

From: [Jean Richardson](#)
To: [McEvoy Miles - AMS](#)
Subject: [Caution: Suspicious Link]Fwd: Law that could make Vermont 1st state to require genetically modified food label stands
Date: Tuesday, April 28, 2015 11:49:29 AM

FYI

Begin forwarded message:

From: Nicole Dehne <nicole@nofavt.org>
Subject: Fwd: Law that could make Vermont 1st state to require genetically modified food label stands
Date: April 28, 2015 10:38:27 AM EDT
To: Jean Richardson <(b) (6)>

FYI

Sent from my iPhone

Begin forwarded message:

From: Steve Gilman <(b) (6)>
Date: April 28, 2015 at 7:18:47 AM PDT
To: Steve Gilman <(b) (6)>
Cc: Jack Kittredge <jack@mhof.net>, Camille Miller <cmiller@nofanj.org>, "EWonnacott (Sovernet)" <elila@sover.net>, Jack Mastrianni <(b) (6)>, Eileen Hochberg <eileen@ctnofa.org>, Sanne Kure-Jensen <sannek-j@cox.net>, Enid Wonnacott <enid@nofavt.org>, NOFA Office <info@nofavt.org>, "(b) (6) Simpson" <(b) (6)>, Julie Rawson <julie@nofamass.org>, "Paul Bertler@heifer.org Bertler" <Paul.Bertler@heifer.org>, "(b) (6) Lawton" <(b) (6)>, "Sanne Kure-Jensen (NOFA/RI)" <(b) (6)>, "(b) (6) Roberts" <(b) (6)>, John Turenne <jturenne@sustainablefoodsystems.com>, "(b) (6) Rose" <(b) (6)>, "rgh26@cornell.edu Hadad" <(b) (6)>, Anne Ruffin <anne@nofany.org>, Mary Rose Livingston <tripletree@frontiernet.net>, "tnf@nofa.org Kittredge" <tnf@nofa.org>, "webmaster@nofamass.org Pontius" <webmaster@nofamass.org>, Liana Hoodes <Liana@hvc.rr.com>, Elizabeth Henderson <(b) (6)>, "louis@topoftheforest.com Battalen" <louis@topoftheforest.com>, Scott Budde <(b) (6)>, "ben.grosscup@nofamass.org Grosscup" <ben.grosscup@nofamass.org>, "(b) (6) Goldenberg" <(b) (6)>, Maddie Monty <Maddie@nofavt.org>, Nicole Dehne <nicole@nofavt.org>, "(b) (6) Hengen" <(b) (6)>, "Keith Cowley (NOFA/RI)" <(b) (6)>, "(b) (6) Griswold" <(b) (6)>, "(b) (6) William Duesing" <(b) (6)>, Dave Colson <dcolson@mofga.org>, Ted Quaday <tquaday@mofga.org>, Theresa Lam <(b) (6)>, Olivia Shelton <(b) (6)>
Subject: Law that could make Vermont 1st state to require genetically modified food label stands

Hi All,

Another hurdle passed on the way to implementation of VT's GMO labeling law in May 2016...

Steve

Judge: Law that could make Vermont 1st state to require genetically modified food label stands

Associated Press

April 27, 2015 | 7:19 p.m. EDT

+ More



By DAVE GRAM, Associated Press

MONTPELIER, Vt. (AP) — A Vermont law that could make the state the first in the country to require labeling of genetically modified food has been allowed by a federal judge to stand for now despite opposition by food industry groups.

U.S. District Court Judge Christina Reiss in Burlington on Monday ruled against the Grocery Manufacturers' Association and other industry groups in their request for a preliminary order to block the law from going into effect as scheduled on July 1, 2016.

The judge partially granted and partially denied the state's motion to dismiss the industry lawsuit, meaning the case is likely to go to trial.

Vermont Attorney General William Sorrell, whose office finalized rules to implement the law on April 17, said in an interview, "There's a lot of good news in this decision for us and for the heart and soul of the labeling law."

The Grocery Manufacturers Association said it was pleased the court "found us likely to succeed on several of our claims" but was disappointed at the denial of its request for a preliminary injunction.

"Manufacturers are being harmed, and they are being harmed now," the association said in a statement. "Act 120 is unconstitutional and imposes burdensome new speech requirements on food manufacturers and retailers."

The ruling comes nearly a year after Democratic Gov. Peter Shumlin signed the law, under which Vermont is expected to become the first state to require genetically modified organism, or GMO, food labeling. Connecticut and Maine passed laws earlier but required that neighboring states follow suit before they would take effect.

The Grocery Manufacturers Association was joined by the Snack Foods Association, the International Dairy Foods Association and the National Association of Manufacturers as plaintiffs in the lawsuit, seeking to have Vermont's law declared unconstitutional.

Throughout the legislative and legal debate on GMO labeling, industry groups have argued that the First Amendment gives them broad discretion about what to include on their labels and that there's no compelling state interest to offset that.

Supporters of the law have included consumer and environmental groups. Muslims and some Jews avoid pork, and concerns have been raised about pork genes being introduced into other foods.

The judge found that the concerns embedded in Vermont's law were well within the state's purview.

"The safety of food products, the protection of the environment, and the accommodation of religious beliefs and practices are all quintessential governmental interests, as is the State's desire 'to promote informed consumer decision-making,'" she wrote, quoting from the state's court filings.

The court dismissed the industry groups' request that it apply a legal standard of strict scrutiny to the free-speech issues in the case, making it easier at trial for the state to rebut the companies' First Amendment claims. It also dismissed the plaintiffs' request that the law be found to violate the Commerce Clause of the U.S. Constitution.

Conversely, Sorrell said the court made it clear the state would face "an uphill battle" in defending a ban in the law on food companies labeling genetically modified food as "natural."

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From: [Jean Richardson](#)
To: [McEvoy Miles - AMS](#); [Zea Sonnabend](#)
Subject: [Caution: Suspicious Link]Fwd: Law that could make Vermont 1st state to require genetically modified food label stands
Date: Saturday, May 02, 2015 10:44:35 AM

Assume you both saw this which came out this week
Jean

Judge: Law that could make Vermont 1st state to require genetically modified food label stands

Associated Press | April 27, 2015 | 7:19 p.m. EDT

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By DAVE GRAM, Associated Press

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: [Caution: Suspicious Link]Fwd: Law that could make Vermont 1st state to require genetically modified food label stands
Date: Saturday, May 02, 2015 10:44:36 AM

I am out of the office. Please contact Joan Avila at 202-720-3252, joan.avila@ams.usda.gov if you need immediate assistance.

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: Automatic reply: FYI: Jim Riddle letter
Date: Sunday, October 13, 2013 4:13:12 PM

Hi miles

When you get a chance I would really appreciate your honest opinion on Jim Riddle's e-mail

Thank you

Jean

Sent from my iPad

On Oct 13, 2013, at 4:10 PM, "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov> wrote:

Thank you for your message.

I am not in the office at this time. I am on furlough without access to email, due to the lapse in federal government funding. I will return your message as soon as possible once funding has been restored.

For information about available government services, visit USA.gov.

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: Arrival
Date: Wednesday, February 11, 2015 6:12:49 PM

Ok!

Sent from my iPad

> On Feb 11, 2015, at 4:03 PM, "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov> wrote:

>

> My travel plans have changed. New arrival is 11:57 from dc

>

> Miles V McEvoy

> Deputy Administrator

> USDA National Organic Program

>

>

>

>

> This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: aquaculture
Date: Monday, July 21, 2014 4:38:55 PM

hi Miles

I am going to attend the October IOIA training and note that George Lockwood is on the agenda listing the Working Group as an NOSB Working Group? Is that the technically correct title?

Correct attributions are sometimes pretty critical!

Thank you

Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: annotations
Date: Monday, February 02, 2015 5:50:38 PM

Ok yes let's discuss some species so we can start petitions if necessary early
I am on the snow delayed plane for DC
Jean

Sent from my iPhone

> On Feb 2, 2015, at 5:25 PM, McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov> wrote:

>

> You can't annotate during the sunset process. You can recommend annotation through a separate process. Let's discuss while you are here.

>

> -----Original Message-----

> From: Jean Richardson [REDACTED] (b) (6)

> Sent: Thursday, January 29, 2015 6:07 PM

> To: McEvoy, Miles - AMS

> Subject: annotations

>

> So for example, if we had a proposal to annotate "iodine-for external use only ; not to be made using xxx excipient or whatever", and at the October meeting we voted on the annotation proposal BEFORE we voted on the Sunset "motion to remove" (meeting 2 of Sunset) would that work?

>

> We would then vote to keep "iodine" (presently with no annotation) on the List but the NOSB's intent for this in reality would be demonstrated to be tied to the proposed annotation previously voted on.

>

> Otherwise, in good conscience we can't vote in favor of keeping "iodine" knowing what we are now learning. And iodine in its molecular form is critical and we need it.

>

> This is just one example for us to think about. There will be a few others.

>

> Thank you for talking with me.

> Jean

>

>

>

>

> This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Annotation note
Date: Tuesday, July 15, 2014 11:19:54 AM

Found this in a 2012 FR notice...

Prior to the October 2010 meeting, NOSB policy specified that recommendations for substances under sunset review were limited to two options: (1) Renewal, or continuation of each exemption or prohibition as codified in the NOP regulations; or (2) removal, allowing the exemption or prohibition to expire. In October 2010, the NOSB changed their sunset policy to allow a third option for issuing a recommendation. The third option enables the Board to add or change annotations (restrictions) on National List substances under sunset review. This change in policy ensures that the Board can address new use patterns and scientific information on substances allowed or prohibited in organic production. The policy limits such annotation changes under sunset to those which clarify an existing annotation or make the annotation more restrictive. The new policy does not authorize an annotation change during the sunset review process that would result in expanded use of an exempted substance.

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Cc: [Dave Chapman](#); [nicole dehne](#); [Wonnacott Enid](#); [Zea Sonnabend \(zea@well.com\)](#); [Brown Rosen, Emily - AMS](#)
Subject: Re: An update on "organic hydroponic"
Date: Thursday, March 12, 2015 6:46:20 AM

We are looking for all perspectives to be represented on the task force. As I mentioned to Dave in Vermont, he would make an excellent candidate.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

On Mar 11, 2015, at 3:11 PM, "Jean Richardson" <[REDACTED] (b) (6)> wrote:

Hi Miles

Here is an e-mail from Dave Chapman, organic green house tomato producer. I am sure you recall your conversations with him at the NOFA Winter Conference in Vermont last month. His lengthy e-mail is probably a good reflection of the scope of concerns held by a sizeable group of stakeholders.

I believe that the AMS is genuinely seeking a comprehensive, up to date understanding of the scope of hydroponic and aquaponic agriculture within the context of certified organic agriculture, including soil based greenhouse producers. However, Dave's quotation from the Task Force notice in the Federal Register (FR Monday March 9, 12422) "Minimum skills" does appear to preclude non-hydroponic/aquaponic producers from being nominated or appointed. " Candidates for the hydroponics and aquaponics task force should have 3 years of demonstrable work experience in hydroponic or aeroponic (sic) production in any of the following roles:....."

Is a clarification called for?

Thank you

Jean Richardson, Chair NOSB

Begin forwarded message:

From: [REDACTED] (b) (6)
Date: March 11, 2015 2:10:08 PM EDT
To: undisclosed-recipients;;
Bcc: [REDACTED] (b) (6)
Subject: An update on "organic hydroponic"

Hello all,

It has been a year since I last sent an update. I was swept away by the farm last March, and it left me little time for working on this issue. Since then the petitions have slowly grown in numbers with no help from us, and are presently hovering around 1200 signatures. Clearly

we have barely touched the organic customers yet. I confess that I was discouraged about petitions after talking with Mark Kastel from Cornucopia last Winter. He said that no number of signatures would move the NOP, and that our only real hope was political pressure from our Senators and Representatives. Our Vermont delegation has given us their support, but so far to no avail. I have heard that Cornucopia is planning to have a front page article on the hydroponic issue in their Spring newsletter.

There has been some other progress since I last wrote. The National Organic Coalition passed a resolution of support for the NOSB recommendation last year. The NOC is a broad coalition of organizations, and getting the members to agree on anything is a major victory. I have posted their resolution on the website.

I have also posted the open letter to Miles from the Agrarian Elders. Last year we managed to reach all but two of them to sign a letter of support.

I was approached by a reporter from the Wall Street Journal recently. He is interested in pursuing a story on this issue. He needs to find a good hook to sell it to his editors. Any ideas?

As many of you know, Miles MacEvoy came to Vermont in February to speak at the NOFA Winter Conference. I attended two sessions with him, plus we had a chance to talk together afterwards. The take home story from it all was that Miles is NOT going to act on the NOSB recommendation. There is no change there. Miles' story is that the NOSB recommendation is too vague to make a rule. He also said several times that he is helpless to effect a change or to offer real leadership on this issue. He kept insisting that he did not have the power to block hydroponic growing from certification.

When I asked Miles for an example of how the NOSB recommendation is too vague, he said that one example is that it didn't define soil, so how would the new rule come up with that definition? I suggested that most of Europe, England, Canada, Mexico, and Japan have all successfully addressed that challenge, and that it wouldn't be too difficult to examine their language and come up with good wording. That hadn't occurred to him.

Miles acknowledged that there is a lot of opposition to "organic hydroponic" in Vermont, but he doubted that people in the rest of the country cared. What about the National Organic Coalition? What about the many people from all over the country who signed the petitions? What about the organic standards from rest of the world? What about the recommendation from the NOSB? The USDA still stands virtually alone in the world in their redefinition of organic. Perhaps Miles has been spending too much time in Washington, and has lost touch with the rest of the organic community?

Miles' solution to the dissent of so many of us in the organic farming community is to form a "task force" to come up with clear language for rule making. Apparently going back to the NOSB isn't good enough. But when I pressed him on the mission of the task force, he said it was simply to look at the issue with fresh eyes, getting strong input from all interested parties. As it turns out, the actual announcement [in the Federal Register](#) for the task force states clearly that **"Candidates for the hydroponics and aquaponics task force should have 3 years of demonstrable work experience in hydroponic and aquaponic production in any of the following roles: Producer; researcher or scientist, consumer representative; conservationist; systems designer; organic inspector; or accredited certifying agent. Candidates with demonstrable knowledge of organic production or certification procedures are preferred."** Good heavens! It seems that they only want people with at least three years experience in hydroponic growing to be part of the task force. Even if they make an exception for someone like me, I will be a lonely minority voice on the task force, when in fact, hydroponic growing is a very minor and highly controversial part of the organic community. This is like forming a task force to consider the issue of GMOs in organic growing, and then limiting participation to Monsanto employees.

The truth is that the NOP does not agree with the NOSB recommendation, so they are creating a NEW advisory board to come up with a more acceptable answer. If the real issue was that the NOSB recommendation was too vague, Miles could simply send it back to the NOSB for clarification. The NOSB has already spent years of work on their recommendation, including a long period of public comment. The intent of their recommendation is **quite clear**. It is also clear that the NOP does not agree with the NOSB intent. So their solution is to create an advisory board that will come up with a more agreeable recommendation!

Having said all that, I am coming to the sad truth that we are losing the organic standards. Organic as redefined by the USDA is changing into something new. The new definition is driven by money rather than beliefs. And most sadly, this weakening of organic integrity is coming under a Democratic president (whom I have contributed to and campaigned for). I hate to say it, but we really were doing better with the NOP organic standards under Bush!

So what to do? Our farm is forced to be involved with USDA organic certification, regardless of my beliefs. But rather than it being something that I am proud of, certification is turning into another task to be completed in order to satisfy the requirements of the supermarket chains, much like GAP certification. I will continue to work to reform the organic standards, but I think that the term organic will no longer serve as a way of letting our customers know

how we farm. We are NOT growing in the same way as the hydroponic growers in Mexico. And our customers want to know that. If "Certified Organic" no longer shows the difference, do we will need to find another way of identifying what we do. Believe me when I say that this is not a direction that I wish to go in.

When I began farming organically in 1981, there really wasn't any economic incentive. Very few people cared about organic, even though it had been around for 35 years. The first two years at the farmer's market, I got as much grief from customers as support. Back then organic was a way of farming that was intertwined with a way of living. Now, at the same time that organic farming succeeds wildly in the marketplace, it is abandoning some of the core principles that made it so popular. I am seeing a growing movement of farmers who are organic, but not certified. They are mostly smaller farms that are selling locally. Many of them have signed the petition. Perhaps it is time for some of us to find a new name for old practices. "Organic" is just a word. Sir Albert Howard's first two books never used the word, but the principles were already clearly established. We can keep the principles and find a new word. Certainly no matter what we do, "certified organic" is an economic powerhouse that will continue to grow.

I met a nice young guy at the conference who worked for the Organic Trade Association. He was trying to bring some of the many smaller organic farms in the country into the OTA to join in their "Got Organic" marketing campaign. But I am struck by the growing distance between my farming practices and the organic standards. If the organic standards no longer represent how we farm, why would we help promote "organic" farming to our customers? After a lifetime of believing in and supporting organic farming, I find myself wondering how I can find a new term to signify how I farm. "Organic farming" is now the property of the USDA, and it looks like they really don't care what we think about that. Have we turned the henhouse over to the foxes for supervision?

I will probably volunteer to join Miles' "task force" [even though I don't meet the requirements](#). Based on the notice, I will not be permitted to join. Even if I AM permitted, who else has been blocked from participation? All the other organic growers. Probably the best we can hope for is some kind of identifying word on the organic label for "Hydroponic Organic". I think the deck is pretty well stacked against us, but I urge all of you to volunteer for the "task force" as well, even though none of you qualify as having enough "organic hydroponic" experience! This is a thankless task. I would also like to hear back from any of you with your thoughts about this (rather lengthy) letter.

Best to all,

(b) (6)

From: [Jean Richardson](#)
To: [Mac Stone](#); [McEvoy, Miles - AMS](#)
Subject: All aquaculture materials done!
Date: Tuesday, February 18, 2014 4:28:16 PM

Hi Mac and Miles

Tracy did a great job and despite certain roadblock efforts we finished approving all the last of the aquaculture (crops) materials this afternoon.

Mac, be sure to touch base with Tracy if you want your vote added.

Have a good time in San Diego

Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: Agenda Items for LS
Date: Wednesday, July 01, 2015 11:12:04 AM

Ok

Sent from my iPhone

On Jul 1, 2015, at 8:35 AM, McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov> wrote:

Hi Jean –
Please put on agenda for next Executive SC.

Miles

From: Jean Richardson [REDACTED] (b) (6)
Sent: Tuesday, June 02, 2015 2:50 PM
To: McEvoy, Miles - AMS
Cc: Brown Rosen, Emily - AMS; Tracy Favre (tfavre@favrehouse.com)
Subject: Agenda Items for LS

Hi Miles

I wish to request addition of two items to the LS agenda for us to work on this summer with the the aim of having at least Lidocaine/Procaine being on the October NOSB.

Both of these are Sunset 17 materials. The first one is fairly simple and relates to an annotation change for the two pain killers Lidocaine and Procaine, and the second one is more complex relating to Parasiticides.

1. Lidocaine and Procaine.

These are listed separately.

Our Sunset 17 Template 2 is pretty simple and indicates we will be proposing to shorten the Withholding period. Below is the Lidocaine template, and the Procaine is the same.

Reference: §205.603(b) As topical treatment, external parasiticide or local anesthetic as applicable

(4) Lidocaine—as a local anesthetic. Use requires a withdrawal period of 90 days after administering to livestock intended for slaughter and 7 days after administering to dairy animals

Technical Report: None

Petition(s): N/A

Past NOSB Actions: [10/1995 NOSB minutes and vote](#); [11/2005 sunset recommendation](#); [10/2010 sunset recommendation](#)

Recent Regulatory Background: Sunset renewal notice published 06/06/12 ([77 FR 33290](#))

Sunset Date: 6/27/2017

Subcommittee Review

Lidocaine is a local anesthetic. It numbs ONLY the area to be worked on.

The NOSB in its initial request for public comment asked:

1. Since this material was last reviewed have alternative materials emerged?
2. What is the scientific rationale for what appears to be an excessively long withdrawal period?
3. Is there research to indicate that a shorter withdrawal period would be appropriate?

Public comment did not provide any alternatives, did not provide any scientific rationale for the lengthy withholding period and recommendations were received suggesting that a very short withholding period would be scientifically acceptable. The LS cannot make an annotation at Sunset review but will consider introducing a proposal to change the withholding period to 5 days for all livestock, slaughter and dairy.

There was widespread stakeholder support for continuing to list lidocaine.

This material meets the OFPA criteria.

I do not have a specific number of days yet which I would propose for Withholding, but I believe this annotation change should be fairly easy and meet with general support from a broad range of stakeholders.

2. Parasiticides.

Parasiticides are covered in both 205.603 and also 205.238, so changes will be more complex than for Lidocaine and Procaine above. But changes are needed, and we now have the scientific data to support our proposal. These changes will have a positive impact on Livestock production. If we can get the proposal out and get comments for October we can wait and vote next April if Comment indicates we are asking for too much.

The general language at 205.603 treats all parasiticides the same, but they are not all the same.

There are three parasiticides on the list: Ivermectin, Moxidectin and Fenbendazole.

We will most likely be voting to Remove Ivermectin from the list for many reasons

We may or may not be recommending removal of Moxidectin

We will be likely to keep Fenbendazole on the list.

Here are some of the notes from our Sunset template showing some of the issues with our present language:

1. Fenbendazole, which is considered the most environmentally benign, is annotated to require the "written order of a licensed veterinarian". Ivermectin and Moxidectin have no such requirement. That may lead producers to choose a more environmentally detrimental parasiticide

for convenience.

2. Moxidectin is annotated “for control of internal parasites only.” However, Moxidectin is widely used as a pour-on, and when used in that form for control of internal parasites it is also a *de facto* control for external parasites. Moreover the annotation “for control of internal parasites only”: was apparently written based on incorrect information on the half-life of Moxidectin in the soil.
3. §205.603(a)(18) requires a 90-day withholding period for milk or milk products from a treated animal. There seems to be wide consensus that 90 days is much too long of a withholding period, because 1) it may motivate a producer to withhold needed treatment of an animal because of the severe consequences of a 90-day withdrawal, and 2) that is considered an excessive withdrawal time for food safety. Fenbendazole and Moxidectin have no milk withdrawal time for use in conventional production.
4. Ivermectin is not allowed for use in slaughter stock under the NOP, and it is not allowed for use in dairy animals of breeding age by the FDA, leaving the only legal use of Ivermectin to be on breeder stock before the last third of gestation for progeny to be sold as organic.

The newest addition to the list, Fenbenzadole, functions quite differently from the other 2 and the research, new TR and public comment over several years indicates that the manner in which it is used should be modified in terms of a much shorter withholding time and other aspects of parasite management.

We also have public comment and research which would indicate that sheep wool could be sold as Organic after the withholding period.

I have a working draft proposal of the proposed changes for both 205.603 and 205.238, but I am not quite ready to circulate it, but if necessary I can provide you with more detail so we can move forward and get this added to our LS Agenda.

Please let us know if we can add these to the LS Agenda right away.

Thank you

Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#); [Miles McEvoy](#)
Subject: advice on doing an interview
Date: Thursday, May 16, 2013 8:35:01 AM

Hi Miles

I have an e-mail request from Mark Keating of Acres to interview me, without attributions, regards the NOSB vote on Tetracycline

He says he used to work at NOP

Could you give me a quick phone call about this please

(b) (6) (home office)

(b) (6) (mobile)

Thank you,

Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: Abu Dhabi?
Date: Sunday, December 14, 2014 7:28:56 AM

Hi Miles,
Thank you
now I wont feel guilty saying no.!
Jean

On Dec 13, 2014, at 6:07 PM, McEvoy, Miles - AMS wrote:

> Hi Jean,
> It is really far and of limited value. It would take a lot of time and effort to pull it off well. I'm not seeing how this conference would really move organics forward. I'm sure we'll be as busy next year as this one. There are many other efforts that would be more impactful than this conference.
>
> It's exciting to be invited to such a world conference but I think we have more important work to do.
>
> Miles
>
> -----Original Message-----
> From: Jean Richardson [REDACTED] (b) (6)
> Sent: Saturday, December 13, 2014 8:06 AM
> To: McEvoy, Miles - AMS
> Subject: Abu Dhabi?
>
> Hi Miles
> I am looking for your guidance.
> I talked with Raymond Chaves on Friday for quite a while. He seems pretty keen on my going to Abu Dhabi for the GFIA conference in March, to do a "TED" type talk or workshop. And I could do that, But I could tell he did not really understand my role in USDA/NOP/organics, just knew that if you recommended me that was good enough for him. Poor guy says he has been trying to get an organics USDA group to go since June!
> It is a long way to go from the US (15 hours on the plane non- stop from NY with 9 hours time difference) for a huge gathering, without a "team" of us and a specific message we want to share.
> If it is really worthwhile I think we should do some advance planning and get it on our calendars for March 2016 (same place) and do some careful preparation.
> What do you think?
> Jean
>
>
>
>
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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: RE: 5 pm ET call today
Date: Friday, August 07, 2015 2:18:16 PM

Ok - let's wait until next week then. I have you down for 12 noon eastern time on the 14th. Talk with you then.

Best, Miles

-----Original Message-----

From: Jean Richardson [REDACTED] (b) (6)
Sent: Friday, August 07, 2015 10:27 AM
To: McEvoy, Miles - AMS
Subject: Re: 5 pm ET call today

OK - I will be in Stowe meeting with the chef at the place possibly for the Board dinner and eating an early dinner there (just me). And then I will do a short hike. So you could reach me any time after 5.00 pm ET on my mobile if you need to. But no serious issues that cant wait till next week. I talk with Michelle most days!
At my desk right now doing Inspection Reports Jean

On Aug 7, 2015, at 9:53 AM, McEvoy, Miles - AMS wrote:

> Sorry. Just checking email this morning. Nice to disconnect for a few days. I have meetings this morning but could check in late afternoon for you.

>

> Miles V McEvoy

> Deputy Administrator

> USDA National Organic Program

>

>> On Aug 6, 2015, at 1:02 PM, "Jean Richardson" <[REDACTED] (b) (6)> wrote:

>>

>> Hi Miles

>> I have you on my calendar for 5 pm ET today, Thursday Please call me

>> on my cell-[REDACTED] (b) (6) Thank you jean

From: [McEvoy, Miles - AMS](#)
To: [Jay Feldman](#)
Cc: [Nick Maravell](#); [John Foster](#); [Zea Sonnabend \(zea@well.com\)](#); [Carmela Beck \(carmela.beck@driscolls.com\)](#); [Jean Richardson](#); [\(b\) \(6\)](#); [Colehour Bondera \(colemel@kanalanifarm.org\)](#); [joe.dickson@wholefoods.com](#); [Harold Austin](#); [Wendy Fulwider](#); [Barry Flamm](#); [Jennifer Taylor](#); [\(b\) \(6\)](#); [Arsenault, Michelle - AMS](#)
Subject: FW: Biodegradable Mulch
Date: Tuesday, October 16, 2012 4:26:42 PM

I don't seem to have Calvin or Tracy's email. Please forward to them. Thanks
Miles

From: Michel Saumur [mailto:Michel.Saumur@inspection.gc.ca]
Sent: Monday, October 01, 2012 2:54 PM
To: McEvoy, Miles - AMS
Cc: Courtney, Cheri - AMS; Kuhn, Meg - AMS; Valeriya Staykova
Subject: Re: Biodegradable Mulch

Hi Miles,

This is what we have gathered from the Canadian Organic Standards regarding mulches. We have also included some questions on mulches that are currently being discussed within the Standard Interpretation Committee.

Thank you, If you require more information please let know.

Michel

Table 4.3 of the PSL lists Mulches with certain origin and usage restrictions.

Organic plant residue: permitted for mulching. Where organic materials are not readily available, non-organic straw, leaves, grass clippings or hay that are not the products of genetic engineering may be used. Substances prohibited by par. 1.4.1 of CAN/CGSB-32.310, Organic Production Systems – General Principles and Management Standards, shall not have been used on these materials for at least 60 days before harvest

Sawdust, wood chips and shavings: permitted for mulching if they are from natural sources or derive from natural substances and if they are from wood, trees or logs that have not been treated with paint or substances prohibited by par. 1.4.1 of CAN/CGSB-32.310, Organic Production Systems – General Principles and Management Standards.

Newspaper mulch: glossy paper and coloured ink are prohibited.

Paper: glossy paper and coloured ink are prohibited.

Plastic mulches: non-biodegradable and semi-biodegradable materials shall not be incorporated into the soil or left in field to decompose; shall be removed at the end of the growing season. Plastic mulches in perennial crops may be left for more than one season but shall be removed before the plastic decomposes. Use of polyvinyl chloride as plastic mulch or row cover is prohibited.

Fully biodegradable films: permitted without removal if they do not contain substances prohibited by par. 1.4.1 of CAN/CGSB-32.310, Organic Production Systems – General Principles and Management Standards.

In addition there are a number of Standards Interpretation Committee Q and As that I have listed below.

Can you clarify the requirements for removal of plastic mulch films?

The annotation for plastic mulches, in table 4.3 PSL, is clearly intended to prohibit the incorporation into the soil for any material other than fully biodegradable films compliant with section 1.4.1 (32.310). Where there is any risk of contamination, plastic mulch must be removed from the soil. The distinction between annual and perennial crops is made on the premise that following an annual crop, tillage will occur in preparation for the next year, but this distinction is not essential to fulfilling the intent of the standard, which is to avoid contamination of the soil. In situations where the mulch will not be incorporated into the soil then it may be left on.

Are bioplastic mulches, made from corn, accepted as "fully biodegradable films" as the term is used in the annotation for mulches, table 4.3 of PSL?

A bioplastic mulch could be accepted as fully biodegradable provided that;

- 1) The mulch is not made using GMO plant material;
- 2) There are no substances prohibited under 1.4.1 present.

Does the listing of "fully biodegradable films" in table 4.3 PSL under mulches include films made from petroleum products? No. Mulches made using petroleum are not considered to be "fully biodegradable" and must be removed from the field and may not be incorporated into the soil.

>>> "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov> 9/29/2012 7:48 am >>>

Does the Canadian organic standards allow the use of biodegradable plastic mulch? The NOSB will be discussing this material in a few weeks and I want to make sure we understand the Canadian perspective on the allowance of these materials. Thanks.

Miles V McEvoy
Deputy Administrator
National Organic Program
202-720-3252

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From: [McEvoy, Miles - AMS](#)
To: "[Jean Richardson](#)"
Subject: RE: Biodegradable Biobased Mulch
Date: Thursday, January 22, 2015 10:06:16 AM

yes

From: Jean Richardson [mailto: (b) (6)]
Sent: Thursday, January 22, 2015 7:54 AM
To: McEvoy, Miles - AMS
Subject: Fwd: Biodegradable Biobased Mulch

Hi Miles
Can you give me a verbal update tomorrow?
I also have some questions on the Animal welfare standard - folks calling me
Thanks
Jean

Begin forwarded message:

From: Nicole Dehne <nicole@nofavt.org>
Date: January 21, 2015 10:51:01 PM EST
To: Jean Richardson <(b) (6)>
Subject: Biodegradable Biobased Mulch

Have you heard the rumors about the problem with the final rule and the assessment of whether a product is biobased?

Apparently the test quoted in the rule is not a test to determine whether something is biobased but instead is a test to determine how much of the product is biobased.

And the rule does not establish a threshold so reviewers have no guidance about how much biobased content a material has to have to be allowed.

Apparently the NOP is going to provide clarification by the end of the month. The problem is that the rumor is that they are going to require more than 50% biobased content. However no current product can meet that standard. Current products are in the 9-25% biobased content.

Thoughts?

-Nic

Sent from my iPhone

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From: [McEvoy, Miles - AMS](#)
To: ["Jean Richardson"](#)
Subject: RE: Bio mulch
Date: Wednesday, April 22, 2015 9:26:39 AM

sure

-----Original Message-----

From: Jean Richardson [[mailto:](#) (b) (6)]
Sent: Tuesday, April 21, 2015 2:28 PM
To: McEvoy, Miles - AMS
Subject: Bio mulch

Hi Miles

FYI

Crops subcommittee hopes you will make brief comment on Biomulch in you comments next week Jean

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Re: BIO and photo
Date: Monday, May 12, 2014 1:43:13 PM

Nice

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

On May 12, 2014, at 9:56 AM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:

How about

Miles says; " Dr Richardson brings an unusually broad range of expertise and experience to the NOSB...." or some such
Jean says "I feel privileged to have been elected by such a diverse group of incredibly hard working professional people. We all believe passionately in the integrity of the organic label and yet we have different ideas on how to adapt to the changing face of organic agriculture, processing and handling as the industry expands and the NOP faces changing demands on its resources. My leadership style is to build consensus whenever possible and work collaboratively with all stakeholder groups and with the NOP in order to ensure sustainable organic systems".

On May 12, 2014, at 8:09 AM, McEvoy, Miles - AMS wrote:

Thanks – great photo!
Did you want to include a statement about the NOSB – your goals as the incoming chair?

Miles

From: Jean Richardson [[mailto:\[\\(b\\) \\(6\\)\]\(#\)](#)]
Sent: Saturday, May 10, 2014 11:05 AM
To: McEvoy, Miles - AMS
Subject: BIO and photo

Hi Miles
The Bio on the NOP website is fine - see below
and here is a recent photo
Hope the photo has enough pixels
Cheers
Jean

<image001.jpg>

<image003.gif>

NOSB Members: Jean Richardson

<image002.gif>

Jean Richardson

Consultant and Maple Syrup Producer | North Ferrisburgh, VT

Consumer/Public Interest | January, 2012 – January, 2017

Jean is Professor Emerita, University of Vermont, where she taught Environmental Studies and Environmental Law. She currently works with her family to produce certified organic maple syrup, and is an independent inspector of organic farms and processors, as well as providing consultation on rural land use planning and serving as a Justice of the Peace.

Dr. Richardson's research included work on the impact of long distance transportation of air pollution on dioxin uptake in dairy feeds and milk, and a major rural development project, Environmental Partnerships in Communities (EPIC) which included considerable research on pasture management. The ten year EPIC project which Jean directed also provided extensive technical assistance to farmers on pasture management and on sustainable livestock systems, encouraging new farmer-run organizations which continue today. Lessons learned can be found in her book "Partnerships in Communities, reweaving the fabric of rural America", Island Press, 2000. She also taught as an Adjunct Professor at the Vermont Law School, Environmental Law Center, and in the 1970's and 80's she and her first husband ran an electric fence franchise, and sheep farm.

Jean has extensive state, national and international experience over several decades, including: Environmental planning and policy in the Lake Baikal region of Russia; A founding Director of the Institute for Sustainable Communities, providing former Soviet Bloc countries with templates for environmental policy and law;

<image004.gif> [Be an Organic Insider!](#)

<image005.gif>

<image006.gif>

<image004.gif> [NOP Homepage](#)

<image004.gif> [Consumer Information](#)

<image004.gif> [National Organic Standards Board](#)

<image004.gif> [Organic Standards](#)

<image004.gif> [Organic Certification & Accreditation](#)

<image004.gif> [Compliance & Enforcement](#)

<image005.gif>

<image007.gif>

<image004.gif> [Conference Call Summaries](#)

<image004.gif> [Charter \(PDF\)](#)

<image004.gif> [Task Forces](#)

<image004.gif> [Archive](#)

<image005.gif>

<image008.gif>

<image004.gif> [About the National List](#)

<image004.gif> [Current National List \(eCFR\)](#)

<image004.gif> [How to File a Petition](#)

<image004.gif> [Petitioned Substances List](#)

<image005.gif>

Founding Director of the New England Environmental Policy Center which now provides Agricultural Mediation; Appointed by President Clinton to the Joint Public Advisory Committee in the Commission on Environmental Cooperation (CEC) in NAFTA where she took a leadership role in developing the language and policy for Citizen Submissions; Facilitated establishment of the Forest Stewardship Council (FSC) in North America, and negotiated the certification standards for the New England forests; Appointed by Governor Dean of Vermont to the State Environmental Appeals Board and by Governor Shumlin to the District Environmental Commission on which she currently serves; Provided expert testimony to the State Legislature on numerous occasions, including the definition of soils which provides language facilitating soil protection and conservation when tracts of land are being developed.

Education: B.S University of Newcastle-upon-Tyne, England, Geography, Dissertation on agriculture in the Somerset Lowlands; M.S. and Ph.D. in Biogeography, University of Wisconsin, Madison, Dissertation on the Domestication of Pecans; Post- Doctoral Law Clerkship, State of Vermont.

Jean lives in an old house on a trout stream surrounded by sugar maple trees, a small orchard, berries, vegetable gardens, perennial beds, and thousands of daffodils in spring.

Last Modified
Date: 07/24/2013

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: check in
Date: Thursday, July 16, 2015 9:13:28 AM

8 am OK tomorrow

October 13 and 20 OK with me although it reduces ability of subcommittees to discuss materials pre meeting.
There is still opposition to any webinars - I'll explain tomorrow

Glad you are getting trained!

Cheers

jean

On Jul 16, 2015, at 8:46 AM, McEvoy, Miles - AMS wrote:

- > Can we chat at 8 tomorrow rather than 8:30?
- > Also - we need to push the public comment webinars into October. I'll explain tomorrow but we are looking at Oct. 13 and 20 as the two webinar dates.
- > I'm in training today and tomorrow so I apologize in advance if I'm slow at responding.
- >
- > Best,
- >
- > Miles V McEvoy
- > Deputy Administrator
- > USDA National Organic Program

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: check in
Date: Thursday, July 16, 2015 9:13:29 AM

I am out of the office. Please contact Joan Avila at 202-720-3252, joan.avila@ams.usda.gov if you need immediate assistance.

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#) (b) (6)
Subject: charter amendment
Date: Wednesday, September 24, 2014 5:19:43 PM

The amendment to the NOSB charter is being announced tomorrow. It changes the termination clause to state that the committee charter terminates rather than the committee terminates. Look forward to seeing you tomorrow evening.
Miles

Miles McEvoy
Deputy Administrator
National Organic Program

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From: [Jean Richardson](#)
To: [Arsenault, Michelle - AMS](#); [Tracy Favre](#); [Zea Sonnabend](#); [Carmela Beck](#); [Calvin Walker](#)
Cc: [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#)
Subject: Changes in Subcommittees
Date: Saturday, June 27, 2015 5:03:50 PM

Hi Michelle, Tracy, Zea, Carmela, Emily and Calvin

(b) (6), please
remove Nick and Paula from all subcommittees as follows:

Nick: CACS and Materials. Nick is not available for SC calls and will not be attending the September Webinar for Public Comments, but he will be attending the October meeting in Vermont.

Paula: Crops, Livestock, Inerts. Paula will most likely not be at the October meeting, and not be available for any SC calls.

Zea and Tracy, please reassign all Paula's Sunset and any other materials.

If you would like to discuss this with me just give me a call:

(b) (6) - land line, (b) (6) -mobile/Text

Thank you for all your hard work.

(b) (6)

Cheers

Jean

From: [Jean Richardson](#)
To: [John Foster](#); [Stone Mac](#); [McEvoy, Miles - AMS](#)
Cc: [Arsenault, Michelle - AMS](#)
Subject: Chairs opening comments
Date: Tuesday, October 21, 2014 1:59:32 PM

Hi guys

I am planning on using the Introductions section on Tuesday morning agenda as just that, Introductions of members. (especially as we assume a protest).

I would like to make my Chair's very brief Opening Comments before we start the real NOSB part of the week at 10.50 am after Lisa and before first public comments start. This will be my invocation for civility and working together for the good of the whole etc.

Thank you

Jean

From: [Jean Richardson](#)
To: [Jones, Samuel - AMS](#)
Cc: [Gregg Stevens; McEvoy, Miles - AMS](#)
Subject: Fwd: Certified Organic on VMX
Date: Sunday, August 03, 2014 9:14:05 AM

Hi Sam
The "kitchen table talk" about organics is getting some good coverage. Thought you might enjoy the below e-mail string.
Best Regards,
Jean

Begin forwarded message:

From: Gregg Stevens <gregg@nofavt.org>
Date: July 29, 2014 9:38:01 AM EDT
To: Barbara Richardson <info@nofavt.org>, Caitlin Gildrien <caitlin@nofavt.org>, Enid Wonnacott <enid@nofavt.org>
Cc: "Dave Rogers (uvm)" <(b) (6)>, Jean Richardson <(b) (6)>
Subject: FW: Certified Organic on VMX

FYI – We're racking up the numbers and reaching all the way to North Dakota!

Gregg Stevens
Vermont Organic Farmers
Certification Specialist (Vegetable Fruit Maple and Diversified Operations)
(b) (6)

From: Jim.Hering [mailto:jim.hering@comcast.net]
Sent: Tuesday, July 29, 2014 9:28 AM
To: Gregg Stevens
Cc: mmc-tv
Subject: Re: Certified Organic on VMX

Hey Gregg, Congratulations! - Policy Update: Certified Organic has 15 affiliate downloads on the Vermont Media Exchange and TelvueConnect Media Exchange (National). Along with Organic Matters, that makes it our most-downloaded program (for MMCTV), and is a big number compared to most programs available on the Exchange.

Thanks for all your work on the production, and please pass along our congratulations and thanks also to Dave Rodgers and Dr. Richardson.

Here is the affiliate list as of today:

PolicyUpdateCertifiedOrganic	"What Does Certified Organic Mean?" NOFA-VT policy advisor Dave Rogers discusses what it means for a product to be "certified organic" with Dr. Jean Richardson, National Organic Standards Board Chair.	15 BCTV, RETN, NEAT, LPCTV, ORCA Media, Hudson Community Television, BEK Communications Cooperative, CLAREMONT COMMUNITY TELEVISION INC, GNAT-TV, CATV, Kingdom Access TV "KATV", GMATV, CVTV, NEK-TV, Hardwick TV
--	---	---

Also, you had mentioned you might want to get in touch with the out-of-state affiliates to gauge their interest, let them know about NOFA and your program offerings, and perhaps ask them to spread the word on their respective local networks

these are the profile listings for the out-of-state affiliates that took it :

Hudson Community Television

Full PEG station and Access Center with a new state of the art facility

19 Kimball Hill Rd
Hudson, NEW HAMPSHIRE 03051
<http://www.hudsonctv.com>
jmcintosh@hudsonctv.com

BEK Communications Cooperative

Service provider

200 East Broadway
Steele, ND 58482
<http://www.bektel.com>
ioshh@bektel.coop

CLAREMONT COMMUNITY TELEVISION INC

Claremont Community Television Inc (CCTV) operates PEG access channels 8 and 10 on Claremont Comcast cable. CCTV is a 501(c)3 non-profit founded in 1999.

111 SOUTH STREET
CLAREMONT, NH 03766
<http://claremontv.org>

(b) (6)

These last two are from Organic Matters, which also pulled a 15:

Littleton Area Television

Governmental - Educational Towns served: Littleton, Lisbon, Bethlehem, Carroll, Monroe, Franconia

159 Oak Hill Ave
Littleton, NH 03561
<http://latvchannel2.com>
latvchannel2@roadrunner.com

Brookdale Television

Welcome to Brookdale Television

Brookdale Television (BTV) is a non-profit Educational Access Channel operating on the campus of Brookdale Community College, Lincroft, NJ. BTV can be viewed on Comcast channel 21 and Verizon FIOS channel 46 throughout central New Jersey, 24 hours a day 7 days a week. BTV's mission is to present quality educational programs, that informs and inspires its viewing audience.

BTV is your local station for diverse local programming and so much more. During our program breaks learn about the happenings at Brookdale Community College. On "Brookdale Newsmakers", take just five minutes to learn about news and events on Brookdale's campus and in the Monmouth County community. Brookdale students interview Brookdale administrators and faculty about up-coming events or new additions to the Brookdale academic line-up. Throughout our broadcast day you can listen to personal and compelling testimonies from students, alumni and faculty reflecting on why they made Brookdale Community College their first choice.

765 Newman Springs Road
Lincroft, NJ 07738
<http://www.brookdalecc.edu/community/brookdale-television/>
iconcar@brookdalecc.edu

Jim Hering
Channel Manager
MMCTV-15
Richmond, Jericho and
Underhill, VT

(b) (6)
(b) (6)

From: gregg@nofavt.org
To: "mmc-tv" (b) (6)
Cc: "jim hering" (b) (6)
Sent: Monday, July 28, 2014 1:59:48 PM
Subject: RE: New Vermont Farmers Market video on VMX

Thanks!

We've got our "Google analytics" monitoring the farmers market directory website – we'll see if it has an effect!

Any updates on the # of out-of-state downloads for the Organic Certification Policy Update?

