the banning of dangerous toys for small children.

Final Rule: 30 days before effective date

Required – Provides Background, Intent, and Objectives via the Preamble, Proposes specific rule language, and is not open to Public Comment as all public commenting time periods have either been met through the above required and optional steps, *with the exception of rules being modified to respond to court actions and deadlines.*

Any further changes to these regulations would be made through petition: “Petition for Reconsideration”, and would essentially be re-run through the Federal Register process as described above.

Rulemaking 101

Commonly, laws do not contain a level of detail for their practical implementation. Rather, agencies of the Executive branch have to establish rules, or regulations, to serve as guides in the implementation of laws. The rule development process can be described in five steps:

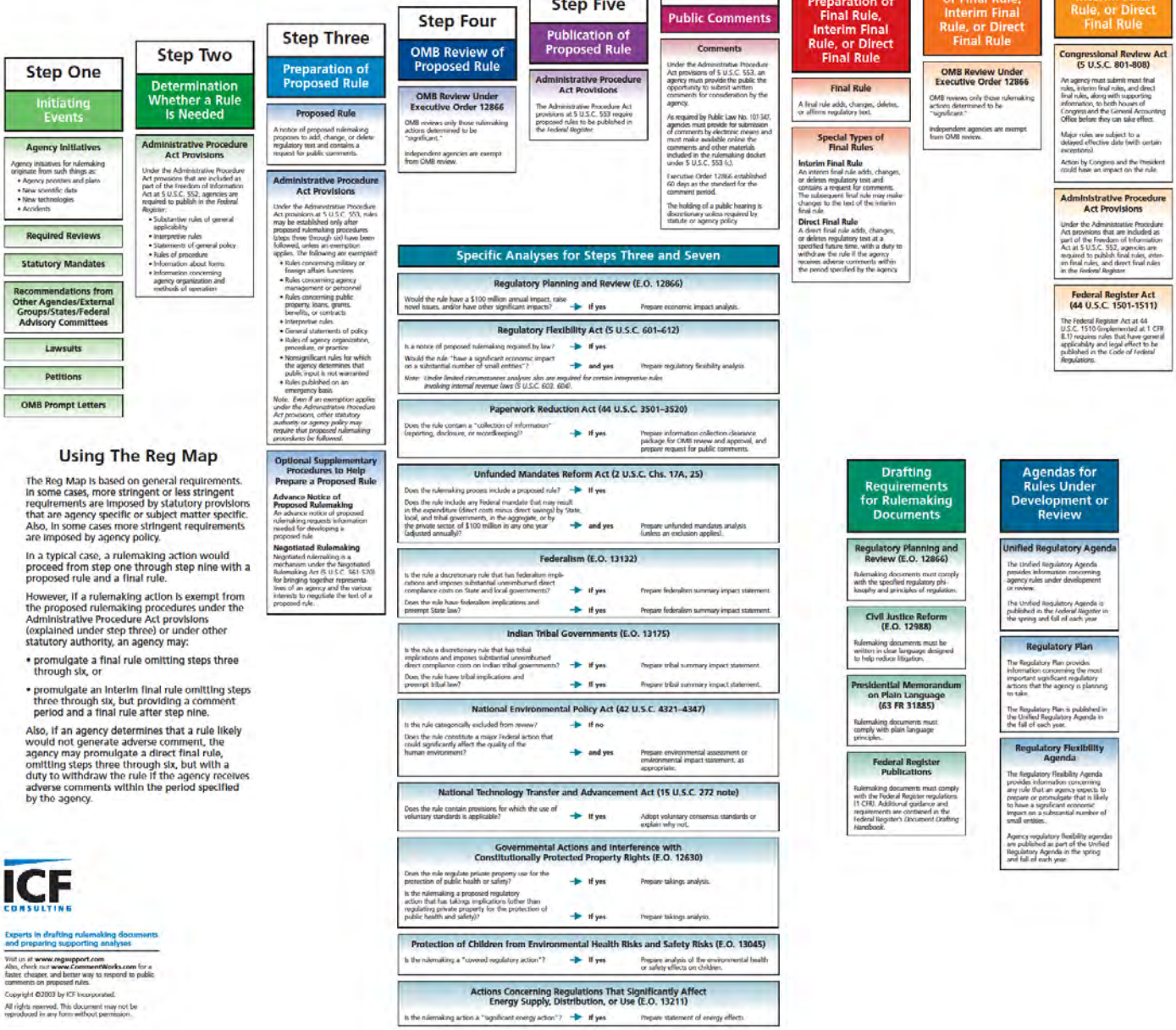
- 1. Framework for establishing rulemaking authority**
In NOSB’s case, per OFPA
- 2. Publish proposed rule with request for public comments**
Rule is subject to Office of Management and Budget review
- 3. Publish final rule addressing public comments; set effective date**
Rule is subject to Office of Management and Budget review
- 4. Congressional review**
Congress or the Government Accountability Office has the ability to nullify rules
- 5. Effective date**
Rules go into effect after a 30-day minimum; 60-days for major rules. Agencies may delay or withdraw rules before they become effective