Gregg Stevens
Vermont Organic Farmers
Certification Specialist (Vegetable Fruit Maple and Diversified Operations)

(b) (6)

From: (b) (6)
Sent: Monday, July 28, 2014 1:57 PM
To: Gregg Stevens
Subject: Re: New Vermont Farmers Market video on VMX

It's a really great video, Gregg, we are very proud.

From: "Stevens, Gregg" <gregg@nofavt.org>
To: "Stevens, Gregg" <gregg@nofavt.org>
Sent: Monday, July 28, 2014 1:55:58 PM
Subject: New Vermont Farmers Market video on VMX

Hello!

A new short video (2:45) from the Vermont Farmers' Market Association shows how to find and use an online farmers' market directory that allows shoppers to search over 70 Vermont farmers' markets by season, county, day of the week, and whether they accept debit or EBT cards. The various benefits of shopping at farmers markets, such as the diversity of goods available and the benefits to the local economy are also discussed.

This video has no "kill date" and is relevant year round as there are farmers markets throughout Vermont in all seasons.

Look for:

"FindYourVTFarmersMarket.mpg"

Thanks!

Gregg Stevens
Vermont Organic Farmers
Certification Specialist (Vegetable Fruit Maple and Diversified Operations)

(b) (6)

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: Certified Organic on VMX
Date: Sunday, August 03, 2014 9:14:06 AM

I am on leave through August 8. Please contact Desiree Lee at 202-720-3252, desiree.lee@ams.usda.gov if you need immediate assistance.

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From: [Jean Richardson](#)
To: [Tracy Favre](#); [Tom Chapman](#); [Colehour Bondera](#); [Mac Stone \(mac@elmwoodstockfarm.com\)](#); [Nick Maravell](#); [Jennifer Taylor](#); [Francis Thicke](#); [Carmela Beck](#); [Lisa de Lima](#); [Paula Daniels](#); [Ashely Swaffar](#); [Calvin Walker](#); [Zea Sonnabend](#)
Cc: [Arsenault, Michelle - AMS](#); [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#)
Subject: Candi Austin address
Date: Monday, May 04, 2015 12:37:06 PM

(b) (6)

A large black rectangular redaction box covers the majority of the page content below the header. The text "(b) (6)" is visible at the top left of this redacted area.

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: call this am?
Date: Monday, March 02, 2015 8:13:57 AM

Hi Miles

I had us down for a call at 8 am this morning?

I am around if you want to call.

(b) (6)

Jean

From: [Jean Richardson](#)
To: [Tucker, Jennifer - AMS](#)
Cc: [John Foster \(JFoster@ebfarm.com\)](#); [Mac Stone](#); [McEvoy, Miles - AMS](#); [Bailey, Melissa - AMS](#)
Subject: Re: Call Next Week?
Date: Thursday, January 23, 2014 9:20:16 AM

Hi Jenny

I can take a conference call on Tuesday Jan 28 any time between 10.30 and noon.
Thursday I am doing an all day processing inspection and am not available at all..
20 below here again!

Jean

On Jan 22, 2014, at 6:23 PM, Tucker, Jennifer - AMS wrote:

Hi Mac and John and Jean – We were hoping to have a call with you three next week to talk about the NOSB training – Mac and John and Chair and Vice Chair, and Jean as PDS Chair. Is there any way to make sometime next Tues between 1030-Noon, or Thurs 1030-1230 work?
Hope you are all well -
Jenny

Jennifer Tucker, Ph.D.
Associate Deputy Administrator
USDA National Organic Program
1400 Independence Ave SW; Room 2642 (Stop 0268)
Washington, DC 20250-0268
Phone: (202) 720-3252
Jennifer.Tucker@ams.usda.gov

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: Call Monday
Date: Friday, February 20, 2015 8:13:18 AM

yes Monday at 8 works for me.

On Feb 20, 2015, at 6:58 AM, McEvoy, Miles - AMS wrote:

> I'm on a plane this morning to the aquaculture conference. Can we talk Monday morning at 8?

>

> Miles V McEvoy

> Deputy Administrator

> USDA National Organic Program

>

>

>

>

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From: [McEvoy, Miles - AMS](#)
To: ["Jean Richardson"](#)
Subject: RE: Call at 8.30?
Date: Friday, June 26, 2015 7:56:21 AM

Yes, talk with you at 8:30.
Miles

-----Original Message-----

From: Jean Richardson [[mailto: \(b\) \(6\)](#)]
Sent: Friday, June 26, 2015 6:15 AM
To: McEvoy, Miles - AMS
Subject: Call at 8.30?

Hi Miles

can you call me on my cell phone this morning? [\(b\) \(6\)](#) I will be at the University to give a talk to a group from Ukraine interested in NOP Organic Certification.

NOC -Abby Youngblood- called me last night at 9 pm! all wound up over the webinars for early public comment. Wants a conference call between you me and Anne Alonzo and her and Steve Etko about it! We talked for a long while last night.

and we should chat about a couple of other items Thank you jean

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: call
Date: Friday, July 11, 2014 8:20:44 AM

I'm not able to call you this morning. Talk to you this afternoon.

Best,

Miles McEvoy
Deputy Administrator
National Organic Program

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#); [Carmela Beck](#); [John Foster](#)
Cc: [Arsenault, Michelle - AMS](#)
Subject: CACS-Peer review
Date: Tuesday, December 16, 2014 10:34:32 AM

Hi Miles

Has the peer review document been added officially to the CACS Work Agenda list? I do not see it there.
Will this be voted on?

Thanks Jean

From: [Jean Richardson](#)
To: [Lisa deLima](#)
Cc: [Carmela Beck](#); [Nick Maravell](#); [Mac Stone](#); [Jennifer Taylor](#); [Tom Chapman](#); [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#); [Arsenault, Michelle - AMS](#); [Tracy Favre](#); [Francis Thicke](#)
Subject: Re: CACS Soils Document
Date: Wednesday, July 22, 2015 1:02:18 PM

Hi Lisa

I was talking with Tracy about this yesterday, and she agreed that she had really wanted to provide input to this soils work based on her considerable experience with soils and other monitoring programs while at Holistic Resource Management, and Francis, who has a strong soils background, really wants to give input. Sunset has dominated our work in recent months, so if we just accumulate what we have to date, as you and Carmela stated, and you give a simple report for the Fall meeting, that would save us time at the meeting and by Fall both Francis and Tracy will have time to provide input.

Does that seem to make sense?

Thank you Jean

On Jul 22, 2015, at 12:51 PM, Lisa deLima wrote:

> Hi,

>

> I'm open to going in either direction. After the last call, Carmela and I spoke about me updating the document before our meeting on 8/11 to reflect some of the main points that Lindsay raised on the call:

>

> 1) Finding a more appropriate tool to recommend in place of our recommendation of Section Two of Cap 138

> 2) Recommend compliance with Tolerable levels instead of HELC, so that we don't have two groups within USDA using different standards.

>

> Our misunderstanding of HELC vs Tolerable levels was definitely an opener to the fact that if we are going to recommend specific tools and levels, we want to be working very closely with NRCS. Also, if we decide to pursue a more technical and detailed document I would definitely like additional help from the subcommittee as this topic overall is not my realm of expertise :-)

>

> I'm on vacation starting tomorrow and will be back in the office on 8/3. I look forward to hearing other members' thoughts on this and regardless I will update the document when I return and get it out before our next meeting.

>

> Thanks,

> Lisa

>

>

>> On Jul 19, 2015, at 11:16 AM, Jean Richardson <[\(b\) \(6\)](#)> wrote:

>>

>> Hi CACS

>> Listening to the conversation on the call last week with the NRCS staff person I realized that I am still not sure we are asking the right questions or that we have enough public comment to put out a Proposal on Soils for this meeting.

>> We need a detailed document which would provide enough information and public comment from a wide range of stakeholders to allow the NOP to write useful Guidance.

>>

>> As Lisa and Carmela have stated the public comment we received was "all over the place".

>> Most of us have been too busy with Sunset to spend time on this really important topic and others on the subcommittee have not been able to provide any input, given their busy lives.

>>

>> I have no question that Certifiers need some NOP Guidance on how to assess soils, and erosion, especially in some areas of the country with high risk soils. It is also clear from the limited public comment we have received that there is not a consistent approach to soils or soil erosion potential amongst certifiers.

>>

>> What is the implied or actual definition of Soil Erosion which NOP uses?

>>

>> On the NRCS side there is a desire not to have any "uncovered soil", which provides interesting challenges for crop producers!! NRCS has some excellent programs which producers could use to offset costs to manage and prevent soil erosion, control water flow or runoff, control livestock access to water, control erosion on livestock lanes between pastures, prevent or reduce erosion and environmental degradation etc. On the other hand we also know that the manner in which NRCS is interpreted and implemented varies between states and regions. Yet building a partnership with NRCS seems like a good idea.

>>

>> So I wonder if we should just do a "Report" at this Fall meeting. Say what we have been doing, and say that we may come back at the Spring meeting with a Proposal.

>>

>> Just a thought - What do you think?

>> Cheers

>> Jean

>>

>>

>>

>>

>

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#); [Carmela Beck](#); [John Foster](#)
Cc: [Arsenault, Michelle - AMS](#)
Subject: CACS Peer Review
Date: Tuesday, December 16, 2014 10:38:25 AM

Sorry, found it on the NOP website recent posting. Peer Review is listed. Jean

From: [Jean Richardson](#)
To: [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#)
Subject: Board Dinner Wednesday?
Date: Friday, April 10, 2015 1:54:14 PM

Harolds suggestion to let Monday go late with comments and move dinner till Wednesday if at all possible makes sense

Sorry to give you additional work Michelle.

.

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Biodiversity guidance
Date: Thursday, March 26, 2015 3:20:23 PM

Hi Miles

I am at IOIA and we had an excellent presentation on the need for songbird protection, with all the connected impacts on the associated food chain

Many noted that the proposed Rule does not reference birds. But time for response is over.

I am asked to ask that you add some songbird language - which of course links nicely with our work with NRCS and all their programs, like WHIP

Cheers

Jean

From: [Jean Richardson](#)
To: [Zea Sonnabend](#); [Tucker, Jennifer - AMS](#); [McEvoy, Miles - AMS](#)
Subject: Biodegradeable mulch
Date: Tuesday, January 14, 2014 10:44:52 AM

Hi folks

just another reminder that farmers are *STILL* waiting for the biodegradable mulch.

Below is a recent excerpt from a winter newsletter circulated via Verne Grubinger, University Extension. The comments cover all of New England and New York, from Maine to Rhode Island. Many farmers send in short reports. Here is one:

Jean

(Huntington) Winter wholesale and retail markets have been steady or up slightly; the problem is we're running out of produce. After a few nights in the -17F range, kale in high tunnel (double poly w/inflation, no row cover, gable vent open except on very cold nights) still looks great, though most the harvestable leaves have been picked at this point. Winter squash stored better than expected, though not as well as in an ideal season. Overall I'm pleased with how well things have kept, given the disease pressure that was out in the fields this summer. We are expanding our climate-controlled storage capacity this winter to help alleviate the fall space crunch and improve packing house work flow. I'm a little disappointed that organic producers are going to have to go through yet another season without biodegradable plastic mulch; as much as I like having a dumpster, filling it up weekly with plastic mulch during August and September is a chore I would love to do without.

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#)
Subject: Fwd: Biodegradable mulch film
Date: Friday, October 10, 2014 12:06:40 PM

Hi Miles and Emily

Just an FYI on getting getting specificity of which biodegradable mulch will work.

Thanks Jean

Gregg Stevens

Vermont Organic Farmers

Certification Specialist (Vegetable, Fruit, Maple, and Diversified Operations)

(b) (6)

From: Lindsay Fernandez-Salvador [mailto:lindsayfs@omri.org]
Sent: Friday, October 10, 2014 11:48 AM
To: Gregg Stevens
Subject: RE: Biodegradable mulch film

Hi Gregg,

We aren't working on one but we are in conversations with the main supplier of them to start reviewing them soon. Just a heads up – these are going to be difficult to review without some more clarification from the NOP.

Lindsay Fernandez-Salvador

Technical Director

Organic Materials Review Institute (OMRI)

P.O. Box 11558 • Eugene OR • 97440-3758

Office 541.343.7600 x117 • Fax 541.343.8971

lindsayfs@omri.org • www.omri.org

OMRI now reviews products to the Canadian Organic Standards. Learn more at www.omri.org/omri-canada.

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From: Gregg Stevens [mailto:gregg@nofavt.org]
Sent: Friday, October 10, 2014 8:10 AM
To: Lindsay Fernandez-Salvador
Subject: Biodegradable mulch film

Hello!

I assume you have gotten a lot of questions about this, but I'm wondering if OMRI is in the process of reviewing any biodegradable biobased mulch films...I'd like to be able to tell our growers if you are working on at least one so I don't need to initiate one...

Thanks!

Gregg Stevens

Vermont Organic Farmers

Certification Specialist (Vegetable, Fruit, Maple, and Diversified Operations)

(b) (6)

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: Biodegradable mulch film
Date: Friday, October 10, 2014 12:06:41 PM

I am out of the office. Please contact Desiree Lee at 202-720-3252, desiree.lee@ams.usda.gov if you need immediate assistance.

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From: [McEvoy, Miles - AMS](#)
To: (b) (6)
Cc: [Rakola, Betsy - OSEC](#); [Lewis, Paul I - AMS](#); [Jean Richardson](#)
Subject: Re: Conference call
Date: Thursday, July 02, 2015 6:15:41 AM

No trouble at all and Happy 4th to you as well!

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

On Jul 2, 2015, at 6:14 AM, "NODPA" <(b) (6)> wrote:

I'll let you know
Happy Independence Day from those troublesome Brits! ☺

From: McEvoy, Miles - AMS [<mailto:Miles.McEvoy@ams.usda.gov>]
Sent: Thursday, July 2, 2015 6:13 AM
To: (b) (6)
Cc: Rakola, Betsy - OSEC; Lewis, Paul I - AMS; Jean Richardson
Subject: Re: Conference call

July 10

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

On Jul 2, 2015, at 6:11 AM, "NODPA" <(b) (6)> wrote:

Hi Miles
Is that tomorrow 7/3/15 or 7/10/15?
Ed

From: McEvoy, Miles - AMS [<mailto:Miles.McEvoy@ams.usda.gov>]
Sent: Wednesday, July 1, 2015 7:37 PM
To: (b) (6)
Cc: Rakola, Betsy - OSEC; Lewis, Paul I - AMS; Jean Richardson
Subject: Conference call

Hi Ed,

Could we set up a conference call to discuss a few items? I'd like to discuss ideas for public comments at the fall NOSB meeting, ionizing radiation, and introduce NOP's new Standards Director, Dr. Paul Lewis. I'm available next Friday afternoon at 3 pm Eastern time. Is there any other NODPA folks you'd like to invite?

Miles McEvoy
Deputy Administrator
National Organic Program

From: [McEvoy, Miles - AMS](#)
To: (b) (6)
Cc: [Rakola, Betsy - OSEC](#); [Lewis, Paul I - AMS](#); "Jean Richardson"
Subject: RE: Conference call
Date: Wednesday, July 08, 2015 8:27:08 AM

(b) (6)
[Redacted]

Talk with you on Friday.

Best,
Miles

From: NODPA [mailto:(b) (6)]
Sent: Sunday, July 05, 2015 8:47 AM
To: McEvoy, Miles - AMS
Cc: Rakola, Betsy - OSEC; Lewis, Paul I - AMS; 'Jean Richardson'
Subject: RE: Conference call

Thanks for the invitation Miles and there are a few of the Board members from NODPA that may be able to join the call depending on the weather, been a very mixed summer harvesting year. Please send me details of the call in number and I can forward to those able to make the call
Ed

Ed Maltby
NODPA Executive Director
30 Keets Road
Deerfield, MA 01342

Cell: (b) (6)
Home phone: (b) (6)
Fax: 866-554-9483

Petition against Organic Check-off: <https://nofa.wufoo.com/forms/online-petition-organic-checkoff-program/>

The other side to the organic check-off: www.noorganiccheckoff.com

Website: www.nodpa.com or www.organicmilk.org

Please support NODPA's efforts! <http://www.nodpa.com/donate.shtml>

Find us on Facebook! www.facebook.com/pages/Organic-Dairy-Farmers/237021992104?ref=hl#

From: McEvoy, Miles - AMS [<mailto:Miles.McEvoy@ams.usda.gov>]
Sent: Wednesday, July 01, 2015 7:37 PM
To: (b) (6)
Cc: Rakola, Betsy - OSEC; Lewis, Paul I - AMS; Jean Richardson
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Miles McEvoy
Deputy Administrator
National Organic Program

From: [McEvoy, Miles - AMS](#)
To: (b) (6)
Cc: [Rakola, Betsy - OSEC](#); [Lewis, Paul I - AMS](#); "[Jean Richardson](#)"
Subject: RE: Conference call
Date: Sunday, July 12, 2015 6:16:15 PM

Thanks Ed and thanks for all you do.

Organic milk, cheese, and milk powder could be imported if it meets the terms of the arrangement – Swiss organic producers would have to use no antibiotics in their production system to be eligible for their milk and milk products to be traded under the arrangement. The Swiss certifier would have to verify that no antibiotics were used by any of the organic producers in the pool. My understanding is there are no current producers or organic milk pools that comply with that requirement but there are Swiss organic cheese producers that may stop using antibiotics so they can participate in trade with the U.S.

Miles

Miles V McEvoy
Deputy Administrator
Agricultural Marketing Service
National Organic Program

From: NODPA [mailto:(b) (6)]
Sent: Saturday, July 11, 2015 11:01 AM
To: McEvoy, Miles - AMS
Cc: Rakola, Betsy - OSEC; Lewis, Paul I - AMS; 'Jean Richardson'
Subject: RE: Conference call

Thank you all for the opportunity to talk over the phone and for all your efforts to protect the integrity of the Organic label in the marketplace.
One question on the trade deal with Switzerland, you said that no dairy products could be imported as they use antibiotics. The OTA press release said the following:
*However, the fact that Switzerland is not a part of the U.S.-EU equivalency agreement since it is not a member of the EU, has been a bottleneck in organic trade between the U.S, the EU and Switzerland. Swiss organic food makers often source organic ingredients from the EU, which are then processed and sent to the United States, and food processors in the EU and the U.S. frequently use Swiss organic ingredients, such as organic chocolate, **organic milk powder**, or organic dried mustard. The new arrangement will facilitate those transactions and open new opportunities for organic farmers and processors on both sides of the Atlantic.*

Is this correct as milk powder is originally milk
Thanks for any clarification
Ed

Ed Maltby

NODPA Executive Director
30 Keets Road
Deerfield, MA 01342

Cell: (b) (6)
Home phone: (b) (6)
Fax: 866-554-9483

Petition against Organic Check-off: <https://nofa.wufoo.com/forms/online-petition-organic-checkoff-program/>

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Website: www.nodpa.com or www.organicmilk.org

Please support NODPA's efforts! <http://www.nodpa.com/donate.shtml>

Find us on Facebook! www.facebook.com/pages/Organic-Dairy-Farmers/237021992104?ref=hl#

From: McEvoy, Miles - AMS [<mailto:Miles.McEvoy@ams.usda.gov>]
Sent: Wednesday, July 08, 2015 8:27 AM
To: (b) (6)
Cc: Rakola, Betsy - OSEC; Lewis, Paul I - AMS; 'Jean Richardson'
Subject: RE: Conference call

(b) (6)
(b) (6)

Talk with you on Friday.

Best,
Miles

From: NODPA [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Sunday, July 05, 2015 8:47 AM
To: McEvoy, Miles - AMS
Cc: Rakola, Betsy - OSEC; Lewis, Paul I - AMS; 'Jean Richardson'
Subject: RE: Conference call

Thanks for the invitation Miles and there are a few of the Board members from NODPA that may be able to join the call depending on the weather, been a very mixed summer harvesting year. Please send me details of the call in number and I can forward to those able to make the call
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Ed Maltby
NODPA Executive Director
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Petition against Organic Check-off: <https://nofa.wufoo.com/forms/online-petition-organic-checkoff-program/>

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Find us on Facebook! www.facebook.com/pages/Organic-Dairy-Farmers/237021992104?ref=hl#

From: McEvoy, Miles - AMS [<mailto:Miles.McEvoy@ams.usda.gov>]

Sent: Wednesday, July 01, 2015 7:37 PM

To: (b) (6)

Cc: Rakola, Betsy - OSEC; Lewis, Paul I - AMS; Jean Richardson

Subject: Conference call

Hi Ed,

Could we set up a conference call to discuss a few items? I'd like to discuss ideas for public comments at the fall NOSB meeting, ionizing radiation, and introduce NOP's new Standards Director, Dr. Paul Lewis. I'm available next Friday afternoon at 3 pm Eastern time. Is there any other NODPA folks you'd like to invite?

Miles McEvoy

Deputy Administrator

National Organic Program

From: [Jean Richardson](#)
To: [Brines, Lisa - AMS](#); [McEvoy, Miles - AMS](#)
Subject: decisive votes
Date: Sunday, October 26, 2014 5:35:58 PM

Hi Lisa and Miles

OFPA requires 2/3rds "for any motion" (OFPA Section 2119 or 6518 USC)

Roberts Rules of course varies

We do a combination?

Should we rule ALL at 2/3?

General practice appears to be a mix

Let me know ASAP

Thank you

Jean

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: DC next week
Date: Thursday, May 15, 2014 7:27:37 PM

I am out of the office. Please contact Joan Avila at 202-720-3252, joan.avila@ams.usda.gov if you need immediate assistance.

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Re: DC next week
Date: Friday, May 16, 2014 6:58:02 AM

There may be an OFRF dinner on Tuesday as well - I'll see what I can find out.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

> On May 15, 2014, at 8:23 PM, "Jean Richardson" <(b) (6)> wrote:

>

> OK, just booked my plane. Arriving DC at 7pm on Tuesday May 20 - Staying at Phoenix Park hotel (I think that is where Gwendolyn booked me in). At OTA meeting Wednesday, including evening reception, on Capital Hill Thursday, meeting with Leahy, Sanders and Welch! (Think that is what is scheduled. I will verify it all tomorrow)

> Can we do light dinner at 7.30 pm Tuesday? If it would be helpful to meet with Anne let's do it if she can.

>

>

>> On May 15, 2014, at 7:33 PM, McEvoy, Miles - AMS wrote:

>>

>> Cool. Let's try to have dinner. Should I set something up with Anne?

>>

>> Miles V McEvoy

>> Deputy Administrator

>> USDA National Organic Program

>>

>>> On May 15, 2014, at 7:27 PM, "Jean Richardson" <(b) (6)> wrote:

>>>

>>> Hi Miles

>>> OTA invited me to come to DC for their policy days, Wednesday and Thursday. Just booking hotel and planes now

>>> Jean

>>

>>

>>

>>

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>>

>

>

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: DC next week
Date: Friday, May 16, 2014 9:33:27 AM

Whatever you think most useful
Jean

On May 16, 2014, at 6:57 AM, McEvoy, Miles - AMS wrote:

> Yes, that should work. Somewhere near your hotel. I'll find a place. Others? Mark Lipson?

>

> Miles V McEvoy

> Deputy Administrator

> USDA National Organic Program

>

>> On May 15, 2014, at 8:23 PM, "Jean Richardson" <[REDACTED] (b) (6) [REDACTED]> wrote:

>>

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>>> Cool. Let's try to have dinner. Should I set something up with Anne?

>>>

>>> Miles V McEvoy

>>> Deputy Administrator

>>> USDA National Organic Program

>>>

>>>> On May 15, 2014, at 7:27 PM, "Jean Richardson" <[REDACTED] (b) (6) [REDACTED]> wrote:

>>>>

>>>> Hi Miles

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>>>>

>>>>

>>>>

>>>>

>>>>

From: [McEvoy, Miles - AMS](#)
To: [Tracy Favre](#); [Richardson Jean](#); [Stone Mac](#)
Subject: RE: Dallas Prometheus Project - no gmo"s in usda organics
Date: Monday, May 12, 2014 5:20:56 PM

Short answer - There is no loophole. The video clip is an incorrect analysis of the USDA organic regulations.

GMO seeds are prohibited in organic production.

Some additional information here –

<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5090396>

<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5103060>

I'll reach out to Deborah Murphy as well.

Miles V. McEvoy
Deputy Administrator
National Organic Program
1400 Independence Ave. SW
Washington, DC 20250-0268
202-720-3252
www.ams.usda.gov/nop

Organic Integrity from Farm to Table, Consumers Trust the Organic Label

From: Tracy Favre [mailto:tfavre@favrehouse.com]
Sent: Monday, May 12, 2014 11:02 AM
To: McEvoy, Miles - AMS; Richardson Jean; Stone Mac
Subject: Fwd: Dallas Prometheus Project - no gmo's in usda organics

Hi folks,

I was at a cheese making class this weekend and at dinner one night a woman approached me asking about "the loopholes" that allow GMO's into organics. She and I had a fairly lengthy conversation and as a result, she forwarded to me the link for a YouTube video that's making the rounds of the clean food advocacy groups... She's asked if I would be willing to attend one of her group's meetings to discuss the issue. I watched the video today and you can see my initial response to her below.

If you can find the time, I'd appreciate you giving me your feedback. My initial reaction is that this is one guy twisting some things around, particularly with his basic premise that GMO seeds could be used when organic seeds are not available. (just because a seed is not organic does not mean it's then a GMO seed...)

Miles, you in particular would be in the position of saying whether GMO seeds would be allowed as "a loophole". I know you're swamped with this kind of thing and if there's someone else you'd rather I reach out to, let me know.

Thanks and appreciate your comments. Any questions, please call.

Tracy

(b) (6)

Begin forwarded message:

From: Tracy Favre <tfavre@favrehouse.com>

Subject: Re: Dallas Prometheus Project - no gmo's in usda organics

Date: May 12, 2014 9:55:09 AM CDT

To: Deborah Murphy <(b) (6)>

Hi Deb,

As I mentioned the other evening, we had seen some public comments that came in as a run up to our recent board meeting in San Antonio that mentioned "no GMO's in organic foods" but I didn't know where it was coming from, as we are all very clear that GMO's are not allowed as part of the National Organic Program (NOP).

I watched the video today and had some consternation about some of his initial conclusions, but before I offer any input, I'd like to forward this along to Miles McEvoy, Deputy Administrator of the NOP and the current and recent past chairs of the National Organic Standards Board (NOSB) for their feedback.

The current board chair is a certified organic inspector and is heavily involved with working to provide updated definitions for "Excluded Methods" as we all agree the term is ambiguous.

The outgoing board chair was until about 2 years ago, head of the Certified Organic Program for the state of Kentucky and works closely with certifying agencies. Both should have some unique insights into the comments the narrator of the video expresses.

I'll stay in touch and give some feedback after I talk with them. Thanks for passing this along!
Tracy Favre

On May 11, 2014, at 6:11 PM, Deborah Murphy wrote:

Hello Tracy -

It was very good to meet you at the dinner last night. I bet you guys are just finishing up your cheese making classes. Such a great group of people.

I could have talked with you all night about this! I want to thank you in advance for viewing this video - and giving your comments or opinions. There is no rush of course, it's about a half hour long. It could be this is a totally bogus document- or it could be a document from a different area of the USDA - I don't know but to use one of your words...the commentary is most certainly "inflammatory" and if you know for sure this is either misconstrued or otherwise, I will share that news with our team of educators. I

immediately wrote to USDA last week when I saw this, asking them for more transparency and to certainly "close the loopholes" and that it's bad enough that we don't have labeling in this country. Oh I do go on....

We all work in our paying jobs and it's hard to find time to uncover the backstory on "who is saying it, and why?" - but this is something important to us at Dallas Pro Pro. We need to get the facts straight and I feel like our meeting was kismet! The local person for GMO Free USA also joins our meetings (they did the Kellogg's boycott push which was somewhat successful in getting Kelloggs to make a few changes) - as well as the TX Honeybee Guild (Susan and Brandon Pollard) who educate on honeybees, including their perilous situation, exacerbated with GMO. If this idea meets with your approval, I'm happy to share your thoughts and concerns with these other groups. We would also love to have you attend one of our meetings. There is a bit of hiatus over the summer months (4th of July for instance is "first Saturday")- but so you know, we meet the "first Saturday" of every month, at 3pm at Park Cities Yoga which is on Royal Ln, between Dallas N. Tollway and Preston Rd.

Jeffrey Farrell (our founder and owner of Park Cities Yoga) has wanted to do something for over a year now and maybe we can make it happen in 2015. We'd like to create a "Food Freedom Picnic" - taking place around July 4th 2015. Hey maybe USDA Organics might be interested too!

here is the video in question.

<https://www.youtube.com/watch?v=2tNX6uDorVg&feature=youtu.be>

Tracy - thank you in advance for your time and your thoughts!

Sincerely,

Deb Murphy

(b) (6)

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: couple of things
Date: Friday, August 22, 2014 10:13:31 AM

Yes we will need more time for handling I agree
And yes lets finish public comment on wednesday.
Having a great vacation!
best, Jean

On Aug 20, 2014, at 5:01 PM, McEvoy, Miles - AMS wrote:

Hi Jean – Hope you are enjoying your vacation. Couple of things -

1. I'll be traveling Friday and you are on vacation. Let's skip this week's meeting. Talk next week.
2. I'd like to review proposed October agenda with you. I think we need more time for handling. Could we finish public comments on Wednesday and leave Thursday for SCs and finishing board work?

Best, Miles

Miles McEvoy
Deputy Administrator
National Organic Program

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: couple of things
Date: Friday, August 22, 2014 10:13:31 AM

I am out of the office. Please contact Desiree Lee at 202-720-3252, desiree.lee@ams.usda.gov if you need immediate assistance.

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From: [McEvoy, Miles - AMS](#)
To: ["Zea Sonnabend"](#)
Cc: [Brown Rosen, Emily - AMS](#); ["Jean Richardson"](#); ["Colehour Bondera \(colemel@kanalanifarm.org\)"](#)
Subject: RE: Contaminated Input Plan report
Date: Tuesday, March 03, 2015 10:24:04 AM

Ok. It's up to you and the Crops subcommittee. I'd request that the subcommittee take another look at the report and see if this is ready for prime time.

I think the report contains some important concepts. I'm just concerned that as written it is confusing and will not add value to this topic.

Miles

Miles McEvoy
Deputy Administrator
National Organic Program

From: Zea Sonnabend [mailto:zea@well.com]
Sent: Monday, March 02, 2015 4:37 PM
To: McEvoy, Miles - AMS
Cc: Brown Rosen, Emily - AMS; 'Jean Richardson'; 'Colehour Bondera (colemel@kanalanifarm.org)'
Subject: Re: Contaminated Input Plan report

Hi Miles,

The subcommittee did approve this as a report, which is meant to mean that the points you raise are being investigated but not necessarily avenues that will be pursued. The phrase about commenting is only in there because we know people will comment on a report anyway. We're not asking any special questions in there so it is not a discussion doc.

The table embedding thing is me not knowing how to do it right (get an Excel spreadsheet into the word document) and I asked Michelle and Emily to fix it but I guess that was misunderstood. The spreadsheet table should just be like an appendix to the report as an example of structure, and then the attachment is not necessary.

I did not go through it with as fine a tooth comb as you seem to be doing, because as a report, it is just meant to outline some work in progress. If you think the language is not sufficient at this point, we can do as you suggest with Colehour giving an oral report while he and the subcommittee proceed to flesh some of the details out more.

Regards,
Zea

On Mar 2, 2015, at 11:56 AM, McEvoy, Miles - AMS wrote:

Hi Zea - I just read the Contaminated Input Plan report. It is confusing. It's a report but it is asking for public comment? There are two tables - one attached and one embedded - that have the same

information.

The report has some good concepts but doesn't hold together. Did the subcommittee approve this report? It suggests that there should be certification for avoiding contaminants but doesn't explain what type of certification is needed? Is it referring to organic certification? For inputs? What does it mean when it says "ask farmer?" Ask the farmer what? Whether these substances were used or not? It seems to imply that the use of GMO grain for conventional dairy manure may be an issue. How would a veterinarian know whether drugs given to livestock were persistent in manure?

Seems like Colehour could provide an oral report in April and clean this report up for the fall meeting especially if the subcommittee wants to request public comments.

Miles McEvoy
Deputy Administrator
National Organic Program

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Cc: [Carmela Beck](#)
Subject: Re: Consistency amongst ACA's
Date: Thursday, March 26, 2015 6:11:15 PM

Quite the response!

Yes, we have many specifics. This is not a new issue. But the CACS has never looked at this. If we took it up as a topic we could accumulate that information and thus educate as we worked on it.

Jean

On Mar 26, 2015, at 6:00 PM, McEvoy, Miles - AMS wrote:

- > Sure - one rule to rule them all and in the darkness bind them.
- > Try to get specific examples. We know we need more consistency on OSPs, inspection reports, certificates. What else?
- >
- > Miles
- >
- > -----Original Message-----
- > From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)
- > Sent: Thursday, March 26, 2015 5:58 PM
- > To: McEvoy, Miles - AMS
- > Cc: Carmela Beck
- > Subject: Consistency amongst ACA's
- >
- > Hi Miles
- > I am at IOIA advanced training and one of the issues coming up over and over again is the lack of consistency between certifiers.
- > Many inspectors inspect for many certifiers.
- > I am not allowed to attend ACA meetings or be on their list serv. But You attend their meetings .
- > Do you think it is time to add this to the CACS Work Agenda as a topic?
- > Thank you
- > Jean
- >

From: [Jean Richardson](#)
To: [Harold Austin](#)
Cc: (b) (6) tchapman@clifbar.com; [Nick Maravell](#); [Carmela Beck](#); [Mac Stone](#); [Tracy Favre](#); [Jennifer Taylor](#); [Francis Thicke](#); [COLEHOUR BONDERA](#); lisa.delima@momsorganicmarket.com; Ashley.swaffar@vitalfarms.com; [Zea Sonnabend](#); [Brown Rosen, Emily - AMS](#); [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#)
Subject: Re: Congrats
Date: Tuesday, August 25, 2015 3:03:08 PM

Yes indeed. Good job Tom for keeping us in line and on time. Great team work on the subcommittee. Now we just have to synthesize our year's work into 7 hours and 30 minutes on October 28 before dinner!

Jean

On Aug 25, 2015, at 2:49 PM, Harold Austin wrote:

Everyone,
Congratulations on a truly amazing accomplishment.....wrapping up the Sunset 2017 Materials Review! Whew.....! What a tremendous sigh of relief we can now all have...well that is until it is time to prep this workload plus public comment recap for the meeting. But, why ruin the moment...lol.

I do want to say that one of the hardest things I have had to make myself do (b) (6) is when I decided that I should step down as Handling Chair and asked that Tom take my place. My thoughts were that if I could not give it 100% then I should not be the chair and I will tell you that even now I can't give it a complete 100% (in a few more months, just not now). Having said all of this my point is: *Tom has done an amazing job, first filling in for me in La Jolla and now as the recognized Handling Subcommittee Chair. Everyone please give Tom your best..because by God he truly has earned it, plus my full respect. Well done Tom well done!!* (WELL DONE EVERYONE).

Harold

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: conference travel and NOSB
Date: Friday, January 23, 2015 4:07:25 PM

Hi Miles
thank you
Our PPM in addition says "don't accept compensation for teaching, speaking and writing related to your board duties".....
So I will think about appearances.
Jean

On Jan 23, 2015, at 3:06 PM, McEvoy, Miles - AMS wrote:

NOSB members are not subject to Federal Ethics laws, AND, we encourage you to consider each event based on appearances of conflict down the road.... For example, if you were offered a free registration to a conference that is publically advocating on an issue you may have to vote on while on the NOSB, it could be perceived that the benefit you received from that organization could shape your vote..... Appearances are important – we wouldn't want you to put yourself in an uncomfortable position by accepting a gift from an organization that will later be involved in a matter before the NOSB during your tenure. Besides keeping that in mind, you are not legally subject to any specific ethics laws. Here is the link to the NOP memo on conflict of interest to further support your thinking:<http://www.ams.usda.gov/AMSv1.0/getfile?dDocName=STELPRDC5103313>

Miles McEvoy
Deputy Administrator
National Organic Program

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: conference call pre-meeting
Date: Tuesday, September 16, 2014 2:08:13 PM

Hi Miles

I think it might be good if you and I, Mac, John, Jenny and maybe Carrie Ricci chat by phone prior to the meeting so we can have a team approach to addressing any potential legal or procedural issues which could arise. Could we look for some dates?

Thanks

Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: Declaration of a COI Determination
Date: Monday, May 11, 2015 8:42:59 AM

Wow!
I would never have used such fund sources
Jean

Sent from my iPhone

On May 10, 2015, at 11:41 PM, (b) (6) wrote:

Hello Miles,

I am declaring an association with biotech companies such as Monsanto and Syngenta. I do not see it as a conflict of interest (COI). My association is no different than other land-grant 1862's and 1890 universities. I do not see anything on the agenda or work plan for the fall of 2015 that would cause a COI. As Chair of the Department of Agricultural Sciences, Urban Forestry, and Natural Resources. I am constantly seeking funding and other collaborations with entities that are in various agriculture spheres. Monsanto and Syngenta are just a few of these entities. Some of the associations are:

Monsanto

Monsanto has a Monsanto Fund/UNCF 1890's Scholarship Program. Syngenta has a Syngenta Agricultural Scholarship Program. My students and university has benefited. These includes

- <!--[if !supportLists]-->1. <!--[endif]-->At least five (5) my students have received over \$50,000 in Monsanto Scholarship fund over the last three years.
- <!--[if !supportLists]-->2. <!--[endif]-->On Wednesday, May 6, 2015, two (2) of my students were selected by Monsanto for summer internships and financial support for academic year of 2015-16. They sought more students, but other were already committed elsewhere.
- <!--[if !supportLists]-->3. <!--[endif]-->One (1) of my student employment is pending, she is an international student. She might be selected for employment, if not, attend graduate school at Iowa State University.
- <!--[if !supportLists]-->4. <!--[endif]-->I or my designee will be meeting with a Monsanto representative later next week in Mississippi on strengthen Monsanto partnership with my department for internships, financial assistance, industry in the classroom, research collaborations, and student employment opportunities.
- <!--[if !supportLists]-->5. <!--[endif]-->There is a possibility that Monsanto will

provide a letter of support for a “Coexistence” research grant proposal. The entities sought are some of the seed panel experts at our LaJolla NOSB meeting. The proposed grant will probably have involvement of Iowa State, The Ohio State, Oregon State, Florida A & M, and Central State in Ohio. I hope to add a Hispanic serving institution to the team. The grant is due early June 2015. Certainly, there is no guarantee that the grant will be funded.

<!--[if !supportLists]-->6. <!--[endif]-->Monsanto does provide funds to SU Ag Center Sustainable Agriculture Program. The support has been for several years.

Syngenta

Syngenta Agricultural Scholarship

<!--[if !supportLists]-->1. <!--[endif]-->One (1) of my Plant and Soil Science students is applying for a Syngenta Agricultural Scholarship on or before May 15, 2015. Syngenta seeks to increase its footprint on various 1890 and 1862 colleges’ campus.

These associations are routine among 1862 and 1890 land grant universities. I do not see that any GMO proposal or matter on the fall of 2015 NOSB agenda would prevent me from advocating for my sector wherein I represent on NOSB.

Best and high regards,

Calvin

From: [McEvoy, Miles - AMS](#)
To: (b) (6) : (b) (6)
Cc: [Tucker, Jennifer - AMS](#)
Subject: RE: Declaration of a COI Determination
Date: Thursday, May 28, 2015 11:44:53 AM

Calvin –

At this time, we do not view this as a conflict of interest with your responsibilities on the National Organic Standards Board.

Best,

Miles McEvoy
Deputy Administrator
National Organic Program

From: (b) (6) [mailto:(b) (6)]
Sent: Sunday, May 10, 2015 11:42 PM
To: McEvoy, Miles - AMS; (b) (6)
Subject: Declaration of a COI Determination

Hello Miles,

I am declaring an association with biotech companies such as Monsanto and Syngenta. I do not see it as a conflict of interest (COI). My association is no different than other land-grant 1862's and 1890 universities. I do not see anything on the agenda or work plan for the fall of 2015 that would cause a COI. As Chair of the Department of Agricultural Sciences, Urban Forestry, and Natural Resources. I am constantly seeking funding and other collaborations with entities that are in various agriculture spheres. Monsanto and Syngenta are just a few of these entities. Some of the associations are:

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Monsanto has a Monsanto Fund/UNCF 1890's Scholarship Program. Syngenta has a Syngenta Agricultural Scholarship Program. My students and university has benefited. These includes

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3. One (1) of my student employment is pending, she is an international student. She might be selected for employment, if not, attend graduate school at Iowa State University.
4. I or my designee will be meeting with a Monsanto representative later next week in

Mississippi on strengthen Monsanto partnership with my department for internships, financial assistance, industry in the classroom, research collaborations, and student employment opportunities.

5. There is a possibility that Monsanto will provide a letter of support for a "Coexistence" research grant proposal. The entities sought are some of the seed panel experts at our LaJolla NOSB meeting. The proposed grant will probably have involvement of Iowa State, The Ohio State, Oregon State, Florida A & M, and Central State in Ohio. I hope to add a Hispanic serving institution to the team. The grant is due early June 2015. Certainly, there is no guarantee that the grant will be funded.
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Syngenta

Syngenta Agricultural Scholarship

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These associations are routine among 1862 and 1890 land grant universities. I do not see that any GMO proposal or matter on the fall of 2015 NOSB agenda would prevent me from advocating for my sector wherein I represent on NOSB.

Best and high regards,

Calvin

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: dinner wednesday
Date: Monday, July 09, 2012 10:36:42 AM

Sounds good. I will move reservation and add 2. Jean

On Jul 9, 2012, at 10:13 AM, McEvoy, Miles - AMS wrote:

> It would be great to have Sarah join us. Can we push back dinner to
> 7 pm? I'd also like Cheri Courtney, NOP Accreditation Director, to
> join us.

> Miles

>

> -----Original Message-----

> From: Jean Richardson [[mailto:](#) (b) (6)]

> Sent: Monday, July 09, 2012 9:59 AM

> To: McEvoy, Miles - AMS

> Subject: dinner wednesday

>

> Hi Miles:

> Do prefer to have dinner with just me, or may I have my daughter

> Sarah Flack join us? She a nationally known agriculture specialist,

> grazing expert, lecturer, organic inspector and also does Biodynamic/

> Demeter inspections and humane treatment inspections etc. Also great

> fun to be with.

> You are going to have perfect weather this week for your audit.

> Jean

>

>

>

>

>

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: draft agenda - near final
Date: Saturday, January 24, 2015 11:15:49 AM

Hi Miles,

As you know, Colehour sees serious problems with the 3 NOSB officers "training" the new members. Can we title that section of the training "Collaboration between NOSB and NOP"? and not just have my name there?

Jean

On Jan 23, 2015, at 9:45 AM, McEvoy, Miles - AMS wrote:

Miles McEvoy
Deputy Administrator
National Organic Program

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From: [McEvoy, Miles - AMS](#)
To: ["Jean Richardson"](#)
Cc: [Arsenault, Michelle - AMS](#)
Subject: draft agenda - near final
Date: Friday, January 23, 2015 9:45:55 AM
Attachments: [NOSB-Feb 2015 Training- DRAFT Agenda.docx](#)

Miles McEvoy
Deputy Administrator
National Organic Program

Agricultural Marketing Service (AMS) | National Organic Program (NOP)
National Organic Standards Board (NOSB) New Member Onboarding Training
Wednesday - Thursday, February 4-5, 2015
Location: USDA South Building – Room TBD (1052-S, 0208 -S, or AMS Conference Room)
Washington DC

Wednesday, February 4

Time	Content
9:00 – 9:30 AM	AMS Welcome and Introductions Delivered by: Anne Alonzo, Miles McEvoy, and Team
9:30– 10:15 AM	Organic Foods Production Act (OFPA) – Miles McEvoy
10:15-10:45 AM	Federal Advisory Committee Act (FACA) Overview – Jenny Tucker
10:45-11:00 AM	Break
11:00-Noon	Overview of USDA Organic Regulations (Part 1) - Miles McEvoy
Noon – 1 PM	Lunch - At AMS; Meet and greet with AMS/NOP over lunch
1:00 – 1:30 PM	Overview of USDA Organic Regulations (Part 2) - Miles McEvoy
1:30-2:30 PM	NOP and NOSB Operational Guidelines (Charter, Nominations, Work agendas, PPM, Subcommittees, Proposals, Public Meetings, FOIA Review). Delivered by: Jean Richardson (Miles Inviting to Lead), Emily Brown Rosen; Jenny Tucker (FOIA)
2:30 – 2:45 PM	Break
2:45 – 4:30 PM	Training: National List, and Sunset (Exercises/Hands-On Where Possible) <ul style="list-style-type: none"> • Review National List petition process - Lisa Brines – 45 min • Review Sunset Process and Templates - Lisa Brines – 45 min • Extra 15 min for buffer
4:30 – 5:00 PM	Q&A, Wrap-Up, day 2 Overview

Agricultural Marketing Service (AMS) | National Organic Program (NOP)
National Organic Standards Board (NOSB) New Member Onboarding Training
Wednesday - Thursday, February 4-5, 2015
Location: USDA South Building – Room TBD (1052-S, 0208 -S, or AMS Conference Room)
Washington DC

Thursday, February 5

Time	Content
9:00 - 9:30 AM	Review/follow up questions from previous day
9:30 – 11:00 AM Break in middle	National Organic Program Overview: Overview of NOP and an introduction to the three Divisions and their key activities and priorities. Delivered by: Miles McEvoy, Cheri Courtney, Matthew Michael, and Jenny Tucker.
11:00-11:30 AM	USDA Mission Areas and Secretary’s Organic Guidance - Betsy Rakola (Betsy will be at Organicology; will call in for session)
11:30-Noon	Guided Tour: NOP/NOSB Website – Michelle Arsenault, Emily Brown Rosen
Noon – 1 PM	Lunch (USDA Cafeteria)
1:00 – 3:00 PM Break Midway	Training: <ul style="list-style-type: none"> • Best practices for writing proposals and recommendations - Emily Brown Rosen/Standards • Best practices for evaluating technical reports - Emily Brown Rosen • Best practices for analyzing public comments - Emily Brown Rosen • Review key elements of rulemaking process; what information is needed to get a rule completed and through clearance - OGC/OBPA – Shannon Nally Yanessa OR Emily Brown Rosen (Back-Up)
3:00 - 4:00 PM	Ethics and Conflict of Interest (teleconference/webcast with full NOSB) - Jenny Tucker
4:00-4:30 PM	Summary and Closing Discussion

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Draft Chair Remarks
Date: Thursday, April 23, 2015 12:20:54 PM
Attachments: [NOSB Report415.doc](#)

Hi Miles

I will not use any slides. Just a short Cheer leading opening to set the tone.
edits welcome

Thank you

Jean

From: [McEvoy, Miles - AMS](#)
To: "[Jean Richardson](#)"
Subject: RE: Draft Chair Remarks
Date: Friday, April 24, 2015 9:51:59 AM

Jean - this looks great - thanks for the nice words.
The only change would be the reference to Allowance of Green Waste Guidance

See you Sunday
Safe travels,
Miles

-----Original Message-----

From: Jean Richardson [[mailto: \(b\) \(6\)](#)]
Sent: Thursday, April 23, 2015 12:19 PM
To: McEvoy, Miles - AMS
Subject: Draft Chair Remarks

Hi Miles
I will not use any slides. Just a short Cheer leading opening to set the tone.
edits welcome
Thank you
Jean

DRAFT - NOSB CHAIR's REPORT - April 2015

Good morning

When giving a presentation you can really only expect the audience to remember 3 points; Today mine are:

1. The synergy of working together to seek common ground
2. The multidisciplinary contexts within which we must do our work
3. An appreciation for the contributions of all the stakeholder groups and individuals.

Last October when last I stood before you, we were all struggling with how to adapt to the revised Sunset Review process, and other NOP changes to our traditional ways of operating. In my remarks then I urged us all to work together and seek common ground, because the organic community may be an almost \$40 billion dollar industry, but it is still a very small part of US agriculture, maybe only 5% in sales and 1% in terms of farmable land.

The October meeting went very well, and I sincerely thank everyone for the manner in which we were able to deal with our differences and get through the necessary work of the Meeting in a professional manner.

I heard from many of you that you appreciated the manner in which I ran the meeting, and so I will try to run a tight ship this week too, - and always with some humor.

So, you can say or ask for the most outrageous things, - all I ask is that you please do it concisely and politely, while remembering that we are all human, and kindness and a smile go a long way. !

I would also like to express my appreciation for the incredible outpouring of written public comment which we have received for this meeting. The Board has read it all and we are in awe of the amount of professional detail and heartfelt comments from all sectors of the organic community. Thank you. Thank you.

Let me also acknowledge that a cohort of our organic community has filed two law suits against the AMS/NOP in order to seek clarification -so to speak - of NOP actions in regards the revised Sunset process, and in regards contaminated-compost guidance. Judicial challenge of Administrative Procedure is a well-established aspect of our American system of checks and balances. So while those issues go through the judicial system I ask that we get on with our work.

In recent months I have also given quite a few lectures to university classes, farmers, and organizations. I heard young students describe expectations for organic that all organic animals are treated well, and, like all of us here, I am looking forward to the proposed Animal Welfare standards coming out soon. And I am really pleased to note that Secretary Vilisak is obviously supportive.

The students were also concerned about the cost of organic food in the face of our Cheap American Food Policy. I always make a comment about our cheap food policy because, along with the tension between large scale and small scale operations, the Cheap Food Policy is the reality of the context within which we must make our recommendations- A context where most farms in the US are small and their margin of profit is tiny, and most farmers do not receive adequate income for their products.

There is also the obvious context of global climate change to be recognized given that agriculture places the highest demand on water. And the Water Laws of the Western States are so radically different from those Riparian laws of the Eastern states.

Are we asking the right questions as we deliberate organic issues at this meeting? Are we thinking in an interdisciplinary manner? Our deliberations and recommendations affect many lives and livelihoods. We will be making recommendations on substances by saying yes or no, and yet there are no black and white answers.

But now to some well deserved thanks:

First to our Deputy Administrator, Miles McEvoy. I find Miles to be pretty amazing in his capacity to answer so many e-mails and phone calls while travelling the world building cooperative organic agreements with other nations, writing Policy memos, Guidance and Instructions, and dealing with the persistent demands of the NOSB. It is impressive that any member of the public can reach Miles or his staff and expect a human being to be ready to help.

And as an aside - In February when Miles came up to give a talk at the NOFA winter conference in Vermont, I can tell you that on Sunday morning when he got a couple of hours to spare, he insisted on putting on a pair of old wooden cross country skis and skiing at 20 below zero!!! The smile on his face when in the photograph appears frozen in place! And then he wanted to go birdwatching!

But seriously, some other thanks are due to all the Board members. No one can really imagine how much time, energy and stress goes in to the NOSB work, week after week after week. No NOSB Board has ever done such an incredible detailed analysis of Sunset materials. We left no stone unturned to find the necessary scientific information and history of use of every material. I get choked up when I look around the table at my colleagues. They are an absolutely amazing team to work with. I thank them for allowing me to Chair the Board. It is an honor.

I also thank NOP staff Emily and Lisa for their incredible work these last few months, for setting up all the templates to make Sunset review so much more open and transparent to the public, and for the enormous amount of extra time and energy needed to review all the Technical Reports which the NOSB had asked for for Sunset materials. The TRs we get now are so much better than in the past. It helps us all so much.

And a special shout out to Michelle our ABS who puts in long hours on an incredible array of tasks from being on every conference call, setting up these meetings,

answering calls from members of the public and dealing with all the challenges of computer input of data, and all the day to day minutia! Michelle is the glue that keeps us together !
(applause)

Since October we have also brought on Board 4 new NOSB members who received in - depth training in Washington in February this year. At that meeting, and on all the subcommittee conference calls, we have tried to be sure that they understand the depth, breadth and volume of work on their plates, especially having joined the board during Sunset Review year.! So far none of them have quit, so please be nice to them! This is their first meeting and I ask that you be sure to stop and chat with them, and get to know them.

I can tell you that Tom Chapman has a mischievous sense of humor, that Lisa de Lima demonstrates a fine attention to detail, that Ashley brings a wonderful energy to her committee work, and Paula is determined to find a more efficient way for us to accomplish all our work, and that all four of them demonstrate an openness to listening to all stakeholders.

And right now is a good time to encourage individuals to nominate themselves or other for the 5 NOSB positions which will start in January 2016. Theirs will be an easier task as Sunset will be another 5 years away!

So I congratulate the new board members on not quitting, and welcome them to what I hope will be an enjoyable week where we can all learn something new and fascinating.

So let's get to work!

Before Public Comments etc. I will say a few words about operating rules for the week

These public meetings operate on a combination of FACA rules, Roberts Rules of Order, the NOSB PPM and Tradition! I will try to always be fair, moving the meeting along with professional courtesy to all.

I have a gavel and a wand... etc.

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: DRAFT NODPA article
Date: Monday, April 20, 2015 9:12:06 AM

Hi Miles:

Thank you , couple of comments/questions:

1. So you do not want individual farmers to contact the Secretary about desire to see Animal Welfare soon? I am trying to show them that their voices count.
2. Petitions- we have been talking with Emily on our calls and our goal is to have simple annotation petitions have a quick turn around - this will be especially important if we are to get prevent delisting some substances.
3. So - money for TR not from Farm Bill. I remain frustrated over the NOP "budget"...

Jean

On Apr 20, 2015, at 8:57 AM, McEvoy, Miles - AMS wrote:

- > Nicely done!
- > Comments/redlines attached
- > Let me know if you have questions.
- >
- > Miles
- >
- > -----Original Message-----
- > From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)
- > Sent: Friday, April 17, 2015 2:52 PM
- > To: McEvoy, Miles - AMS
- > Subject: DRAFT NODPA article
- >
- > Hi Miles
- > could you run you eagle eye over this draft due Monday! - sorry!
- > thank you
- > Jean
- >
- > <NODPA42015-mvm.doc>

NODPA-April 20, 2015

In May, by the time you read this article, the April NOSB Meeting in California will be over and the Origin of Livestock rule will have been published - any day now I am told. At the NOSB meeting in late April we will be voting on two petitioned substances of interest to dairy producers: Acidified Sodium Chlorite for use as a pre and post teat dip treatment (205.603 (a)) to provide an alternative to iodine based teat dips, and Zinc Sulfate for use as a footbath only (205.603(b)).

~~Proposed rules to implement the NOSB Animal Welfare recommendations are still going through Rule Making under development, but this week Secretary Vilsack stated in public that these will be posted this summer public comment starting departmental clearance this summer. A proposed organic animal welfare rule could be published by the end of the year. Apparently this is still a hot topic in DC with some who do not want these standards to move forward. So if you have an opinion you may wish to contact the Secretary's Office.~~

So, today I will talk a bit about what substances on the National List will be coming up for Sunset vote at the October meeting, and the kind of input that the NOSB would like to hear from NODPA members this summer.

If you have been following the Sunset ~~Rule-Review~~ changes at all you will know that ~~now~~ all substances stay on the National List unless the ~~full~~ NOSB (with a two thirds majority) ~~votes-recommends~~ to remove ~~the substance from the National List~~. Previously all substance went off the National List unless the NOSB voted to add them back during the Five Year Review process. Thus you will see that in order to be sure that all substances under Five Year Review are reviewed by the FULL Board for vote at public meeting, after public comment at two public meetings, every material is brought forward from the respective subcommittee on a Motion to Remove. This also ensures that the organic community is on public notice that every Sunset material could potentially be removed. So, please pay attention and let us know how essential a particular substance is to your production.

When you are researching a particular substance you will see Motions to Remove and subcommittee votes and comments or questions during the initial public comment period, and more detailed notes for the second public meeting period and the second posting. This may seem a bit cumbersome, but it seems to be working well, and certainly we are getting plenty of public comment on substances much earlier in the Review process, rather than a scramble at the end, or right before vote.

In terms of numbers to be voted on at the October meeting in Vermont: Livestock will be presenting 42 substances for Sunset ~~20~~17 Review; Crops 43-; and Handling 79. There will be substances of interest to NODPA members in all of these subcommittees.

The NOSB has done an enormous amount of research on all these substances and each of us is presently going through more than a thousand written public comments

and awaiting further oral comment at the April meeting. We asked NOP for many Technical Reports in the last twelve months, ~~and thanks to the Farm Bill, and the NOP ensured that~~ the money was available for these Technical Reports, ~~and they~~ They have been really helpful to us in this complex analysis. Each subcommittee is trying to analyze all this information and data to determine how likely/or not that the NOSB will actually vote to remove a specific substance. These decisions are based on the 7 criteria in the Organic Food Production Act (OFPA). So if a substance is ~~essential-~~ necessary to your operation it is really important to let the NOSB know, by sending in public comment.

Comment [MVM1]: Money was not from Farm bill

Based on what I know today, it does not appear that any of the livestock materials will be recommended for removal from the List, with the exception of one or two parasiticides. However, if the NOSB does not receive any comments on the necessity of livestock materials there is a good chance that these materials could be recommended for removal.

Comment [MVM2]:

Parasiticides:

There are 3 parasiticides up for Sunset Review to be voted on in October: Fenbenzadole, Ivermectin and Moxidectin.

There is research which indicates that Ivermectin, a broad spectrum parasiticide, is toxic to dung beetles which are an integral part of pastureland ecology. Moxidectin is less toxic in pastures than ivermectin, but somewhat worse for fish if it gets into water. In addition, both ivermectin and moxidectin are macrocyclic lactones, a type of antibiotic, and antibiotics are not allowed in organic agriculture. Thus it seems possible that both Moxidectin and ivermectin may be removed from the National List in October. (remember that I am not clarivoyant!)

It is reasonable to assume that Fenbenzadole will remain on the National List. However, questions have been raised over the last few years about the Withholding period.

Fenbenzadole is listed as follows:

205.603 Parasiticides- prohibited in slaughter stock, allowed in emergency treatment for dairy and breeder stock when organic system plan-approved preventive management does not prevent infestation. Milk or milk products from a treated animal cannot be labeled as provided for in subpart D of this part for 90-days following treatment. In breeder stock, treatment cannot occur during the last third of gestation if the progeny will be sold as organic and must not be used during the lactation period for breeder stock.

Fenbenzadole- only for use by or on the lawful written order of a licensed veterinarian.

Public comment suggests that the annotation of 90 days was not established based on any scientific data base, and should probably be reduced to 14 days.

We also have public comment suggesting that wool from sheep should be able to be sold as organic even though the meat is not able to be sold as such.

Annotations are not done at Sunset, and thus if these issues are of concern to NODPA members, a separate petition could be filed this summer to allow such a change to be considered in October. Such a petition could be voted on in October as an item on the agenda separate from the Sunset item.

Comment [MVM3]: Petitions are not turned around this quickly. More likely a year or more out

Research Priorities:

Each subcommittee develops research priorities each summer for recommendation to the NOP in the Fall. Parasite prevention and control has been suggested as a research priority. The livestock subcommittee would welcome your observations, and experience in management techniques, herbal remedies, plant species combinations in pastures or other mechanisms that you have found effective in parasite prevention and control. I know that when I am on farm walks or doing inspections, parasite control issues are a relatively common conversation. What do you think?

Finally, we have received public comment regards the use of Nonylphenyl Ethoxylates (NPE's) used in formulations of teat dips containing iodine. NPE's act as surfactants in complexing iodine. NPE's, even at very low levels, have a toxic effect on aquatic systems. Iodine (205.603(a) and (b)) comes up for Sunset Review and vote in October. There has been some suggestion that a petition may be submitted to the NOSB asking to limit use of iodine to those forms made without NPE's. However it looks as though the dairy industry has already recognized the issues related to NPE's, and the industry is already moving fast to address this concern. One certifier has informed us that, of the 104 teat dips that they have reviewed, 94 contain NPE's. So, we would appreciate your comments on iodine.

Well, that's all from me for today. If you have comments or questions you can contact me at home: (b) (6) or by e-mail: (b) (6)

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: DRAFT NODPA article
Date: Monday, April 20, 2015 8:16:36 AM

OK
Thank you
Sarah likes it
jean

On Apr 20, 2015, at 7:50 AM, McEvoy, Miles - AMS wrote:

> I'll look at it this morning.
>
> -----Original Message-----
> From: Jean Richardson [[mailto:](#) (b) (6)]
> Sent: Friday, April 17, 2015 2:52 PM
> To: McEvoy, Miles - AMS
> Subject: DRAFT NODPA article
>
> Hi Miles
> could you run you eagle eye over this draft due Monday! - sorry!
> thank you
> Jean
>

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: DRAFT NODPA article
Date: Friday, April 17, 2015 2:52:06 PM

I am out of the office. Please contact Joan Avila at 202-720-3252, joan.avila@ams.usda.gov if you need immediate assistance.

From: [McEvoy, Miles - AMS](#)
To: "[Jean Richardson](#)"
Subject: RE: draft NODPA article
Date: Thursday, December 18, 2014 5:08:47 PM
Attachments: [NODPA Dec23 - jean richardson.doc](#)
[NODPA news submission.docx](#)

Thanks Jean - a few suggested edits
I'm also including my NODPA piece - much dryer and bureaucratic but hey,

Happy Holidays. (b) (6). I'll be checking email the next two weeks but I'll not be available from Jan. 2-12.

All the best. Looking forward to working with you in 2015!

Miles

-----Original Message-----

From: Jean Richardson [[mailto:\(b\) \(6\)](#)]
Sent: Thursday, December 18, 2014 8:38 AM
To: McEvoy, Miles - AMS
Subject: draft NODPA article

Hi Miles,
feel free to edit this draft for NODPA NEWS which will come out in January.
Deadline for me to get to NODPA, Dec 22.
Thank you
Jean

PS I hope you share your annual Report of work done with (b) ! Exhausting list!

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NODPA news
2015 Organic Outlook

The USDA National Organic Program's responsibility is to protect the USDA organic seal, from farm to market, around the world. We do that through three primary mechanisms – establishing clear standards that establish a level playing field for organic farms and businesses; making sure that organic certifying agents are properly and thoroughly verifying that organic products comply with the USDA organic regulations; and taking appropriate enforcement actions when there are violations of the organic standards.

Our focus in 2015 includes:

USDA organic regulations: The Agricultural Marketing Service plans to publish proposed rules on Origin of Livestock, Pet Food, Aquaculture and Animal Welfare in 2015. We look forward to your comments on these proposals. In addition, the NOP will continue to support the work of the National Organic Standards Board, and provide clarifications through guidance and instructions to organic producers, handlers and certifiers.

Certifier Accreditation and International Activities: In 2015, the NOP will conduct certifier audits throughout the U.S. and in more than a dozen countries to ensure certifier compliance with the USDA organic regulations. The NOP will conduct assessments of organic trade arrangements to make sure the arrangements are properly implemented. In addition we will continue to work with Latin American governments to support effective control systems and internal market development. The NOP recently provided the USDA organic regulations and NOP Handbook in Spanish to support Spanish-speaking members of the organic community.

Compliance and Enforcement: The NOP will continue to investigate and act on regulatory violation complaints, and manage appeals, as they are received by the program. Last year, the NOP issued over 200 enforcement actions, including 9 civil penalties for \$81,500 for knowing violations of the Organic Food Production Act. These compliance activities support consumer confidence in the USDA organic seal and protect certified operations operating in compliance with the standards.

Sound and Sensible Certification Standards: Many farmers and agricultural businesses have not taken advantage of organic market opportunities because of a lack of technical information, recordkeeping challenges involved in certification, and inconsistent certification processes. In 2013, the National Organic Program initiated a "Sound and Sensible" initiative to make organic certification more accessible, attainable, and affordable for small and beginning farmers. The NOP will continue to identify the near-term policy changes and clarifications that will streamline requirements; refocus certification and oversight on practices rather than paperwork; and support the Secretary's 2013 Organic Agriculture Guidance to eliminate duplicative requirements through cross-USDA collaboration.

USDA Outreach: The NOP supports the USDA-wide Organic Working Group (including the Organic Literacy Initiative), and facilitates implementation of Secretary Vilsack's Departmental Guidance on Organic Agriculture.

I look forward to another busy and productive year. Please let me know if you have any questions or concerns. If you have specific ideas on how we can improve our work or services please get in touch with me, Miles McEvoy, at miles.mcevoy@ams.usda.gov.

NODPA NEWS - Dec 23, 2014

Jean Richardson, Chair National Organic Standards Board (NOSB)

Following the October Meeting in Kentucky the NOSB moved quickly back into its work agenda, increasing the number of subcommittee conference calls to accommodate the required 5 year Sunset Review of materials on the National List as well as petitioned materials. Each subcommittee has NOP staff support. All of our present agenda must be completed by February 24 so that it can be placed in the Federal Register for Public Comment in early March ready for the April meeting in San Diego. Here's what each subcommittee of volunteers is working on:

Livestock/Aquaculture: The material which continues to occupy much of our time is methionine in poultry production. We asked a number of experts from diverse perspectives and scales of operation with diverse management techniques, and nutritionists to come and answer questions on our conference calls. We have also been in conversation with researchers who have been working on alternatives to synthetic methionine. You can never know everything when researching a substance as there are so many confounding variables, but we have done a lot of research on this developing proposal which we hope to bring to full board vote at the April meeting. We shall also be voting on acidified sodium chlorite and zinc sulfate, and may have enough research completed to consider a proposal for aluminum sulfate for poultry litter treatment.

We will be presenting the initial Sunset Review of 41 Livestock materials in order to seek public comment and discuss at the April meeting, with a vote on keeping or removing these materials from the National List at the October meeting in Stowe Vermont. I won't list them all here, but they include chlorhexidine, the parasiticides fenbendazole, moxidectin and ivermectin; iodine, copper sulphate, peracetic acid, lidocaine and methionine. For several of these we have requested updated Technical Reports. Your comments on any material up for Review is critical. If you find it hard to navigate the NOP Website and find the full list, or want to chat about sunset review of materials remember you can call me any time or e-mail me questions.

The Livestock subcommittee also has aquaculture on its Work Agenda, but we are waiting on further discussion on these materials until the draft standards are published, which may not be until late spring 2015- things move slowly in Washington!

Animal Welfare standards should be out soon, and we are all hoping that these will be responsive to the concerns expressed by the NOSB and the public.

Crops: In the crops subcommittee we shall be presenting 4 proposals for new materials at the April meeting, and an update on Inerts, as well as a discussion document on Contamination in Farm Inputs. For Sunset Review there will be final votes on renewal or removal of ferris phosphate and hydrogen chloride, and initial review discussion of an additional 45 materials which will be voted on in October following public comment.

The Materials/GMO subcommittee continues its work on gmo (excluded methods) contamination and will lead a panel discussion on this issue at the April meeting.

The Policy subcommittee was reinstated by the NOP at our request and is working on updating policies and procedures.

Certification, Accreditation subcommittee is working on the Soil conservation document initially presented for public comment in April, and a proposal on peer review accreditation.

The Handling subcommittee is working on 5 petitions which may be voted on in April, as well as 10 Sunset substances for vote in April, and an additional 106 materials (including groups of materials) to be presented for initial Review in April with final vote in October.

So if the NOSB is doing all this work, what is our Deputy Administrator, Miles McEvoy doing with his time!

Miles is on all of our NOSB Executive calls and we typically talk by phone every week. He has been shepherding the animal welfare and origin of livestock proposed standards through the convoluted pathways in Washington, as well as working on a range of national and international issues in organic agriculture, including equivalency agreements, helping expand markets abroad, and efforts to keep mislabeled products out of the marketplace. To do this the USDA launched a new way to notify buyers when fraudulent organic certificates are identified. This includes surveillance audits of certifiers and operations certified in foreign countries. In 2014, NOP conducted foreign audits of certifiers in Mexico, Taiwan, South Korea, Australia, Turkey, France, England, Peru, Argentina, and Bolivia.

~~He led the work to start up the \$11.5 million per year National Cost-Share Program, and Miles has also been working on a new Whole Farm Revenue protection policy, recently approved by the Federal Crop Insurance Corporation Board of Directors, which will be available as a pilot program in 2015. This policy option is designed to meet the needs of specialty crop growers and producers with highly diversified farms, including organic producers.~~

Formatted: Highlight

Miles ~~and his team have~~ ~~has~~ initiated over 200 investigative and enforcement actions, including 60 notices of warning, 26 cease and desist notices, and 48 referrals for investigation by certifiers and by State, Federal and foreign agencies. He has successfully referred two cases to Office of the Inspector General for criminal investigation; publicized 13 fraudulent organic certificates; and levied 9 civil penalties for \$81,500 via settlement agreements for knowing violations of the Organic Food Production Act.

Meanwhile Miles ~~and team NOP continue to provide information about organic agriculture to~~ ~~continues to work with his NOP staff to teach organic agriculture to the to~~

thousands of USDA employees ~~who are willing to learn~~ so that USDA can better serve the organic community. This is an ongoing and much needed task.

I also happen to know that in his spare time Miles goes bird watching!

Do not hesitate to contact me with your questions, comments or concerns any time. If I do not know the answer I will find the right person to help you.

(b) (6)

home phone:

(b) (6)

974 words

From: [Jean Richardson](#)
To: [Arsenault, Michelle - AMS](#)
Cc: [McEvoy, Miles - AMS](#)
Subject: Re: DRAFT TENTATIVE agenda for spring 2015 NOSB
Date: Thursday, February 19, 2015 1:07:37 PM

Sounds good Michelle. And all Sunset material motions will be to remove, which means as much clarification as possible as to which ones we really mean remove!

On Feb 19, 2015, at 12:23 PM, Arsenault, Michelle - AMS wrote:

Excellent feedback, thanks. I will make a few changes and wait for Miles' feedback before sending out the next version. Ah yes, "MISSION" was a holdover from a past meeting that we never go to.

One thing Emily, Lisa, and I are still talking about is how to group the sunset materials to save time. By NL Section number and then by intended action seems logical. They've done that in the past. So, for example, list all the 605(a) items and note which ones will have a motion to remove, and which ones will not. We definitely all want and need a clear idea of the mechanics ahead of time.

Thanks,

Michelle

From: Jean Richardson [mailto:██████████ (b) (6)]
Sent: Thursday, February 19, 2015 12:18 PM
To: Arsenault, Michelle - AMS
Cc: McEvoy, Miles - AMS
Subject: Re: DRAFT TENTATIVE agenda for spring 2015 NOSB

Hi Michelle

Thank you for the draft agenda

To be honest I do not see how we can get through everything in 4 days, but your Agenda looks reasonable.!

Under "Introductions" - Do we really need " NOSB Mission"? I always find that a bit odd. All I do is introduce folks.

In terms of your question as to where to place the NOSB Report: Please put Lisa Brines right after Miles'NOP Report and then put NOSB Report after Lisa. The Goal here is to clearly demonstrate the NOSB role and Chair's comments which will, in part, add to comments provided by both Miles and Lisa a few minutes earlier. This will be the case for all NOSB meeting going forward. It is intended to set the tone of professionalism and collaboration for the meeting.

Under Livestock, the Methionine and the ASC are both proposals in response to Petitions - so add petitioned

We will need to be explicit in making sure no-one makes any plane reservations until Friday morning at earliest in case we need to keep going to finish on Thursday evening.

So in terms of the Hotel reservations let us be sure we have adequate rooms for everyone from Saturday night through Thursday night departing Friday.

I will e-mail the Board to let them know this, but we will need to do it more than once I am sure.

I am home today Michelle if you need to discuss the proposed Agenda

Cheers

Jean

On Feb 18, 2015, at 6:52 PM, Arsenault, Michelle - AMS wrote:

<2014 template Agenda_Internal.docx>

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From: [McEvoy, Miles - AMS](#)
To: [Arsenault, Michelle - AMS](#); [Barry Flam](#); [Carmela Beck \(carmela.beck@driscolls.com\)](#); [Colehour Bondera \(colemel@kanalanifarm.org\)](#); [Harold Austin](#); [Jay Feldman](#); [Jean Richardson](#) (b) (6); [Jennifer Taylor](#) (b) (6); [JFoster@ebfarm.com](#); [joe.dickson@wholefoods.com](#); [Nicholas Maravell](#) (b) (6); [Robert Mac Stone \(mac@elmwoodstockfarm.com\)](#); [Rueben Walker](#) (b) (6); [Tracy Favre \(tfavre@favrehouse.com\)](#); [wendy.fulwider@organicvalley.com](#); [Zea Sonnabend \(zea@well.com\)](#)
Subject: draft work plan
Date: Thursday, April 19, 2012 4:35:18 PM
Attachments: [NOSB Workplan 2012-13 4-19-12.xlsx](#)
[image001.png](#)

Attached is a draft work plan for the fall 2012 and spring 2013 NOSB meetings. We would like to establish the work plan so that committee work can proceed effectively. Thank you for your work and I look forward to discussing the work plan with you tomorrow.

Miles V. McEvoy
Deputy Administrator
National Organic Program
U.S. Department of Agriculture
Room 2646-So. (Stop 0268)
1400 Independence Ave SW
Washington, DC 20250-0268
202-720-3252
www.ams.usda.gov/nop

Organic Integrity from Farm to Table, Consumers Trust the Organic Label

Register for the NOP Organic Insider, the National Organic Program's email notification service, by visiting <http://bit.ly/NOPOrganicInsiderRegistration>.



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Crops	Ferric phosphate	Vinasse
	PGML	Polyoxin D Salt
	Biodegradable Plastic Mulch	Biochar
	Oxidized Lignite	Inerts Working Group - Update
Livestock	Nonanoic Acid	
	Pet Food Amino Acids	
	Parasiticide Use in Fiber Animals	
Handling	8 Nutrient Petitions	
	Barley Betafiber	
	Dextrin	

NOSB Workplan - DRAFT

4/19/12

	<i>Fall 2012</i>	<i>Spring 2013</i>
Crops	NL petition - Ferric phosphate	NL petition - Vinasse
	NL petition - PGML	NL petition - Polyoxin D zinc salt
	NL petition - Biodegradable plastic mulch	Inerts Working Group - Proposal
	NL petition - Oxidized lignite	NL petition - Sulfuric acid
	Inerts Working Group - Update/Discussion Document	NL-aquaculture - plants - Trace minerals
	Fire Blight Working Group - Update	NL-aquaculture - plant - Vitamins
Livestock	NL petition - Nonanoic acid	NL-aquaculture - Vitamins
	NL petition - Pet food amino acids	NL-aquaculture - Trace minerals
	Parasiticides for fiber bearing animals discussion document	
	NL - aquaculture - carbon dioxide	Poultry - Omnivore Diets - Proposal
	NL-aquaculture - Chlorine	
	NL-aquaculture - Micronutrients	
NL-aquaculture - Vaccines, Biologics		
Poultry - Omnivore Diets - Discussion Doc		
Handling	NL petition - L-carnitine	NL petition - Bergamot bitter orange powder (2010/11)
	NL petition - L-methionine	NL petition - Sulfuric acid (2010)
	NL petition - Beta-carotene	"Other Ingredients" Proposal
	NL petition - Taurine	NL petition - DBDMH petition
	NL petition - Nucleotides	
	NL petition - Ascorbyl palmitate	
	NL petition - Lutein	
	NL petition - Lycopene	
	NL petition - Barley betafiber (2009)	
	NL petition - Sugar beet fiber (2009)	
"Other Ingredients" Discussion Doc		
Materials	CBI on petitions - proposal	Ion exchange chromatography discussion doc
	Update petition/TR process	
Policy	Updates to PPM (sent by MB/LB)	
	NOSB Ethics	
CACC	Calculating % of Organic Ingredients - Discussion Doc	Calculating % of Organic Ingredients - Proposal
	Sanitizers in bulk milk trucks - proposal	
	Monitoring OSP Practices - Discussion Doc	Monitoring OSP Practices - Proposal
	Sanitizers in 100% Organic Products - Proposal	Retail Certification
GMO (Ad-Hoc)	Cell Fusion - Discussion Doc	
	GMO and Organic Seeds - Discussion Doc	

NL = National List

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: FYI - Fwd: Task force-hydroponics
Date: Friday, April 10, 2015 1:19:15 PM

Hi Jean,

Thank you for the encouragement. I am planning to put my name in.

I do hope it is a balanced group rather than a bunch of hydroponic producers, researchers and their certifiers. I do not want to be the token organic guy.

For this task force to succeed it will also need a good mix of folks who have the background to assess whether the proposed hydroponic practices align with OFPA and the USDA organic regulations.

Enjoy your weekend,

Eric

--

Eric Sideman
Crop Specialist
Maine Organic Farmers and Gardeners Association
Phone: 603 269 6201
esideman@mofga.org

From: [McEvoy, Miles - AMS](#)
To: "[Jean Richardson](#)"
Subject: RE: Friday at 8.30?
Date: Wednesday, January 28, 2015 10:00:13 AM

Yes, that will work. 4 pm?

-----Original Message-----

From: Jean Richardson [<mailto:> (b) (6)]
Sent: Wednesday, January 28, 2015 8:10 AM
To: McEvoy, Miles - AMS
Subject: Friday at 8.30?

Hi Miles

Looks like I will be in the truck Friday morning headed out for a processing inspection - assuming snow is reasonable. So any chance we can chat Thursday late afternoon early evening like last week?

Thanks

Jean

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From: [Jean Richardson](#)
To: [Arsenault, Michelle - AMS](#)
Cc: [Colehour Bondera](#); [Jennifer Taylor](#); [Mac Stone \(mac@elmwoodstockfarm.com\)](#); [Tracy Favre](#); [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#)
Subject: Re: For review: PDS Notes August 11, 2015
Date: Thursday, August 13, 2015 2:24:11 PM

Do we need a September 8 meeting?

Sent from my iPhone

On Aug 13, 2015, at 12:55 PM, Arsenault, Michelle - AMS
<Michelle.Arsenault@ams.usda.gov> wrote:

Hello Policy Development folks,
Attached, please find the notes from our August 11, 2015. Our next call is September 8, 2015 2:00 ET.

Thanks,
Michelle

Michelle Arsenault
Advisory Committee Specialist
USDA National Organic Program
1400 Independence Ave SW; Room 2638S
Washington, DC 20250-0268
Office: 202.720.0081
Mobile: (b) (6)
michelle.arsenault@ams.usda.gov

<PDS 08 11 15 draft.docx>

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: RE: Field trip prior to NOSB?
Date: Friday, March 13, 2015 12:58:01 PM

Yup - might be too much

-----Original Message-----

From: Jean Richardson [[mailto:](#) (b) (6)]
Sent: Friday, March 13, 2015 12:08 PM
To: McEvoy, Miles - AMS
Subject: Field trip prior to NOSB?

Hi Miles

I am wondering if we are asking too much of everyone to do a field trip, plus added expenses for NOP budget. Since the meeting is 4 days, if folks come in Saturday rather than Sunday, that would be a time commitment of 7 days as I imagine everyone would need to fly out on Friday morning.

Just a thought,

Jean

From: [Jean Richardson](#)
To: [Paula Daniels](#)
Cc: [Mac Stone](#); [Tracy Favre](#); [McEvoy, Miles - AMS](#)
Subject: Re: few words from each?
Date: Thursday, April 30, 2015 12:02:54 PM

Ah no, thank you for letting me know.
Do you want to leave some words for me to speak for you?
We will try to get votes completed before you have to leave.
Jean

On Apr 30, 2015, at 11:56 AM, Paula Daniels wrote:

> I'm not sure if I mentioned this to you but I will be leaving at the 3:30 break

>

> *****

> Sent from my iPhone

> (tip-typing away)

>

>> On Apr 30, 2015, at 8:40 AM, Jean Richardson <[\(b\) \(6\)](#)> wrote:

>>

>> Hi,

>> as suggested, I will ask each of you to say a few words about your goals for your next 5 years on the Board, when you get your plaque from Miles this afternoon at 5 pm

>> check with Ashley for ideas...

>> Jean

From: [Jean Richardson](#)
To: [Kent Henderson](#)
Bcc: [McEvoy, Miles - AMS](#)
Subject: Re: Fenbendazole update
Date: Monday, May 07, 2012 8:00:42 PM

Hi Kent:

Thank you. I have forwarded this to Miles McEvoy and the Chair of the NOSB Livestock committee as well.

Jean

On May 7, 2012, at 4:49 PM, Kent Henderson wrote:

Dear Tom,

Three weeks ago, I wrote to draw Senator Leahy's office's attention to the extensive delay in approval of Fenbendazole by USDA for organic producers. As you suggested, I contacted Jean Richardson and we met for a few hours two weeks ago. She helped me understand how her board works and I offered observations from the animal health field. We have agreed to meet on a regular basis.

We were under the impression that Mr. McEvoy's office had been contacted and we could expect the appearance of Fenbendazole in the Federal Registry on Friday April 27. When the Registry was checked on Tuesday May 1, Fenbendazole was missing from the list.

Dairy replacement heifers are being put out on pasture this week in Vermont. For proper strategic deworming strategy, I will be advising non organic Vermont dairy farmers to deworm with Fenbendazole in 3-5 weeks. Is there any hope that Mr. McEvoy's office can sign off on Fenbendazole, before the organic dairy heifers start picking up internal parasites?

Thanks,
Kent Henderson
Northwest Veterinary Associates, Inc.

From: Kent Henderson [[mailto:](#) (b) (6)]
Sent: Sunday, April 15, 2012 7:57 PM
To: 'Tom Berry'

Cc: 'stephen.tegarden@merck.com'; 'Jackson, Rick'; 'S B B Lewis'; (b) (6)
Allison Maslack; Jennifer Taylor; Stephen Wadsworth (cowvet@myfairpoint.net)
Subject: safeguard organic letter-2011 (3)

Dear Tom,

Recently we met at the Friends of Northern Lake Champlain advisory council meetings and annual meeting. For the past year, I have had the honor of succeeding Pixley Tyler Hill as chair of FNLC. Tonight, I would like to send along comments as president and business manager of Northwest Veterinary Associates, Inc., a six person dairy exclusive veterinary practice serving NW Vermont and NE New York. Organic dairy and beef cow/calf are growing portions of our veterinary practice and if I am reading national publications correctly, Vermont has one quarter to one third of the nation's organic dairy farms. We have always been appreciative of Senator Leahy's support of the overall dairy industry and new parallel organic industry, so we turn to you for support.

For the past decade, our practice has been diagnosing internal parasite problems in our organic herds and we can offer no practical and effective program to cure these animals according to Organic standards. In addition to the death of many clinical cases of parasitism, we have documented several of our organic farms that have high parasite loads that reduce the ability of animals to resist all types of diseases. Since we are the advocate for the cow, we were delighted to learn four years ago, that the NOFA board of medical advisors had unanimously approved the addition of Fenbendazole (Safeguard) to the list of approved drugs. Briefly, Fenbendazole has an outstanding record of effectiveness and virtually no evidence of parasite resistance since its introduction 25+ years ago. The drug stays in the lumen of the gut and does not go systemic, so it has zero milk and meat withholding time and is widely used on Vermont dairy farms. When it is passed in the feces, it does no harm to the environment and beneficial worms and beetles that break down "cow patties."

Four long years have gone by since the NOFA board approval and USDA has not followed through with approval. As you can see by the March 4, 2011 date on the attached letter, another year went by after our careful comment. We are facing a critical time for pasture based organic cows and heifers. In early May,

they will be put out on worm-infested pastures with no effective protection. The organic farms need the approval to use Fenbendazole now, and can't understand why there should be any delay.

It is our understanding that the whole process of approval has stopped on the desk of:

Miles McEvoy
Deputy Administrator
National Organic Program
1400 Independence Ave., S. W.
Room 2646-S, STOP 0268

We respectfully request that Senator's Leahy's office take urgent action by contacting Mr.. McEvoy to speed along the availability of Fenbendazole to organic dairy and beef animals.

Thank you,

Kent Henderson, DVM
Northwest Veterinary Associates, Inc.
6 Fairfield Hill Rd., Saint Albans, VT .05478

(b) (6)

(b) (6)

cell

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: February in VT
Date: Friday, December 12, 2014 2:41:22 PM

Great. I do not know Linda, but hear good things about her.
I shall try to keep Nor Easterns at bay during mid February.
Jean

On Dec 12, 2014, at 2:32 PM, McEvoy, Miles - AMS wrote:

> That would be fun. Thank you. I would like to try to get in a visit with Linda Berlin, a UVM faculty person who you may know.

>

> Miles

> -----Original Message-----

> From: Jean Richardson [[mailto: \[REDACTED\] \(b\) \(6\)](#)] On Behalf Of Jean Richardson

> Sent: Friday, December 12, 2014 2:23 PM

> To: McEvoy, Miles - AMS

> Subject: February in VT

>

> Hi Miles

> I would be delighted if you would stay at my place in February when you come to Vermont.

> Cheers

> Jean

>

>

>

>

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>

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: RE: Feb 4-5? Leahy?
Date: Tuesday, November 05, 2013 8:59:02 AM

Let's talk about it.
Miles

-----Original Message-----

From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)
Sent: Monday, November 04, 2013 9:08 AM
To: McEvoy, Miles - AMS
Subject: Feb 4-5? Leahy?

Hi Miles

Since we shall be in DC Feb 4-5, should we consider inviting Pat Leahy and Marcelle to meet with us?
Jean

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Feb 3 visits?
Date: Monday, January 26, 2015 4:57:45 PM

Hi Miles

Both Tracy and I are available for meetings with anyone you think we should meet with on Tuesday Feb 3, day before our new Board member Training. I am additionally available on Friday morning following the training. Let us know what you would like us to do.

Thank you

Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Farmers Union talk
Date: Saturday, September 20, 2014 12:03:36 PM

Hi Miles

I have just agreed to be part of an organic panel for the New England Farmers Union convention in Portland Maine on Dec 12.

The person contacting me, Roger Noonan, was at NASDA. He would like you or Betsy to be on the panel and I said I would drop you a note. He is pretty upset with the OTA Check off program, and wants to be able to talk about Sunset etc.

He will be at NODPA this coming Thursday.

Cheers

Jean

From: [Jean Richardson](#)
To: [B. Flamm](#)
Cc: [Mac Stone](#); [CALVIN WALKER](#); [Carmela Beck](#); [COLEHOUR BONDERA](#); [Harold Austin](#); [Jay Feldman](#); [Jennifer Taylor](#); [joe.dickson@wholefoods.com](#); [John Foster](#); [Nicholas Maravell](#); [Tracy Favre](#); [Wendy Fulwider](#); [Zea Sonnabend](#); [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#)
Subject: Re: Fall Meeting
Date: Wednesday, June 13, 2012 10:20:23 AM

Public Meeting of NOSB:

Format of set up:

I liked the use and placement of cameras and screens, but I suggest an oval shape for the table set up so we can all see each other. This would make it easier to chair the meeting too. So for example it would be easier for the Chair to know which board member has a hand raised to ask questions.

Conflict of Interest:

This was not merely awkward it was a bit silly. The Chair should ask for "Any disclosures of Interest" or some such and not "Any Conflict of Interest" as this creates a potential public misperception. I suggest that NOP review what procedures we legally/ethically require under FACA and that these are clearly understood by us all prior to next public meeting. The so-called disclosures made by members were irrelevant and need not have been made in my opinion. So let's have an NOP ethics lawyer clarify this.

Voting:

If we listen to public comment, and sub committees then huddle together to discuss possible recommendations, and then vote immediately, it creates several impressions to the public:

1. We take public verbal comment very seriously (which is good), but:
2. we do not take the time to read additional written comment just handed to us by the presenter before we vote; and
3. We appear to confirm the public's impression that coming to the meeting and speaking is very important and perhaps more important than all the written comments submitted before the meeting.

So It may make more sense to do all the voting on the Friday after we have had time to digest both verbal and additional written material.

3 minutes or 5?;

I do not care as long as the meeting is run smoothly and all Board members are given an opportunity to ask questions if they wish.

Expert Comment:

I like the use of invited experts to testify. They allow board members who are not on a specific sub committee, eg livestock and GMO vaccine issue, to clarify the scope of the issue and have their questions answered. But invited experts will need to be allotted more time. How can we best handle such experts and not be viewed as getting excessive "corporate input"?

Use of the Gavel:

Should we encourage the Chair to use the gavel if and when there is disruptive or unpleasant behavior by members of public or board?

Pre-Meeting subcommittee discussions:

It is pretty critical to the success of our joint work (NOSB and NOP) that all board members meet with each of the subcommittees prior to the formal public meeting. We are only on 3 sub committees and cannot be on every conference call, yet we must vote with clear understanding of the implications of each vote. So we need most of the Monday to do that effectively. So let us request the NOP to allow the necessary face to face discussion time prior to the Tuesday start of formality. That will be money well spent!

I enjoyed meeting you all, and look forward to working with you over the next few years.

Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#); [Arsenault, Michelle - AMS](#); [Tucker, Jennifer - AMS](#)
Subject: Extend date for Nosb nominations
Date: Thursday, May 14, 2015 2:41:48 PM

Hi I am getting calls to ask if in fact nomination date for Nosb was actually extended?
Help please
Jean

Sent from my iPhone

From: [Jean Richardson](#)
To: [Colehour Bondera](#)
Cc: [Zea Sonnabend](#); [Tracy Favre](#); [Harold Austin](#); [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#)
Subject: Re: Executive call April 10, 2015
Date: Wednesday, April 15, 2015 4:35:34 PM

I really have said all I wish to say on this subject
Jean

Sent from my iPhone

> On Apr 15, 2015, at 3:28 PM, Colehour Bondera <(b) (6)> wrote:
>
> TY for responding, Jean.
>

(b) (6)

> Sincerely,

>
> Colehour

>> On Apr 15, 2015, at 2:49 AM, Jean Richardson wrote:

>>
>> To be honest Colehour, we volunteers can say whatever we want on an Executive call. It should be a safe place for us to express our frustrations, suggest new ways to approach issues, or sort through complexities to seek the best way forward for NOP and NOSB in our respective roles. I feel that we should be kind to one another, respectful of the divergence of opinions and perspectives, and not just be tolerant of the diversity, but celebrate the diversity. Each of the 15 members alone can have a positive impact on the organic community, but it is the synergy of us all together that will lead to the needed change.

>>
>> So I ask for your kindness and understanding as we move forward.
>> Respectfully, Jean

>>
>>
>>
>>

>>> On Apr 15, 2015, at 12:53 AM, Colehour Bondera wrote:

>>>
>>> Aloha Jean,
>>>
>>> I appreciate your initially quick response to my communication of concern.

>>>
>>> At this time I request that you please fully respond as to how you, as Chair, will provide attention to this issue

(see below) in a way that affects all involved, notably the one who behaved in a manner to raise concern regarding our equal, fair and non-discriminatory responsibilities in representing the public regarding organics. Correct a problem before it gets out of hand, and be sure that there are not actions taken due to the distraction of a lawsuit when we are required to properly reach conclusions without pre-decisions based on outside actions that we may not support, but that are not related to the considerations on the table.

>>>

>>> Thank you for your immediate response.

>>>

>>> Yours,

>>>

>>> Colehour

>>>

>>>> On Apr 12, 2015, at 3:54 PM, Jean Richardson wrote:

>>>>

>>>> Hi Colehour

>>>> Thank you for your heartfelt comments.

>>>> I will not make a detailed response in a hasty manner this evening, but I shall think carefully about the concerns that you are raising

>>>> Jean

>>>>

>>>> Sent from my iPhone

>>>>

>>>>> On Apr 12, 2015, at 9:08 PM, COLEHOUR BONDERA <[REDACTED] (b) (6) [REDACTED]> wrote:

>>>>>

>>>>> Aloha Jean,

>>>>>

>>>>> Hope that this finds you doing well.

>>>>>

>>>>> It is with some concern and uncertainty that I send this message to you, however I feel that the subject must be dealt with by the Executive Committee at minimum, if not via the NOP and/or at least the PDS.

>>>>>

>>>>> While I could include legal references and quotes from websites and the PPM (in whatever form is considered "current") regarding this subject, I would rather start on more friendly terms and receive acknowledgement of my points of concern from both yourself and the NOP (which is why I have cc'ed Miles, given his position as well as the fact that he was on the call referred to...)

>>>>>

>>>>> The point of concern that I am writing this about was during the Executive Subcommittee NOSB call of April 10, 2015, on which I was a "listener". Specifically, during discussion regarding the topic of a lawsuit, which I believe that you raised, there was some discussion that I both want to be sure is in the meeting notes for the sake of reference (which is why I have also cc'ed Michelle), but also for the reference of action that I believe must be formally taken at this time.

>>>>>

>>>>> In my opinion, based not only on NOP acceptance to NOSB members, NOP trainings as well as the PPM, all members of the NOSB are responsible and required to duly consider all input provided by all members of the public (who we represent as a public advisory committee to the USDA), not only those who we agree with or are already friends with, so to speak.

>>>>>

>>>>> Points and opinions provided should not and from the perspective of discrimination, cannot be disregarded or dismissed due to previous actions of said party or organization is my understanding of how the basis of the legal framework guides our responsibilities.

>>>>>

>>>>> That said, while I perhaps am reading more into it that is deserved, it was with significant concern that I heard and considered the implications of the comments that Zea Sonnabend went out of her way to not only make, but to clarify in the brief discussion that followed. Zea noted that she would not provide equal due consideration henceforth to the groups/group representatives whos' names were associated with the procedural lawsuit filed last week towards the USDA regarding the NOP and the sunset process revisions.

>>>>>

>>>>> That said, Zea made it quite clear that she would not give equal consideration, and in fact my memory is that she stated that she would, 'disregard comments from said entities' during upcoming meeting(s)/decision(s).

>>>>>

>>>>> As it is suggested at the start of this communication, it would be much better to not cite programmatic or even legal points of order regarding such a position, in my opinion. However given the circumstances and the timeliness of the points made (by Zea, not others) in terms of consideration from said groups in written and/or live testimony, my request is that Zea be called to order at this time (ie, not wait until the meeting only, though a general statement at the meeting as well would make a lot of sense).

>>>>>

>>>>> If it is felt that this must be done generically, such as via an email to all NOSB members regarding due diligence and our required equal consideration and attention to all members of the public aside from our areas of assignment and/experience with individuals or groups, I believe that such a communication from the Chair and the NOP would likely be sufficient, if done right away.

>>>>>

>>>>> Frankly, I believe that a warning to said individual (Zea) in terms of the requirements of the position that she holds as an NOSB member should come from the Executive Subcommittee (for which reason the other members of which are also cc'ed on this message), and I hereby request such an action, for noted rationale. If it is determined by some that we must consider this issue in the PDS, that is a separate longer term topic, but cannot and should not be used as an excuse to not call on the approach being used for our upcoming meeting in terms of full and equal consideration being shown by all NOSB members to all public communications be they individual, group, and/or from those who each of us represent in our specific position.

>>>>>

>>>>> While my position as a Producer is not specifically for Consumer/Public Interest representation, it is with full respect that I remind you that the NOP has made it quite clear that each of our designations does not remove our requirement to respectfully consider and allow to influence input from all members of the public, and for that reason this request is to be sure that all NOSB members are doing so even if they have personal annoyance with actions of groups; that those personal feelings have to be removed from our assigned duties and agreed upon responsibilities.

>>>>>

>>>>> Thank you for your serious consideration and attention to this experiential area of concern which I hope could be wrapped up at this time with your appropriate action as our elected Chair.

>>>>>

>>>>> Sincerely,

>>>>>

>>>>> Colehour

>

From: [Jean Richardson](#)
To: [Zea Sonnabend](#)
Cc: [Calvin Walker](#); [McEvoy Miles - AMS](#); [Brown Rosen Emily - AMS](#)
Subject: Re: Executive call agenda May 8, 2015
Date: Thursday, May 07, 2015 1:51:24 PM

OK
Yes bring up under your crops report.
Jean

On May 7, 2015, at 12:33 PM, Zea Sonnabend wrote:

Jean,
I would like to bring up on the call how we can possibly submit a comment from the NOSB to the APHIS Stakeholder engagement on the BioTechnology Regulation (colloquially known as part 340). Information can be found here:

<http://www.aphis.usda.gov/APHISVirtualMeetings/>

The comment period closes June 22. I realize this may be logistically difficult, but is a very worthwhile endeavor and could just involve re-stating portions of already adopted postings from the Materials/GMO subcommittee without covering new ground. The APHIS needs to hear from the NOSB! A blog on this topic can be found here:

<http://blog.seedalliance.org/2015/05/05/the-future-of-biotechnology-regulations-begins-with-you/>

Regards,
Zea

Begin forwarded message:

From: "Arsenault, Michelle - AMS" <Michelle.Arsenault@ams.usda.gov>
Date: May 6, 2015 9:42:26 AM PDT
To: Ashley Swaffar <Ashley.swaffar@vitalfarms.com>, Calvin Walker <(b) (6)>, Carmela Beck <carmela.beck@driscolls.com>, "Colehour Bondera" <colemel@kanalanifarm.org>, Francis Thicke <fthicke@iowatelecom.net>, Harold Austin <harolda@zirklefruit.com>, "Jean Richardson" <(b) (6)>, Jennifer Taylor <(b) (6)>, Lisa de Lima <lisa@momsorganicmarket.com>, "Mac Stone" <mac@elmwoodstockfarm.com>, Nick Maravell <(b) (6)>, Paula Daniels <pdaniels@goodfoodla.org>, "Tom Chapman" <tchapman@clifbar.com>, Tracy Favre <tfavre@favrehouse.com>, "Zea Sonnabend" <zea@well.com>
Cc: "Brown Rosen, Emily - AMS" <Emily.BrownRosen@ams.usda.gov>, "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov>, "Brines, Lisa - AMS" <Lisa.Brines@ams.usda.gov>
Subject: Executive call agenda May 8, 2015

Hello everyone!

I hope you all made it home safe and sound (sorry Harold!) and have had some time to recuperate. (b) (6), it was a great meeting. Very well organized and productive. We even managed to finish an hour early!

Below, please find the agenda for the May 8 Exec call, which, according to Jean, will be brief. Just a recap of the meeting. Also below, please find my proposed timeline for the fall meeting.

Thanks!
Michelle

-
Agenda

- **Approve notes of** March 13, 2015 and April 10, 2015 (not yet available for review)
- **Chairs Report** - JR
 - Mechanism for getting public Comment late summer – e.g. open call that can be recorded for record.
 - Review of Meeting - suggestions/changes for October?
- **Advisory Board Specialist (ABS) update** - MA
 - Travel reimbursement vouchers
 - Fall timeline
- **NOP news and update** - MM
- **Subcommittee Reports** (5 minutes each)
 - Policy Development (PDS) - MS
 - Handling (HS) - TC
 - Materials/GMO ad hoc (MS/GMO) - CW
 - **Compliance, Accreditation, & Certification (CACCS)** - CBe
 - Crops (CS) - ZS
 - Livestock (LS) - TF
- **Additional Items**
- **Adjourn**

Fall 2015 Milestones	Target date
NOP - Complete Fall 2015 NOSB meeting tentative agenda	July 8, 2015
NOSB - Spring 2015 proposals due to NOP	Aug 26, 2015
NOP - Post proposals, Publish FRN, Open public comment	Sep 8, 2015
Discuss work agendas on ES call	Sep 11, 2015
Public comment closes	Oct 5, 2015
Work agendas finalized on ES call (last call before fall meeting)	Oct 8, 2015
NOP - Send compiled public comments to NOSB	Oct 13, 2015
Fall 2015 NOSB meeting - Stowe, VT	Oct 26 - 29, 2015

From: [Jean Richardson](#)
To: [Zea Sonnabend](#)
Cc: [Tracy Favre](#); [Harold Austin](#); [Tom Chapman](#); [Carmela Beck](#); [CALVIN WALKER](#); [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#); [Tucker, Jennifer - AMS](#)
Subject: Re: Exec on Friday
Date: Tuesday, June 09, 2015 11:59:20 AM

Yes Exec will be as usual on Friday, but Tracy will Chair
Michelle will get agenda out Wednesday as usual.
Jean

On Jun 9, 2015, at 11:49 AM, Zea Sonnabend wrote:

> Are we still having the executive call without you?
> Zea
>
> Sent from my iPad
>

>> On Jun 9, 2015, at 7:11 AM, Jean Richardson <[\(b\) \(6\)](#)> wrote:
>>

>> Hi Everyone

>> I will not be on the Exec call on Friday but wanted be sure that the Webinars for public comment are getting organized.

>> We are looking at BOTH Tuesday September 22 and Tuesday September 29 from 1 pm -4 pm ET. Speakers allowed 4 minutes. This will provide us with 6 hours of public comment and thus save us 6 hours at the October meeting.

>> In April we had 11.5 hours of public comment time.

>> In October I suggest we have 5 or 6 hours of public comment on the Monday so that the Tuesday through Thursday can be our NOSB work.

>> Michelle will need to get this into the Federal Register by end of June with a clear statement that speakers can do oral comment only once. And also that time allotted in October is for 3 minutes each, and that we will only be taking public comment on Monday for 5 hours (or 6 hours).

>>

>> Let me know what you think

>> Thank you

>> Jean

>>

>>

From: [McEvoy, Miles - AMS](#)
To: ["Jean Richardson"](#)
Subject: RE: Exec call? Lost you
Date: Friday, December 12, 2014 1:25:21 PM

Back on

-----Original Message-----

From: Jean Richardson [[mailto:](#) (b) (6)]
Sent: Friday, December 12, 2014 1:20 PM
To: McEvoy, Miles - AMS
Subject: Exec call? Lost you

Hi Miles

ready for your report on the Exec. Can you get back on line?

Thanks Jean

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: example of public comment!
Date: Sunday, April 19, 2015 12:07:03 PM

one public comment urges the NOSB to "protect our men's sperm count, keep organic strong!"...
spending the day reading comments again.
Jean

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: RE: Evaluation-building trust
Date: Monday, February 17, 2014 8:27:14 AM

I agree that it is important to continue to communicate and build trust. Let's discuss specific ideas on how to keep this happening.
Happy skiing!

Miles V McEvoy
Deputy Administrator
National Organic Program

-----Original Message-----

From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)
Sent: Sunday, February 16, 2014 6:09 PM
To: McEvoy, Miles - AMS
Subject: Evaluation-building trust

Hi Miles

Perhaps it should not "go without saying" but the primary purpose for training between the NOP and the NOSB must be building trust between and within the two entities. Trust building is an activity which is never ending, but vital to the success of our business. Right now there is a severe erosion of that trust, between and within. This must be addressed for us to flourish as we move ahead - for the benefit of the organic label- so to speak.

If the NOSB members, at whatever point in time, can say - I trust the NOP and such and such individual working there - that would be good.

Cheers,
Jean

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: Evaluation
Date: Thursday, December 12, 2013 7:41:54 PM

Ok call me on land line (b) (6)
I do not have your cell

Sent from my iPhone

> On Dec 12, 2013, at 7:12 PM, "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov> wrote:

>

> Wish I could join you at the Starry Night.

> I should be home by 8 as well.

>

> Cheers, Miles

>

> -----Original Message-----

> From: Jean Richardson [[mailto:\(b\) \(6\)](#)]

> Sent: Thursday, December 12, 2013 6:23 PM

> To: McEvoy, Miles - AMS

> Subject: Evaluation

>

> Hi Miles

> I am out eating at the Starry Night down the road and note an AMS email asking me to sign in and evaluate you I would prefer to talk with you first so I can do a good job!

> I should be home by 8 pm

> Cheers

> Jean

>

> Sent from my iPhone

>

>

>

>

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>

From: [McEvoy Miles - AMS](#)
To: ["Calvin Walker"](#)
Cc: ["Francis Thicke"](#); [Brown Rosen](#); [Emily - AMS](#); ["Tracy Favre"](#); [Arsenault, Michelle - AMS](#); ["Stone Mac"](#); ["Richardson Jean"](#); ["Bondera Colehour"](#); ["Swaffar Ashley"](#); ["Daniels Paula"](#)
Subject: RE: EU: Synthetic methionine
Date: Friday, April 03, 2015 10:16:21 AM

Hi Calvin,

The EU regs provide flexibility through derogations. Each competent authority (member state like Germany, Latvia, etc.) may allow up to 5% non-organic feed through a derogation. The 5% non-organic feed is utilized to ensure adequate high methionine supplements though synthetic methionine is not allowed in the non-organic feed component. The EU regs also provide additional derogations -

Basic rule:

"Organic livestock shall be born and raised on organic holdings." (Regulation 834/2007, article 14(1)(a)(i))

Derogation

Under exceptional rules, "with prior authorization of the competent authority, when a flock is constituted for the first time, renewed or reconstituted and organically reared poultry are not available in sufficient numbers, non-organically reared poultry may be brought into an organic poultry production unit, provided that the pullets for the production of eggs and poultry for meat production are less than three days old" (Regulation 889/2008, article 42(a)).

Conversion

"Where non-organic livestock has been brought onto a holding [...], the production rules [of Regulation 834/2007 and Regulation 889/2008] must have been applied for at least:

- (c) 10 weeks for poultry for meat production, brought in before they are three days old;
- (d) six weeks in the case of poultry for egg production." (Reg 889/2008, article 38(1))

Miles

From: Calvin Walker [mailto:██████████ (b) (6) ██████████]
Sent: Thursday, April 02, 2015 9:47 AM
To: McEvoy, Miles - AMS
Cc: Francis Thicke; Brown Rosen, Emily - AMS; Tracy Favre; Arsenault, Michelle - AMS; Stone Mac; Richardson Jean; Bondera Colehour; Swaffar Ashley; Daniels Paula
Subject: Re: EU: Synthetic methionine

Miles,

I hope your trip to Brussels went well. Did you get a chance to find out how the EU states or EU Commission deal with the use of synthetic methionine in organic poultry diets? Was the 5% non organic ingredients still allowed?

Best and high regards.
Calvin

Sent from my iPhone

On Apr 2, 2015, at 7:56 AM, "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov> wrote:

I didn't hear anything about this when I was in Brussels a few weeks ago. The EU Commission, organic farming groups, and the competent organic authorities in each EU member state were very interested in learning how U.S. organic livestock producers manage without antibiotics.

Miles

From: Francis Thicke [<mailto:fthicke@iowatelecom.net>]
Sent: Wednesday, April 01, 2015 3:31 PM
To: Brown Rosen, Emily - AMS; 'Calvin Walker'
Cc: 'Tracy Favre'; Arsenault, Michelle - AMS; 'Stone Mac'; 'Richardson Jean'; 'Bondera Colehour'; 'Swaffar Ashley'; 'Daniels Paula'; McEvoy, Miles - AMS
Subject: RE: EU: herbal remedies outlawed in organic

I think you are right, Emily, that all EU livestock producers must meet this regulation. If herbal remedies were outlawed here in the US it would be a tremendous burden for organic livestock producers.

Francis

From: Brown Rosen, Emily - AMS [<mailto:Emily.BrownRosen@ams.usda.gov>]
Sent: Wednesday, April 01, 2015 10:35 AM
To: Calvin Walker; Francis Thicke
Cc: Tracy Favre; Arsenault, Michelle - AMS; Stone Mac; Richardson Jean; Bondera Colehour; Swaffar Ashley; Daniels Paula;

McEvoy, Miles - AMS

Subject: RE: EU: herbal remedies outlawed in organic

Hi all,

I am not familiar with the regulation mentioned in the article, but it sounds to me like this is a new requirement for all EU livestock producers, not just organic. EU organic regs refer to a lot of other regulations that farmers must also follow. I know that some EU countries have regulated herbal remedies (e.g. Germany) extensively, just like pharmaceuticals.

I'm copying Miles in case he has some further insight,

Emily

[Emily Brown Rosen](#)

[Specialist, Standards Division](#)

[USDA-AMS-NOP](#)

www.ams.usda.gov/nop

[609-737-8630 NJ office](#)

[\(b\) \(6\) cell](#)

-----Original Message-----

From: Calvin Walker [\(b\) \(6\)](mailto:(b) (6))

Sent: Tuesday, March 31, 2015 11:42 PM

To: Francis Thicke

Cc: Tracy Favre; Arsenault, Michelle - AMS; Stone Mac; Richardson Jean; Bondera Colehour; Brown Rosen, Emily - AMS;

Swaffar Ashley; Daniels Paula

Subject: Re: EU: herbal remedies outlawed in organic

Miles was in the EU recently He might have a source to verify.

Calvin

Sent from my iPhone

> On Mar 31, 2015, at 9:07 PM, "Francis Thicke" <ftthicke@iowatelecom.net> wrote:

>

> I came across this strange article about how it is illegal to use herbal remedies for animals in place of antibiotics for organic livestock production in the EU. Does anyone know anything about this?

>

>

> http://www.theecologist.org/News/news_analysis/2468118/eu_outlaws_animal_use_of_herbal_remedies_on_organic_farms.html

>

>

>

From: [McEvoy Miles - AMS](#)
To: "[Francis Thicke](#)"; [Brown Rosen Emily - AMS](#); "[Calvin Walker](#)"
Cc: "[Tracy Favre](#)"; [Arsenault Michelle - AMS](#); "[Stone Mac](#)"; "[Richardson Jean](#)"; "[Bondera Colehour](#)"; "[Swaffar Ashley](#)"; "[Daniels Paula](#)"
Subject: RE: EU: herbal remedies outlawed in organic
Date: Thursday, April 02, 2015 8:56:07 AM

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Miles

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Sent: Wednesday, April 01, 2015 3:31 PM
To: Brown Rosen, Emily - AMS; 'Calvin Walker'
Cc: 'Tracy Favre'; Arsenault, Michelle - AMS; 'Stone Mac'; 'Richardson Jean'; 'Bondera Colehour'; 'Swaffar Ashley'; 'Daniels Paula'; McEvoy, Miles - AMS
Subject: RE: EU: herbal remedies outlawed in organic

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Cc: Tracy Favre; Arsenault, Michelle - AMS; Stone Mac; Richardson Jean; Bondera Colehour; Swaffar Ashley; Daniels Paula; McEvoy, Miles - AMS
Subject: RE: EU: herbal remedies outlawed in organic

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Emily

[Emily Brown Rosen](#)
Specialist, Standards Division
USDA-AMS-NOP
www.ams.usda.gov/nop
609-737-8630 NJ office
(b) (6) cell

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>

>

>

From: [Jean Richardson](#)
To: [Tracy Favre](#); [Tom Chapman](#); [Harold Austin](#); [Carmela Beck](#); [Calvin Walker](#); [Zea Sonnabend](#)
Cc: [McEvoy, Miles - AMS](#); [Arsenault, Michelle - AMS](#); [Brown Rosen, Emily - AMS](#)
Subject: ES call, Agenda item
Date: Sunday, July 05, 2015 10:33:11 AM

Hi ES

here are items being requested for addition to the Work Agenda for the LS this summer

Thank you

Jean

Hi Jean –

Please put on agenda for next Executive SC.

Miles

From: Jean Richardson [mailto:██████████ (b) (6)]
Sent: Tuesday, June 02, 2015 2:50 PM
To: McEvoy, Miles - AMS
Cc: Brown Rosen, Emily - AMS; Tracy Favre (tfavre@favrehouse.com)
Subject: Agenda Items for LS

Hi Miles

I wish to request addition of two items to the LS agenda for us to work on this summer with the the aim of having at least Lidocaine/Procaine being on the October NOSB.

Both of these are Sunset 17 materials. The first one is fairly simple and relates to an annotation change for the two pain killers Lidocaine and Procaine, and the second one is more complex relating to Parasiticides.

1. Lidocaine and Procaine.

These are listed separately.

Our Sunset 17 Template 2 is pretty simple and indicates we will be proposing to shorten the Withholding period. Below is the Lidocaine template, and the Procaine is the same.

Reference: §205.603(b) As topical treatment, external parasiticide or local anesthetic as applicable

(4) Lidocaine—as a local anesthetic. Use requires a withdrawal period of 90 days after administering to livestock intended for slaughter and 7 days after administering to dairy animals

Technical Report: None

Petition(s): N/A

Past NOSB Actions: [10/1995 NOSB minutes and vote](#); [11/2005 sunset recommendation](#); [10/2010 sunset recommendation](#)

Recent Regulatory Background: Sunset renewal notice published

06/06/12 ([77 FR 33290](#))

Sunset Date: 6/27/2017

Subcommittee Review

Lidocaine is a local anesthetic. It numbs ONLY the area to be worked on.

The NOSB in its initial request for public comment asked:

1. Since this material was last reviewed have alternative materials emerged?
2. What is the scientific rationale for what appears to be an excessively long withdrawal period?
3. Is there research to indicate that a shorter withdrawal period would be appropriate?

Public comment did not provide any alternatives, did not provide any scientific rationale for the lengthy withholding period and recommendations were received suggesting that a very short withholding period would be scientifically acceptable. The LS cannot make an annotation at Sunset review but will consider introducing a proposal to change the withholding period to 5 days for all livestock, slaughter and dairy.

There was widespread stakeholder support for continuing to list lidocaine.

This material meets the OFPA criteria.

I do not have a specific number of days yet which I would propose for Withholding, but I believe this annotation change should be fairly easy and meet with general support from a broad range of stakeholders.

2. Parasiticides.

Parasiticides are covered in both 205.603 and also 205.238, so changes will be more complex than for Lidocaine and Procaine above. But changes are needed, and we now have the scientific data to support our proposal. These changes will have a positive impact on Livestock production. If we can get the proposal out and get comments for October we can wait and vote next April if Comment indicates we are asking for too much.

The general language at 205.603 treats all parasiticides the same, but they are not all the same.

There are three parasiticides on the list: Ivermectin, Moxidectin and Fenbendazole.

We will most likely be voting to Remove Ivermectin from the list for many

reasons

We may or may not be recommending removal of Moxidectin

We will be likely to keep Fenbenzadole on the list.

Here are some of the notes from our Sunset template showing some of the issues with our present language:

1. Fenbendazole, which is considered the most environmentally benign, is annotated to require the "written order of a licensed veterinarian". Ivermectin and Moxidectin have no such requirement. That may lead producers to choose a more environmentally detrimental parasiticide for convenience.
2. Moxidectin is annotated "for control of internal parasites only." However, Moxidectin is widely used as a pour-on, and when used in that form for control of internal parasites it is also a *de facto* control for external parasites. Moreover the annotation "for control of internal parasites only": was apparently written based on incorrect information on the half-life of Moxidectin in the soil.
3. §205.603(a)(18) requires a 90-day withholding period for milk or milk products from a treated animal. There seems to be wide consensus that 90 days is much too long of a withholding period, because 1) it may motivate a producer to withhold needed treatment of an animal because of the severe consequences of a 90-day withdrawal, and 2) that is considered an excessive withdrawal time for food safety. Fenbendazole and Moxidectin have no milk withdrawal time for use in conventional production.
4. Ivermectin is not allowed for use in slaughter stock under the NOP, and it is not allowed for use in dairy animals of breeding age by the FDA, leaving the only legal use of Ivermectin to be on breeder stock before the last third of gestation for progeny to be sold as organic.

The newest addition to the list, Fenbenzadole, functions quite differently from the other 2 and the research, new TR and public comment over several years indicates that the manner in which it is used should be modified in terms of a much shorter withholding time and other aspects of parasite management. We also have public comment and research which would indicate that sheep wool could be sold as Organic after the withholding period.

I have a working draft proposal of the proposed changes for both 205.603 and 205.238, but I am not quite ready to circulate it, but if necessary I can provide you with more detail so we can move forward and get this added to our LSA agenda.

Please let us know if we can add these to the LS Agenda right away.
Thank you
Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Cc: [Arsenault, Michelle - AMS](#)
Subject: Re: EC call
Date: Friday, November 14, 2014 12:34:46 PM

OK thank you
Jean

On Nov 14, 2014, at 12:29 PM, McEvoy, Miles - AMS wrote:

- > I am in an AMS management retreat. I'll try to step out to call in to today's call but would only be available for a short time.
- > My report would be short -
- > Two NOP memos to the board next week - one on BPA, one on peer review. Both request NOSB review of these topics.
- > I'll be in Mexico next week for equivalency negotiations/preliminary assessment.
- >
- > Miles V McEvoy
- > Deputy Administrator
- > USDA National Organic Program
- >
- >
- >
- >
- > This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Re: Early arrival
Date: Wednesday, February 11, 2015 8:04:20 PM

Sounds good

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

> On Feb 11, 2015, at 5:22 PM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:

>

> So let's plan on you being on the exec call and prepared to talk up the hydroponics WG as I gather your PR guy wants to say Nosb approves.

> Maybe you could phone Zea if you get a minute?

> I better vacuum the floors tomorrow!

> Cheers

> Jean

>

>

> Sent from my iPad

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From: [Jean Richardson](#)
To: [Bailey, Melissa - AMS](#)
Cc: [Zea Sonnabend](#); [Calvin Walker](#); [Colehour Bondera](#); [Francis Thicke](#); [Jay Feldman](#); [Jennifer Taylor](#); [Mac Stone \(mac@elmwoodstockfarm.com\)](#); [Lipson, Mark - OSEC](#); [Arsenault, Michelle - AMS](#); [Tucker, Jennifer - AMS](#); [McEvoy, Miles - AMS](#)
Subject: Re: GMO ad hoc revised report for Monday
Date: Monday, August 26, 2013 12:18:51 PM

OK - So we may not need the added conference call today?
Jean

On Aug 26, 2013, at 12:04 PM, Bailey, Melissa - AMS wrote:

All – We appreciate the attempt made to address the NOP’s concerns about this document. As Zea noted, the content has not changed much but it has been re-titled as a “report” and some of the “recommendations” re-labeled as “suggestions”. Our concerns have not been resolved by this revision and we can’t post the document in its current form.

We are open to a revision that simplifies the document to provide a clear, objective analysis regarding the pros and cons of a seed purity standard and (given the fundamental obstacles identified in your analysis) then offers some realistic options to the full board for proceeding further. Such a revision is not achievable in the time frame available for the Fall meeting. We would like to regroup with you to figure out how to best work on the seed purity issue between now and the Spring 2014 NOSB meeting.

Thanks, Melissa

From: Zea Sonnabend [mailto:zea@well.com]
Sent: Saturday, August 24, 2013 5:35 PM
To: Arsenault, Michelle - AMS
Cc: Calvin Walker; Colehour Bondera; Francis Thicke; Jay Feldman; Jean Richardson; Jennifer Taylor; Mac Stone (mac@elmwoodstockfarm.com); Bailey, Melissa - AMS; Lipson, Mark - OSEC
Subject: Re: GMO ad hoc revised report for Monday

Hello subcommittee,

As we discussed on our last call, here is a revision of our Seed Purity document into a "Report" instead of a proposal. I did not change most of the content that much, because as a report we can put in everything we have talked about so far. I did remove most track changes from the older text so that it is easier to see the new changes.

We only have one call left on Monday to finalize this, so please read this before then and either circulate revisions by email or be prepared to discuss in detail.

Regards,

Zea

On Aug 22, 2013, at 12:00 PM, Arsenault, Michelle - AMS wrote:

GMO ad hoc extra call

Monday August 26, 2013

10:00 PT/1:00 ET

(b) (6)

(b) (6)

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<Mail Attachment.ics>

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: GMO ad hoc revised report for Monday
Date: Monday, August 26, 2013 12:18:51 PM

I am out of the office. Please contact Joan Avila at joan.avila@ams.usda.gov if you need assistance.

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: GM Vaccine WG Update
Date: Wednesday, July 11, 2012 10:45:16 AM

I am currently out on vacation. Please contact Rita Meade (rita.meade@ams.usda.gov) at 202-720-3252 if you need immediate assistance.

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From: [Jean Richardson](#)
To: [Bailey, Melissa - AMS](#)
Cc: [Nick Maravell](#); [Updike, Scott - AMS](#); [McEvoy, Miles - AMS](#)
Subject: Re: GM Vaccine WG Update
Date: Monday, July 16, 2012 2:32:02 PM

July 24, 25, 26, 27 should all be OK for me. I can work around any time except the Tuesday afternoon when we already have NOSB calls scheduled.

Jean

On Jul 16, 2012, at 12:12 PM, Bailey, Melissa - AMS wrote:

Jean & Nick,

I am working with APHIS to set up our first conference call for the last week of July. Any particular scheduling issues from your end?

Also, I have attached a draft/proposed scope for the working group. We would all discuss this draft on our first call, but wanted to get something in front of you for your consideration.

Thanks, Melissa

From: Jean Richardson [[mailto:](#) (b) (6)]
Sent: Wednesday, July 11, 2012 10:45 AM
To: Nick Maravell
Cc: Bailey, Melissa - AMS; Updike, Scott - AMS; McEvoy, Miles - AMS
Subject: Re: GM Vaccine WG Update

Hi Melissa

I am available any time Thursday July 12 (tomorrow!) but assume there is no call?

I am also available Tuesday 17 between 9 am and noon or any time on Thursday the 19th or Friday 20th before 11 am

Let me know how you are doing setting up a meeting which includes APHIS

Thank you, Jean

On Jul 11, 2012, at 9:37 AM, Nick Maravell wrote:

Melissa

I am available on Thursday 7/12 or Friday 7/13, but I think Jean is only available on July 12. Please let me know how and when you want to proceed. Obviously, APHIS participation is key to making progress on establishing a usable list of GMO vaccines. APHIS should be involved from the very beginning.

Please include Jean on all of these emails so everyone is in the loop. Jean and I will be working very closely on this issue on behalf of the Livestock

Subcommittee.

I apologize for the late response, but I am very busy right now with farm business. In addition, we were "off the grid" and "off the net" all last week with power outages. (b) (6)

Thanks for keeping up with this GMO issue.

Nick

On Jul 3, 2012, at 10:27 AM, Bailey, Melissa - AMS wrote:

Hi Nick –

I had intended to circulate something yesterday to you on this topic but was having a hard time connecting with APHIS. I have a call scheduled with them next week so can we plan to check in toward the end of next week?

Thanks, Melissa

From: Bailey, Melissa - AMS
Sent: Wednesday, June 27, 2012 2:58 PM
To: Nick Maravell (b) (6) (b) (6)
Cc: Updike, Scott - AMS; McEvoy, Miles - AMS
Subject: GM Vaccine WG Update

Hi Nick –

I wanted to give you a quick update. Last week, our AMS representative briefed USDA staff on the NOSB GM vaccine resolution and the concept of creating a GM Vaccine Working Group to define and work on achievable next steps for this issue. I can now move forward to convene the GM Vaccine Working Group. I propose that you and Jean participate as the NOSB representatives and that Scott and I participate as the NOP representatives. Miles may participate on an ad hoc basis. I would expect the NOSB Livestock subcommittee to receive updates from the Working Group when needed through either you or Scott.

Next Step - I am drafting a proposed scope/workplan for this group and will circulate something by Monday, July 2. I'd like to have the first meeting the week of July 9th. Would either 11 am or 1 pm on Thursday, July 12 or Friday, July 13 work for you? I will also reach out to APHIS staff for their participation in this group.

Also, I looked into the information collection requirements for any survey – you mentioned OTA offering to provide something on vaccine use among producers. If OTA does their own independent survey and makes that information publically available,

then they are doing this of their own accord, not on behalf of the agency –that is entirely up to them. However, if we request that they conduct such a survey on behalf of the NOP or the NOSB (as the advisory board to the NOP) and/or provide specific questions for them to ask their membership, this would be considered information collection under the Paperwork Reduction Act and we would need to submit the survey and other documentation for comment and OMB review. The latter is not something we are prepared to do at this point. Just wanted to get back to you on your question.

Please let me know if this all seems reasonable or if you have any questions.

Thanks, Melissa

Melissa R. Bailey, Ph.D.
Director, Standards Division
National Organic Program
U.S. Department of Agriculture
Room 2646-So. (Stop 0268)
1400 Independence Ave SW
Washington, DC 20250-0268
202-260-8079
www.ams.usda.gov/nop

Organic Integrity from Farm to Table, Consumers Trust the Organic Label

Register for the NOP Organic Insider, the National Organic Program's email notification service, by visiting <http://bit.ly/NOPOrganicInsiderRegistration>.

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<GM Vaccine Working Group Proposal.docx>

From: [Jean Richardson](#)
To: [Francis Thicke](#)
Cc: [Michelle Arsenault](#); [Tracy Favre](#); [McEvoy, Miles - AMS](#); [Jennifer Taylor](#); joe.dickson@wholefoods.com; [Nick Maravell](#); [Calvin Walker](#); [COLEHOOR BONDERA](#); [Zea Sonnabend](#); [Wendy Fulwider](#); [Jay Feldman](#); [Carmela Beck](#); [Harold Austin](#); [Mac Stone](#); [John Foster](#)
Subject: Re: FYI: Jim Riddle letter
Date: Sunday, October 13, 2013 4:10:04 PM

Francis
Thank you for forwarding this
Jean

Sent from my iPad

On Oct 13, 2013, at 3:51 PM, "Francis Thicke" <fthicke@iowatelecom.net> wrote:

To read Melody Myer's original post: www.organicmattersblog.com

From Jim Riddle

October 11, 2013

To the OTA Board of Directors:

I have been involved in the organic sector since the early 1980's as a producer, inspector, trainer, policy specialist, outreach coordinator, grant program administrator, activist and eater— as well as serving on the National Organic Standards Board. I have been a member of the Organic Trade Association since the early 1990's, was co-author of OTA's American Organic Standards and wrote OTA's comments on the USDA's second proposed organic rule.

OTA's new Board President, Melody Meyer, recently wrote and released a divisive, inaccurate and accusatory article entitled, "Stop the lies and get behind your National Organic Program."

In her article, Ms. Meyer displayed an alarming lack of understanding of the Organic Foods Production Act (OFPA) and the National Organic Program (NOP) Final Rule, as well as disrespect for public interest groups who have been part of the organic movement from the beginning.

For starters, Ms. Meyer stated, "In 2001 the first US organic standards were written into law after years of discussion, discovery and scientific review." This statement is incorrect. The law, OFPA, was passed in 1990. The NOP Final Rule (which is a regulation, not a law) was released in December 2000 and took effect in October 2002.

In discussing allowed and prohibited substances on the National List, Ms. Meyer overlooks the fact that OFPA only allows the use of synthetic and non-organic substances as "exemptions." Those exemptions are required by OFPA to sunset, or end, after 5 years, unless the allowances are reviewed and renewed by the NOSB, which has statutory authority over the content of the National List.

Ms. Meyer states, “All that’s changed is it now takes two thirds majority to vote to list and two-thirds to delist. “

That is a huge change, and one that does not comply with the OFPA’s clear language regarding the powers of the NOSB to determine substances and annotations on the National List; OFPA’s sunset provisions; and the need for any action of the Board to be based on a 2/3 majority “decisive vote.”

Despite the NOP’s new directive, OFPA (the law) has not changed. Substances sunset from the National List unless they are reviewed and renewed by a decisive 2/3 vote of the NOSB. In order for listings to be legally valid, they need to be renewed following an affirmative vote of the Board. Any substance renewed by a less than 2/3 affirmative vote will certainly be subject to legal challenge.

Ms. Meyer goes on to state, “Elsewhere the article cites the “lack of public input on this process.” This statement is, again, outrageously bogus.“

The NOP’s new directive was issued without any discussion with the Board at a public meeting. There was no vote of the Board to support the directive, and no opportunity for members of the public to offer input to the NOSB or the NOP on the directive.

This situation is analogous to the 4 “retracted directives” that were issued by the NOP in 2004, when I served on the NOSB. Those directives would have: a) allowed the labeling as “organic” of products not covered by NOP standards; b) allowed the use of antibiotics in dairy cattle to be used in organic production; c) allowed the use of fish meal in livestock feed; and d) allowed the use of pesticides with unknown inert ingredients. They were issued with no NOSB consultation or public comment.

After public outcry, USDA Sec. Anne Veneman intervened, ordered the directives withdrawn, and ordered staff to work in close consultation with the NOSB on future draft rules, policies and directives. It appears that those lessons have been forgotten. Consulting with the NOSB on implementing OFPA is required by law.

Finally, Ms. Meyer suggests that persons with concerns “reach out to the NOP directly. They are always available to answer questions and concerns.” Not! The NOP’s website is not even operational during the shutdown!

Due to the divisiveness and inaccuracy of the new OTA President’s comments, I have decided to allow my OTA membership to expire.

Though I disagreed, I have maintained my OTA membership as OTA has tried to push through a new tax (checkoff) on all certified organic operations to fund an organic promotion program, instead of looking for creative ways to capture support dollars from retailers and consumers who benefit from organic production.

I have maintained my OTA membership, even though I have seen my trade

association place its lobbying strength and resources to pass an organic checkoff referendum while programs that benefit organic producers, such as the national organic certification cost share and the organic research and extension initiative, have gone unfunded.

I have remained a member when I have seen OTA advocate for the allowance of questionable artificial (i.e. synthetic) additives used in organic food production and processing.

But the positions taken and attitude displayed by the OTA's new president are too much. I cannot, in good conscience, renew my OTA membership.

Respectfully,

Jim Riddle
Organic Independents LLP
Winona, MN

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: FYI: Jim Riddle letter
Date: Sunday, October 13, 2013 4:10:05 PM

Thank you for your message.

I am not in the office at this time. I am on furlough without access to email, due to the lapse in federal government funding. I will return your message as soon as possible once funding has been restored.

For information about available government services, visit USA.gov.

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From: [Jean Richardson](#)
To: [Nick Maravell](#)
Cc: [Wendy Fulwider](#); [Colehour Bondera](#); [C. Reuben Walker](#); [\(b\) \(6\)](#); [Mac Stone \(Personal\)](#); joe.dickson@wholefoods.com; [Tracy Favre](#); [McEvoy, Miles - AMS](#)
Subject: Re: GMO Vaccines Resolution
Date: Wednesday, May 23, 2012 9:39:44 PM

Hi Nick and Wendy:

I was not aware of this proposed resolution until it was raised by Nick in public session, and I am concerned that I will not be able to vote positively on the resolution as presently drafted. The opening paragraphs are fine, and I would add a sentence that states that consumers assume that all organic products are gmo free , but I am not inclined to support a request for gmo labeling for a number of reasons and I cannot support that request in the "resolution".

Rather, I would prefer to send a clear message to manufacturers that organic producers and ACA's will be looking for non-gmo documentation for livestock vaccines as is done in organic processing etc.

Asking for a clear list is really important.

We are not just looking for information. NOP staff have given us some bits and pieces which have been not strictly accurate. We want detailed, accurate data and information with some initial analysis by NOP.

The attached questions should not go forward at this time. They require a considerable amount of editing into a concise and clear list of well articulated questions

Jean

On May 23, 2012, at 6:40 PM, Nick Maravell wrote:

LC

Please review and discuss.

Nick

Attached is a DRAFT resolution of the Board on GMO vaccines

<GMO vaccine resolution>

Attached is a DRAFT of questions that could be address.

<GMO Vaccine Questions.doc>

On May 20, 2012, at 2:56 PM, Wendy Fulwider wrote:

<aleabanr.gif>

Dear LC,

I have a brief ppt outline and would like your input as to changes, adds, etc. I only made a placeholder for gmo vaccines as I expect Nick and Jean will take the lead on that discussion. If you would like to add slides to the ppt, please make up slides as you need and we can pop them in. I will continue working on the slides I have made so far.

Safe travels!

Dr. Wendy K. Fulwider

Animal Care Specialist

Organic Valley / Organic Prairie

Fax: 608-625-3019

Cell: (b) (6)

<2012 Spring Meeting short.ppt>

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Fwd: goat pasture rule statement
Date: Wednesday, July 22, 2015 7:40:07 AM
Attachments: [Pasture rule.docx](#)

Hi Miles
I just go this. Could you pass on to the right person at NOP.
Thank you
Jean

Begin forwarded message:

From: "Does' Leap" <doesleap@myfairpoint.net>
Date: July 21, 2015 9:32:58 PM EDT
To: Jean Richardson <[REDACTED] (b) (6)>
Subject: goat pasture rule statement

Hi Jean,

I sort of dropped the ball on this, but I just got a petition in the mail that I guess will be given to the NOP at some point. They say they have 2/3 of organic goat farmers signing the petition to change the 30% rule for goats back to "pasture access". I'm attaching a short statement supporting the 30% rule and hoping you can get it where it needs to go. Sorry, I just didn't have much time to pull anything great together, but hopefully it is moderately coherent!

Kristan

--

Does' Leap LLC
1703 Rte 108 South
East Fairfield, VT 05448
802.827.3046
www.doesleap.com

20 July 2015

I recently received a petition from a group of organic dairy goat producers for the NOP to change the 30% dry matter intake rule for dairy goats, changing it to "pasture access" only. We have had a certified organic dairy goat herd for 15 years and I would like to write in support of the current DMI rule. We have had no problem exceeding the 30% DMI (usually approaching 50%) during the grazing system and I think this rule is a key component to maintaining integrity in the organic label.

Arguments were made that the modern dairy goat has very high production and a very selective diet and that they are also natural browsers. I agree with all of this but feel that a well managed pasture system can enable them to thrive. I understand the argument that browse takes a very long time to be regenerate but we have found that our goats do quite well on very well managed pasture with limited judicious access to browse. Our browse component is very important during times of high heat or rain, but the majority of the intake for our goats is from very diverse pasture. Our goats are moved to a fresh paddock at least every 12 hours and are occasionally moved after 6 in certain conditions. The selectivity of the goats requires this intensive paddock rotation to obtain good DMI, but I believe this is the case for well managed cow dairies as well.