The diagram below provides additional details on the rulemaking process; this resource is also available at <http://www.reginfo.gov/public/reginfo/Regmap/index.jsp>.

The Reg Map

Informal Rulemaking



Public Comment

Refer to the PPM for detailed policy & procedures on the public comment process.

NOSB's Unique Role

Organic stakeholders are extremely engaged in the activities of both the NOP and the NOSB. Both groups receive an unprecedented amount of public input from farmers, businesses and consumers during every step of their decision-making process—from a draft NOSB discussion document or proposal, to a final rule. Refer to Section V of the PPM for writing a recommendation. After considering the recommendations of the NOSB, the NOP reviews public comments and industry analysis before proposing a final recommendation. However, the Secretary of Agriculture has final authority in determining all regulations.

NOSB members are in the unique position of not only representing their sector, but also representing the USDA and the public. It is therefore especially important for NOSB members to weigh public comments to help guide us towards what the public wants to see in organic regulations. The public comment process is in place to insure timely notice and to avoid back room decision-making; the NOSB process must be transparent per the Sunshine Act. The following activities require public comment:

- Approving/removing materials for use in the organic industry
- Evaluating a specific Rule
- Providing clarifications
- Discussion documents
- Proposals

Comment Mechanisms

NOP is responsible for receiving and posting all petitions and formal public comments related to NOSB meeting activities and rulemaking. On an informal level, NOSB members are encouraged to maintain and expand their contact base in order to maintain an open line of communication with the organic community. On a formal level, NOSB members request input from the public in two main ways: during formal NOSB meetings and in response to Federal Register notices, either electronically or via mail.

During Formal NOSB Meetings

The public is invited to sign up on a first-come, first-served basis to address the Board about identified topics during the public comment sessions. Commenters typically have 3-5 minutes, not including questions from Board members (NOSB members are encouraged to ask questions at the end). Refer to the PPM for additional details on public commenters' time allocation and process. Please remember to listen, let the speaker finish, and make eye contact as much as possible. The public deserves our respect and attention; they rely on NOSB members to consider their comments. When commenting during meetings remember to be respectful, professional, patient, informed, and concise. The public is encouraged to provide written testimony to facilitate NOSB's consideration.

In Response to Federal Register Notices

The NOP is responsible for publishing Federal Register notices, including those that identify the NOSB's draft recommendation proposals in advance of NOSB meetings. In these notices, the public is directed on how to submit public comments: either electronically (preferred) or via mail. NOP is responsible for reviewing and posting these comments for NOSB's (and the public's) review.

Incorporating Public Comments

The review and implementation of public input takes place at the Subcommittee level. Subcommittee members are expected to review all petitions and comments from the public before providing a recommendation to the Chairperson and members of the Board. Currently, a Subcommittee member is assigned to review, classify, and summarize all data received by NOP, but all Subcommittee members are expected to review the data individually before making a final recommendation.

Separation of Powers

As a member of the NOSB, you are working within the Executive Branch of government. In this capacity, you are not permitted to work in the other branches while on the NOSB because of the required separation of powers.

Confidentiality

While Board members are volunteer, private citizens, and not employed by the government, the Board itself is a government entity. As such, here are some points to be aware of in your communications on NOSB Topics:

- NOSB Subcommittee calls are not recorded or open to anyone besides the NOP and NOSB unless an expert is specifically invited to attend. However, summary notes are developed for each NOSB subcommittee call and are posted on the NOP website.
- Formal transcripts are recorded for NOSB public meetings – whatever you say at a public meeting is on the record.
- Any email or written communication you send that includes a government employee, or that gets forwarded to a government employee, may be releasable to a member of the public in response to a Freedom of Information Act (FOIA) request. (Example: Board members send emails to each other and cc the DFO. This email may be subject to FOIA if a specific request is received that includes that email's topic in its scope).

It is your duty to respect and follow a foundational level of trust and not share internal discussion and deliberative information until it is officially made public. As mentioned in the PPM, a Board member's loyalty is to the organic community and the public at large; however the information should be accurate and agreed upon before being shared with the public.

Best Practices to Optimize Productivity

Staying Organized

NOSB members receive a lot of materials, both electronically and in hard copy; staying organized can be a challenge. Members may want to create a file cabinet specifically for the NOSB, with files created yearly for each Subcommittee. Subcommittee Chairpersons and Vice Chairpersons should save all versions and file them, while Subcommittee members can just save the final copy. Public comments that you receive at the meetings can be filed, or you can find them archived on the NOP web site.

Optimizing Conference Calls and Meetings

Because members are based in all regions of the country, a great deal of the work of the NOSB is conducted over the phone. Subcommittees are encouraged to develop the agenda together with key Subcommittee members, provide ample notice of the date and time of the meeting/conference calls, review the agenda and all documents related to agenda items, start and finish on time, and review action items. The DFO will take notes at all conference calls and will send out periodic updates to a master calendar of the scheduled Subcommittee conference calls with phone-in numbers and pass codes (required to access calls). Executive Subcommittee calls are scheduled the second Friday of each month and consist of only the NOSB officers, Subcommittee Chairpersons, and NOP personnel. NOSB members are welcome to listen in, but are not permitted to vote. All Subcommittee meeting notes are posted on the NOP website for public access.

Organizing Email

To help optimize NOSB productivity, it is important to consistently organize and respond to emails. You are encouraged to create specific folders for each Subcommittee and utilize a filing system that works for you, keeping in mind that you don't need to save every email you receive from NOP or NOSB members.

Tips for Success:

- Check your inbox on a daily basis.
- Use a clear subject line, noting NOSB and the appropriate Subcommittee
- Be concise and answer all questions within 24-48 hours.
- Do not attach unnecessary files.
- Do not overuse Reply to All.
- Try not to write with abbreviations.

Tracking Changes in Word Documents

Drafting and revising NOSB discussion documents and proposals require combining feedback from multiple people at multiple steps. The Microsoft Word track changes feature can help facilitate this, allowing you to merge all versions and view all edits at once. You are then able to accept or reject edits, resulting in a final version. A few tips are included below; a full demo is found in <http://office.microsoft.com/training>.

Turning on Track Changes

After opening your document:

Word 1997-2003:







- Go to Tools, select Track Changes.
- The review toolbar will appear at the top
- “TRK” will show on the status bar (bottom of the screen)
-

Word 2007 and 2010:

- Select the Review tab
- Click Track Changes

All edits will be shown in the document in colored font. If you find it distracting to view the edits, you can select to view “Final” instead of “Final Showing Markup”. If you no longer need to track changes, you can click on Track Changes to turn it off.