Pasture access only for goats, in my experience, would result in very limited fresh forage intake for the goats. Without moving to a fresh and interesting paddock regularly, goats will do very little grazing. We have a 4 acre paddock in our barnyard that is part of our rotation system. This often contains beautiful forage of optimal height and palatability. When we bring our goats back to the barn at nightfall they always have access to these fields but very rarely do they choose to graze there. It would certainly look great for a "pasture access" system, but I think my goats would be taking in 90% stored feeds in such a situation.

I agree there are challenges, but I think there are challenges with every organic system, and there are actually many advantages to pastured goats over cows including access to more marginal lands, less damage to wet land, and more spritely movement from distant paddocks to barns. We have developed our system and our herd over many years and we have a productive, healthy and profitable herd. I really think goat farmers can rise to the challenge of meeting this DMI and I would hate to see the standard lowered.

We currently milk 55 goats and graze them on 45 acres including browse and hayland. We graze other species on the land as well. This works well for us but I believe we could be successful with access to fewer acres/goat as well.

Thank you for your consideration,

Kristan Doolan

Does' Leap LLC
Bakersfield VT

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: Hi from Jean R.
Date: Sunday, May 04, 2014 7:27:12 PM

Ok I will make 1 pm work
Jean

Sent from my iPad

> On May 4, 2014, at 7:22 PM, "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov> wrote:

>

> I have a meeting that starts at 9:30. Have an opening at 1 pm.

>

> Miles V McEvoy

> Deputy Administrator

> USDA National Organic Program

>

>> On May 4, 2014, at 7:08 PM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:

>>

>> Great Miles.

>> Call me Tuesday at home [\(b\) \(6\)](#)

>> I will have a list to run through with you!

>> Does 10 am work OK for you?

>> Jean

>>

>> yes great bird migrations getting started here. So cheerful.

>>

>>> On May 4, 2014, at 7:01 PM, McEvoy, Miles - AMS wrote:

>>>

>>> Hi Jean,

>>> I really look forward to working with you. I'm not available on Monday (EU Commission in town) but Tuesday should work.

>>> Beautiful weekend here - warbler migration in full swing.

>>> What's the best number to call?

>>>

>>> Cheers,

>>> Miles

>>>

>>> Miles V McEvoy

>>> Deputy Administrator

>>> National Organic Program

>>>

>>>

>>> -----Original Message-----

>>> From: Jean Richardson [<mailto:> [\(b\) \(6\)](#)]

>>> Sent: Sunday, May 04, 2014 10:34 AM

>>> To: McEvoy, Miles - AMS

>>> Subject: Hi from Jean R.

>>>

>>> Hi Miles.

>>> I was surprised to be elected Chair last week - I had sort of planned for 2015. And, between you and me, depending on how things go this summer, I may try to stay on for another whole year if it seems best for the NOSB, and train the next class of appointees.

>>>

>>>> Owing to a long standing commitment I shall not be available for the Admin call on Thursday, or Exec call on Friday as I shall be in New York City with my daughter Sarah.

>>>> Mac will run these calls for me.

>>>>

>>>> I will be chatting with Michelle on Monday afternoon (we also met in San Antonio for a while on Friday afternoon).

>>>>

>>>> I would like to chat by phone with you about our work over the next 6 months at least, including some ways we might get some good PR so there is a more balanced public record; also let's discuss where to go with aquaculture, and how best to deal with the 5 year motions of Jay's etc. and other items I am sure you have in mind.

>>>>

>>>> I am around Monday any time, and Tuesday (except HS and LS meeting times), and Wednesday morning this week. Do any of these times work for you?

>>>>

>>>> Cool and wet here, more like mid April.

>>>> Cheers,

>>>> Jean

>>>>

>>>>

>>>>

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>>

>>

>

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: RE: Hi from India
Date: Monday, November 24, 2014 8:13:24 PM

Hi Jean

Sounds fun! Send me a list of the birds you see.

Did I tell you I heard back from the Abu Dhabi folks? They are gathering more ideas and will get back to me. I'll check in with them soon.

Had a great trip to Mexico visiting farms, certifiers and our government partners. We should discuss international issues at the NOSB meetings. There is so much going on with equivalency, harmonization, building internal markets in many countries, grower groups, participatory systems.

Best,

Miles

-----Original Message-----

From: Jean Richardson [[mailto:](#) (b) (6)]

Sent: Sunday, November 23, 2014 11:05 PM

To: McEvoy, Miles - AMS

Subject: Hi from India

Hi Miles

Email is pretty easy so far so I am keeping in touch with Michelle and Tracy and others.

So if you need anything just drop a note We had piracy drill on the small boat we are on!

Today Sarah and I and two others are going bird watching in a swamp on the Rajasthan coast. Great fly way here and supposed to be 96 species most of which look new to me.

(b) (6)

We loved Oman and I am hoping you can swing Abu Dhabi Cheers Jean

Sent from my iPad

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: Harold at NOSB meeting
Date: Thursday, August 27, 2015 5:12:11 PM

I am out of the office and will return on September 8. Please contact Joan Avila at 202-720-3252, joan.avila@ams.usda.gov if you need immediate assistance.

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: Hi from Vermont
Date: Sunday, April 14, 2013 12:30:41 PM

I am out of the office until April 23. Please contact Joan Avila at joan.avila@ams.usda.gov if you need assistance.

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Re: Hi from Vermont
Date: Sunday, April 14, 2013 7:59:47 PM

Hi Jean - Yes, it was a busy meeting. I'm glad you met Sam. He's such a great guy but I'm a little biased. Ami and I have been with family the last few days. Now we're off to Maui for a nice little break from it all before heading back to DC.

Hope your sugaring goes well. Let's plan to get together in Louisville. Also, we may try to put together an aquaculture trip this summer - I'll keep you posted.

Organically yours,

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

On Apr 14, 2013, at 9:30 AM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:

- > Hi Miles:
- > Sorry I did not get time to sit down with you at this meeting.
- > Maybe at the next meeting!
- > The week flies by! and I was being lobbied pretty hard as you know, especially on Wednesday when I got no lunch and I was so hungry by days end!.
- > I met your curly headed son at the OMRI evening.
- > What a nice lad! and a UVM graduate!
- > I came back to snow and the sap is still running, so I went up to the sugar house last night and again tonight to help boil. End of season makes for many more changes in the filters as the quality of syrup changes, so my help will make for a lighter load for my son in law and the other guy. I think tomorrow, Monday, will be the last night. A good season for a change.
- >
- > Hope you had a great family get together in Portland.
- >
- > Best regards,
- > Jean
- >
- >
- >

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: Hi from Vermont
Date: Thursday, September 26, 2013 5:33:13 PM

I am out of the office. Please contact Joan Avila at joan.avila@ams.usda.gov if you need assistance.

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: Hi from Vermont
Date: Sunday, September 29, 2013 11:36:26 AM

Miles what is the best number to call you?
And is any day better than others this week?
Jean

On Sep 26, 2013, at 7:17 PM, McEvoy, Miles - AMS wrote:

- > Nice to here from you! Anne really enjoyed meeting you. Things are going well. Love to talk to you sometime.
- >
- > Best. Miles.
- >
- > ----- Original Message -----
- > From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)
- > Sent: Thursday, September 26, 2013 09:32 PM Coordinated Universal Time
- > To: McEvoy, Miles - AMS
- > Subject: Hi from Vermont
- >
- > Hi Miles:
- > Just a note to say hi, and hope all is going as you wish - more or less!
- > I had a great meeting with Anne Alonzo in Vermont the other day.
- > I just spent the last 10 hours reading NOSB proposals and related documents!
- > Trying to be prepared!
- > Looking forward to a productive meeting in Kentucky
- > Let me know if you need my help on anything
- > Lovely Fall weather here.
- > Lots of apples and pears right now out back , so I have made a stack of pies for fundraisers and family and friends
- > Take care,
- > Jean
- >
- >
- >
- >
- >
- >
- >
- > This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.
- >

From: [Jean Richardson](#)
To: [Brines, Lisa - AMS](#)
Cc: [Lewis, Paul I - AMS](#); [McEvoy, Miles - AMS](#)
Subject: Re: Harold at NOSB meeting
Date: Thursday, August 27, 2015 5:12:11 PM

Hi Lisa
Thank you
This is a good foundation.
We can chat about details in September
Thank you
Jean

On Aug 27, 2015, at 1:55 PM, Brines, Lisa - AMS wrote:

Hi Jean,

This is a follow-up to your previous request below. I'm also happy to schedule a time to discuss additional details or concerns by phone.

You are welcome to share following information if questions arise about Harold's virtual participation:

- Unfortunately, Harold cannot attend the Fall NOSB meeting in person due to a personal matter. NOP considers this a special circumstance that warrants an exception to the usual practice of in-person participation.
- NOP supports Harold's virtual participation at the Fall 2015 NOSB meeting.
- The Fall 2015 NOSB meeting is subject to FACA requirements. FACA does not prohibit remote attendance and, in fact, allows for "virtual" public meetings as is evident with other Federal advisory committees.
- The NOSB Policy and Procedures Manual does not preclude virtual attendance and participation.
- At the beginning of the meeting, the Chair will announce that one Board member is participating by phone and give him opportunities to be recognized and speak when appropriate.
- The transcripts for the meeting will reflect that one Board member is participating remotely.
- During the meeting, NOP will work closely with the NOSB Secretary to ensure that the virtual Board member's votes are recorded.

If you have any further questions or concerns, please do not hesitate to let me know. I'll be out of the office August 31-September 10, but Paul Lewis is familiar with the issues and can also be reached in my absence at Paul.Lewis@ams.usda.gov (cc'd above) or (202) 260-9294.

Sincerely,

Lisa M. Brines, Ph.D.
National List Manager
National Organic Program
USDA Agricultural Marketing Service
Direct: 202-821-9683
lisa.brines@ams.usda.gov

Sincerely,

-----Original Message-----

From: Jean Richardson [<mailto:> (b) (6)]
Sent: Wednesday, August 19, 2015 8:37 AM
To: Brines, Lisa - AMS
Cc: McEvoy, Miles - AMS
Subject: Harold at NOSB meeting

Hi Lisa

We should plan some good language and strategies for handling the fact that Harold is going to attend the meeting virtually, which is not permitted in the PPM.

From your perspective, can you give me a list of all the legal reasons (USDA,FACA) why he can participate.

(b) (6)
[Redacted]

So I would like to be sure all the Board members understand the situation, and thus I will send an email letter from me to the Board in September, and make sure NOC gets it ahead of time as well, explaining that Harold will be attending virtually. We have already discussed Harold's virtual attendance on the Executive, with no objections.

I am sure we will have other "loose ends" to attend to in the next few weeks!. My goal is to get through the new Sunset successfully.

Thank you
Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Harold
Date: Tuesday, June 02, 2015 6:12:10 PM

Hi Miles

If you have not chatted with Harold recently on the phone, now would be a good time.

His cell phone is (b) (6)

Chat with me first if you wish

Cheers

Jean

From: [Jean Richardson](#)
To: [Mac Stone](#)
Cc: [Arsenault, Michelle - AMS](#); ["Barry Flamm"](#); ["Calvin Walker"](#); ["Carmela Beck"](#); ["Colehour Bondera"](#); ["Harold Austin"](#); ["Jay Feldman"](#); ["Jennifer Taylor"](#); joe.dickson@wholefoods.com; ["John Foster"](#); ["Nick Maravell"](#); ["Tracy Favre"](#); ["Wendy Fulwider"](#); ["Zea Sonnabend"](#); [McEvoy, Miles - AMS](#)
Subject: Re: Happy Thanksgiving!
Date: Thursday, November 22, 2012 9:01:08 AM

Thank you Mac and everyone;
Hope you are all having an organic, heritage breed turkey today, fresh chilled off the local farm.
Ours will be stuffed with sausage meat, apples and sage etc and served all the fixings including Grandma's cranberry bread and pecan pie
Happy Turkey Day
Jean

On Nov 22, 2012, at 7:42 AM, Mac Stone wrote:

We saw the PBS show "My Life as a Turkey" last night, they are truly fascinating creatures and many do not get the counterintuitiveness of preservation thru consumption. May we all take a little time to relax and enjoy friends, family and food. We have been thrown together to guide the most valuable food policy on earth. It is very rewarding to see how we quickly become friends, respect our differences, and build on our commonalities. Eagles are strong and beautiful when they soar, but turkeys stay on the ground and communicate to coexist like no other animal on earth. Ben Franklin was right, they should have been the National Bird. Thanks for the opportunity to work with a bunch of turkeys like yall. Happy Holidays, Mac

From: Arsenault, Michelle - AMS [<mailto:Michelle.Arsenault@ams.usda.gov>]
Sent: Wednesday, November 21, 2012 3:01 PM
To: Barry Flamm; Calvin Walker; Carmela Beck; Colehour Bondera; Harold Austin; Jay Feldman; Jean Richardson; Jennifer Taylor; joe.dickson@wholefoods.com; John Foster; Mac Stone; Nick Maravell; Tracy Favre; Wendy Fulwider; Zea Sonnabend
Subject: Happy Thanksgiving!

Hello all,
I just wanted to wish everyone a happy and safe Thanksgiving!

Talk to you next week,

Michelle

Michelle Arsenault
Advisory Board Specialist
USDA National Organic Program
1400 Independence Ave SW; Room 2640S
Washington, DC 20250-0268
Office phone: (202) 720-0081

Mobile: (b) (6)
michelle.arsenault@ams.usda.gov

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: Happy Thanksgiving!
Date: Thursday, November 22, 2012 9:01:09 AM

I am out of the office. Please contact Rita Meade (rita.meade@ams.usda.gov) at 202-720-3252 if you need immediate assistance.

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Re: Government shutdown
Date: Thursday, September 17, 2015 7:12:24 AM

I'm assuming we will have the October meeting. I'll be back September 29 and we can make plans then, if necessary.

Happy and safe travels!

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

> On Sep 17, 2015, at 5:36 AM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:
>
> Hi Miles
> We fly home Friday and I am thinking of plans in case of shutdown.
> My initial suggestion is to go to Stowe in April if we have shutdown.
> And not really plan many subcommittee meetings between October and April
> Any thoughts?
> Jean
>
> Sent from my iPhone

From: [McEvoy, Miles - AMS](#)
To: ["Jean Richardson"](#)
Subject: RE: Good work
Date: Friday, July 10, 2015 3:52:36 PM

Thanks - you too!
We are a great team.

Miles

-----Original Message-----

From: Jean Richardson [[mailto:](#) (b) (6)]
Sent: Friday, July 10, 2015 3:51 PM
To: McEvoy, Miles - AMS
Subject: Good work

Thank you Miles
You are doing a great job
Jean

From: [Jean Richardson](#)
To: [Jones, Samuel - AMS](#)
Cc: [Fortner, Charlsia - AMS](#); [McEvoy, Miles - AMS](#)
Subject: Re: Good PR
Date: Wednesday, May 14, 2014 2:58:41 PM

Great. 10 am on 20th on my calendar
Jean

On May 14, 2014, at 2:44 PM, Jones, Samuel - AMS wrote:

> How does the 20th at 10 a.m. sound? I will send out a meeting invite. And, we love free consultations!
> "Outsiders" like your stepson could bring an interesting perspective to our planning.

>

> Thanks,

> Sam Jones-Ellard

> Public Affairs Specialist

> USDA | Agricultural Marketing Service

> 202.660.2268

>

>

> -----Original Message-----

> From: Jean Richardson [[mailto: \[REDACTED\] \(b\) \(6\)](#)]

> Sent: Wednesday, May 14, 2014 1:30 PM

> To: Jones, Samuel - AMS

> Cc: Fortner, Charlsia - AMS; McEvoy, Miles - AMS

> Subject: Re: Good PR

>

> Hi Sam

> Thank you for your request to have a conference call. Next couple of weeks availability:

> May 16, 19, 20, 21, 26, 28 - 8 till noon.

> Not available May 22, 23, 27, 29, 30.

> Do any of those work?

> Meanwhile I will consult with my step son who is in PR. He may have some brilliant ideas!

> Looking forward to chatting

> Jean

>

>

> On May 14, 2014, at 1:08 PM, Jones, Samuel - AMS wrote:

>

>> Good afternoon, Dr. Richardson,

>>

>> Thank you so much for reaching out and congratulations on being named the NOSB Chair! It was a pleasure to meet you in Texas for my first NOSB meeting. We would love to get your feedback, advice and assistance in being more proactive in our communications efforts. Perhaps we could set up a conference call to discuss at your convenience? Please let me know a time that works for you, and I can set something up.

>>

>> All the best,

>> Sam Jones-Ellard

>> Public Affairs Specialist

>> USDA | Agricultural Marketing Service

>> 202.660.2268

>>

>>

>> -----Original Message-----

>> From: McEvoy, Miles - AMS
>> Sent: Tuesday, May 13, 2014 9:28 PM
>> To: Jean Richardson
>> Cc: Jones, Samuel - AMS; Fortner, Charlsia - AMS
>> Subject: RE: Good PR

>>
>> We agree -
>> Please chat with Sam and Charlsia. You may have met Sam in San Antonio.

>>
>> Miles V McEvoy
>> Deputy Administrator
>> National Organic Program

>>
>> -----Original Message-----

>> From: Jean Richardson [mailto:(b) (6)]
>> Sent: Monday, May 12, 2014 10:01 AM
>> To: McEvoy, Miles - AMS
>> Subject: Good PR

>>
>> Hi Miles
>> I am pretty keen to work with you on getting some good PR , especially during these next few months, when NOP may get some nasty press from some stakeholder groups.

>>
>> If there is some one at USDA I should chat with can you let me know. Being Proactive rather than reactive is important. For example nice little stories about the individual NOSB members.

>>
>>
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>>
>
>
>

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: hydroponic- Nicole Dehne?
Date: Thursday, March 19, 2015 5:33:54 PM

Hi Miles

You mentioned that Nicole had written the hydroponics article in Cornucopia, but the only one I saw was Linley Dixon.

Did you see another one?

Thanks

Jean

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: hydroponic- Nicole Dehne?
Date: Thursday, March 19, 2015 5:33:55 PM

I am out of the office. Please contact Joan Avila at 202-720-3252, joan.avila@ams.usda.gov if you need immediate assistance.

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: RE: How "organic" are vegetables when they're grown in hydroponic greenhouses?
Date: Monday, February 09, 2015 8:51:53 AM

Great – thanks. I'm glad it was from last year. Looking forward to VOF and time with you.

From: Jean Richardson [mailto: (b) (6)]
Sent: Monday, February 09, 2015 8:25 AM
To: McEvoy, Miles - AMS
Subject: Re: How 'organic' are vegetables when they're grown in hydroponic greenhouses?

Hi Miles.

I reopened the article. It is definitely February 14, 2014

I assume it was right after the VOF Annual meeting and the vote against organic hydroponics by certified producers.

The Free Press is an awful paper, small circulation. I do not buy it.

I expect most of the comments were from Dave Miskell and Dave Chapman (tomato growers). Their positions have not changed. You may see them on Saturday.

We are making good progress, so lets not go back in history.

I have explained to Dave Chapman about the possible Working Group to encourage him to work with NOP

Jean

On Feb 8, 2015, at 9:22 PM, McEvoy, Miles - AMS wrote:

Odd. It also looks like its recent. Just landed in little rock for certifier training.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

On Feb 8, 2015, at 5:01 PM, "Jean Richardson" < (b) (6) > wrote:

No I did not see this. No it is not a recent quote from me

I do not recall being interviewed by the Burlington free Press.

But this looks like it was a year ago? Maybe at the Annual VOF meeting which was very heated?

On Feb 8, 2015, at 5:50 PM, McEvoy, Miles - AMS wrote:

Did you see this? Is that a recent quote from you?

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

Begin forwarded message:

From: "Rakola, Betsy - OSEC" <Betsy.Rakola@osec.usda.gov>
Date: February 7, 2015 at 11:33:26 AM EST
To: "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov>
Subject: Fw: How 'organic' are vegetables when they're grown in hydroponic greenhouses?

----- Original Message -----

From: Betsy Rakola [<mailto:> (b) (6)]
Sent: Saturday, February 07, 2015 08:30 AM
To: Rakola, Betsy - OSEC
Subject: How 'organic' are vegetables when they're grown in hydroponic greenhouses?

<http://www.burlingtonfreepress.com/story/news/2014/02/14/how-organic-are-vegetables-when-theyre-grown-in-hydroponic-greenhouses-/5492347/>

Sent from my iPhone

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Cc: [Tucker, Jennifer - AMS](#)
Subject: RE: Honoraria for NOSB ?
Date: Tuesday, June 30, 2015 10:08:25 PM

Hi Jean - We agree that offering some kind of stipend or hourly reimbursement would be ideal, given the amount of time and effort given by board members. To explore this, during the NOSB rechartering process in 2014, we spoke with both the USDA committee management officer and the office of General Counsel to what options might be available. Both concluded that while FACA may allow for it, the legal barrier is OFPA Section 2119 (f) - "Compensation and Expenses. A member of the Board shall serve without compensation. While away from their homes.... Members may be allowed travel expenses, including per diem." Because OFPA is so specific in this area, both the committee management officer and general counsel agreed that the Act would have to change for us to be able to pay Board members anything other than travel expenses. Unfortunately, the way the Act is written provides little room for interpretation in this area.

You are not the only one that has brought this up as an issue. I know Michael Sligh has mentioned this often in his comments. At this point, under OFPA, we don't seem to have any options.

Best and thanks for all that you do. The organic community is getting a great deal from your service.

Miles

-----Original Message-----

From: Jean Richardson [[mailto: \[REDACTED\] \(b\) \(6\)](#)]
Sent: Saturday, June 27, 2015 12:07 PM
To: McEvoy, Miles - AMS
Subject: Honoraria for NOSB ?

Hi Miles

Like some members of NOSB I donate hundreds of volunteer hours to NOSB. As Chair that is double the work load.

When I was elected President of the Faculty Senate at UVM during a super complicated time at the University I asked for compensation for my part time job as President of the Faculty Senate. This was a good deal for the University Administration which declared that Shared Governance was the best way to go.

The State Environmental Board gives me \$50 per day for donated time - of course that has not changed since 1972, but still- it is the indication that the State values my advice and time spent.

How about \$100 per day for actual time donated by NOSB members? So if a member is NOT on a call s/he gets no per diem. Or at least give the Chair something because right now the NOP is in the happy position of having a semi retired professional person to do the part time job Chairing the NOSB while also doing all the materials research.

My consulting income is tiny this year! In future years most Chairs will be taking time from real jobs.

I believe that some FACAs do honoraria.

What do you think?

Best

jean

From: [Jean Richardson](#)
To: [Francis Thicke](#)
Cc: [Brown Rosen, Emily - AMS](#); ["Calvin Walker"](#); ["Carmela Beck"](#); ["Colehour Bondera"](#); ["Harold Austin"](#); ["Jay Feldman"](#); ["Jennifer Taylor"](#); joe.dickson@wholefoods.com; ["John Foster"](#); ["Mac Stone"](#); ["Nick Maravell"](#); ["Tracy Favre"](#); ["Wendy Fulwider"](#); ["Zea Sonnabend"](#); [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#); [Updike, Scott - AMS](#)
Subject: Re: High Methionine Corn
Date: Tuesday, August 19, 2014 7:12:24 AM

Hi Francis
Fascinating article and research.
Thank you for circulating
Jean

On Aug 18, 2014, at 10:03 PM, Francis Thicke wrote:

Hello NOSB Members,

This message is intended primarily for the Livestock Subcommittee, but I thought all would be interested, because synthetic methionine is an issue we are all grappling with.

I attended a field day at a research farm in western Illinois on Saturday and saw some test plots of high methionine corn. The attached photo shows the high methionine corn on my left in the photo, with a standard corn hybrid variety on my right. Judging by walking through the corn plots, it appears that the high methionine corn will yield comparable to the standard hybrid variety.

The field day featured several speakers, including Dr. Walter Goldstein, who provided the seed for the plot study and who spoke about his recent experience in breeding high methionine corn. His research shows that he is getting nearly as good, or as good, yields with corn varieties (both hybrid and open pollinated) that have 25 to 30% higher methionine content than standard hybrid corn varieties. Also, several organic farmers in the audience spoke about their experiences growing Walter's high methionine corn and indicated that it yielded very well. One farmer said his combine yield monitor peaked at 278 bu/acre in his high methionine corn field.

Walter is going to be sending me more specific data on his yield and methionine-content trials. I would like to have Walter speak to the LS about his research on high methionine corn, if the LS is willing. Walter is willing to do so.

Thanks,

Francis
<High Methionine Corn.jpg>

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: Hydroponics
Date: Saturday, October 26, 2013 11:01:30 AM

I am out of the office. Please contact Joan Avila at 202-720-3252, joan.avila@ams.usda.gov if you need immediate assistance.

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Cc: [Bailey, Melissa - AMS](#); [Tucker, Jennifer - AMS](#)
Subject: RE: Hydroponics
Date: Monday, October 28, 2013 8:24:04 PM

Hi Jean,

There are a few dozen USDA organic certified hydroponic operations. We have no restrictions on organic hydroponics if they meet the USDA organic regulations.

Miles V McEvoy
Deputy Administrator
National Organic Program
202-720-3252

-----Original Message-----

From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)
Sent: Saturday, October 26, 2013 11:01 AM
To: McEvoy, Miles - AMS
Subject: Hydroponics

Hi Miles

This morning I have an urgent e-mail from some farmers to make sure organic hydroponic ag. is NOT approved As I recall, you said recently that it will be approved?
Here is a letter from a major very large organic tomato producer They are scheduling meetings with the VT Sec. Ag and Leahy staff on this topic for first week in November, and for me to be there.
The more I know the better. Call if needd. I expect that given the push for organic aquaculture this is a non starter?

Best Regards

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Hydroponics
Date: Wednesday, January 29, 2014 11:55:25 AM

Hi Miles

I am at the annual meeting of VOF. Good turnout of farmers.

Just had a very balanced discussion on hydroponics, based on materials circulated ahead of time, and passed with overwhelming numbers, a motion to support the 2010 NOSB recommendation

Cheers, Jean

Sent from my iPhone

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Hydroponics
Date: Monday, February 10, 2014 4:08:27 PM

Hi Miles.

A reporter, Joel Baird, interviewed me again today for an article he is doing on hydroponics for the Burlington Free Press (Gannet Chain). He asked for your phone NOP phone number which I gave him. Both Senator Sanders and Leahy staff have called me this weekend as well. Baird says he is doing a balanced article. He understands that I am not taking a position and has run by me the quotes he intends to use.

Cheers,

Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Cc: [Zea Sonnabend](#)
Subject: Fwd: Hydroponics
Date: Friday, March 27, 2015 1:49:02 PM

FYI
Jean

Begin forwarded message:

From: Dave Chapman <[REDACTED] (b) (6)>
Subject: Update
Date: March 27, 2015 1:42:25 PM EDT
To: undisclosed-recipients;;
Bcc: [REDACTED] (b) (6)

Hi all,

Ten days ago there was a "clarification" to the task force announcement that first appeared in the Federal Register:

Clarification on Nominations for Hydroponic and Aquaponic Task Force

On March 9, 2015, the Agricultural Marketing Service (AMS) published a Federal Register Notice calling for nominees for a hydroponic and aquaponic task force. The task force will report to the National Organic Standards Board to (1) describe current hydroponic and aquaponic production methods used in organic production, and (2) assess whether these practices align with Organic Foods Production Act and the USDA organic regulations.

AMS would like to clarify that our objective is to assemble a task force whose members represent a diversity of perspectives on the topic. Accordingly, this includes individuals who have not worked in hydroponics and aquaponics, but who have relevant experience and knowledge that will enable them to provide valuable contributions to the process.

As stated in the Notice, candidates with demonstrable knowledge of organic production or certification procedures are preferred.

The deadline for nominations is May 8, 2015. For further information please contact Mark Bradley, Assistant to the Deputy Administrator, National Organic Program; Telephone [\(202\) 720-3252](tel:(202) 720-3252); email: Mark.Bradley@ams.usda.gov

This was to change the original makeup of the task force, which was limited to hydroponic proponents. I think that regardless of any "clarifications," it is clear that Miles' intent for the task force is to create a report favorable to hydroponic growing being permitted in organic certification. It is only remarkable that Miles was so forthright in his original announcement. There has been considerable debate among some of us whether it is a sound idea to participate in a rigged game. But so far three of us (Davey Miskell, Eric Sideman, and myself) have agreed that we will put their names forward for Miles' task force. It is my hope that many others from the traditional organic community will be willing to put their names forward as well. We are looking for help. All of you please join us!

Other news for last week is that the Organic Trade Association has publicly restated their support for the 2010 NOSB recommendation that organic hydroponic be banned from USDA certification. To read their statement, visit this link to our website:

<http://www.keepthesoilinorganic.org/#!/organic-trade-assoc/c2vx>

I am surprised by their position, but Nate Lewis, their Senior Crops and Livestock Specialist, insisted that the OTA continues to support the NOSB recommendation. This again reveals the wrongness of Miles' contention that the only group that opposes his redefinition of organic is Vermont. There is no respected organic group in the US that has issued a statement of support for the NOP position. The petition that supported organic hydroponic got 100 signatures in 4 years. Our two amateur petitions challenging the NOP decision have gotten 1243 signatures in a little over a year, with more coming every week.

More soon.

many thanks,

Dave

From: [Jean Richardson](#)
To: [Tracy Favre](#); [Austin Harold](#); [Mac Stone](#); (b) (6); [Sonnebend Zea](#); [Calvin Walker](#); [Carmela Beck](#)
Cc: [Arsenault, Michelle - AMS](#); [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#)
Subject: Interim Minority Opinion Policy - Exec call
Date: Thursday, March 05, 2015 5:17:08 PM
Attachments: [Minority Opinion.doc](#)

Hi Exec

An item for discussion on March 13 on the Exec call.

Proposed Interim Minority Opinion policy.

Can the Exec adopt an Interim Policy?

It would be nice to have this more clear before we get into the Sunset materials this summer. etc.

Michelle please put on Exec Agenda

Also put Biomulch on Exec Agenda

Thank you

Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Independent Parliamentarian?
Date: Saturday, October 11, 2014 11:20:41 AM
Importance: High

Hi Miles

Could we talk about possibly hiring Al Gage to be Parliamentarian at one day, Wednesday, when Jay tells me we will need one!

As it turns out the 900 FFA students will be doing parliamentary procedure and Al will be staying at the Gault House and thus he will not charge NOP for room, lodging, air fare, etc, only \$750 for one day on consulting which will include in depth conversations with me and review of the PPM and agenda for preparation. He has looked at the PPM. He can be available Wednesday, but Thursday only by phone call at the hotel. But I think that will be fine. This will let Jenny off the hook.

I have had a good conversation with Al. He understands that we use Roberts Rules, but also use the PPM and "Tradition". I found him very professional (see his contact information below). I believe that many of the motions Jay may bring are out of the purview of the NOSB and thus will be ruled out of order. I will probably be interpreting them as going to the perceived "legality" of the manner in which Sunset was re-written and thus beyond the purview of the NOSB as they relate to the motions on the substances at this meeting.

I would like to allow a full discussion on the motion to send back to sub committee.

Jay understands that I want to maintain control while allowing a full discussion on the record.

Please also note that Jay has talked with Al Gage (before I talked with him). I was my usual very frank self with Al regards Jay and how Jays motions cause confusion. I have instructed Jay to have his motions short, concise and written down so we can understand them, or I will Rule them out of order. I also told him to pick his battles! (interestingly these comments were the same as what this guy Al says!).

There is an element of distrust of NOP, so having an independent Parliamentarian may be money well spent!

Al Gage
Professional Registered Parliamentarian-NAP
Professional Accredited Parliamentarian-SAEP
Certified Parliamentarian-AIP
www.TheParliPros.com
al@algage.com
(623)-536-8200

What do you think?

I can be reached at home today, Sunday, or Monday morning between 8 and 9.30, then on my cell phone off doing a problematic dairy inspection

Cheers
Jean

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: RE: hydroponics and aquaponics
Date: Friday, February 14, 2014 9:50:49 AM

I miss skiing. We used to go frequently when we lived in Olympia. Here we get snow but not good snow. There should be an article in the Burlington paper about hydroponics coming out soon. Interesting that aquaponics is ok, hydroponics not. There is a new restaurant in DC that has a rooftop organic aeroponics garden where they obtain a lot of their produce. We are excited about developing new opportunities for underserved areas to have affordable certification options. Moving forward with aquaculture, apiculture and other projects. Hopefully animal welfare.

Miles V McEvoy
Deputy Administrator
National Organic Program

-----Original Message-----

From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)
Sent: Friday, February 14, 2014 9:44 AM
To: McEvoy, Miles - AMS
Subject: hydroponics and aquaponics

Hi Miles

There is a dinner meeting of no hydroponics people tonight in Burlington before the Winter Conference of NOFAVT. I will be there to listen. Just thinking of the NOC position which appears to say that aquaponics is a system and thus is OK for organic certification, but not hydroponics. So NOP could come out in support of aquaponics right now and wait a while (post April meeting anyway) before making a comment on hydroponics. Since there is already the Sunset and no Policy and Procedures issues for the public to shout about, no need to add hydroponics to the mix as a further "undermining" of NOSB "authority" and the integrity of the organic label.... Just an idea fabulous amount of more snow here today.

I've been cross country skiing every day for 6 days. Yeh! I will be a reluctant member on the Exec phone call!
Jean

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To: Executive Subcommittee
From: Jean
RE : Minority Opinion

March 5, 2015

Based on recent work in the Livestock committee it is clear to us all that there needs to be better articulation of the "Minority Opinion" policy and process for implementation.

As you know PDS work has been on hold owing to the huge pressure of work for us all regards Sunset materials, so I am suggesting that we discuss adopting an interim policy on Minority Opinions in order to have clear guidance going forward over the next few months. We would like to add this item to the Work Agenda of PDS.

The PPM includes the following two paragraphs for guidance at present:

To the maximum extent possible, NOSB members should speak with one voice. Although there may be disagreements within NOSB committee or working group sessions, once NOSB members leave the session, they have the responsibility to support the integrity of the process, whether or not they agree with the final outcome. While NOSB members retain the right to express minority opinions, the public airing of dissension could strain interpersonal relationships and create distrust and conflict among NOSB members. Such stresses could undermine the NOSB's ability to effectively carry out its role as a governmental advisory board.

(PPM page 8 Professional and Ethical Standards)

Minority opinion: If applicable, the dissenting opinion(s) of committee or task force members shall be reported. A member of a committee can present a minority report to the committee recommendation. Such document should include reasons for opposing a proposed recommendation and cite where the opposition points are in the recommendation. In addition, the minority report could, provide alternative approaches or solutions from those given in the recommendation, or recommend an amendment to the recommendation. The minority opinion will be included as a separate document at the end of the recommendation.

(PPM page 24 re Writing Committee Recommendations)

Proposed Interim Policy on Minority Opinion

Goal: To integrate the opinions of all subcommittee members into one comprehensive document so that a Minority Opinion is not necessary.

When it is not possible for the subcommittee, during its regular deliberations on conference calls, to reach consensus on a proposed document as it is being reviewed and discussed, and there are substantive irreconcilable differences, a minority of the subcommittee may develop a written minority opinion.

Such a minority opinion shall be distributed to all members of the subcommittee during the same period that the majority recommendation document is also being reviewed.

Such minority opinion document should include reasons for opposing the proposed recommendation and cite where the opposition points are in the recommendation. In addition, the minority report could provide alternative approaches or solutions from those given in the recommendation.

If the subcommittee is unable to integrate the minority opinion into the subcommittee recommendation, the Minority Opinion will be included as a separate document at the end of the recommendation.

A Minority Opinion cannot be submitted after the subcommittee has voted on the recommendation.

I hope this is a good starting point. We will have it on the Friday Exec Agenda
Thank you
jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: IOIA Training agenda Oct 4-5
Date: Tuesday, September 30, 2014 6:03:37 PM
Attachments: [2014 PA ADV Agenda draft ver6.doc](#)

FYI
Jean

From: [Jean Richardson](#)
To: [Mac Stone](#); [Tracy Favre](#); [John Foster](#); [Colehour Bondera](#); [Carmela Beck](#); joe.dickson@wholefoods.com; [Nick Maravell](#); [Francis Thicke](#); [Jay Feldman](#); [Wendy Fulwider](#); [Harold Austin](#); [Calvin Walker](#); [Tucker, Jennifer - AMS](#); [Zea Sonnabend](#)
Cc: [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#)
Subject: IOIA Newsletter FYI
Date: Wednesday, August 13, 2014 7:43:39 AM

Hi All,

Interesting IOIA Summer Newsletter to skim to see what goes on in the world of organic inspectors.

See "Stand up and speak up for organic" - page 4

Pasture discussion pages 10-11 with nice picture of my famous daughter Sarah Flack!!! who will be doing some trainings and webinars again for IOIA

And page 31 has a little note on the IOIA member chair of NOSB!

(I am hoping that this forward still have a live "click here " for you to access the newsletter.)

Best regards from Vermont

Jean

Begin forwarded message:

From: International Organic Inspectors Association
<mscoles@rangeweb.net>
Date: August 12, 2014 10:46:52 PM EDT
To: (b) (6)
Subject: News from International Organic Inspectors Association
Reply-To: mscoles@rangeweb.net



Summer 2014	
<p>The latest issue of The Inspectors' Report is Now Available Online!</p> <p><i>Dear IOIA members,</i></p> <p>Welcome to the Summer 2014 issue - full of the latest news from IOIA, including articles on biodiversity, non-GMO inspections, Canadian news, current training schedules (both onsite and webinars), training reports, resources, and lots more!</p> <p style="text-align: center;">Click here to read The Inspectors' Report, Summer 2014, Now!</p>	<p>Quick Links</p> <p>www.ioia.net</p> <p>webinar schedule</p> <p>onsite training schedule</p> <p>contact us</p> <p>V23N3</p>

As always, you can continue to access the newsletter through the [IOIA website](#). Each issue is posted immediately in the "Inspector Members" section of the website and is later posted on the public part of the site as the next issue is published.

The Inspectors' Report is still available in hard copy by paid subscription (\$25/year) only. Please [contact us](#) if you wish to opt in to the hard copy version.

Sincerely,

Margaret Scoles
Executive Director



[Forward this email](#)



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International Organic Inspectors Association | Box 6 | Broadus | MT | 59317

From: [McEvoy, Miles - AMS](#)
To: ["Jean Richardson"](#)
Subject: RE: Ioia Montana
Date: Tuesday, January 20, 2015 2:25:53 PM

I will not be going. We may send someone from NOP but not sure at this time. I can certainly provide you with some NOP slides.

Miles

-----Original Message-----

From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)
Sent: Saturday, January 17, 2015 7:03 PM
To: McEvoy, Miles - AMS
Subject: Ioia Montana

Hi Miles

Margaret has asked me to present the NOSB perspective at IOIA training in Montana in March and I said yes Are you going to this ?

If not perhaps I could take some NOP slides ?

Jean

Sent from my iPhone

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: interview with Kevin Bryan and note to Anne
Date: Friday, October 18, 2013 1:03:17 PM

Hi Miles

I had my interview with Kevin Bryan this morning. I enjoyed the conversation. In preparation I had reviewed many documents and would like to have a brief chat with you, most especially regards proposed language changes as to who we "represent" as individuals. I am concerned that we are moving towards being categorized as individuals representing specific groups, which is not the legislative intent of OFPA. The Board as a whole unit was intended to be representative of Stakeholders, but NOSB members as individuals must be able to look at all sides and not just represent a specific group. We are not captive lobbyists. We are not elected representatives. We are appointed for our knowledge, gender, geography ethnicity etc....

I also feel strongly that we do not need a full blown national meeting right now, but a two day facilitated working session in DC, so we can get our ducks in a row and accomplish some good things, together, before the next general election.!

The e-mail below is not intended for circulation but I would like you to see what I sent to Anne.

PS I suggested the DC meeting on my interview call before I learned that Mac had had the same brilliant idea!!!

Gorgeous day in Vermont. Off to plant more daffodils. You cant have too many!

You should be able to reach me on cell any time in the next few days (b) (6)

Cheers, Jean

- > Good Morning Anne;
- > I had my Interview with Kevin Bryan this morning and really enjoyed it!
- > Thank you for requesting this NOSB/NOP Assessment.
- > When I had first heard of the Assessment I had felt some concern over the process and its potential to be destructive rather than constructive.
- > However, in preparing to answer the possible questions posed I learned a great deal more about the NOSP/NOP etc. So the OFPA/AMS/NOP/NOSB policy research I have been looking at the last few weeks has been very helpful. On the Board I have tended to concentrate more on the relatively black and white of materials analysis, or Accreditation based on my science background and inspector experience. This Assessment has allowed me time to step back and look at broader policy implications and ways we can work together to do a better job for the sake of our children and grandchildren so to speak.
- >
- > This is a critical time for the organic label and we cannot afford to miss the opportunity to build on what we have learned as individuals and through the interview process. Perhaps having the Shutdown was helpful to us because a meeting next week based on what I am hearing from the Board and NOP would be very stressful and potentially damaging to the organic community. So now is the moment to follow up with a facilitated meeting in DC so we can iron out differences, build understanding and map a clear path forward for better communications and collaboration between NOP and NOSB.
- >
- > I believe a two day working meeting in DC early in December, with NOSB and NOP staff (most of whom we have never met) would be highly beneficial to the organic label and all that that means. A good way to spend our tax dollars!
- >
- > I hope that this is an idea that you can embrace with enthusiasm, and I look forward to our next meeting in person
- > Sincerely
- > Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Interview observation
Date: Friday, October 18, 2013 10:12:52 AM

Hi Miles

In preparing for "The Interview", which I just had with Kevin Bryan, the issue of "representative Board" versus individual Board members as "representatives" came up, and I would like to discuss this with you as I believe it is pretty important.

The interview went well from my perspective!

Hope you are enjoying being back at work

Cheers

Jean

IOIA/PCO ADVANCED INSPECTOR TRAINING COURSE - DRAFT
October 4-5, 2014

The Penn Stater Conference Center Hotel,
 State College, Pennsylvania

Early Registration: 7-9 p.m. October 3 (ask at lobby or look for signage)

PARTICIPANT AGENDA (Day 1), October 4

	BREAKFAST on your own	
7:00 - 8:00	Registration for late arrivals & commuters	
8:00 - 8:30	Introductions	
8:30-9:15	Will Your Report Stand up in Court?	Matthew Michael, Director, Compliance and Enforcement Division USDA NOP, Washington, DC
9:15 – 10:15	Good Inspections vs. Poor Inspections – What the USDA sees inspectors doing well and not so well	Steve Ross, USDA AMS LPS, Assessment Services Supervisor, Colorado
10:15 – 10:30	BREAK	
10:30 -12:00	Organic Aquaculture	George Lockwood, Chair NOP Aquaculture Working Group, California
12:00 - 1:00	LUNCH	
1:00 - 5:30	Improving the In-Out Balance for Processing Operators, Inspectors, and Certifiers – workshop Includes BREAK	Margaret Scoles, IOIA Executive Director, and Luis Brenes, IOIA Trainer, Costa Rica
	DINNER on your own Festive evening - planning underway	

PARTICIPANT AGENDA (Day 2), October 5

8:30 – 12:00	Livestock Feed Audits – Grazing and Non-Grazing Season - in a Multi-species System Includes BREAK	Sarah Flack, Inspector, Vermont
12:00 pm	L U N C H	
1:00 - 2:00	Improving the Exit Interview	Margaret Scoles and assistants
2:00 – 5:00	Grower Group Inspection and Certification – applied to contracted poultry production Includes BREAK	Luis Brenes and Brian Magaro, Inspector, Pennsylvania
5:15	Distribution of Certificates	

Acceptance Criteria for IOIA Training

Participants in IOIA Advanced Inspector Training courses must meet course acceptance criteria, including prior completion of two inspector training courses and 2 years inspection experience with at least 20 inspections or 1 year inspection experience with at least 30 inspections.

Requests for exceptions to the requirements should be addressed to the IOIA Executive Director. Advanced Inspector Training Certificates of Completion are given to those who attend all sessions and meet acceptance criteria. Participants who do not meet these criteria are welcome to attend and will receive Certificates of Completion for Organic Inspection Workshop.

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Fwd: IOIA Training Aquaculture
Date: Tuesday, September 16, 2014 1:36:41 PM

Miles,

I would like to understand George's present NOP role before I attend the IOIA training October 3,-6, so I do not put my foot in it!. Please advise. Thank you.

George S. Lockwood, California

George Lockwood is a pioneer in aquaculture as well as organic aquaculture. He formed his first fish farming business, Monterey Abalone Farms, Monterey California, in 1972 to domesticate abalone, a very popular shellfish in California. He then combined abalone production with sea urchins, salmon and oysters in an integrated system using cold, pure and nutrient rich seawater pumped from the deep ocean. This unique system is the forerunner of advanced organic fish farming. In addition to these aquatic animals, this system includes culturing various species of micro and macro-algae for feed. That advanced system was operated in Hawaii.