Reviewing Documents with Track Changes

To determine who proposed a given change, hold your cursor over the change. The review toolbars allow you to approve, reject, or edit in two simple steps. First, place your cursor over the edited text. Second, click the  button to accept the edit. This will delete the track change and restore your document without showing edits. To reject the change, click the  button. This will reject the suggested edit and return your document to its original state. The **Next**  and **Previous**  buttons allow you to navigate through the document quickly. Using the drop down list on the  and  buttons, allows you to accept or reject all changes in the document at once.

There are two features in TRK that help in the review process, the **Reviewing** and **Show** toolbars. The drop-down arrow in the **Reviewing** toolbar, allows you to view the document at different stages of editing. For example, the **Original Showing Markup** selection displays all edits from all contributors highlighted in different colors. The **Original** selection presents the document prior to any edits. The **Show** toolbar allows you to select edits by type such as comments, insertions and formats. This toolbar also allows you to isolate edits by reviewer name. To print a list of changes made in a document, select Print (Word 1997-2003: File, Print; Word 2007: Microsoft Office button (top left), Print); in the Print what box, click “List of markup; Word 2010: Microsoft Office button (top left), Print); Under Settings, click the Print what box, click “List of markup.”

Traveling to NOSB Meetings

Airline Reservations

The USDA Travel Coordinator will provide each person with an approved authorization number that will be provided to the USDA's Travel Service. The authorization will be sent to each Board member via email. USDA is responsible for paying all airline costs. However, members are responsible for arranging their own airline reservations. Each Board member must contact Michele Green or Kim Webster, at Boersman Travel 888-291-6705, and identify themselves as USDA/Agricultural Marketing Service (AMS). The travel service is aware that they should obtain the best Federal government rate when possible; however, if your airline rate is over \$800, please contact the Advisory Board Specialist, National Organic Program (NOP), for approval. Boersman emergency assistance is provided outside of normal business hours by calling 866-648-7861.

After scheduling your airline reservations with Boersman, you will receive an email acknowledgement from Virtually There at www.virtuallythere.com detailing your reservations and flight information. If you reserve a refundable government ticket, you could receive your tickets approximately one week prior to travel. If you reserve a non-refundable restricted ticket, you will be ticketed within 48 hours.

Reminder: When traveling to attend an NOSB meeting, members are not authorized to use personal credit cards to pay for airline tickets or utilize another travel service on behalf of USDA/AMS. You will not be reimbursed. Please note that USDA is responsible for paying all airline costs.

It is important to notify your travel coordinator if you plan to arrive or depart outside of the intended travel dates authorized. Also, provide notification if you plan to combine personal or business travel to attend the NOSB meeting.

Personal Owned Vehicles (POV)

If you need to travel using your own POV, please notify the travel coordinator via email, and provide mileage to/from the meeting, and dates of arrival and departure to/from residence.

Rental Car and Train Reservations

If there are no flights to/from an airport or other modes of transportation available, and your only option is to use a rental car or train to/from a meeting, you must state why it would be advantageous to the Federal government. If the cost of a rental car (including gas), or a train ticket is less than the cost of an airline ticket this would be advantageous to the Federal government. USDA will reimburse you. However, if the rental car or train cost is more than the airline, then you are responsible for paying the difference.

To reserve a rental car or train, you must obtain prior approval at least two weeks before a meeting. Submit to the travel coordinator a written justification stating your need, and include a cost comparison for the rental car, train and airline outlay. You can either locate a local rental car or train service and make your own reservation or submit your request to Boersman Travel service. Members are not allowed to use a rental car for travel to/from hotel to obtain dinner. You will not be reimbursed.