He became interested in organic aquaculture in 1999 and served in various feasibility studies between then and 2005 when the Secretary of Agriculture appointed a 12-member Aquaculture Working Group to assist NOP and NOSB in the development of organic aquaculture. He was named chair of AWG by the Secretary at the time. In 2010, after close consultation with NOSB, final recommendations were advanced to NOP for standards to be included in the Final Rule. Under his leadership, AWG then responded to a second assignment of NOP to submit petitions to NOSB for the allowance of use of ten synthetic substances for the organic production of aquatic plants and aquatic animals. Allowance of these materials is still under consideration by NOSB.

George is a past president of the World Aquaculture Society, and a founder and several term president of the California Aquaculture Association. He has participated in many commissions for our federal, state, and local governments pertaining to aquaculture and other matters. If workable standards are adopted in the Final Rule and necessary synthetic materials allowed, George intends to enter the organic production of salmon, oysters, tilapia, abalone and sea urchins with his integrated system that recycles nutrients and incorporates many other organic principles.

Brian

Begin forwarded message:

From: Jean Richardson <(b) (6)>
Date: September 14, 2014 8:28:56 AM EDT
To: Miles - AMS McEvoy <(b) (6)>
Subject: IOIA Training/NOFA talk

Hi Miles

* I am doing the IOIA Advanced training this October and note that George Lockwood is giving a presentation on organic aquaculture. He lists himself as Chair of the NOP Aquaculture Working Group. Does that still exist. Is it still funded by NOP? If we could chat about this prior to the training that might be good.

* NOFA VT Winter Conference. Enid was thinking that an introduction at the main lunch gathering of everyone, followed by a lunchtime "Listening Session" with me to facilitate might be a good way to give you the best access to a broad cross section of folks. It is on the UVM campus. Do you want to have some faculty, Extension, NRCS there?

Cheers

Jean

From: [McEvoy, Miles - AMS](#)

To: [Jean Richardson](#) (b) (6)

Subject: Jean Richardson call

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From: [McEvoy, Miles - AMS](#)

To: [Jean Richardson](#) (b) (6)

Subject: Jean Richardson call

(b) (6)

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From: [McEvoy, Miles - AMS](#)

To: [Jean Richardson](#) (b) (6)

Subject: Jean Richardson call

(b) (6)

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From: [McEvoy, Miles - AMS](#)

To: "[Jean Richardson](#)" (b) (6)

Subject: Jean Richardson call

(b) (6)

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From: [McEvoy, Miles - AMS](#)

To: "[Jean Richardson](#)" (b) (6)

Subject: Jean Richardson call

(b) (6)

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From: [McEvoy, Miles - AMS](#)

To: [Jean Richardson](#) (b) (6)

Subject: Jean Richardson call

(b) (6)

From: [McEvoy, Miles - AMS](#)

To: "Jean Richardson" (b) (6)

Subject: Jean Richardson call

(b) (6)

From: [McEvoy, Miles - AMS](#)

To: [Jean Richardson](#) (b) (6)

Subject: Jean Richardson call

(b) (6)

From: [McEvoy, Miles - AMS](#)

To: "Jean Richardson" (b) (6)

Subject: Jean Richardson call

(b) (6)

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#) (b) (6)
Subject: Jean Richardson

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#) (b) (6)
Subject: Jean Richardson

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Re: Jean Richardson
Date: Monday, May 05, 2014 8:01:21 AM

That's right

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

On May 5, 2014, at 7:47 AM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:

This message is blank - My Mac does not read the attachment. I assume it is confirmation of our call at 1 pm on Tuesday
Jean

On May 4, 2014, at 7:38 PM, McEvoy, Miles - AMS wrote:

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<Mail Attachment.ifb>

From: [McEvoy, Miles - AMS](#)
To: [Bradley, Mark - AMS](#); (b) (6); [Holtzman, Max - OSEC](#); [Bailey, Melissa - AMS](#); [Mac Stone](#)
(b) (6); [Richardson Jean](#); jfeldman@beyondpesticides.org; [Carmela Beck](mailto:Carmela.Beck@carmela.beck@driscolls.com)
(carmela.beck@driscolls.com)
Cc: [Rhonda Cook](#) (b) (6)
Subject: RE: Maine Travel
Date: Tuesday, July 23, 2013 8:12:29 PM

My cell number is (b) (6) See you tomorrow.
Miles

Miles V McEvoy
Deputy Administrator
National Organic Program

From: Bradley, Mark - AMS
Sent: Tuesday, July 23, 2013 2:34 PM
To: (b) (6); Holtzman, Max - OSEC; McEvoy, Miles - AMS; Bailey, Melissa - AMS; Mac Stone
(b) (6); Richardson Jean; jfeldman@beyondpesticides.org; Carmela Beck
(carmela.beck@driscolls.com); Bradley, Mark - AMS
Cc: Rhonda Cook (b) (6)
Subject: Maine Travel

Greetings All,

We are looking forward to seeing each of you during our upcoming visit to review aquaculture operations in Maine. If possible, Sebastian would like to meet with us briefly after we arrive on Wednesday evening for an informal greeting and to firm up schedules for Thursday's tour. If you are available around 7 p.m. at the Comfort Inn, we can meet in the vicinity of the lobby. If not, we will see you in the lobby of the Comfort Inn in Ellsworth for a 7:30 departure on Thursday morning.

A final itinerary is attached. If you have trouble en route or need assistance, please do not hesitate to call me.

Cell numbers for participants in travel status are:

Sebastian Belle – (b) (6)
Max Holtzman – (b) (6)
Miles McEvoy – (b) (6)
Melissa Bailey – (b) (6)
Mark Bradley – (b) (6)
Mac Stone – (b) (6)
Jean Richardson – (b) (6)
Jay Feldman – (b) (6)
Carmela Beck – (b) (6)

Travel safely...

Mark Bradley

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Re: Maine aquaculture trip?
Date: Tuesday, June 18, 2013 3:43:05 PM

Trenton, Maine

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

On Jun 18, 2013, at 3:19 PM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:

> OK good dates for me.

> Location?

>

> On Jun 18, 2013, at 2:50 PM, McEvoy, Miles - AMS wrote:

>

>> Hi Jean

>> The trip is scheduled for July 25 with travel on July 24 and 26. We will be sending out details shortly.

>>

>> Miles McEvoy

>> Deputy Administrator

>> National Organic Program

>> 202-720-3252

>>

>>

>>

>> -----Original Message-----

>> From: Jean Richardson [[mailto:\(b\) \(6\)](#)] On Behalf Of Jean Richardson

>> Sent: Tuesday, June 18, 2013 11:01 AM

>> To: McEvoy, Miles - AMS

>> Subject: Maine aquaculture trip?

>>

>> Hi Miles

>> I am back from Europe and organizing my consulting and NOSB work plan for the next few months.

>> Is there a date yet for the Maine trip?

>> Thank you

>> Jean

>>

>>

>>

>>

>>

>>

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>>

>

>

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#); [Bradley, Mark - AMS](#)
Bcc: [Arsenault, Michelle - AMS](#)
Subject: Maine aquaculture site visit
Date: Thursday, July 11, 2013 12:13:56 PM

Hi Miles:

I received an e-mail early this morning from Mac asking if, as a member of the Livestock sub-committee, I could substitute for Tracy (Livestock Chair) for the visit to the Maine aquaculture facilities on Thursday July 26th. I have been able to re-organize my work schedule and can thus accept this invitation.

I shall drive over to the coast and join everyone at the Comfort Inn in Ellsworth Maine, on the afternoon of Wednesday July 24, and drive home on Friday 26

Thank you

Jean

Jean Richardson Ph.D.

Consultant

(b) (6)

North Ferrisburgh

VT 05473

(b) (6)

(b) (6) (mobile and text)

From: [Jean Richardson](#)
To: [Mac Stone](#)
Cc: [Arsenault, Michelle - AMS](#); [Calvin Walker](#); [Carmela Beck](#); [Colehour Bondera](#); [Francis Thicke](#); [Harold Austin](#); [Jay Feldman](#); [Jennifer Taylor](#); joe.dickson@wholefoods.com; [John Foster](#); [Nick Maravell](#); [Tracy Favre](#); [Wendy Fulwider](#); [Zea Sonnabend](#); [Brines, Lisa - AMS](#); [Bailey, Melissa - AMS](#); [McEvoy, Miles - AMS](#)
Subject: Re: Louisville travel guide update
Date: Monday, September 09, 2013 7:19:20 PM

Friday field trips sound great
After all the week's drama!
I am glad I have not yet made flight reservations
I am up for all of them between 9 am and when I have to get to the airport for the plane
Thank you Mac
All the best from Vermont where we had frost yesterday and expect 85 degrees Wednesday!
Jean

Sent from my iPad

On Sep 9, 2013, at 2:30 PM, "Mac Stone" <[\(b\) \(6\)](#)> wrote:

Boys and Girls and Nick,

I can arrange tours Monday morning for early arrivers of the KY State University Aquaculture facility, about a one hour drive from the hotel and/or a tour of our farm another 30 minutes east from there. On Friday I can offer a menu of items to choose, depending on how early you want to get up and out.

- <!--[if !supportLists]-->1. <!--[endif]-->9am aquaculture tour KSU Frankfort
- <!--[if !supportLists]-->2. <!--[endif]-->10:30 Elmwood Stock Farm Tour
- <!--[if !supportLists]-->3. <!--[endif]-->12 noon Keeneland Race track (historic, elegant, small facility)
- <!--[if !supportLists]-->4. <!--[endif]-->3pm Woodford Reserve Historic distillery
Return to Looyville or on to Lexington downtown area.

I can also try to arrange a horse farm tour, you have to see them to believe it.

Let me know who is interested, Thanks, Mac

From: Arsenault, Michelle - AMS [<mailto:Michelle.Arsenault@ams.usda.gov>]
Sent: Monday, September 09, 2013 1:51 PM
To: Calvin Walker; Carmela Beck; Colehour Bondera; Francis Thicke; Harold Austin; Jay Feldman; Jean Richardson; Jennifer Taylor; joe.dickson@wholefoods.com; John Foster; Mac Stone; Nick Maravell; Tracy Favre; Wendy Fulwider; Zea Sonnabend
Cc: Brines, Lisa - AMS; Bailey, Melissa - AMS; McEvoy, Miles - AMS
Subject: Louisville travel guide update

Hi team!

Attached, please find an updated version of the travel guide for Louisville. Lisa B always manages to catch my typos, which is a good thing! I've also added a Galt-House fact sheet that contains handy information about our host venue and the surrounding area.

Thanks!
Michelle

Michelle Arsenault
Advisory Board Specialist
USDA National Organic Program
1400 Independence Ave SW; Room 2640S
Washington, DC 20250-0268
Office phone: (202) 720-0081
Mobile: (b) (6)
michelle.arsenault@ams.usda.gov

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: List of NOSB items sitting at NOP?
Date: Friday, August 21, 2015 6:36:50 PM

I don't think so

I am trying to help public understand scope of work in pipeline and our present NOSB work agendas to help public understand limitations about what we can realistically take on and also I will probably be asking NOP to give Nosb an up date on where pending Nosb items are sitting etc

Sent from my iPhone

On Aug 21, 2015, at 6:30 PM, McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov> wrote:

Do you need anything else?

Miles

-----Original Message-----

From: Jean Richardson [<mailto:> (b) (6)]

Sent: Friday, August 21, 2015 5:16 PM

To: McEvoy, Miles - AMS

Subject: List of NOSB items sitting at NOP?

Hi Miles

You must have a list of NOSB items which are still sitting in NOP waiting for time and space to move on? If so can you send it to me.? Informal list is fine Thank you Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#)
Subject: List of NOSB backlog
Date: Tuesday, August 25, 2015 2:43:57 PM

Hi Miles and Emily

I am looking for an informal list of NOSB recommendations etc which are still sitting at NOP waiting for some sort of action, such as "calculating percentage organic in multi ingredient products". can you please send to me.

Thank you

Jean

From: [Jean Richardson](#)
To: [michael Sligh](#)
Cc: [AGSEC - OES](#); [Adrienne Wojciechowski@Judiciary-dem.senate.gov](#); [Megan.Debates@mail.house.gov](#); [McEvoy, Miles - AMS](#)
Subject: Re: Letter regarding NOP/NOSB
Date: Monday, June 02, 2014 2:09:08 PM
Importance: High

Hi Michael

Thank you for your eloquent and articulate letter to Secretary Vilisak

It will be good to get these issues discussed in Washington and reviewed relative to the Legislative Intent of OFPA and the future potential impact of these changes under a different Administration.

In the meanwhile the NOSB will work with due diligence using the new Five Year Review (Sunset) procedures.

Best Regards

Jean

Dr. Jean Richardson, Chair NOSB
Vermont 05473

On Jun 2, 2014, at 9:47 AM, michael Sligh wrote:

> Dear Mr. Secretary,

>

> Please find enclosed an urgent letter regarding recent actions by your Department that affect the organic community.

>

> Please confirm and advise,

>

> Sincerely Yours,

>

> Michael Sligh

> Founding Chair NOSB

>

> =====

>

>

> <Letter to Sec..pdf>

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: RE: Leahy and NOSB
Date: Friday, February 10, 2012 5:05:26 PM

Ok, thanks. I'm sure you'll have words of wisdom for the Senator.

-----Original Message-----

From: Jean Richardson [[mailto:](#) (b) (6)]
Sent: Friday, February 10, 2012 5:05 PM
To: McEvoy, Miles - AMS
Subject: Leahy and NOSB

Hi Miles:

I came up with a few lines for Senator Leahy for his brief comments to the NOFA VT Conference for lunch time tomorrow and have sent them on to his staff guy here in Vermont.

I will also meet with the Senator before he speaks So don't worry about sending me anything. I am sure you have plenty of things on your desk.!

Best Regards,
Jean Richardson, Vermont

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#); [Alonzo, Anne - AMS](#)
Subject: Lawsuit re Sunset
Date: Wednesday, April 08, 2015 11:31:10 AM

Morning!
Read the lawsuit
Feel free to give out both my phone numbers if asked
Let's be sure the court does not stay our sunset work!
Jean

Sent from my iPhone

From: [McEvoy Miles - AMS](#)
To: [Jean Richardson](#)
Subject: RE: Keep the soil in organic growing!
Date: Thursday, January 09, 2014 9:03:20 AM

Thanks Jean for keeping me in the loop. Dave Chapman has also reached out to me and I'll be speaking with him next week.

Best,
Miles

From: Jean Richardson [mailto: (b) (6)] **On Behalf Of** Jean Richardson
Sent: Thursday, January 09, 2014 9:01 AM
To: McEvoy, Miles - AMS
Subject: Fwd: Keep the soil in organic growing!

Hi Miles

I am not playing an advocacy role on hydroponics, but I am in the loop and therefore sending you the latest petition on Hydroponics which is circulating.

Dave Chapman called me again yesterday and talked at great length, and he and the other guys are keeping our sec of Ag (Chuck Ross) and Senator Leahy staff in the loop.

The economic issues are foremost in the minds of most producers. Loss of US tomatoes to very cheap Mexican organic and non-organic hydroponic tomatoes is of paramount concern.

And so if approved by NOP, despite NOSB recommendation, there will be the demand to label tomatoes as hydroponic (like GMO labeling)....

All for now

Jean

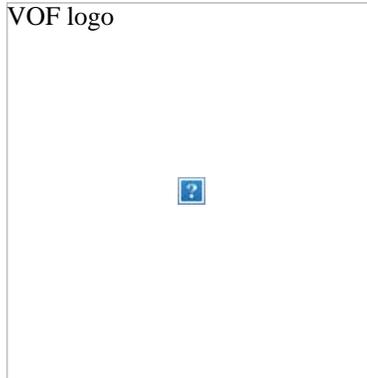
From: vof@nofavt.org [<mailto:vof@nofavt.org>]
Sent: Tuesday, January 07, 2014 2:57 PM
To: misktome@gmavt.net
Subject: Keep the soil in organic growing!

You're receiving this email because you are a certified organic operation with Vermont Organic Farmers, LLC (VOF).

You may [unsubscribe](#) if you no longer wish to receive our emails.



VOF logo



Dear VOF Certified Producers,

We are forwarding an important petition started by one of our long-time certified growers, David Chapman, owner and operator of Long Wind Farm, urging the NOP to

officially prohibit hydroponics from obtaining organic certification. Please read on for more background a letter from David.

[Click here to sign the petition.](#)

Background:

In 2010, the National Organic Standards Board (NOSB) passed a recommendation prohibiting crop production systems that eliminate soil, such as hydroponics and aeroponics, from obtaining organic certification. In this recommendation **the NOSB clarified that soil-plant ecology is at the foundation of organic farming.** Despite the fact that the Organic Food Production Act mandates that the NOSB advise the National Organic Program (NOP) on implementing the organic regulations, **this recommendation has yet to be accepted and added to the law.**

Currently, some certification agencies certify hydroponic operations as organic despite the NOSB recommendation, and the NOP allows this practice to continue unrestricted. Mexico, Canada, Japan, New Zealand, and 24 European countries, (including Holland, England, Germany, Italy, France, and Spain) all prohibit hydroponic vegetable production to be sold as organic in their own countries, but not in the United States. Historically, Vermont Organic Farmers has never certified hydroponic operations, based on the idea that it is not compatible with organic farming principles.

[Click here to tell the NOP to keep the soil in organic growing.](#)

Please note we **will be discussing this and other important topics at the VOF Annual Meeting** on Wednesday, January 29th from 10am-2pm at the VT Farm Show held at the Champlain Valley Exposition, in the Hamlin Room. ([Click here to RSVP for the Annual Meeting.](#))

Thank you for your support of this important issue and we hope to see you at the meeting!

Regards,

Nicole Dehne
VOF Program Administrator

Hi to all VOF members,

I have been dismayed by the growing surge of "hydroponic organic" tomatoes from Mexico in the wholesale market in the last few years. In my mind these are not organic. The NOSB agrees with me, but the NOP is ignoring their recommendation. I am starting a petition to protest the current USDA standards that fail to address hydroponic vegetable production. By omission, they are permitting this, and more and more hydroponic production is coming into the US.

If you agree that hydroponic is not organic, and that the NOP should not ignore the NOSB, then [please sign this petition](#). It is very quick and easy.

Thanks,

Dave Chapman
Long Wind Farm
East Thetford, VT

[Forward email](#)



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NOFA-VT | PO Box 697 | Richmond | VT | 05401



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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: jeans comments on sunset -not for circulation
Date: Monday, October 20, 2014 5:50:14 PM

great

On Oct 20, 2014, at 5:33 PM, McEvoy, Miles - AMS wrote:

> Looks good - I have a few minor points of clarification that I'll send you.

> Miles

>

> -----Original Message-----

> From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)

> Sent: Monday, October 20, 2014 5:14 PM

> To: McEvoy, Miles - AMS

> Subject: jeans comments on sunset -not for circulation

>

> Miles

> I ran this by my core board members last week and they seem to like it. OK?

> I am trying to not avoid the elephant in the room.

> Jean

>

>

>

>

>

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: jeans comments on sunset -not for circulation
Date: Tuesday, October 21, 2014 8:38:41 AM

Hi Miles,

thank you for the 2002 catch and for reviewing the very brief comments. Much appreciated.

I will re-think wording for the end. I understand correct NOP language and would write it as you have for publication or a general talk but here I am trying for Kindergarten clarity simply to help them understand the upcoming vote only - Everyone will be a bit stressed and too many words makes it confusing. And not every member has been on the CS or HS committees and in the sunset weeds so to speak.

Jean

On Oct 21, 2014, at 8:00 AM, McEvoy, Miles - AMS wrote:

> Let me know if you have any questions.

> Miles

>

> -----Original Message-----

> From: Jean Richardson [[mailto:](#) (b) (6)]

> Sent: Monday, October 20, 2014 5:14 PM

> To: McEvoy, Miles - AMS

> Subject: jeans comments on sunset -not for circulation

>

> Miles

> I ran this by my core board members last week and they seem to like it. OK?

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> <Sunset comments JR-miles.doc>

From: [Jean Richardson](#)
To: [FAMU Register](#)
Cc: [Tracy Favre](#); [Harold Austin](#); [Ashely Swaffar](#); [Calvin Walker](#); [COLEHOUR BONDERA](#); [Mac Stone \(mac@elmwoodstockfarm.com\)](#); [Zea Sonnabend](#); [Nick Maravell](#); [Paula Daniels](#); [Carmela Beck](#); [Tom Chapman](#); [Francis Thicke](#); [Lisa de Lima](#); [Arsenault, Michelle - AMS](#); [Brown Rosen, Emily - AMS](#)
Bcc: [McEvoy, Miles - AMS](#)
Subject: Re: Jean, Public Comment sessions September 22 and 29
Date: Wednesday, June 24, 2015 1:01:44 PM

Hi Jennifer:

The idea is that a farmer may be more likely to take an hour to be on a webinar public comment in September in front of his/her computer, or at an Extension office, rather than waste time, money and the environment to fly to a meeting to talk for 3 minutes. And he or she would be given more time to speak and answer questions on a webinar format than at the October meeting.

But that same person could not also talk in October, although there is no limit in how much written comment they can send in. And in October, public oral comment time will be filled to the number of hours allotted, and a waiting list in place as usual.

If I understand your other question correctly, the Webinar public comment session will be available to all the public pretty much immediately. Certainly that is the way we do it with other organizations or universities etc.

Hope that clarifies
Thank you
Jean

On Jun 24, 2015, at 12:14 PM, FAMU Register wrote:

Thank you so much Jean. We do think that this may be great, especially if it is used to be inclusive of all comments and the need to update comments during the following NOSB public meeting.

Hopefully not used to organically squash stakeholder/public dialog/comments.

Just a question, will the September oral comments of one who is associated with an agency or organization that will be participating in the NOSB public meeting - in any way hinder the agency's/organization's ability to participate through oral and written public comment during our NOSB public meetings?

AND when would we provide this discussion to the public for public input; and addition to the PPM - or is this cause?

We know you have this all worked out, we appreciate your thoughts and all that you are doing.

Thank you so much.

Best regards,

Jennifer Taylor

On Wed, Jun 24, 2015 at 10:23 AM, Jean Richardson <[REDACTED] (b) (6)> wrote:

Hi NOSB members:

As you know, we are having two public comment sessions in September in order to be able to reach a broader audience, get comment early and save us time in October at our meeting, and hopefully reduce our carbon footprint a bit .

The days in September are Tuesdays which are already on your busy calendars - September 22 and 29 from 1-4 ET, so you can all be present. Oral commenters in September will get maybe 7 minutes? plus questions ... am not sure yet. So this should hopefully attract speakers. Speakers in September will not speak in October. How will we deal with the demand to speak on Monday October 26? not sure yet! I am encouraging written comment.

We are also working to try to get a public Docket system as you know. And we are working to somehow spread the Sunset Review materials over more than one meeting/year in order not to have this bottle neck situation every five years.

These September will be formally announced in the Federal Register of course, with instructions, at the beginning of July.

But in the meanwhile I was thinking it might be a good idea for you to be in touch with your stakeholder groups to get it on their calendars:

Here is our timetable:

Our documents all have to be to Michelle by August 26, and Posted on the FR on September 8. So the public will have been able to read our postings. I am encouraging my stakeholders to get us written material sooner rather than at the last minute. They all have plenty of notice as to what we are looking at and where we may be headed. If a stakeholder sends you some useful information during the summer as you are working on materials be sure to remind them to send it in as formal public comment in September so all the public can see the information.

As always, please call me any time-on my mobile phone or home office.
Cheers

Jean

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: maine!
Date: Monday, July 01, 2013 12:23:28 PM

I am out of the office. Please contact Joan Avila at joan.avila@ams.usda.gov if you need assistance.

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: maine!
Date: Monday, July 01, 2013 12:23:28 PM

Hey Miles, I quite understand. ! No problem
Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Meeting 5.30?
Date: Monday, February 03, 2014 4:49:08 PM

Hi miles
Are still for meeting at 5.30 at zayin ya
Jean

Sent from my iPad

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Fwd: Media request // Modern Farmer magazine
Date: Monday, July 27, 2015 9:12:48 AM
Importance: High

Want to give me a quick phone call?
Thank you
jean

Begin forwarded message:

From: (b) (6)
Date: July 27, 2015 8:52:39 AM EDT
To: "(b) (6)" <(b) (6)>
Subject: Media request // Modern Farmer magazine

Dear Ms. Richardson,
We are doing a story on the growth of organic farming and wanted to invite input from you as the chair of the NOSB.

Can you clarify the reasons why the Sunset Clause was changed in September 2013 to require a 2/3 vote to remove substances from the national list? How do you respond to those that say this move veered from the intent of the law?

As for the Cornucopia Institute's claims that a number of certified organic farms are not following the standards for livestock, do you know if the USDA investigating the 14 farms that were photographed showing few or no animals on pasture? While there are valid reasons that the animals would not be on pasture at all times, the fact that such a large number of farms had no animals out in the middle of the day early in the grazing season would seem to reinforce the idea that something was askew.

We are on a short deadline for the story, so a quick response would be very much appreciated. A written response would be fine, though I'd be happy to speak via phone today, as well.

Thank you,

Brian Barth
Contributing editor
[ModernFarmer.com](#)
[613-421-9745](tel:613-421-9745)

From: [McEvoy, Miles - AMS](#)
To: [Arsenault, Michelle - AMS](#)
Cc: [Jean Richardson](#); [Brines, Lisa - AMS](#)
Subject: Re: Materials Subcommittee request for a spring 2015 panel
Date: Tuesday, December 09, 2014 8:06:41 AM

What is the purpose? Who do they want to invite?

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

On Dec 8, 2014, at 2:27 PM, "Arsenault, Michelle - AMS"
<Michelle.Arsenault@ams.usda.gov> wrote:

Hi Miles and Jean,

The Materials subcommittee discussed the potential of having a panel at the spring 2015 meeting to discuss seed purity in relation to the following:

Prevention Strategies for Excluded Methods in Crops and Handling – "... ZS noted that she would like to include a piece on non-organic feed, and will assist FT with this. The members discussed having an expert panel at the spring 2015 meeting to discuss the seed component part of this topic. MA will discuss this with the NOSB Chair and the Deputy Administrator and report back to the Subcommittee. The NOP noted that past panels have included 3 or 4 panelists. The group discussed several possible panelists and will refine the list. The NOP asked that the MS expand the bios for each of the people they are considering in an effort to seat a panel representative of the community.

Our next call is tomorrow and I will provide an update if there is one.

Thanks,
Michelle

Michelle Arsenault
Advisory Committee Specialist
USDA National Organic Program
1400 Independence Ave SW; Room 2638S
Washington, DC 20250-0268
Office voicemail only: (202) 720-0081
Mobile: (b) (6)
michelle.arsenault@ams.usda.gov

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From: [Jean Richardson](#)
To: [Zea Sonnabend](#)
Cc: [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#); [Calvin Walker](#)
Subject: Re: Materials SC Seed panel
Date: Tuesday, February 10, 2015 12:50:27 PM

I will be on the ES call on my mobile with headset, in my Honda truck, and Miles should be able to call in when he lands! Crazy I know! And Tracy can take over as Vice Chair if needed. And Emily will be on the call for NOP as well.

On Feb 10, 2015, at 11:15 AM, Zea Sonnabend wrote:

> After ESIs okay with me, but how are we going to have the ES call with Jean and Miles at the airport?

> Zea

>

> Sent from my iPad

>

>> On Feb 10, 2015, at 7:45 AM, Arsenault, Michelle - AMS <Michelle.Arsenault@ams.usda.gov> wrote:

>>

>> As soon as you confirm the time/date let me know so I can get this on people's calendars. Miles, is 2:30 going to work if you land at 1:10? Am I inviting the entire MS or just the folks that are copied here?

>>

>> Thanks,

>> Michelle

>>

>> -----Original Message-----

>> From: McEvoy, Miles - AMS

>> Sent: Tuesday, February 10, 2015 8:33 AM

>> To: Brown Rosen, Emily - AMS; Zea Sonnabend; Calvin Walker

>> Cc: Jean Richardson; Arsenault, Michelle - AMS

>> Subject: RE: Materials SC Seed panel

>>

>> That might work. Jean is picking me up at the airport during that time. My flight is scheduled to land at 1:10.

>>

>> -----Original Message-----

>> From: Brown Rosen, Emily - AMS

>> Sent: Monday, February 09, 2015 1:54 PM

>> To: McEvoy, Miles - AMS; Zea Sonnabend; Calvin Walker

>> Cc: Jean Richardson; Arsenault, Michelle - AMS

>> Subject: RE: Materials SC Seed panel

>>

>> Miles, there is an ES call from 1-2:30 pm, eastern will you be participating in that? Did you want to talk about seed panel after that?

>> Emily

>>

>> Emily Brown Rosen

>> Specialist, Standards Division

>> USDA-AMS-NOP

>> www.ams.usda.gov/nop

>> 609-737-8630 NJ office

>> (b) (6) cell

>>

>>

>>

>> -----Original Message-----

>> From: McEvoy, Miles - AMS
>> Sent: Monday, February 09, 2015 1:32 PM
>> To: Zea Sonnabend; Calvin Walker
>> Cc: Jean Richardson; Brown Rosen, Emily - AMS
>> Subject: RE: Materials SC Seed panel

>>
>> I'm not available at either of those times. How about Friday afternoon at 2 pm eastern time. I'll be with Jean in Vermont.

>>
>> Miles

>>
>> -----Original Message-----

>> From: Zea Sonnabend [<mailto:zea@well.com>]
>> Sent: Sunday, February 08, 2015 9:36 PM
>> To: Calvin Walker
>> Cc: McEvoy, Miles - AMS; Jean Richardson; Brown Rosen, Emily - AMS
>> Subject: Re: Materials SC Seed panel

>>
>> Miles,

>> We have a conference call already set up to discuss this: Tuesday, Feb. 10 at 10 am Pacific, 1 pm eastern. If that doesn't work for you, please suggest another time; maybe right before the Ex com on Friday?

>>
>> We don't care which day but it makes sense to have it when the Material/GMO SC section is. About an hour and a half would be good, but an hour would work.

>>
>> We will have some prepared questions for them and an open question period too. We can wait to identify the questions, but we should choose the panelists and let them know soon so they can fit it into their schedules.

>> Regards,
>> Zea

>>
>> Sent from my iPad

>>
>>> On Feb 8, 2015, at 4:45 PM, Calvin Walker <(b) (6)> wrote:

>>>
>>> We could use the next MS callwe have only one item to brief discuss and vote... The remaining time could be devoted to this issue .

>>> Bottom line: any time is good for me.
>>> Calvin

>>>
>>> Sent from my iPhone

>>>
>>>> On Feb 8, 2015, at 4:55 PM, "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov> wrote:

>>>>
>>>> Please se up a conference call to discuss. NOP will send out invites. Need to know what day you are considering, do you want short presentations? How much time? Questions ahead of time for panelists? We'd like to make this as productive as possible for your continued work.

>>>>
>>>> Miles V McEvoy
>>>> Deputy Administrator
>>>> USDA National Organic Program

>>>>
>>>>> On Feb 8, 2015, at 12:16 PM, "Jean Richardson" <(b) (6)> wrote:

>>>>>
>>>>> Hi Zea and Calvin
>>>>> I am copying Miles and Emily here so that they can provide some guidance on whether or not to formally invite your Materials subcommittee proposed seed panel members for the April Meeting. My sense is that it will be just fine.....

>>>>>

>>>>> Miles, the Materials subcommittee only meets once a month, given our heavy Sunset load, and thus it will be important to know before Tuesday if the Materials subcommittee can invite panel members. Waiting till March would probably be too late.

>>>>> Please indicate yes so they can go ahead and plan for this.

>>>>> Thank you

>>>>> Jean

>>>>

>>>>

>>>>

>>>>

>>>> This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

From: [Jean Richardson](#)
To: [Raymond Chavez](#)
Cc: [McEvoy, Miles - AMS](#); [Strzelecki, Kelly - FAS](#); [Laura Batcha](#)
Subject: Re: Meeting request re. USDA Organic - GFIA 2015 speakers & presentation design
Date: Friday, December 12, 2014 9:51:13 AM

Hi Raymond

My apologies for tardiness in replying. Your e-mail caught me en route back from India and without adequate e-mail. I am now back in my home office and would like to discuss this opportunity with you. I have an NOSB conference call today Friday, from 1 - 2.30 pm ET, but am otherwise available today Friday, or on Monday Dec 15 between 11 am and 4 pm.

sincerely

Jean Richardson

Jean Richardson PhD.

Chair NOSB

(b) (6)
(b) (6)

On Dec 9, 2014, at 8:36 PM, Raymond Chavez wrote:

Hi Jean, Kelly and Laura,

It's great to 'meet' you and thanks to Miles for the introduction. Below and attached is additional background information for the GFIA that will be in Abu Dhabi during March 9 - 11, 2015.

Are you available for a conference call this Friday, December 12 anytime from 11am - 3pm to discuss any questions you have about GFIA and your participation and presentations?

We can use our US conference call number which is:

(b) (6)

Lastly, if it helps to convince you to attend and present at GFIA, we are able to pay your travel expenses (airfare, hotel, meals and local transportation) through the generous support of the Abu Dhabi government through the science innovator - sponsored delegate program.

We hope you will be able to join us at GFIA 2015 and be part of the Organic Agriculture presentations, workshop and exhibition.

Best Regards,
Raymond Chavez
Senior Program Development Advisor
Global Forum for Innovations in Agriculture

US Mobile: (b) (6)

Skype: (b) (6)

Find out what's new at GFIA 2015: www.innovationsinagriculture.com

<image001.jpg>

GFIA 2015 Program Summary Information for USDA

The Global Forum for Innovations in Agriculture (GFIA) that will be in Abu Dhabi during March 9 - 11, 2015.

Climate Smart Agriculture (CSA), Post-Harvest Waste and innovations with **ICT and GIS for Agriculture** will be a key themes at GFIA 2015.

These themes are especially timely, given the launch of the **Global Alliance for Climate Smart Agriculture (GACSA)** at the **UN Secretary-General's Climate Summit** in New York in September 2014..

The **GACSA Interim Secretariat** includes the **Netherlands government, FAO** and the **World Bank** - who are also on the **GFIA - CSA Advisory Council**. The **U.S. government** is also now a member of GACSA.

Attached the **GFIA 2015 Executive Summary** for you to review with your colleagues at **USDA** as well as the following link to a short video with **Bill Gates**, a keynote speaker at GFIA 2014, discussing the **Gates Foundation** partnership with **GFIA**.

<http://gfiatv.com/bill-gates-view-gfia-2014-2/>

Other noteworthy updates for GFIA 2015 include:

1. We will have national delegations attending GFIA from more than **70 countries** including Ministers of Agriculture from:

Brazil, China, Costa Rica, Ireland, France, Japan, Mexico, Netherlands, Norway, Philippines, Spain, UK, US and Vietnam as well as Ministers of Agriculture from **42 African Union countries** and Ministers from **9 Small Island Developing States (SIDS)** in the **Caribbean, Pacific and Indian Oceans**.

2. **GFIA 2015 confirmed & invited keynote speakers include:**

* **His Highness Sheikh Mansour Bin Zayed Al-Nahyan, Deputy Prime Minister of the UAE, Minister of Presidential Affairs and Chairman of the Abu Dhabi Food Control Authority (ADFCA)**

* **AGRA** (Dr. Agnes Kalibata, Interim President)

* **Clinton Climate Initiative (CCI)** (Dymphna van der Lans, CEO)

* **CGIAR** (Dr. Frank Rijsberman, CEO)

* **FAO** (Dr. Graziano da Silva - Director-General)

* **GEF** (Dr. Naoko Ishii - CEO)

* **ICRAF** (Dr. Tony Simons, Director-General)

* **NEPAD** (Dr. Martin Bwalya, Head of Agriculture)

* **Netherlands Ministry of Agriculture** (Sharon Dijksma - Minister)

* **UAE Minister of Environment and Water** (H.E. Dr. Rashid Ahmed Bin Fahad)

* **World Bank Group** (Dr. Juergen Voegele, Sr. Director - Global Agriculture)

* **President William Jefferson Clinton** (Invited)

* **Tom Vilsack**, USDA Secretary (Invited)

* **Christiana Figueres**, Executive Secretary of the United Nations Framework Convention on Climate Change (UNFCCC) (Invited)

On Thu, Dec 4, 2014 at 4:55 PM, McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov> wrote:

I am forwarding you information about an upcoming international conference in Abu Dhabi. The conference has a lot of potential to expand opportunities for organic agriculture and trade.

I have been in discussions with Raymond Chavez about conducting an organic session at the conference. I put together a draft workshop outline that you can see below. At this time USDA-

NOP and Betsy Rakola are not able to participate or contribute to the development of this session. By way of this email I am introducing you to Raymond Chavez who can assist you if you are interested in participating.

My understanding is that IFOAM has agreed to participate and will be taking the lead on developing the organic workshop. Please work with Raymond if you are interested in contributing to this conference.

Miles V. McEvoy

Deputy Administrator

National Organic Program

1400 Independence Ave. SW

Washington, DC 20250-0268

202-720-3252

www.ams.usda.gov/nop

Organic Integrity from Farm to Table, Consumers Trust the Organic Label

From: Raymond Chavez [mailto: (b) (6)]
Sent: Wednesday, November 26, 2014 12:02 PM
To: McEvoy, Miles - AMS
Subject: Meeting request re. USDA Organic - GFIA 2015 speakers & presentation design

Hi Miles,

I hope this finds you well and looking forward to a wonderful Thanksgiving holiday.

I am writing to set up a phone meeting with you at your earliest convenience next week to discuss in more detail the USAID Organic presentations and exhibit at GFIA 2015 in Abu Dhabi.

Below is the excellent concept note you sent to us listing speakers and themes for USDA's

presentations at GFIA.

I have also attached a GFIA 'session' template which we are using for 90 - 120 minute sessions which we can use further design the Organic presentations at GFIA.

I am based in Washington DC and available any day next week from 11am - 2pm for a phone meeting.

I am in regular contact with Elise Golan, Mark Manis and now with Jamie Adams at USDA who has been designated as our point person to discuss the USDA pavilion - exhibit at GFIA 2015.

I have a phone meeting with Jamie Adams next Tuesday, Dec. 2 at 11am to discuss the USDA exhibit at GFIA and the list of invited 'science innovators' that USDA is proposing to attend and present at GFIA 2015.

This will include the USDA Organic speakers you are proposing to invite.

Following is the link for you to request each of the proposed USDA speakers to submit for those who need travel subsidy to attend GFIA.

<http://www.innovationsinagriculture.com/Visiting/Hosted-Scientist-Programme/ADFCA-Hosted-Scientist-Programme-Application-Form>

As you may recall, thanks to the generous support of the Abu Dhabi government, we can pay the airfare, hotel, meals and local transportation for 'science innovators' to attend and present at GFIA 2015.

I look forward to speaking with you at your earliest convenience.

Best Regards,

Raymond Chavez

Senior Program Development Advisor

Global Forum for Innovations in Agriculture

US Mobile: (b) (6)

Skype: (b) (6)

Find out what's new at GFIA 2015: www.innovationsinagriculture.com

<image001.jpg>

Global Forum for Innovations in Agriculture
March 9-10, 2015, Abu Dhabi
Organic Agriculture Workshop

Presenters	Content
<ul style="list-style-type: none"> • Laura Batcha, Organic Trade Association • Kelly Strzelecki, USDA Foreign Agriculture Service 	Organic markets and trade data
<ul style="list-style-type: none"> • Miles McEvoy, Deputy Administrator of USDA's National Organic Program • Joao Onofre, European Commission • Andre Leu, IFOAM President 	Organic Standards <ul style="list-style-type: none"> • CODEX • USDA organic regulations • EU organic regulations
<ul style="list-style-type: none"> • Ken Cummins, International Organic Accreditation Service • Miles McEvoy • Jean Richardson, Chair of the USDA National Organic Standards Board 	Accreditation and certification International Norms – ISO 17011 and ISO 17065 Inspections
<ul style="list-style-type: none"> • Miles McEvoy 	International Trade Arrangements
<ul style="list-style-type: none"> • Jean Richardson • Betsy Rakola, USDA Organic Policy 	Organic Support – Technical Assistance, extension, research, Advisory Boards

Advisor

- Gunnar Rundgren, Grolink

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<GFIA_2015_Executive Summary_English_Updated Oct 2014.pdf>

From: [McEvoy, Miles - AMS](#)
To: "[Jean Richardson](#)"; [Strzelecki, Kelly - FAS](#); [Laura Batcha](#)
Cc: "[Raymond Chavez](#)"; (b) (6)
Subject: FW: Meeting request re. USDA Organic - GFIA 2015 speakers & presentation design
Date: Thursday, December 04, 2014 4:55:20 PM
Attachments: [GFIA - Climate observation in Africa - presentation template - sample for USDA 11.25.14.docx](#)

I am forwarding you information about an upcoming international conference in Abu Dhabi. The conference has a lot of potential to expand opportunities for organic agriculture and trade.

I have been in discussions with Raymond Chavez about conducting an organic session at the conference. I put together a draft workshop outline that you can see below. At this time USDA-NOP and Betsy Rakola are not able to participate or contribute to the development of this session. By way of this email I am introducing you to Raymond Chavez who can assist you if you are interested in participating.

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Miles V. McEvoy
Deputy Administrator
National Organic Program
1400 Independence Ave. SW
Washington, DC 20250-0268
202-720-3252
www.ams.usda.gov/nop

Organic Integrity from Farm to Table, Consumers Trust the Organic Label

From: Raymond Chavez [mailto:(b) (6)]
Sent: Wednesday, November 26, 2014 12:02 PM
To: McEvoy, Miles - AMS
Subject: Meeting request re. USDA Organic - GFIA 2015 speakers & presentation design

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Best Regards,
Raymond Chavez
Senior Program Development Advisor
Global Forum for Innovations in Agriculture

US Mobile: (b) (6)
Skype: (b) (6)

Find out what's new at GFIA 2015: www.innovationsinagriculture.com



**Global Forum for Innovations in Agriculture
March 9-10, 2015, Abu Dhabi
Organic Agriculture Workshop**

-

Presenters	Content
<ul style="list-style-type: none">• Laura Batcha, Organic Trade Association• Kelly Strzelecki, USDA Foreign Agriculture Service	Organic markets and trade data
<ul style="list-style-type: none">• Miles McEvoy, Deputy Administrator of USDA's National Organic Program• Joao Onofre, European Commission• Andre Leu, IFOAM President	Organic Standards <ul style="list-style-type: none">• CODEX• USDA organic regulations• EU organic regulations
<ul style="list-style-type: none">• Ken Cummins, International Organic Accreditation Service	Accreditation and certification International Norms – ISO 17011 and ISO 17065

<ul style="list-style-type: none"> • Miles McEvoy • Jean Richardson, Chair of the USDA National Organic Standards Board 	Inspections
<ul style="list-style-type: none"> • Miles McEvoy 	International Trade Arrangements
<ul style="list-style-type: none"> • Jean Richardson • Betsy Rakola, USDA Organic Policy Advisor • Gunnar Rundgren, Grolink 	Organic Support – Technical Assistance, extension, research, Advisory Boards

-

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GFIA - Climate Resilience Monitoring – Presentation Proposal

Session title* (please kindly use media-friendly language)

Demand for Climate Observations in Africa – case studies in social services, farm services, and crop insurance

Session description* (180 words, please kindly use media-friendly language)

African climate data is needed urgently for civil preparedness, farm planning, and crop insurance, to name a few of the areas clamouring for data. This session lays out the case for commercially viable on-the-ground climate observations across Africa. The session is kicked off by a broad assessment of the opportunities for financial returns stemming from climate observations, as well as a presentation of a continent-wide effort to address the climate observation gulf. The session then moves to case studies, starting with Kenya, where the government has crafted and is executing the installation of a strategic climate observation network of 2,000 stations. They have developed novel electronic data acquisition hardware and data analysis software that may well become the standard across Africa. Two pioneers in commercialization will present climate-data-based products: an insurance system covering 200,000 growers in East Africa; and a new cocoa producers climate observation system in Ghana. The 35-minute wrap up will provide a practical discussion of what is needed to make climate observations economically viable in Africa by leveraging commercial use of these data.