Meeting Space and Lodging Accommodations

USDA/NOP is responsible for reserving and paying all expenses for the meeting space and lodging. Members should not make their own hotel reservations as we will have a special block reserved. However, if you plan to modify your arrival/departure travel dates for personal reasons, please contact the hotel and travel coordinator. To avoid “no show” charges, it’s important that the hotel is aware of travel date modifications. Personal travel is non-reimbursable.

Post-Travel Document

After each meeting, the travel coordinator will forward to all members a post-travel document that should be completed and signed as soon as possible. Submit all applicable receipts (with the exception of meals) to the travel coordinator for reimbursement. Travel documentation can be faxed, emailed or mailed to the attention of Travel Coordinator.

Travel reimbursement will include the following

- Rental Car or Train expense (if applicable)
- Location per diem (meals + incidentals)
- POV mileage to/from airport or meeting at the current GSA per diem rate
- Roundtrip tolls
- Airport parking
- Local Transportation: Taxi cab fares to/from airport to hotel, or residence; tips not to exceed 15% of the fare, Shuttle services to/from airport to hotel, or residence
- Airline baggage fees

Submit your travel voucher information to:

Special Assistant to the Board
USDA/National Organic Program
1400 Independence Avenue, SW
Washington, D.C. 20250
(202) 720-3252, Fax: (202) 205-7808



What to Pack?

The dress code at NOSB meetings is business casual. It's suggested you bring some casual attire as well. Most of the hotels also have work-out rooms and pools. For the most part, dress is not too important as long as you are representing the NOSB professionally.

The agenda, proposals and any supporting documents will all be available prior to meetings at www.ams.usda.gov/nosb/meetings/meetings.html. Materials will be provided to you before or at the meetings in hard copy or on a thumb drive or CD. Other useful documents include a copy of OFPA and the Federal Register Regulation, which will be provided upon request and are also available electronically. If you have a travel mug, please bring it along. It doesn't make a very good impression if we are all using non-recyclable cups.

List of Common Technical Sources Used by NOSB Members

Very often during the review process and discussions, NOSB members need to consult various sources of information. The following is a general list of common technical sources.

Accredited Certification Agencies

The function of the Accredited Certification Agencies (ACAs) is to certify, on behalf of USDA, that producers and handlers comply with approved organic practices. An ACA is accredited by the NOP. They operate in all regions of the United States and selected countries, and include private companies, not-for-profit organizations and several state government agencies.

For a comprehensive list of ACAs: <http://www.ams.usda.gov/NOPACAs>

Federal Agencies

U.S. Department of Agriculture/Marketing Service

<http://www.ams.usda.gov/>

U.S. Department of Agriculture Research Service

<http://www.ars.usda.gov>

U.S. Department of Agriculture/Food and Nutrition Service

<http://www.fns.usda.gov/fns/>

U.S. Department of Agriculture/Food Safety and Inspection Service

<http://www.fsis.usda.gov>

U.S. Department of Agriculture/National Agricultural Library Alternative Farming Systems Information Center

<http://www.nalusda.gov/afsic/ofp/susagrsch.htm>



U.S. Department of Agriculture/National Institute of Food and Agriculture
<http://www.csrees.usda.gov>

U.S. Environmental Protection Agency Integrated Risk Information System
<http://www.epa.gov/iris>

U.S. Department of Agriculture/National Organic Program
<http://www.ams.usda.gov/nop>

U.S. Department of Agriculture/Sustainable Agriculture Research and Education Program
<http://www.sare.org/index.htm>

U.S. Environmental Protection Agency Inert Ingredients Permitted in Pesticide Products
<http://www.epa.gov/opprd001/inerts/lists.html>

U.S. Environmental Protection Agency Organic Agriculture Page
<http://www.epa.gov/oecaagct/torg.html#National%20Organic%20Standards>

U.S. Environmental Protection Agency Water
<http://www.epa.gov/ow/>

U.S. Environmental Protection Agency Water Science
<http://www.epa.gov/waterscience/>

U.S. Department of Health and Human Services Agency for Toxic Substances and Disease Registry
<http://www.atsdr.cdc.gov/atsdrhome.html>

U.S. Food and Drug Administration's Center for Food Safety and Applied Nutrition
<http://www.cfsan.fda.gov/list.html>

U.S. Food and Drug Administration's Center for Food Safety and Applied Nutrition - Food Ingredients and Packaging Terms
<http://www.cfsan.fda.gov/~dms/opa-def.html>

U.S. Food and Drug Administration's Center for Food Safety and Applied Nutrition Indirect Additives Used in Food Contact Substances
<http://www.cfsan.fda.gov/~dms/opa-indt.html>

U.S. Food and Drug Administration's Center for Food Safety and Applied Nutrition Inventory of Effective Food Contact Substance Notifications
<http://www.cfsan.fda.gov/~dms/opa-fcn.html>



U.S. Food and Drug Administration's Center for Veterinary Medicine
<http://www.fda.gov/cvm>

U.S. Food and Drug Administration's Food Safety Risk Analysis Clearinghouse
<http://www.foodriskclearinghouse.umd.edu/>

U.S. Food and Drug Administration's Numerical Listing of GRAS Notices
<http://www.cfsan.fda.gov/~rdb/opa-gras.html>

U.S. National Institute of Health's National Institute of Environmental Health Sciences
<http://www.niehs.nih.gov/centers/res-core/iowares2.htm>.

U.S. Occupational Safety and Health Administration
<http://www.osha.gov>

Other Sources

Appropriate Technology Transfer to Rural Areas
<http://www.attra.org>

Organic Materials Review Institute
<http://www.omri.org>

The National Sustainable Agriculture Information Service
<http://www.attra.org>

Glossary of Acronyms

ACA	Accredited Certifiers Association
AMS	Agricultural Marketing Service (home of NOP)
EPA	Environmental Protection Agency
FACA	Federal Advisory Committee Act
FDA	Food and Drug Administration
NOP	National Organic Program
OFPA	Organic Foods Production Act of 1990 (Title XXI of the 1990 Farm Bill)
OMRI	Organic Materials Review Institute
TAP	Technical Advisory Panel
USDA	United States Department of Agriculture



National Organic Standards Board Subcommittees

NOSB Officers (2013)

Robert (Mac) Stone Chairperson
 John Foster Vice Chairperson
 C. Reuben (Calvin) Walker Secretary

Executive Subcommittee Representatives (2013)

Jay Feldman, Chairperson Crops
 Joe Dickson, Chairperson Compliance, Accreditation & Certification
 John Foster, Chairperson Handling
 Tracy Favre, Chairperson Livestock
 Zea Sonnabend, Chairperson Materials
 Colehour Bondera, Chairperson Policy Development
 Jennifer Taylor, Chairperson GMO ad hoc

CROPS

Jay Feldman, Chairperson
 Nick Maravell, Vice Chairperson
 Harold Austin
 Carmela Beck
 Colehour Bondera
 John Foster
 Zea Sonnabend
 Mac Stone (unofficial, non-voting)
 Francis Thicke

GMO ad hoc

Jennifer Taylor, Chairperson
 Zea Sonnabend, Vice Chairperson
 Colehour Bondera
 Jay Feldman
 Jean Richardson
 Mac Stone
 Francis Thicke
 C. Reuben (Calvin) Walker

COMPLIANCE, ACCREDITATION, CERTIFICATION

Joe Dickson, Chairperson
 Jean Richardson, Vice Chairperson
 Harold Austin
 Carmela Beck
 Tracy Favre
 John Foster
 Mac Stone
 C. Reuben (Calvin) Walker

LIVESTOCK

Tracy Favre, Chairperson
 Wendy Fulwider, Vice Chairperson
 Colehour Bondera
 Joe Dickson
 Nick Maravell
 Jean Richardson
 Mac Stone
 Francis Thicke
 C. Reuben (Calvin) Walker