Session Duration*	<input checked="" type="checkbox"/> 90min <input type="checkbox"/> 120min			
Session schedule in detail (Insert as many items as you wish)	Order	Estimated lead time (min)	Description of items/presentations	Confirmed speakers
	1	15	Introduction, Presentation – Innovations in ground observations of African Climate	John Selker TAHMO
	2	15	Lessons from Kenya: strategic plan for geospatial coverage of climate data	David Mburu Kenyan Meteorological Service
	3	10	Lessons from Ghana: Bringing technology to bear on Climate data acquisition and dissemination	Alloysius Attah, Owner, Farm-tech
	4	10	The African Climate Data Market: 200,000 weather-index based micro-crop insurance policies	Wairimu Muthike Acre, Kenya
	5	35	Roundtable Discussion	All
	6	5	Concluding Remarks	Nick van de Giesen Tech University of Delft

Session objectives and outputs* (please kindly use media-friendly language)

Objective: Lay out a commercially viable framework for sustainable climate observation in Africa.

Outcomes:

- Set the foundation for investment in Africa climate observation for expanded food production, and show that investment in this system will bring excellent returns.

Session Contribution* (How this session can contribute to the implementation roadmap)

While many have bemoaned the lack of climate data for Africa, no one has laid out the business case for solving this problem. We show that the confluence of cell-phones, micro-sensor technology, climate change, and proven business models for sale of climate-based products has taken Africa beyond the old obstacles to climate observation. This session will energize and accelerate the investment in climate observation in Africa based on a vision for self-supporting networks of observation.

3. Session Format/Logistics

Expected number of Participants(room size)¹⁾ *

Less than 50pax 50~100pax 100~150pax 150~200pax More than 200pax (pax)

Preferred Room Type²⁾ *

Theater Type Classroom Type Roundtable Type Other()

- All rooms will be equipped with 1 computer, 1 video projector, 1 screen, 2 microphones and 1 staff.

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Cc: [Rakola, Betsy - OSEC](#)
Subject: Re: Meeting request re. USDA Organic - GFIA 2015 speakers & presentation design
Date: Wednesday, November 26, 2014 10:30:19 PM

Betsy, I am in India until December 10
I have some internet connection and will check each day.
I would be interested in presenting if you were also attending.
Too bad Miles can't fit it in.
What do you think?
Jean

Sent from my iPad

On Nov 26, 2014, at 8:54 PM, "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov> wrote:

Hi Betsy and Jean,
Information about the GFIA conference in Abu Dhabi next March. I think this conference has potential for supporting organic agriculture worldwide. However, in order to pull this off it would require a significant time investment. Due to my travel schedule and workload demands I am not interested in participating. I am forwarding this to you two to see if you'd like to pursue organic this organic session.

I put together a rough outline for an organic session with suggested speakers that is outlined below. I have not contacted any of the suggested speakers because I didn't know whether GFIA was interested in this session. So, if you'd like to pursue this you would need to organize the organic session and contact possible speakers to see if they'd participate. There is support for travel and expenses so you may be able to pull it off.

I'll speak with Raymond next week and let him know that I am not able to participate.

Miles McEvoy
Deputy Administrator
National Organic Program

From: Raymond Chavez [<mailto:> (b) (6)]
Sent: Wednesday, November 26, 2014 12:02 PM
To: McEvoy, Miles - AMS
Subject: Meeting request re. USDA Organic - GFIA 2015 speakers & presentation design

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This will include the USDA Organic speakers you are proposing to invite.

Following is the link for you to request each of the proposed USDA speakers to submit for those who need travel subsidy to attend GFIA.

<http://www.innovationsinagriculture.com/Visiting/Hosted-Scientist-Programme/ADFCA-Hosted-Scientist-Programme-Application-Form>

As you may recall, thanks to the generous support of the Abu Dhabi government, we can pay the airfare, hotel, meals and local transportation for 'science innovators' to attend and present at GFIA 2015.

I look forward to speaking with you at your earliest convenience.

Best Regards,
 Raymond Chavez
 Senior Program Development Advisor
Global Forum for Innovations in Agriculture

US Mobile: (b) (6)
 Skype: (b) (6)

Find out what's new at GFIA 2015: www.innovationsinagriculture.com

<image001.jpg>

**Global Forum for Innovations in Agriculture
 March 9-10, 2015, Abu Dhabi
 Organic Agriculture Workshop**

-

Presenters	Content
<ul style="list-style-type: none"> • Laura Batcha, Organic Trade Association • Kelly Strzelecki, USDA Foreign Agriculture Service 	Organic markets and trade data
<ul style="list-style-type: none"> • Miles McEvoy, Deputy Administrator of USDA's National Organic Program • Joao Onofre, European Commission • Andre Leu, IFOAM President 	Organic Standards <ul style="list-style-type: none"> • CODEX • USDA organic regulations • EU organic regulations
<ul style="list-style-type: none"> • Ken Cummins, International Organic Accreditation Service • Miles McEvoy 	Accreditation and certification International Norms – ISO 17011 and ISO 17065 Inspections

<ul style="list-style-type: none"> • Jean Richardson, Chair of the USDA National Organic Standards Board 	
<ul style="list-style-type: none"> • Miles McEvoy 	International Trade Arrangements
<ul style="list-style-type: none"> • Jean Richardson • Betsy Rakola, USDA Organic Policy Advisor • Gunnar Rundgren, Grolink 	Organic Support – Technical Assistance, extension, research, Advisory Boards

-

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<GFIA - Climate observation in Africa - presentation template - sample for USDA 11.25.14.docx>

From: [Jean Richardson](#)
To: [Zea Sonnabend](#)
Cc: [Harold Austin](#); [John Foster](#); [Tracy Favre](#); [Jennifer Taylor](#); joe.dickson@wholefoods.com; [Brown Rosen, Emily - AMS](#); [Arsenault, Michelle - AMS](#); [Mac Stone](#); [McEvoy, Miles - AMS](#)
Subject: Re: More on BPA
Date: Thursday, March 06, 2014 3:02:47 PM

Hi Zea

yes I have been following BPA for some years. Thank you for your work on this
Jean

On Mar 6, 2014, at 2:57 PM, Zea Sonnabend wrote:

Hi Handlers and NOP,

For all of you who saw the FDA paper on this, and those who didn't but follow this subject, please read the below article, especially the first paragraph.

Zea Sonnabend (Zea@well.com) thought you would like to see this page from Mother Jones.

[The Scary New Evidence on BPA-Free Plastics](#)

<http://www.motherjones.com/environment/2014/03/tritan-certichem-eastman-bpa-free-plastic-safe>.

Regards,
Zea

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Monday meeting
Date: Sunday, February 02, 2014 2:54:28 PM

Hi Miles

I am looking forward to our meeting tomorrow.

If things change - note that my best e-mail is this one, (b) (6)
and my cell phone is (b) (6)

Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Cc: [Arsenault, Michelle - AMS](#); [Brown Rosen, Emily - AMS](#); [John Foster](#); [Mac Stone](#); [Tucker, Jennifer - AMS](#); [Brines, Lisa - AMS](#)
Subject: Re: Modify Meeting document
Date: Tuesday, September 09, 2014 5:51:01 PM

Sounds good
Thank you Miles
Michelle can we do that tomorrow?

Sent from my iPhone

> On Sep 9, 2014, at 5:39 PM, "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov> wrote:
>
> Clarification is fine.
>
> I'd suggest a simple change to first bullet:
> On the first page under "Meeting Format" add a bullet as first bullet:
> *The Designated Federal Officer (DFO), NOP Deputy Administrator, will call the meeting to order. After the meeting is called to order the NOSB Chair, Jean Richardson, will chair/facilitate the meeting.
>
> Miles V McEvoy
> Deputy Administrator
> National Organic Program
>
> -----Original Message-----
> From: Jean Richardson [<mailto:> (b) (6)]
> Sent: Tuesday, September 09, 2014 5:31 PM
> To: Arsenault, Michelle - AMS; McEvoy, Miles - AMS; Brown Rosen, Emily - AMS; John Foster; Mac Stone
> Subject: Modify Meeting document
> Importance: High
>
> Hi all
> I am getting calls that it looks like Miles is Chairing it all.
> Lets either fix this tomorrow or add to exec agenda a discussion of how to fix this right away.
> May I suggest the following simple change:
> On the first page under "Meeting Format"
> add a bullet as first bullet:
> *The Designated Federal Officer (DFO), Deputy Administrator, will call the meeting to order and chair the presentations by NOP staff.
> * second bullet National List Manager etc as written
> * Add as Bullet 3:
> The NOSB meeting will be called to order and Chaired by the Chair of the NOSB let me know what you think
Jean
>
>
>
>
>
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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#); [Tucker, Jennifer - AMS](#)
Subject: Fwd: Minority Opinion - Methionine
Date: Monday, February 23, 2015 3:59:19 PM
Importance: High

FYI
Jean

Begin forwarded message:

From: Tracy Favre <tfavre@favrehouse.com>
Date: February 23, 2015 3:18:11 PM EST
To: Thicke Francis <fthicke@iowatelecom.net>
Cc: Calvin Walker <(b) (6)> Arsenault Michelle
<Michelle.Arsenault@ams.usda.gov>, Stone Mac
<(b) (6)> Richardson Jean <(b) (6)>
Bondera Colehour <(b) (6)> Brown-Rosen Emily
<Emily.BrownRosen@ams.usda.gov>, Swaffar Ashley
<Ashley.Swaffar@vitalfarms.com>, Daniels Paula
<pdaniels@goodfoodla.org>
Subject: Minority Opinion - Methionine

Folks,

After giving it a lot of thought and after talking it over with Jean, I am rejecting the minority document for Methionine. There are several reasons for this:

1. This document was sent to our group at the last minute and AFTER the vote on the original proposal had already been taken.
2. No one in the committee had a chance to review the document, and there was no chance to either comment on or refute some of the statements in the document. There was also no opportunity for the group to consider whether they might support either of the two proposals in the minority opinion.
3. While there is a statement in the Policy and Procedures Manual (PPM) about minority opinions, there are not clear guidelines on how they should be submitted. However, there is a natural assumption that any documents that would come out of a committee, would be reviewed by that committee. As mentioned above, that did not happen. In previous instances, when a minority document was received after a vote, that document has been rejected.

I appreciate some of you have concerns about the proposal as voted upon by the committee. In the future, if minority opinions are to be provided, they must be submitted in a timely manner to the committee so that everyone has a chance to be fully informed before casting their votes.

Tracy

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Fwd: Mile's Blog
Date: Saturday, October 18, 2014 5:02:32 PM

Hi Miles
The Blog is excellent
I sent it around
Although I am not sure how it ever gets seen by anyone.
The USDA Website is like some sort of an underground rabbit warren!
Cheers Jean

Begin forwarded message:

From: Jean Richardson <(b) (6)>
Date: October 18, 2014 12:20:12 PM EDT
To: Michelle - AMS Arsenault <Michelle.Arsenault@ams.usda.gov>, "mac@elmwoodstockfarm.com (mac@elmwoodstockfarm.com)" <mac@elmwoodstockfarm.com>, John Foster <jfoster@ebfarm.com>, Tracy Favre <tfavre@favrehouse.com>, "joe.dickson@wholefoods.com (CE CEN)" <joe.dickson@wholefoods.com>, Nick Maravell <(b) (6)> Jennifer Taylor <(b) (6)> Wendy Wendy <(b) (6)> Jay Feldman <jfeldman@beyondpesticides.org>, Walker Calvin <(b) (6)> Francis Thicke <fthicke@iowatelecom.net>, Harold Austin <harolda@zirklefruit.com>, Zea Sonnabend <zea@well.com>, Carmela Beck <carmela.beck@driscolls.com>, COLEHOUR BONDERA <colemel@kanalanifarm.org>
Bcc: Jean Richardson <(b) (6)>
Subject: Mile's Blog

-----Original Message-----

From: Ed Maltby
Sent: Oct 17, 2014 2:52 PM
To: ODAIRY@LISTSERV.NODPA.COM
Subject: [NODPA-ODAIRY] NODPA on USDA Blog

Mile McEvoy posted on the USDA blog about his experiences at the NODPA Field Days with a great photo of Hue doing what he loves to do best!
Thank you to all those that supported NODPA Field Days and the mission of NODPA

<http://blogs.usda.gov/2014/10/17/field-day-supports-organic-dairy-producers/>

forwarded by jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: Mike Dempster
Date: Wednesday, August 27, 2014 7:32:15 AM

Hi Miles

I met

(b) (6)

Cheers from Vermont
Jean

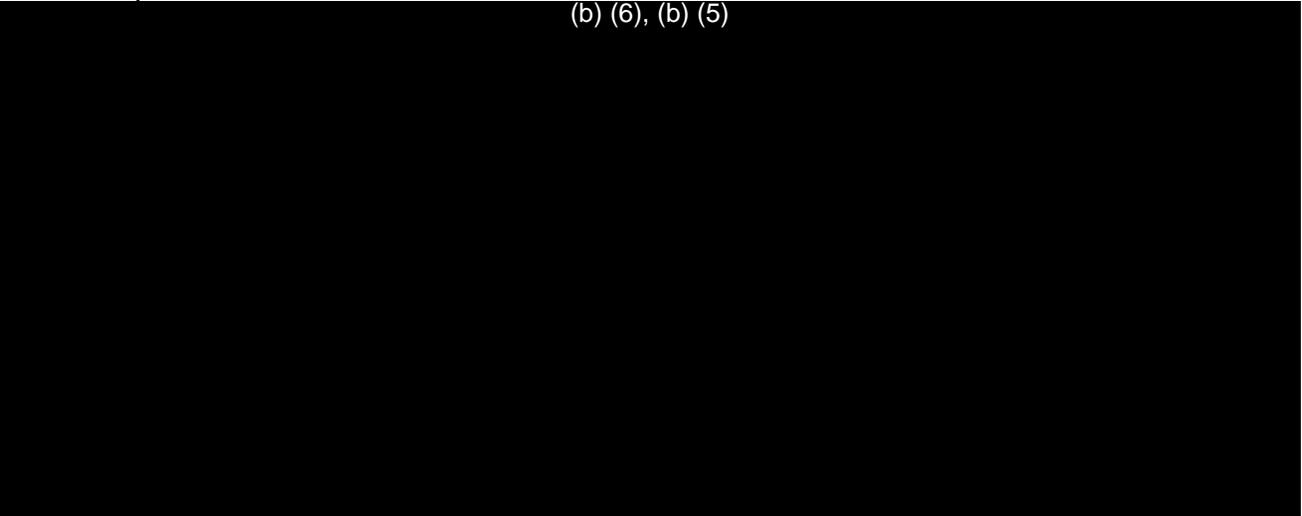
From: [Jean Richardson](#)
To: [Tucker, Jennifer - AMS](#)
Cc: [McEvoy, Miles - AMS](#)
Subject: Michelle"s Excellent work
Date: Thursday, April 02, 2015 9:57:16 AM

Hi Jenny:

I know that each year you ask the NOSB for input into the Evaluation of our ABS, Michelle Arsenault. Thus I write this Note to be considered in her 2014-2015 evaluation:

Dated April 2, 2015

(b) (6), (b) (5)



Please contact me if I can provide any further information

Jean Richardson PhD
Chair NOSB

From: [McEvoy, Miles - AMS](#)
To: [Colehour Bondera \(colemel@kanalanifarm.org\)](#); [Jean Richardson](#); (b) (6); [joe.dickson@wholefoods.com](#); [Robert Mac Stone \(mac@elmwoodstockfarm.com\)](#); [Nick Maravell](#); [Rueben Walker](#); (b) (6); [Tracy Favre \(tfavre@favrehouse.com\)](#); [wendy.fulwider@organicvalley.com](#)
Cc: [Bailey, Melissa - AMS](#); [Coke, Lorraine - AMS](#); [Brines, Lisa - AMS](#); [Updike, Scott - AMS](#); [Brown Rosen, Emily - AMS](#)
Subject: Methionine petition
Date: Thursday, February 09, 2012 2:59:35 PM

The allowance of methionine in poultry feed is scheduled to expire on October 1, 2012. The National Organic Program published a proposed rule on methionine on February 6, 2012 that would extend the allowance of methionine, at reduced rates, until the next sunset review in 2017. The NOP is taking comments on the proposed rule through April 6, 2012 and plans to publish a final rule prior to October 1, 2012.

The NOP received a new petition for methionine and the NOSB Livestock Committee has had some preliminary discussions regarding the petition and the technical report. It is particularly problematical for the NOSB to be reviewing a petitioned substance during an active rule making process for the same substance. Therefore, the National Organic Program would like the NOSB to defer their review of the new methionine petition until the fall 2012 meeting. At that time the previous NOSB recommendation on methionine will have completed its rule making process and the new petition could be reviewed.

Thank you for your understanding and your service.

Miles V. McEvoy
Deputy Administrator
National Organic Program
U.S. Department of Agriculture
Room 2646-So. (Stop 0268)
1400 Independence Ave SW
Washington, DC 20250-0268
202-720-3252
www.ams.usda.gov/nop

Organic Integrity from Farm to Table, Consumers Trust the Organic Label

Register for the NOP Organic Insider, the National Organic Program's email notification service, by visiting <http://bit.ly/NOPOrganicInsiderRegistration>.

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From: [Jean Richardson](#)
To: [Brown Rosen, Emily - AMS](#)
Cc: [Tracy Favre \(tfavre@favrehouse.com\)](#); [McEvoy, Miles - AMS](#); [Arsenault, Michelle - AMS](#)
Subject: Re: methionine minority piece
Date: Monday, March 02, 2015 6:36:21 PM

Are there grounds to not publish it?

Sent from my iPad

On Mar 2, 2015, at 5:49 PM, "Brown Rosen, Emily - AMS"
<Emily.BrownRosen@ams.usda.gov> wrote:

Tracy,

Please note that this version of minority opinion Colehour submitted on the 25th is substantially different than the one discussed by the LS on the 24th. I have attached both. It also does not have any disclaimer about author and date as discussed.

Please advise!

Emily

From: Arsenault, Michelle - AMS
Sent: Monday, March 02, 2015 5:17 PM
To: 'Tracy Favre'; Brown Rosen, Emily - AMS
Subject: FW: methionine minority piece

Tracy, are you able to confirm that this is the MET doc that you would like to submit? If so, I'll save this one as final.

Sorry I missed that you didn't send it with the other docs in the previous emails.

Michelle

From: Colehour Bondera [[mailto: \[REDACTED\]](#)] (b) (6)
Sent: Wednesday, February 25, 2015 1:03 AM
To: Tracy Favre
Cc: CALVIN WALKER; Arsenault, Michelle - AMS
Subject: methionine minority piece

aloha tracy,

attached please find the final of the methionine minority position to be added to the LS recommendation in response to the petition received.

please contact me and calvin if any questions or issues to get this finalized at this time!

cheers,

Colehour

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<Methionine_Minority_Opinion_2015.docx>

<Methionine_Minority_Opinion_2015_2-21-15.docx>

From: [Jean Richardson](#)
To: [AMS - Office Of The AMS Administrator](#)
Cc: [McEvoy, Miles - AMS](#); [Arsenault, Michelle - AMS](#)
Subject: Re: Message for Dr. Jean Richardson at NOSB
Date: Tuesday, July 21, 2015 3:17:25 PM

Thank you Sam,
Much appreciated.
Jean

On Jul 20, 2015, at 10:34 AM, AMS - Office Of The AMS Administrator wrote:

Good morning,

Please see below. Thanks!

Sam Jones-Ellard
Public Affairs Specialist
USDA | Agricultural Marketing Service
202.660.2268

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Follow us on Twitter [@USDA_AMS](#) or [read our stories on the USDA blog](#).

From: Sally Dodge [mailto:██████████ (b) (6)]
Sent: Saturday, July 18, 2015 1:19 PM
To: AMS - Office Of The AMS Administrator
Cc: canecreekfarm@gmail.com
Subject: Message for Dr. Jean Richardson at NOSB

Dear Dr. Richardson,

This is to recommend Eliza MacLean as a new member of the National Organic Standards Board, she has been nominated as a consumer/public interest advocate for the next round of NOSB board members. Elizabeth is a longtime farmer in North Carolina, and has been committed to sustainable and humane farming for many years. She trained as a veterinarian technician, but over the years has raised hogs and other animals at NC A&T, for Niman Ranch, and for many years has been in business raising meat animals on her own family farm. What is impressive is her commitment to clean and sustainable farming, her innovation at marketing, and her understanding of the intricacies of maintaining the family farm in an overwhelmingly industrial food system. I think Eliza would bring a wealth of experience and understanding to the NOSB board. You can see her website at www.canecreekfarm.us

You may remember my daughter, Heidi Gulbrandsen, who was a student of

yours at UVM in the late 80s. She considers you her greatest mentor. I also have been a Vermont farmer, and local foods promoter, and created several Taste of Vermont events, the largest being at Shelburne Farms for the Land Trust Alliance Rally, at which the Flack family participated. My friends Amy Seidel and Walter Polman continue in your tradition of excellent field study at UVM's environmental programs!

Thank you for your consideration.

Best regards, Sally Dodge (formerly Mole)

From: [Jean Richardson](#)
To: [Alonzo, Anne - AMS](#)
Cc: [McEvoy, Miles - AMS](#); [Whitley, Patricia - AMS](#)
Subject: Re: Meeting?
Date: Monday, May 19, 2014 8:25:59 PM

Hi Anne
I get into DC Tuesday evening
I can do lunch on Wednesday at newseum
Yes we need some strategic PR!
Jean

Sent from my iPad

> On May 19, 2014, at 8:19 PM, "Alonzo, Anne - AMS" <Anne.Alonzo@ams.usda.gov> wrote:
>
> Hi Jean, believe you are in town tonight. Am hoping we can catch some time while you are in DC this week.
> Strategic/crisis communications could be one of our topics.
>
> Options:
> Wednesday there is a 1 hr lunch break at the Newseum .
>
> Thursday am works. Copying in my Admin Asst Patricia in case it works.
>
> Tks Anne
>
>
>
>
>
>
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>

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: Morning
Date: Thursday, September 18, 2014 7:55:48 AM

OK call this am
I will be in until 10.30
Jean
Jean

On Sep 18, 2014, at 6:54 AM, McEvoy, Miles - AMS wrote:

Hi Jean,
Thanks for all of your emails. Lots to talk about. The 2015 NOSB appointments will be announced today.

We have a call scheduled for tomorrow morning but I'll give you a call this morning to see if I can catch you.

Best,
Miles

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: Morning
Date: Thursday, September 18, 2014 7:55:49 AM

I am out of the office. Please contact Desiree Lee at 202-720-3252, desiree.lee@ams.usda.gov if you need immediate assistance.

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: Morning
Date: Monday, February 23, 2015 8:05:11 AM

OK

On Feb 23, 2015, at 7:56 AM, McEvoy, Miles - AMS wrote:

> I'm running a few minutes late. I'll call you around 8:10

>

> Miles V McEvoy

> Deputy Administrator

> USDA National Organic Program

>

>

>

>

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Morning paper - BP lawsuit
Date: Wednesday, April 08, 2015 9:20:05 AM
Importance: High

<http://mobile.nytimes.com/2015/04/08/business/lawsuit-challenges-change-in-rules-on-organic-farming.html?referrer=>

From: [McEvoy, Miles - AMS](#)
To: [Mac Stone](#); [Bailey, Melissa - AMS](#); [Lipson, Mark - OSEC](#); [Brines, Lisa - AMS](#); [Arsenault, Michelle - AMS](#); [Jones, Samuel - AMS](#); [John Foster](#); [Jean Richardson](#)
Subject: Morning protest
Date: Monday, April 28, 2014 9:53:46 PM

I understand that OCA plans a protest when I start my opening remarks tomorrow morning. Apparently there will be a small group that will unfurl a banner.

I will stop the meeting and ask them to leave. If it persists the board members can leave via a back exit until the disruption ends and we can restart the meeting.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: move NOSB Executive call?
Date: Saturday, September 06, 2014 8:46:40 AM

I am out of the office. Please contact Desiree Lee at 202-720-3252, desiree.lee@ams.usda.gov if you need immediate assistance.

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Cc: [Arsenault, Michelle - AMS](#); [Brines, Lisa - AMS](#)
Subject: Re: move NOSB Executive call?
Date: Saturday, September 06, 2014 9:33:37 PM

Jenny, Melissa and I are all unavailable on the 12th. Lisa brines may be available. If that works for you let's stick with the same time.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

> On Sep 6, 2014, at 7:46 AM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:

>

> Hi Miles

> Michelle contacted me Friday afternoon to say that you would be out of town on September 12 and wished to move the NOSB Exec call. It may not be possible to change the calendars of 7 NOSB members with such sort notice, but could you suggest a couple of dates for Michelle to check out? My preference would be to keep the Exec calls as scheduled and have an NOP staff person on the call if you wish.

> Have a great trip.

> cheers,

> Jean

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From: [Jean Richardson](#)
To: [Zea Sonnabend](#); [Mac Stone](#); [John Foster](#); [Harold Austin](#); [Tracy Favre](#); [Carmela Beck](#); [Calvin Walker](#); [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#); [Bailey, Melissa - AMS](#)
Subject: Move Exec till next week?
Date: Wednesday, May 07, 2014 4:43:32 PM

Hi Executive team:

Miles called me a few minutes ago and suggested that we move the Exec. Subcommittee to NEXT Friday, May 16 at 1.pm ET. He noted that neither Tracy nor I could be on the call this week. This seems like a fine idea to me and hopefully it will be possible for all of you to fit it in. My personal apologies for all the inconvenience.

Michelle will check with Miles and send out formal notice when she returns to her office (she is not in today). Please let Michelle know your availability.

I feel as though I have been on the phone continuously ever since Sunday morning when I got home, including providing a debriefing for Senator Leahy's staff in DC and discussions with them on Sunset.

I have asked Miles to get to work as quickly as possible to bring the PPM up to date, including role of NOSB Chair. We need clarity on what in the PPM is acceptable to NOP/AMS and which parts are not. Presently we seem to work on a mix of the outdated PPM, FACA, tradition and Roberts Rules in varying combinations. John, Michelle, and Colehour's PDS did a lot of work on proposed edits over the last year or so, so there is a foundation document to work from. I would ask that the edited PPM and related document if any be brought to the Exec. when ready to review.

It would be great if we can begin to think how we could get some good PR for the NOSB and organics, and not just the negative things. Your ideas will be most welcome.

The sun is out in Vermont! A great sight in this long cold spring
Best to all of you
Jean

From: [Jean Richardson](#)
To: [Jay Feldman](#)
Cc: [Arsenault, Michelle - AMS](#); [Nick Maravell](#); [Colehour Bondera](#); [John Foster](#); [Carmela Beck](#); [Zea Sonnabend](#); [Harold Austin](#); [Francis Thicke](#); [Mac Stone](#); [Calvin Walker](#); [Jennifer Taylor](#); joe.dickson@wholefoods.com; [Tracy Favre](#); [Wendy Fulwider](#); [McEvoy, Miles - AMS](#)
Subject: Re: Motion on emergency tetracycline
Date: Thursday, April 11, 2013 8:06:16 PM

OK Jean

On Apr 11, 2013, at 8:01 PM, Jay Feldman wrote:

> Request that the NOP investigate the ability of the Secretary to invoke its authority under the "Emergency Spray Programs" provision of the Organic Foods Production, 7 U.S.C. 6518(k)(6) and Act 7 C.F.R section 205.672, to allow the emergency use of oxytetracycline for fire blight during the period of October 21, 2014 to October 21, 2017.

> _____

> Jay Feldman | <mailto:jfeldman@beyondpesticides.org> | jfeldman@beyondpesticides.org

> Executive Director

> Beyond Pesticides

> 701 E Street, SE

> Washington DC 20003

> <http://www.beyondpesticides.org/> | <http://www.beyondpesticides.org>

> (202) 543-5450 | fax (202) 543-4791

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: Morning protest
Date: Tuesday, April 29, 2014 7:48:25 AM

Ok

Sent from my iPhone

On Apr 28, 2014, at 8:53 PM, "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov> wrote:

This message has no content.

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: Morning protest
Date: Tuesday, April 29, 2014 7:48:26 AM

I am out of the office. Please contact Joan Avila at 202-720-3252, joan.avila@ams.usda.gov if you need immediate assistance.

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: Morning protest
Date: Tuesday, April 29, 2014 7:48:27 AM

Ok

Sent from my iPhone

On Apr 28, 2014, at 8:53 PM, "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov> wrote:

This message has no content.

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: NOC
Date: Tuesday, June 30, 2015 2:33:21 PM

Abby Youngblood called me just now. I had asked for a specific list of concerns but she stated she cannot yet do this as NOC is having a hard time reaching consensus regards the oral comment Webinar. I stated that I believed we would be following up as requested with a phone conference call. She thanked us for responding to NOC.

Cheers

Jean

From: [McEvoy, Miles - AMS](#)
To: [Arsenault, Michelle - AMS](#); [Brown Rosen, Emily - AMS](#); [Brines, Lisa - AMS](#); ["Jean Richardson"](#)
Subject: FW: NIFA Organic Programs announcement
Date: Friday, March 06, 2015 12:09:34 PM

fyi

From: Ngouajio, Mathieu
Sent: Friday, March 06, 2015 11:49 AM
To: Rakola, Betsy - OSEC
Cc: McEvoy, Miles - AMS
Subject: NIFA Organic Programs announcement

Betsy

Our two organic RFAs have been released. Please note that we have included a link to NOSB priorities in the RFAs: Page 8 for OREI and Page 7 for ORG.

Please share the information below with your network and perhaps the Organic Insider.

Dear all

The 2015 NIFA Organic Programs RFAs have been released and can be accessed at the following links:

Organic Agriculture Research and Extension Initiative (OREI)

NIFA Funding Opportunity Page:

<http://www.nifa.usda.gov/fo/organicagricultureresearchandextensioninitiative.cfm>.

Grants.gov Page:

<http://www.grants.gov/web/grants/view-opportunity.html?oppId=274996>.

Organic Transitions (ORG)

NIFA Funding Opportunity Page:

<http://www.nifa.usda.gov/fo/organictransitionsprogram.cfm>.

Grants.gov Page:

<http://www.grants.gov/web/grants/view-opportunity.html?oppId=274820>.

Please share this announcement with potential applicants

Best regards

Mat

Mathieu (Mat) Ngouajio, Ph.D.

National Program Leader – Division of Plant Production

USDA-NIFA (National Institute of Food and Agriculture)

Institute of Food Production and Sustainability

Stop 2240

1400 Independence Avenue, SW

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Tel: (202) 401-4895

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Email: mngouajio@nifa.usda.gov

Web: www.nifa.usda.gov

INVESTING IN SCIENCE | SECURING OUR FUTURE

From: [Jean Richardson](#)
To: [Nick Maravell](#)
Cc: [Harold Austin](#); [Calvin Walker](#); tchapman@clifbar.com; [Carmela Beck](#); mac@elmwoodstockfarm.com; [Tracy Favre](#); [Colehour Bondera](#); (b) (6); [Francis Thicke](#); lisa.delima@momsorganicmarket.com; Ashley.swaffar@vitalfarms.com; [Zea Sonnabend](#); [Brown Rosen, Emily - AMS](#); [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#)
Subject: Re: Nick on the Today Show
Date: Friday, August 21, 2015 8:01:28 AM

I can just hear the beef doing sound bites! Good work Nick
Jean

On Aug 20, 2015, at 11:04 PM, Nick Maravell wrote:

Harold

I estimate I might get 15 to 60 seconds of air time—remember this is television news not a documentary. The show is slated to air on Tues. morning.

The topic is the safety of grass fed ground beef compared to conventional (feedlot) beef. Consumers Reports (CR) is about to release a study which, I have been told, concludes that organic and sustainably raised grass fed ground beef contain the lowest levels of pathogens. The news story is about the CR study.

The interview will be conducted tomorrow on my farm. Now my herd and I have to prepare our sound bites.

Nick

On Aug 20, 2015, at 10:31 PM, Harold Austin <harolda@Zirklefruit.com> wrote:

Francis

Thanks for letting us know that! Did he say what exactly it would be on?

Sent from my U.S. Cellular® Smartphone

----- Original message -----

From: Francis Thicke

Date: 08/20/2015 6:47 PM (GMT-08:00)

To: Harold Austin, 'Calvin Walker', 'Tom Chapman', 'Jean Richardson', 'Nick Maravell', 'Carmela Beck', '"Mac (AGR) Stone"', 'Tracy Favre', 'Colehour Bondera', 'Jennifer Taylor', 'Lisa de Lima', 'Ashley Swaffar', 'Zea Sonnabend'
Cc: 'Emily - AMS Brown Rosen', 'Michelle - AMS Arsenault', 'Miles - AMS McEvoy'

Subject: Nick on the Today Show

>>> "Francis Thicke" 2015-08-20T18:47:32.973963 >>>

I was chatting with Nick Maravell today and learned that he will be

interviewed for a story to be aired on the Today Show next Tuesday.

From: [Jean Richardson](#)
To: [Nick Maravell](#)
Cc: [Tracy Favre](#); [Francis Thicke](#); [Harold Austin](#); [Zea Sonnabend](#); [Mac \(AGR\) Stone](#); [Carmela Beck](#); [Calvin Walker](#); [Lisa de Lima](#); [Tom Chapman](#); [Colehour Bondera](#); [Jennifer Taylor](#); [Ashley Swaffar](#); [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#)
Subject: Re: Nick on the Today Show
Date: Tuesday, August 25, 2015 8:46:55 AM

Yeh Nick!

Good work, nice looking animals, lovely looking farm, and you sounded eloquent and sincere.
I'll buy your beef!

Cheers.

Jean

On Aug 25, 2015, at 8:29 AM, Nick Maravell wrote:

Folks

In true organic form, the cows got more air time than I did.

The national media obviously think they have more to say.

I should probably let the cows speak for me at the next NOSB meeting.

Nick

<http://www.today.com/food/how-safe-your-ground-beef-consumer-reports-how-avoid-harmful-t40226>

On Aug 21, 2015, at 7:03 PM, Tracy Favre <tfavre@favrehouse.com> wrote:

Wow! Fantastic. Good luck Nick.

T

Sent from my iPad

On Aug 20, 2015, at 8:47 PM, Francis Thicke <fthicke@iowatelecom.net> wrote:

I was chatting with Nick Maravell today and learned that he will be interviewed for a story to be aired on the Today Show next Tuesday.

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Nice Poem
Date: Wednesday, April 10, 2013 11:08:11 AM

Very good reading
Thank you
Jean

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Re: next phone conversation
Date: Wednesday, July 23, 2014 8:09:15 PM

Yes that's right.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

> On Jul 23, 2014, at 6:28 PM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:
>
> Hi Miles
> I have our next phone call set for 8 am on Monday the 28th correct?
> Thank you
> Jean

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: New NOSB member
Date: Thursday, September 18, 2014 5:01:41 PM

Hi Miles

I think Lisa de Lima was one of my former students!

Jean

From: [Jean Richardson](#)
To: [Arsenault, Michelle - AMS](#); [Tracy Favre](#)
Cc: [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#)
Subject: New chair PDS
Date: Tuesday, April 14, 2015 5:13:11 PM

Hi Michelle

I am replacing Mac as Chair of PDS with Tracy. Effective today.

I sent Mac a note.

Tracy will ask Colehour to be Vice Chair and we will move the PPM right along!

Thank you

Jean

Sent from my iPhone

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Cc: [Alonzo, Anne - AMS](#); [Tucker, Jennifer - AMS](#); [Brown Rosen, Emily - AMS](#); [Arsenault, Michelle - AMS](#); [Tracy Favre](#); [Harold Austin](#)
Subject: New Board Member Training
Date: Sunday, February 08, 2015 1:49:56 PM

Hi Miles and NOP team

Just a note to say thank you very much indeed for an excellent training for new board members.

I do hope that the NOP will make New Member Training a permanent part of its WorkPlan each year . I know that it is time consuming and expensive, but I believe that it will lead to greater consistency in our work and strengthen collaboration between volunteers and NOP.

In addition, the concept of the 3 NOSB officers attending is logical and will always improve our leadership and management. I know that I found it very helpful.

Thank you

Jean

From: [McEvoy, Miles - AMS](#)
To: [Barry Flam](#); [Carmela Beck \(carmela.beck@driscolls.com\)](#); [Colehour Bondera \(colemel@efn.org\)](#); [Harold Austin](#); [Jay Feldman](#); [Jean Richardson](#) (b) (6); [Jennifer Taylor@famuedu](#); [JFoster@ebfarm.com](#); [joe.dickson@wholefoods.com](#); [Nicholas Maravell](#) (b) (6); [Robert Mac Stone \(mac@elmwoodstockfarm.com\)](#); [Rueben Walker](#) (b) (6); [Tracy Favre \(tfavre@favrehouse.com\)](#); [wendy.fulwider@organicvalley.com](#); [Zea Sonnabend \(zea@well.com\)](#)
Subject: New Advisory Board Specialist
Date: Friday, March 09, 2012 5:38:34 PM
Attachments: [image001.png](#)

Starting on Monday, March 12, 2012 you will have a new Advisory Board Specialist/Special Assistant to the Board.

Michelle Arsenault comes to the National Organic Program after a diverse set of experiences, including time as a geologist, program assistant, teacher, and park ranger. For the past five years, she has served both the National Science Foundation and the National Oceanic and Atmospheric Administration as a program assistant for Science and Education grant programs. She is also currently teaching a geology class at NOVA Annandale. With a strong interest in environmental issues, she has served as a National Park Service Ranger, and in a variety of volunteer roles related to the environment. She holds a B.A. in Geology from Smith College, and an M.S in Geology/Glacial Geomorphology and Neo-Tectonics from Oregon State University.

Please join me in welcoming Michelle to the NOP. We will send out her contact information next week.

Miles V. McEvoy
Deputy Administrator
National Organic Program
U.S. Department of Agriculture
Room 2646-So. (Stop 0268)
1400 Independence Ave SW
Washington, DC 20250-0268
202-720-3252
www.ams.usda.gov/nop

Organic Integrity from Farm to Table, Consumers Trust the Organic Label

Register for the NOP Organic Insider, the National Organic Program's email notification service, by visiting <http://bit.ly/NOPOrganicInsiderRegistration>.



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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: need to talk please
Date: Sunday, March 15, 2015 9:16:28 PM

Great!

Sent from my iPad

> On Mar 15, 2015, at 8:54 PM, "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov> wrote:

>

> We plan to send out clarification tomorrow

>

> Miles V McEvoy

> Deputy Administrator

> USDA National Organic Program

>

>> On Mar 15, 2015, at 7:29 PM, "jean richardson" <(b) (6)> wrote:

>>

>>

>>

>>>

>>> Hi Miles

>>> lets have a quick talk about the hydroponic Fed Register notice correction please. I am getting lots of calls and e-mails.

>>> Can you call me tomorrow (Monday) morning?

>>> Thank you

>>> Jean

>>

From: [McEvoy, Miles - AMS](#)
To: ["Harold Austin"](#)
Cc: [Arsenault, Michelle - AMS](#); ["Tracy Favre"](#); ["Jean Richardson"](#)
Subject: RE: Nasty e-mail to Harold
Date: Thursday, May 07, 2015 2:52:01 PM

Harold,

Unfortunately I do not have any better advice to offer other than what Jean suggested, do not respond or otherwise engage. Sadly freedom of speech applies to even very hateful speech. As long as the person does not engage in direct threats, such as "if I ever see you on the street then I am going to (insert potential threat)." Even then it could be a tough sell having to prove someone was serious and had the ability to follow through on the potential threat.

I feel very bad that this is happening to you especially because of all you do to support the organic community. It's a shame that you have to put up with this type of abusive behavior.

As Jean said – keep getting better.

Best to you and your family and never hesitate to reach out if you need anything.

Miles

Miles McEvoy
Deputy Administrator
National Organic Program

From: Jean Richardson [mailto:██████████ (b) (6)]
Sent: Thursday, May 07, 2015 1:55 PM
To: Harold Austin
Cc: Arsenault, Michelle - AMS; Tracy Favre; McEvoy, Miles - AMS
Subject: Re: Nasty e-mail to Harold

Harold:

there are a lot of nasty people out there. My inclination is to ignore it, but I am copying Miles here in case he has other NOP advice.

I had a stunningly vile man hurling abuse at me for several months when I was first on the board.

On the advice of NOP I did not engage him in conversation.

keep getting better
best
Jean

On May 7, 2015, at 1:25 PM, Harold Austin wrote:

Thought you should see this.....seriously!

Sent from my U.S. Cellular® Smartphone

----- Original message -----

From: Beverly Lawrence

Date:05/07/2015 8:49 AM (GMT-08:00)

To: Harold Austin

Subject: Your position on NOSB

>>> "Beverly Lawrence" 2015-05-07T08:49:05.779885 >>>

Really? Synthetic Methionine is okay to increase in chicken feed? For organic chickens? And this is for the welfare of the chickens??? What about PEOPLE who want clean food options
Harold?

It's a shame you didn't fall and break your head instead of your hip. Clearly it is time for you to step down from your position as you do not have the best interests of the people of this country in mind. You have profit in mind. Shame on you.

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Re: NASDA etc
Date: Saturday, September 13, 2014 2:52:28 PM

Thanks for the update. Heading back to DC tomorrow. Will talk to all NOSB folk.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

> On Sep 13, 2014, at 8:01 AM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:

>

> Hi Miles

> * NASDA talk seemed to go well. I gave a copy of my remarks to Betsy. Questions were practical in nature so I was also able to show I had boots on the ground experience. Gary Hirshberg was excellent, we made a good team. I was overwhelmed with positive comments over the two days and collected a lot of business cards and invitations to speak! It was so amazing to see how far we have come in organics being mainstream now! Chuck Ross did an amazing job in broadening the national agricultural dialog. His theme was agricultural literacy.

> * The Cornucopia article will be out next week. You will not be entirely happy with it, but you did not see the earlier version!!!! I did get some good points and facts in the article however. So taken all together it may help. In future I will try to do the question and answer format used by NODPA as that at least allows my voice in the interview separate from the perspective of the organization.

> * I chatted with Tracy at some length about her talk for Expo East.

> * Your telephone calls to NOSB members are good. Please try to talk to all 15 - I know that will be hard, but it is team building!

> * Leahy staff contacted me again to get up to date with progress on changes.

> * I have not made progress on articles about departing NOSB members. I may get time this week.

> All for now,

> Jean

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From: [Jean Richardson](#)
To: [Paula Daniels](#)
Cc: [McEvoy, Miles - AMS](#); [Tracy Favre](#)
Subject: Re: my resignation from NOSB
Date: Tuesday, August 25, 2015 8:38:35 AM

Hi Paula

Thank you for letting us know .

We all wish you well in your work in California.

I hope that our paths cross again.

Very Best Wishes

Jean

> Dear Miles --

>

> It is with a mix of reluctant emotions that I submit my resignation from the National Organic Standards Board. As we've discussed, in March of this year there was an unexpected change in my work and civic obligations which also involves a previously unanticipated and significant commitment of time and attention. The nature of these new and current obligations will not allow me to devote the necessary attention to the requirements of the NOSB at this juncture.

>

> I have delayed this decision to see if circumstances may afford an opportunity to dedicate some time to my role on the NOSB, but so far this does not appear to be the case.

>

> In order to make the seat available to someone who can fully participate, it seems best that I resign.

>

> I do regret that I am not able to remain involved for the long term, as the work is important and honorable. I had been proud to be able to say that I was a member of the NOSB, and am sorry that my time in that capacity was so short.

>

> I greatly value the experience I was able to have, including the chance to meet some outstanding people -- yourself included -- who have devoted their talents to the cause of improving the food system through the organic standards.

>

> With deep gratitude for the opportunity,

>

> Paula

From: [McEvoy, Miles - AMS](#)
To: [Paula Daniels](#)
Cc: [Jean Richardson](#); [Tracy Favre](#)
Subject: RE: my resignation from NOSB
Date: Tuesday, August 25, 2015 3:11:37 PM

Paula –

I understand your mix of emotions. The NOSB is both rewarding and demanding. Thank you for your service. You contributed a lot since you joined the board in January. Best of luck in your endeavors and keep in touch.

Best,
Miles

Miles V. McEvoy
Deputy Administrator
National Organic Program
1400 Independence Ave. SW
Washington, DC 20250-0268
202-720-3252
<http://www.ams.usda.gov/about-ams/programs-offices/national-organic-program>

Organic Integrity from Farm to Table, Consumers Trust the Organic Label

From: Paula Daniels [mailto:pdaniels@goodfoodla.org]
Sent: Monday, August 24, 2015 10:13 PM
To: McEvoy, Miles - AMS
Cc: Jean Richardson; Tracy Favre
Subject: my resignation from NOSB

Dear Miles --

It is with a mix of reluctant emotions that I submit my resignation from the National Organic Standards Board. As we've discussed, in March of this year there was an unexpected change in my work and civic obligations which also involves a previously unanticipated and significant commitment of time and attention. The nature of these new and current obligations will not allow me to devote the necessary attention to the requirements of the NOSB at this juncture.