HANDLING

John Foster, Chairperson
 Harold Austin, Vice Chairperson
 Carmela Beck
 Joe Dickson
 Tracy Favre
 Nick Maravell
 Jean Richardson
 Zea Sonnabend

MATERIALS

Zea Sonnabend, Chairperson
 Jennifer Taylor, Vice Chairperson
 Joe Dickson
 Tracy Favre
 Jay Feldman
 Wendy Fulwider
 C. Reuben (Calvin) Walker



POLICY DEVELOPMENT

Colehour Bondera, Chairperson
C. Reuben (Calvin) Walker, Vice Chairperson
Jay Feldman
John Foster
Nick Maravell
Jennifer Taylor

INERTS WORKING GROUP

Jay Feldman
Zea Sonnabend

VACCINES MADE WITH EXCLUDED METHODS WORKING GROUP (Vaccines MWEM)

Jean Richardson
Nick Maravell

National Organic Program – Contact Information

This directory is updated fairly often, and can be found here:

<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5086703>

OEFA Membership Selection & Purchase

Join by clicking on the membership below that best matches your business type, then click "add to cart." After you have added a membership to your cart, scroll to the bottom of this page, review your shopping cart for accuracy, and then click "checkout" to complete your purchase.

Please note: Membership for universities is FREE
If you are a university and would like to join OEFA, please **contact us**.



Farmer Membership \$200.00



Egg Marketer Membership \$200.00



Associate Membership \$500.00



Certification Agency Members... \$200.00

Arkansas Egg Company's Swaffar named to organic standards board

Ashley Swaffar appointed by US agriculture secretary to serve on National Organic Standards Board, a move applauded by the Organic Egg Farmers of America

Release Date: 2014-09-26

Ashley Swaffar of [Arkansas Egg Company](#) has been appointed by Secretary of Agriculture Tom Vilsack to the [National Organic Standards Board](#) (NOSB). Swaffar's appointment has drawn the applause of the Organic Egg Farmers of America (OEFA), which believes Swaffar, with her broad expertise and deep commitment to [organic food](#) production, will serve the organic sector well in her new role.

"OEFA looks forward to the experience and leadership Swaffar will bring to the board. She has extensive knowledge of organic practices in poultry and crop production and is truly dedicated to the advancement and growth of organic agriculture. Swaffar's broad and in-depth expertise will ensure that she will do an excellent job representing the interests of organic livestock and poultry operations and farmers alike," said John Brunnquell, Secretary of OEFA and President of Egg Innovations, LLC.

As director of special projects for Arkansas Egg Company, Swaffar has been involved in all aspects of organic egg production, including organic certification, managing operations, and plant food safety audits. Swaffar, who is based in Fayetteville, Arkansas, holds a Bachelor's Degree in Poultry Science from the University of Arkansas and serves as the current President of OEFA.

Arkansas Egg Company owns and manages a diversified egg operation producing free range, organic and pastured eggs and are committed to ensuring that their organic birds have access to healthy pasture and are allowed to roam freely. Arkansas Egg Company also owns and operates the only dedicated organic feed mill in Arkansas.

David Bruce, Vice President of OEFA and Director of Organic Eggs, Meat and Produce at Organic Valley applauds USDA's decision, remarking that "Ashley's pasture-based organic egg production offers a great example of a farm that embodies the definition of organic farming, as a system that fosters cycling of resources and promotes ecological balance."

NOSB was created through the Organic Foods Production Act in the 1990 Farm Bill. The board is charged with the task of assisting the Secretary of Agriculture in developing standards for substances to be used in organic production. The 15-member Board is comprised of four farmers, three conservationists, three consumer representatives, two processors, one retailer, one scientist, and one certifying agent. Swaffar will fill one of the open producer seats and was one of four

new members that will serve a five-year term beginning on January 24, 2015, working to develop policies and standards for substances used in organic production.