I have delayed this decision to see if circumstances may afford an opportunity to dedicate some time to my role on the NOSB, but so far this does not appear to be the case.

In order to make the seat available to someone who can fully participate, it seems best that I resign.

I do regret that I am not able to remain involved for the long term, as the work is important and honorable. I had been proud to be able to say that I was a member of the NOSB, and am sorry that my time in that capacity was so short.

I greatly value the experience I was able to have, including the chance to meet some outstanding people -- yourself included -- who have devoted their talents to the cause of improving the food system through the organic standards.

With deep gratitude for the opportunity,

Paula

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#); [Tracy Favre](#)
Subject: Fwd: NOC and PPM edits
Date: Friday, August 14, 2015 8:21:12 AM
Attachments: [memo to Miles re 7-28-2015 callFINAL.pdf](#)

Hi Miles, Emily and Tracy

In reviewing the attached NOC memo, may I suggest that we quickly and carefully review our PPM which we are about to post to make sure we have adequate language which covers us all for the necessary flexibility to run public meetings and do webinars and use modern mechanisms for ensuring good public input. If necessary we should make the necessary clarification edits before posting.

Thank you

Jean

Begin forwarded message:

From: Steve Etko <(b) (6)>
Date: August 12, 2015 5:17:29 PM EDT
To: "McEvoy, Miles" <miles.mcevoy@ams.usda.gov>
Cc: "Alonzo, Anne - AMS" <anne.alonzo@ams.usda.gov>, rex.barnes@ams.usda.gov, "Rakola, Betsy" <Betsy.Rakola@ams.usda.gov>, lisa.brines@ams.usda.gov, Jean Richardson <(b) (6)> "noc-members@googlegroups.com" <noc-members@googlegroups.com>
Subject: Follow up on our July 28th conference call about NOSB webinars, ionizing radiation, and materials review

Miles-

Thanks for the productive call on the 28th.

Please see the attached document, as a follow up to that discussion.

Thanks,

Steve Etko
National Organic Coalition

To: Miles McEvoy, Deputy Administrator, National Organic Program

cc: Anne Alonzo, Administrator, USDA/Agricultural Marketing Service; Rex Barnes, Associate Administrator, USDA/Agricultural Marketing Service; Betsy Rakola, Organic Policy Advisor, U.S. Department of Agriculture; Jean Richardson, Chairperson, National Organic Standards Board; NOC Members

From: Steve Etko, Lynn Coody, Terry Shistar, on behalf of National Organic Coalition Members

Date: August 12, 2015

Re: Our conversation of July 28, 2015

In this memo, we repeat points we made in our conversation of July 28, 2015. We also recall and respond to some comments that you made. We ask you to let us know if this memo does not agree with your recollection.

I. Participants on Call

Miles McEvoy (NOP)
Lisa Brines (NOP)
Betsy Rakola (AMS)
Steve Etko (NOC)
Lynn Coody (Organically Grown Company)
Terry Shistar (Beyond Pesticides)
Allie Mentzer (National Co+op Grocers)
Harriet Behar (MOSES)
Aimee Simpson (Consumers Union)
Carol Goland (Ohio Ecological Food and Farm Association)
Liana Hoodes (NOC Consultant)
Michael Sligh (RAFI)

II. The agenda of the call consisted of three issues:

1. The use of webinars for public comment regarding the agenda of the Fall 2015 meeting of the National Organic Standards Board;
2. Information you wished to share regarding ionizing radiation; and
3. Information you wished to share regarding changes updating NOP Policy Memo 11-4 concerning Materials Review Instructions.

1. The use of webinars for public comment regarding the agenda of the Fall 2015 meeting of the National Organic Standards Board

Regarding the use of webinars for public comment on NOSB meeting agenda topics, we raised issues relating specifically to fall 2015, as well as general issues.

A. Regarding the fall 2015 agenda

We fully understand the time and resource constraints faced by the NOP and NOSB with regard to the heavy workload associated with consideration of the 2017 sunset materials at the October NOSB meeting in Vermont. We appreciate NOP's willingness to look for creative solutions to the problem and to reach out to NOC ahead of time to discuss these options. We appreciate you reaching out to NOC, and hope that will continue. We hope that you are also reaching out to others in the affected organic community, to get a full range of perspectives on this.

We fully support the idea of having two webinars in advance of the NOSB meeting to provide an opportunity for an additional public comment opportunity. For some, this may be a great opportunity to provide comment without incurring the time and cost of attending the NOSB meeting itself.

It is our understanding that despite an earlier proposal, the NOP has decided NOT to reduce the amount of time allotted to public comment at the NOSB meeting itself. We also greatly appreciate this, and would not support having webinars as a replacement for in-person public testimony.

B. The general issues we raised relate to the process of adopting webinars as a part of NOSB meetings.

As you know, NOC members are sticklers for process, because we believe that having a clear and transparent process that follows established rules is the best way to ensure public engagement where all stakeholders have access to the NOSB and organic standard setting arena. It is also essential to democracy. There are a few areas where we believe the NOP needs to ensure that proper process is followed.

First, since electronic meetings of the NOSB are not permitted under the NOSB's own Policy and Procedures Manual (PPM), webinars should not be considered part of the NOSB meetings until the PPM is amended.

Public comment and public testimony are two distinct opportunities for giving input.

Public comment includes:

- Public comment subject to the rules of the public comment period, as presented in the announcement in the FR prior to the meeting.
- Information is submitted prior to the meeting, either in writing and/or via the proposed webinar.
- Information submitted in public comments is recorded and is accessible to the NOSB and the public in preparation for the NOSB meeting.

Public testimony is in-person oral comments presented during the meeting. It is subject to FACA and the PPM.

So, we believe the best framing for the webinars is as a new, additional format for participating in public comment period. As has always been the case, participation in the Public Comment period does not preclude presentation of Public Testimony. Therefore, we disagree with the

NOP proposal that people who speak during the webinar may not also make a presentation during the NOSB meeting. We believe the webinars before the Stowe meeting can serve as a test drive of a new system by determining:

- How many people are interested in the webinar as a form of input,
- Whether people will voluntarily use it as a substitute for attending the meeting to make in-person public testimony, and
- How useful and satisfactory this method of receiving public comment is to the NOSB.

Second, if webinars at some time are to be treated as part of the NOSB meeting, then the proposal to use webinars as part of the public comment portion of the meeting should be made first as a proposed addition to the PPM, and proceed through the normal NOSB process for adopting changes to the PPM, including a notice to the public. We realize that this process is time consuming, but we believe that following the process is important.

Third, it is our understanding that stakeholders who chose to comment during the webinars may be barred from doing so at the NOSB meeting itself. We urge you to not make this an either/or opportunity, because issues may arise in the intervening time that stakeholders may wish to address at the meeting itself, even if they provided earlier comments during the webinar.

We also raised ideas for reducing the time burden in future meetings in which there are many sunset items. Some ideas may require changes to the PPM and hence public comment. But even if public comment is not required, it can help the Program to address this difficult issue. Other ideas we have considered in our brainstorming process about this and future meetings are:

- In the future, the sunset lists could be split into different timeframes so as to avoid the huge onslaught of materials decisions at one NOSB meeting. We have heard that this idea is being considered. Although our members are intrigued by this idea, and think it could be a good solution, we have brainstormed other possibilities.
- The NOSB meeting could be extended, if needed, to accommodate the need for public comment as well as the time required for review of the 2017 sunset materials; additional hours could be added during an evening session or the meeting could be extended by an extra day or half day. Since the fall 2015 meeting and spring 2016 meeting fall in the same fiscal year, perhaps the spring 2016 meeting could be shorter, resulting in a smaller increase in cost.
- Can the NOSB and NOP provide clarification about how you will use public comments on the 2017 sunset materials and clarify the issue of “untimeliness”? This question arises because under new sunset rules and procedures, substantive comments presented during the October meeting (as well comments given during the proposed webinars) are considered “untimely” under the new sunset rules and procedures. A careful articulation of the meaning and impact of the concept of “untimeliness” would help guide participants to craft comments that are relevant given the new procedure and not a reiteration of information presented previously in La Jolla.

- We would like to reiterate our support for an open docket, which has been requested by many organizations and individuals, and would allow for continuous dialogue and public input between meetings. A proposal for an open docket/portal was passed unanimously by the NOSB at the April 2013 meeting.

C. What we heard you say.

- With regard to the fall 2015 comments, we heard you say that although the reduction of time for public testimony at the meeting was considered, that NOP determined that it was not a good idea, so the same amount of time will be allocated as for the last 6 meetings.
- With regard to the general points, we heard you say:
 - Everything that the Board does is under FACA.
 - Oral public comments can be received in either venue, before or during meeting, but not both.
 - Webinars are scheduled after the close of the public comment period and before the meeting in Stowe.
 - Nothing in FACA requires NOP to keep a meeting transcript—NOP just does that. FACA requires detailed notes only.
 - The Board is working on substantive changes to the PPM that will be posted for the fall meeting.
 - The Board is very interested in being able to meet electronically. If the Board cannot finish its work on the Sunset materials, it might be continued electronically later on. USDA/NOP is looking at ways to use technology to support the work of the Board.
 - NOP is trying to set up the webinars to be interactive, allowing questions and answers.
- With regard to NOC's ideas for the future, we heard you say you look forward to our input.
- With regard to NOC's comments concerning the timeliness of substantive comments on 2015 sunset items at the fall meeting, we heard you say.
 - There is a lot of value to the comments coming in. If information comes in at this meeting and results in a substantive change, the material would have to go back to the SC for reconsideration at the next meeting. Some discussion ensued, where NOC heard Miles clarify that it is not public comment that would be considered untimely, but a substantive change in the subcommittee proposal that would be considered untimely.

2. Ionizing radiation

Thank you for giving us a heads-up on your plans. This is what we heard you say:

- Certifiers have a lot of questions about this. There are many things that could be considered to be ionizing radiation, so NOP is putting the answers that they have been providing for years into the Handbook.
- The instruction would define Ionizing Radiation as per the FDA regulation, which is cited in the NOP regulations.
- NOP plans to publish this Instruction for public comment.
- Even before the publication, NOP is seeking NOC feedback or concerns about FDA's definition.
- In response to NOC's request, you said you would send the FDA regulation so that we know we are on the same page.

3. Materials Review Instructions – updating NOP Policy Memo 11-4

Thank you again for giving us a heads-up on your plans. This is what we heard you say:

- NOP is approaching this topic via an Instruction because they do not have the authority to accredit MROs. The purposes are:
 - Clearer criteria for how to review materials;
 - Specify certifier's responsibility;
 - Education and training;
 - Clear written protocols;
 - Go into a lot more detail on materials review;
 - Define an MRO.
- MRO's must
 - Request recognition from NOP;
 - Get accredited to ISO 17065;
 - Get accreditation with a member of the NOP as a member of the audit team as a technical expert.
- NOP is intending to put this instruction out for public comment –not through FR notices, but through its own system of putting out Instructions. This avoids the backlog at the FR. The announcement will be through Organic Insider, as opposed to through regulations.gov.
- In response to our question concerning whether the instructions will cover how certifiers are audited on these points and whether you are referencing 50a.a.21, you said that this will be the mechanism used to operationalize the Instruction. It will be additional an requirement of accreditation.

III. Some reactions

Thank you for taking the time to meet with us. We have a couple of immediate responses to issues that were discussed.

- We are puzzled about your comments concerning “untimeliness” of comments/proposals at the second sunset meeting. The September 16, 2013 Federal Register notice says, “Proposals to remove substances from the National List can only be considered by the NOSB if they were published as part of the Subcommittee’s preliminary review for public comment in advance of the NOSB meeting. If the Subcommittee identifies new information at the meeting that it believes merits reconsideration of the conclusions presented in the preliminary review, that information will be considered untimely for purposes of the Sunset Review process.” This statement says that the information is untimely. In addition, our understanding is that all subcommittee proposals are proposals to delist, so information could not change the proposal anyway.
- We do intend to give you some comments on the definition of ionizing radiation.

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Fwd: NOC position on hydroponics
Date: Saturday, February 15, 2014 7:56:59 AM
Attachments: [NOC FINAL hydroponic position 2-7-14.pdf](#)

FYI, Jean

Begin forwarded message:

From: Liana Hoodes <liana@hvc.rr.com>
Date: February 14, 2014 11:15:40 AM EST
To: Jay Feldman <jfeldman@beyondpesticides.org>, Colehour Bondera <colemel@kanalanifarm.org>, Calvin Walker <(b) (6)>, Nick Maravell <(b) (6)>, jean richardson <(b) (6)>, Jennifer Taylor <(b) (6)>, Zea Sonnabend <Zea@well.com>, Mac Stone <mac@elmwoodstockfarm.com>, Joe Dickson <joe.dickson@wholefoods.com>, Barry Flamm <(b) (6)>, carmela.beck@driscolls.com, Wendy Fulwider <wendy.fulwider@organicvalley.coop>, Tracy Favre <tfavre@holisticmanagement.org>, Francis Thicke <fthicke@iowatelecom.net>, Harold Austin <HaroldA@zirklefruit.com>, John Foster <JFoster@ebfarm.com>
Subject: NOC position on hydroponics

NOSB Members --

Attached is NOC's position on hydroponics, which was recently approved by NOC's membership. In keeping with our position on aquaculture (define the system first), we are requesting that NOP define the system prior to allowing certification of hydroponic operations. It is very unfortunate when there are significant differences in what certifiers are certifying to. We believe that some hydroponics could be a significant area of growth in organic, especially with regards to urban agriculture, so we hope that adding clarity to the certifiers will help with this in a systematic manner.

Thank you all for all that you do for Organic,

Liana

--

Liana Hoodes

*National Organic Action Plan
National Organic Coalition*

3540 Route 52, Pine Bush, NY 12566

Cell: (b) (6)

www.NationalOrganicCoalition.org

Liana@NationalOrganicCoalition.org



This email is free from viruses and malware because [avast! Antivirus](#) protection is active.

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: NOC position on hydroponics
Date: Saturday, February 15, 2014 7:57:00 AM

I am out of the office. Please contact Joan Avila at 202-720-3252, joan.avila@ams.usda.gov if you need immediate assistance.

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National Organic Coalition

www.NationalOrganicCoalition.org

NOC Position on Hydroponic Production

February 7, 2014

NOC MEMBERS

Beyond Pesticides

Center for Food Safety

Consumers Union

Equal Exchange

Food & Water Watch

Maine Organic Farmers and Gardeners Association

Midwest Organic and Sustainable Education Services

National Cooperative Grocers Association

Northeast Organic Dairy Producers Alliance

Northeast Organic Farming Association - Interstate Council

Ohio Ecological Food and Farm Association

Organic Seed Alliance

Organically Grown Company

Rural Advancement Foundation International -USA

Union of Concerned Scientists

The central theme and foundation of organic farming is the maintenance and management of organic matter in the soil, along with the diverse populations of organisms that are the foundation of soil ecosystems. Macro and micro organisms found in abundance in a well-maintained soil tie together a web of interactions that conserve and recycle the elements between all the living organisms and minerals in the system. It is the management of this ecological balance that defines organic production. Any system labeled organic, (including hydroponics) should also be based on management of this ecological balance.

Hydroponics is the most widely used term for the production of crops without soil. That system of production most often provides nutrients needed to produce a crop by suspending the roots in a nutrient rich solution grown in moist inert material.

Nutrients most commonly used in hydroponic nutrient solutions are synthetic salts. Hydroponic solutions can be made using only natural materials, including natural mineral salts and organic residuals. While some certifiers believe that this makes the production system organic, other certifiers do not because they believe that there is much more to organic production than simply adding materials for crop fertilization or crop protection.

NOC finds this differing interpretation and implementation of the NOP standards by certifiers disturbing. Inconsistencies among certifiers weaken the organic label and reflect poorly on the industry. The NOSB agrees. In 2010 the NOSB made a recommendation to the NOP in which they provided guidance on which kinds of soilless production systems should or should not be labeled organic.

The NOSB Crops Committee Recommendation "Production Standards for Terrestrial Plants in Containers and Enclosures"¹ underscores this point. The

Liana Hoodes

(b) (6)
Liana@NationalOrganicCoalition.org

¹ (January 23, 2010)

<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5084677>)

recommendation stresses that organic farmers are not just tillers of the soil, but also stewards of the soil ecology on the farm and shepherds of the myriad

organisms that support thriving soil ecosystems. They do not just open bags of nutrients to feed crops and then become certified organic farmers.

The USDA National Organic Program recognized this foundation of organic when they wrote the Organic Rule. At the heart of the regulation of organic production (7 CFR Part 205 National Organic Program; Final Rule) is the definition:

Organic Production- A production system that is managed in accordance with the Act and regulations in this part to respond to site-specific conditions by integrating cultural, biological, and mechanical practices that foster cycling of resources, promote ecological balance, and conserve biodiversity.

In organic agriculture, soils are valued for the multiple functions a biologically diverse soil food web provides, not just as a substrate for holding plant roots so the plant grows upright.

Many soilless systems, including hydroponics, represent the antithesis of organic production systems because they aim to diminish the ecological complexity of the natural production systems. By reducing the living organisms in a hydroponic system to solely the crop, the ecological balance is lost. Such a 'system' merely feeds the crop with simple inputs of 'required' nutrients. On the other hand, some soilless crop production that is part of a complex ecological system may fit the definition of organic as laid out in the Rule (for example, transplants which eventually are planted in soil, or a system of aquaponics that cycles nutrients from fish through plants and back, and adds wormcastings and compost).

Until a clear definition has been provided by the NOP, certifiers should not be allowed to certify hydroponic systems. Certifiers need to be directed as to which systems may be certified, and which do not meet the criteria and are not eligible for organic certification. NOC urges the NOP to write "NOP Instruction to Certifiers" that leads to Rulemaking. The instruction should include clear criteria that follow the NOSB 2010 recommendation, and adhere to the definition of organic production presented in the Rule.

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: NODPA Interview
Date: Monday, September 01, 2014 12:25:21 PM
Attachments: [NODPA interview.doc](#)

Hi Miles
NODPA interview.
Thanks
Jean

From: [McEvoy, Miles - AMS](#)
To: [Nora Owens](#); "[Jean Richardson](#)"; "[Henry Perkins](#)"
Subject: RE: NODPA Field Days program information for presenters
Date: Wednesday, September 17, 2014 3:57:50 PM

Hi Nora,
I'll arrive Thursday afternoon and leave before lunch on Friday.
I'll have a powerpoint presentation.

Look forward to seeing everyone next week.

Miles McEvoy
Deputy Administrator
National Organic Program

From: Nora Owens [mailto:██████████ (b) (6)]
Sent: Wednesday, September 17, 2014 3:19 PM
To: McEvoy, Miles - AMS; 'Jean Richardson'; 'Henry Perkins'
Subject: RE: NODPA Field Days program information for presenters

Good afternoon Miles, Jean and Henry,

The 14th annual NODPA Field Days are a week away and I wanted to check in with you all to see if there are any questions or if I can assist you in your travel plans. I sent the program information email in July (below) but thought a refresher might be useful. **Please take a look and let me know if you will have any AV needs.** Also, it would be very helpful if you could let me know whether you will be attending the whole meeting—both days, with lunch and dinner on Thursday, and breakfast and lunch on Friday, or portions of it. Please let me know which meals you'd like; this will help me provide an accurate meal count to our caterer.

Thanks and I look forward to hearing from you at your earliest convenience.

Looking forward to seeing you next week,

Nora

From: Nora Owens [mailto:██████████ (b) (6)]
Sent: Tuesday, July 22, 2014 11:13 AM
To: McEvoy, Miles - AMS (Miles.McEvoy@ams.usda.gov); 'Jean Richardson'; 'Henry Perkins'
Cc: 'Ed Maltby'
Subject: NODPA Field Days program information for presenters

Dear Miles, Jean and Henry,

Thank you for agreeing to present at the 14th annual NODPA Field Days on September 25 & 26, 2014 at Stonewall Farm, Keene, NH. For your information, I have attached the most up-to-date program, and am available at any time to answer your questions-the best number is ██████████ (b) (6) We've already received very positive feedback on this strong educational program from folks planning to

attend.

Your first session, ***"The Future of Organic Certification"*** is scheduled for Friday, September 26th, 7:00 – 9:00 pm, following NODPA's Annual Meeting. We are planning to have the format set up as a panel, with a table and microphones (if necessary), and each person has up to 30 minutes to present, with 30 minutes for Q&A and discussion at the end. The order of presentation will likely be Miles first, Jean, second, and Henry as the final presenter. I'd be happy to consider any format changes or thoughts on the presentation if you have them. NODPA board members or staff will moderate your session. While we are able to provide the necessary projector and laptop if you have a PowerPoint presentation, we've found that direct conversations with the audience works very well, too. If you have technical needs, please let me know. One word of caution, the room we will be using does not have black-out curtains, so please plan your presentation accordingly. You will still be able to see a screen but the details might be muted, depending on the weather that day.

Miles and Jean, you are also being asked to answer questions that may come up in the session entitled ***"What's Happening in Washington?"*** a session led by Ed Maltby, NODPA Executive Director, on Friday from 10:30 to 11:00 am. We anticipate that this will be a fairly informal process but will ask that you join Ed at the front of the room. Please let me know if you have any questions.

Thanks again for generously providing your time and effort to making NODPA's Field Days educational and enjoyable for all that attend.

Best regards,

Nora Owens

NODPA Field Days Coordinator

Nora Owens
30 Keets Road
Deerfield, MA 01342
P: 413-772-0444
F: 866-554-9483
C: (b) (6)
(b) (6)

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An Interview with Dr. Jean Richardson, Chair of the National Organic Standards Board (NOSB)
By NODPA Staff



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Introduction:

We are very fortunate to have Dr. Jean Richardson join us at the 2014 NODPA Field Days this year. Jean has a wealth of skills and experience that made her a perfect choice to join the National Organic Standards Board in January 2013 in the 'Public Interest' slot. The National Organic Standards Board (NOSB) is a 15 member advisory board that helps set standards for the National Organic Program. In May, 2014, Jean was elected Chair of the NOSB. NODPA thought it would be nice for our readers to get to know

Jean a little better. Read our interview with Jean and join us September 25th and 26th, at Stonewall Farm in Keene, NH, where you can meet her in person!

1. —NODPA: Your appointment to the NOSB was widely applauded by those who know and appreciate your unique qualifications. What skills do you bring to the Board? Why do such a “thankless job”?

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1. —Jean Richardson: Actually it is a great honor to be able to serve the organic community. Like most of the 15 member volunteer board I donate 12-15 hours every week, reviewing materials, calling experts, and endless conference calls, because we want to ensure the integrity of the organic label. We get no reimbursement for time, but our direct expenses are covered when we attend the two national meetings a year. So the public gets a lot for its tax dollars! The work is a really interesting mix of science, agriculture, policy, law, politics and personalities! This fits well with my background: Small diverse family farm and electric fence franchise in northern Vermont, in the 1970,s and 80’s, building on ideas we had gathered while we worked in New Zealand; Professor at University of Vermont where I taught environmental studies and environmental law - I have a PhD in Biogeography, which is a lot of science, and extensive training in Law; At UVM I received generous funding (\$1.5 million dollars) from the W.K. Kellogg Foundation for the Environmental Partnerships in Communities (EPIC) project which included work in the 1990’s on pasture management, where grad students like Lisa McCrory and Sarah Flack did some of their research work. I also did some research with Sarah on the long distance transport of dioxins in air pollution and their contamination of dairy feed and milk. In 1994 President Clinton appointed me to the first Commission on Environmental Cooperation in NAFTA, so I am no stranger to Washington politics! Then over the last 14 years, following additional training, I have been an organic inspector, visiting farms and businesses and maple syrup producers primarily in Vermont where it has been amazing to watch organic grow and thrive.

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2. —N: With your recent election as Chair of the NOSB what are your goals for the Board?

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2. —JR: In April this year NOSB membership elected me chair because I have a pretty balanced view of organics, and the ability to listen to opposing views and work with all stakeholder groups. So my hope is that I can help smooth the presently rough path we are treading in our relationship with ~~the~~ Washington, get some better press for organics, and do a great job reviewing all the synthetics.

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N: The first day of an NOSB meeting is generally more interesting to those that aren’t knowledgeable about the details of NOSB work. Do you have any suggestions or ideas that might encourage producers/farmers/ranchers to attend at least 1 day of an NOSB meeting when it is in their area?

JR: The NOSB meeting is a great opportunity to meet like-minded people from all over the nation and all branches of organic production. People gather the day before to attend the NOC meeting, and the first day of the NOSB meeting includes updates from the NOP. It can be empowering for everyone.

N: Most producers find it difficult to shorten their remarks to the 3 minutes allowed at NOSB meeting. In the past the chair of the Board used to extend a courtesy to those that are obviously not professional speakers to assist them to get their point over. Do you have any thoughts on this positive discrimination to try to level the playing field of public comment sessions?

JR: The NOP chair always has the flexibility to extend time for a speaker. By stating a time limitation upfront it encourages people to think carefully about what is the most important point they want to make. One person can REALLY make a difference.

N: The USDA NOP has mandated a change in the relationship between the NOP and the Board, what is your opinion of this, and what steps will the Board be taking under your leadership to try to reclaim its independence and ensure the integrity of the Organic Seal?

JR: Many will remember that one of the hard fought compromises in establishing the NOP was that the NOSB should be more than the typical Federal Advisory Committee (FACA), and have greater independence. There was concern that the government would take over organics and the role of public input, especially small farmers would be diminished or lost. So from 2002-2013 the NOSB had considerable independence, developed and took public comment on policies and procedures, wrote annotations for materials at Sunset, and put items on its Workplan. In 2013 and early 2014, that changed. The AMS determined that it would be more efficient and streamlined, given the cumbersome nature of Rule Making in Washington, to have a new Sunset Policy, and the NOSB should have the same scope of responsibility as all other FACA committees. Much of this change was probably pushed by the fast-growing big farms and food manufacturers who, understandably, need predictability to run their businesses. A volunteer board, like many aspects of democracy, is messy and time consuming and not always predictable. Please note here that some aspects of the new Sunset procedure are an excellent improvement over the previous Sunset procedure, requiring that the highly complex reviews start early, with increased opportunity for public input. How the final step will work will be seen in October as we complete some of our first reviews under the new Sunset process. It is not a perfect procedure, but we will try to make it work well. As Chair I talk regularly with the Deputy Administrator, Miles McEvoy, and I have met with Senator Leahy and continue to interact with his staff. I am concerned that some of these changes have decreased the ability of the NOSB to carry out the mandate of the original OFPA. But I am hopeful that we will see an increase again in the collaboration between the NOP and the NOSB.

N: The NOSB and its two meetings a year is seen by many organic stakeholders as their only avenue for commenting on and influencing the future of organic certification. What potential do you see for ensuring that there is transparency and accountability in how the NOP operates, and what role does the NOSB play in this process?

JR: It is unfortunate that stakeholders perceive that the two meetings a year are the only way to get their opinions heard. This is really not the case. Anyone can contact board members or the NOP staff by phone or e-mail. The NOSB has recommended many times that we set up an ongoing Blog for comment but this keeps coming up with problems to set up and staff. I would encourage you to keep asking questions, and sending out your *NODPA News* publication, which is influential and read by the NOP staff. I would also encourage you to give regular feedback to your Washington Congressional Delegation.

N: Organic certification is the biggest growth area in agriculture and a billion dollar industry. What are your thoughts about the dynamic and inevitable conflict between the need for more synthetic materials to assist the growth of manufactured organic products while maintaining the integrity and uniqueness of organic certification?

JR: When it comes to the subject of synthetics, and the increase in demand for synthetics from companies proposing new organic products, I would ask everyone to have confidence in the NOSB's work on this issue. You will see quite a few synthetics being proposed by the NOSB to be removed from the National List this year, next year and 2017; we are working on all these right now. Every substance gets reviewed in minute detail, and certainly in far more depth than when many of them were placed on the National List in 1995. There will be rigorous debate and more transparency.

N: Under the leadership of Deputy Secretary, Kathleen Merrigan, the Board was encouraged to look at issues like animal welfare which is so important to producers and consumers alike. The new

leadership at USDA AMS is more inclined towards marketing and expansion of organics as a brand.

JR: The USDA is a huge agency. The Agricultural Marketing Service (AMS) component is small, and the NOP is a tiny part of AMS. It is unfortunate in some ways that organics were placed in marketing, but that is what we have to work with, and yes the present message from AMS to NOP is marketing related and lobbied by big business. Organics is a 35 billion dollar industry and marketing is critically important for all of us, local and national, big and small. That is how US agriculture works. And we have a cheap food policy in the U.S., which reduces slim profit margins and increases competition. So if marketing is the present emphasis, we need to determine what we can do to get the most out of it for our farm businesses. We do need to boost consumer confidence, improve labels on products, reduce consumer confusion, and have clear signs at Farmers' markets. And I would suggest you look at what AMS has to offer and take advantage of the opportunities to do better marketing for your products. Pick your battles!. Working together, building partnerships is the only way to go.

N: Would it not be a better use of NOP staff and resources to have all meetings in DC, perhaps have 3 meetings a year, so there could be more time for them to conduct business rather than to travel around the country? Perhaps the money saved could be put into a competitive grant program for producers to obtain travel grants to attend NOSB meetings?

JR: Actually, I think it is a good idea to move the national public meetings to different locations around the country. It helps the NOSB and NOP get a flavor of the geographic diversity of organics. Washington is a good location for politics and lobbying opportunities, but it is a much more expensive location to hold meetings. Even though NOP staff would not have to fly, there would be no cost savings in holding meetings in DC. Our NOSB budget is tiny. The annual total is only \$190,000, the ceiling set by USDA, based on total allowed funding across all USDA committees. This must cover staff salary and benefits, Board travel, and all meeting costs. **Please note that we are hoping to hold the late October 2015 meeting in Stowe, Vermont and I encourage a huge turnout!** Maybe I will still be chair!

Dr Jean Richardson will be on a panel on Thursday evening, talking about 'The Future of Organic Certification' and on Friday morning she will be participating in the panel 'What's happening in Washington?' See the full NODPA Field Days Agenda on page _____. To reach Jean, you can email her at: (b) (6)

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Re: NOP power point slides
Date: Sunday, March 01, 2015 1:56:45 PM

Of course.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

> On Mar 1, 2015, at 10:58 AM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:

>

> Hi Miles

> Harold is giving a presentation on NOSB this spring.

> I am assuming I can share with him the power point which I have put together for IOIA Training?

> This is based on your power point used at NODPA.

> I like the idea of consistency in the song sheet!

> Thank you

> Jean

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From: [Jean Richardson](#)
To: [Wonnacott Enid](#)
Cc: [McEvoy, Miles - AMS](#); enid@nofavt.org; [Rachel Fussell](#); [nicole dehne](#)
Subject: Re: NOP Discussion at the NOFA-VT Winter Conference
Date: Wednesday, September 24, 2014 1:17:36 PM

Do you need me on this call?

If so I will try to fit around whatever works for Miles and Enid

Jean

On Sep 24, 2014, at 8:29 AM, Wonnacott Enid wrote:

I have a tentative meeting with the Attorney General's office to discuss VT GMO strategy from 1-3pm, so better hold that time. I am available 10/1 before noon, or 10/2 between 12-3pm, or Friday (10/3) 10-3pm. Thanks, Enid

On 9/24/14 7:15 AM, "McEvoy, Miles - AMS"
<Miles.McEvoy@ams.usda.gov> wrote:

How about next Tuesday, the 30th, at 1 pm for the conference call?

Miles V McEvoy
Deputy Administrator
National Organic Program

From: Wonnacott Enid [<mailto:elila@sover.net>]
Sent: Monday, September 22, 2014 8:58 AM
To: McEvoy, Miles - AMS; enid@nofavt.org
Cc: Jean Richardson; Rachel Fussell; nicole dehne
Subject: Re: NOP Discussion at the NOFA-VT Winter Conference

Great, Miles, Rachel Fussell (attached) is our Winter Conference Workshop Coordinator. She will follow up with you to develop a description of your workshop, and the scheduling (Saturday or Sunday). In addition, please think about if there is anyone you would like to present your workshop with – Nicole Dehne? Jean Richardson? Organic farmer?

As for meeting to discuss the NOSB, I coach field hockey in the fall, so have to end any meeting by 3pm. Are there any days next week you can have a discussion earlier in the day?
Thanks, Enid

Enid Wonnacott, Executive Director

Northeast Organic Farming Association of Vermont (NOFA-VT)

PO Box 697

Richmond, VT 05477

(802) 434-4122

(802) 434-4154 (fax)

enid@nofavt.org

www.nofavt.org <<http://www.nofavt.org>>

On 9/22/14 8:34 AM, "McEvoy, Miles - AMS"

<Miles.McEvoy@ams.usda.gov> wrote:

Hi Enid,

I like option 1. Looking forward to it.

Are you available for a conference call next week?

Tuesday, the 30th at 4pm?

Miles

Miles McEvoy

Deputy Administrator

National Organic Program

From: Wonnacott Enid [<mailto:elila@sover.net>]

Sent: Thursday, September 18, 2014 2:05 PM

To: McEvoy, Miles - AMS; enid@nofavt.org

Cc: Jean Richardson; Rachel Fussell; nicole dehne

Subject: NOP Discussion at the NOFA-VT Winter Conference

Dear Miles,

I apologize for my delay in replying to your e-mail. It sounds as if we have two things to discuss:

- NOSB concerns – it would be great to have a conference call with Nicole Dehne, Jean Richardson and myself, if that seems appropriate to you. Please suggest another time, as we failed to meet the 9/16 suggested date.
- Our Winter Conference – there are several options. 1) You can speak at a workshop session (1 hr 15 min) and then follow that with a 1 hr roundtable discussion which would be more of a question and answer opportunity. That would be facilitated by Jean Richardson.

2) you could do just the workshop, or 3) just the roundtable. Our conference is Saturday-Sunday, February 14-15th, and you could speak either Saturday or Sunday.

Please let me know what makes sense for you. Thanks, Enid

Enid Wonnacott, Executive Director
Northeast Organic Farming Association of Vermont (NOFA-VT)
PO Box 697
Richmond, VT 05477

(802) 434-4122
(802) 434-4154 (fax)
enid@nofavt.org
www.nofavt.org <<http://www.nofavt.org>>
<<http://www.nofavt.org>>

On 9/4/14 12:35 PM, "McEvoy, Miles - AMS"
<Miles.McEvoy@ams.usda.gov> wrote:
Hi Enid and Dave,

I'd like to set up a time to talk about the National Organic Standards Board (NOSB). I understand you may have concerns that I'd like to hear. I'd also like to discuss some ideas we have about organic hydroponics. Are you available on Tuesday, September 16 at 3 pm eastern time for a conference call?

I'd also like to see if there could be a session at the NOFA-VT winter conference to discuss the National Organic Program and NOSB.

Miles McEvoy
Deputy Administrator
National Organic Program

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violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: NOP Discussion at the NOFA-VT Winter Conference
Date: Tuesday, September 30, 2014 10:49:42 AM

Miles

Looks like NOFA and VOF intend using this as a time to discuss Sunset.

I am assuming they are reacting to the NOC White paper

Jean

On Sep 24, 2014, at 5:46 PM, McEvoy, Miles - AMS wrote:

How about 11:30 on October 1?

Conference line number – (b) (6)

Passcode – (b) (6)

Miles McEvoy
Deputy Administrator
National Organic Program

From: Wonnacott Enid [<mailto:elila@sover.net>]
Sent: Wednesday, September 24, 2014 8:30 AM
To: McEvoy, Miles - AMS; enid@nofavt.org
Cc: Jean Richardson; Rachel Fussell; nicole dehne
Subject: Re: NOP Discussion at the NOFA-VT Winter Conference

I have a tentative meeting with the Attorney General's office to discuss VT GMO strategy from 1-3pm, so better hold that time. I am available 10/1 before noon, or 10/2 between 12-3pm, or Friday (10/3) 10-3pm. Thanks, Enid

On 9/24/14 7:15 AM, "McEvoy, Miles - AMS"
<Miles.McEvoy@ams.usda.gov> wrote:

How about next Tuesday, the 30th, at 1 pm for the conference call?

Miles V McEvoy
Deputy Administrator
National Organic Program

From: Wonnacott Enid [<mailto:elila@sover.net>]
Sent: Monday, September 22, 2014 8:58 AM
To: McEvoy, Miles - AMS; enid@nofavt.org
Cc: Jean Richardson; Rachel Fussell; nicole dehne
Subject: Re: NOP Discussion at the NOFA-VT Winter Conference

Great, Miles, Rachel Fussell (attached) is our Winter Conference Workshop Coordinator. She will follow up with you to develop a description of your workshop, and the scheduling (Saturday or Sunday). In addition, please think about if there is anyone you would like to present your workshop with – Nicole Dehne? Jean Richardson? Organic farmer?

As for meeting to discuss the NOSB, I coach field hockey in the fall, so have to end any meeting by 3pm. Are there any days next week you can have a discussion earlier in the day? Thanks, Enid

Enid Wonnacott, Executive Director
Northeast Organic Farming Association of Vermont (NOFA-VT)
PO Box 697
Richmond, VT 05477

(802) 434-4122
(802) 434-4154 (fax)
enid@nofavt.org
www.nofavt.org <<http://www.nofavt.org>>

On 9/22/14 8:34 AM, "McEvoy, Miles - AMS"
<Miles.McEvoy@ams.usda.gov> wrote:
Hi Enid,
I like option 1. Looking forward to it.

Are you available for a conference call next week?
Tuesday, the 30th at 4pm?

Miles

Miles McEvoy
Deputy Administrator
National Organic Program

From: Wonnacott Enid [<mailto:elila@sover.net>]
Sent: Thursday, September 18, 2014 2:05 PM
To: McEvoy, Miles - AMS; enid@nofavt.org
Cc: Jean Richardson; Rachel Fussell; nicole dehne
Subject: NOP Discussion at the NOFA-VT Winter Conference

Dear Miles,
I apologize for my delay in replying to your e-mail. It sounds as if we have two things to discuss:

- NOSB concerns – it would be great to have a conference call with Nicole Dehne, Jean Richardson and myself, if that seems appropriate to you. Please suggest another time, as we failed to meet the 9/16 suggested date.
- Our Winter Conference – there are several options. 1) You can speak at a workshop session (1 hr 15 min) and then follow that with a 1 hr roundtable discussion which would be more of a question and answer opportunity. That would be facilitated by Jean Richardson. 2) you could do just the workshop, or 3) just the roundtable. Our conference is Saturday-Sunday, February 14-15th, and you could speak either Saturday or Sunday.

Please let me know what makes sense for you. Thanks, Enid

Enid Wonnacott, Executive Director
Northeast Organic Farming Association of Vermont (NOFA-VT)
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Richmond, VT 05477

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On 9/4/14 12:35 PM, "McEvoy, Miles - AMS"

<Miles.McEvoy@ams.usda.gov> wrote:

Hi Enid and Dave,

I'd like to set up a time to talk about the National Organic Standards Board (NOSB). I understand you may have concerns that I'd like to hear. I'd also like to discuss some ideas we have about organic hydroponics. Are you available on Tuesday, September 16 at 3 pm eastern time for a conference call?

I'd also like to see if there could be a session at the NOFA-VT winter conference to discuss the National Organic Program and NOSB.

Miles McEvoy
Deputy Administrator
National Organic Program

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Fwd: nop coup on nosb
Date: Saturday, July 26, 2014 11:11:43 AM

Hi Miles
This came to my e-mail today
FYI
Jean

Begin forwarded message:

From: "David Miskell" <misktome@gmavt.net>
Date: July 26, 2014 11:03:59 AM EDT
To: "Nicole Dehne" <nicole@nofavt.org>, "Enid Wonnacott" <enid@nofavt.org>
Cc: "Dave Chapman" <(b) (6)> "Jean Richardson" <(b) (6)>
Subject: nop coup on nosb

Nicole - would have been helpful to nofaers and vofers for your nofa notes article to include info about cornucopia and others petitioning obama against the nop power grab, the fact of protestors being hauled off by the police, king miles becoming king of nosb and some quotes by nosb board members on the coup. I agree with you that the public integrity of usda should rely on how nosb was set up for independence from and oversight over usda and the coup is a horrible and dangerous precedent and negative direction .
Thanks, david m.

ACTION ALERT

Movin' on up the Food Chain

Safeguard Organic Standards Earlier this year, the OCA led a protest [http://www.organicconsumers.org/articles/article_29920.cfm] against the U.S. Department of Agriculture (USDA) when the agency, in what can only be described as a power grab, made an arbitrary ruling [http://www.organicconsumers.org/articles/article_28358.cfm] that weakened organic standards and undermined the authority of the National Organic Standards Board (NOSB).

Not long after, nearly 60,000 of you signed our petition [http://salsa3.salsalabs.com/o/50865/p/dia/action3/common/public/?action_KEY=13611] to USDA head Tom Vilsack asking him to reverse the new ruling.

Vilsack hasn't budged. So it's time to move up the governmental food chain, to President Obama.

We're joining the Cornucopia Institute in asking consumers to appeal to both Vilsack and the President to back off their power grab and return to the NOSB its rightful powers and authority. Because without a strong, independent NOSB, the integrity of organics is at risk.

TAKE ACTION: President Obama: Don't Let the USDA Undermine the Governance and Integrity of Organic Food and Agriculture

[\[https://petitions.whitehouse.gov/petition/president-obama-dont-let-usda-undermine-governance-and-integrity-organic-food-and-agriculture/9q8kG08S\]](https://petitions.whitehouse.gov/petition/president-obama-dont-let-usda-undermine-governance-and-integrity-organic-food-and-agriculture/9q8kG08S)

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: NOP Budget request
Date: Wednesday, July 02, 2014 7:14:26 AM

Hi Miles

I will be in my car at 7.30 but should be able to talk fine
so call me on my cell - (b) (6)
Jean

On Jul 1, 2014, at 9:05 PM, McEvoy, Miles - AMS wrote:

> How about tomorrow morning - Wednesday. I'm up early though still adjusting from west coast time. How about 7:30?
> Next week we could talk on Friday at 7:30 as well if that works for you.

>

> Miles V McEvoy
> Deputy Administrator
> USDA National Organic Program

>

>> On Jun 30, 2014, at 9:39 PM, "Jean Richardson" <(b) (6)> wrote:

>>

>> Hi Miles

>> I have a livestock inspection on Thursday this week, leaving the house by 6 am so that would not work. And inspections scheduled every day next week. But I am available early on Friday July 11. What time works for you.? I am normally up by 5.30 or 6 am

>> Hot here this week

>> Jean

>>

>>> On Jun 30, 2014, at 8:00 PM, McEvoy, Miles - AMS wrote:

>>>

>>> Hi Jean

>>> I can call you Thursday morning at the same time. I'll be out on an audit next week so it may be hard for make an 8:30 call on the 11th. Could you do it earlier on the 11th?

>>> I'll get back to you on your budget info request.

>>> Nice to be back - great vacation but now lots to catch up with.

>>>

>>> Miles V McEvoy
>>> Deputy Administrator
>>> National Organic Program

>>>

>>> -----Original Message-----

>>> From: Jean Richardson [[mailto:\(b\) \(6\)](#)]

>>> Sent: Monday, June 30, 2014 10:03 AM

>>> To: McEvoy, Miles - AMS

>>> Subject: NOP Budget request

>>>

>>> Hi Miles

>>> Welcome back from vacation!

>>> Will you be calling me on Friday July 4 or not till July 11?

>>>

>>> While you were away I asked Jenny to send me the NOP budget, but she e-mailed me a note with a simple NOSB narrative budget. So let me try again by requesting from you a print out of a detailed NOP budget, preferably in the format of comparison with last years budget and future projections.

>>> I am trying to get a detailed understanding of NOP budget constraints as well as impact of Farm Bill.

>>>

>>> Many thanks,

>>> Jean

>>>

>>>

>>>

>>>

>>>

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>>

From: [Jean Richardson](#)
To: [Tucker, Jennifer - AMS](#)
Cc: [McEvoy, Miles - AMS](#)
Subject: Re: NOP Budget
Date: Thursday, July 10, 2014 1:32:43 AM

Hi Jenny and Miles

If my mum was still around she would say "Oh just give Jean what she is requesting because it will be much easier in the long run! She will just keep asking till she gets what she wants".

I chatted with Miles as to why I need the NOP and NOSB budgets for 2013, 2014 and projections, but I am not making progress with getting the printout data. Obviously I need to articulate my request more clearly, so I will write a more formal e-mail to Miles tomorrow.

Just a gentle reminder of the public nature of these tax dollars at work, regardless of "agency practice". If I cannot get the printout of data from my friends at the NOP, I will simply try another path.

Thank you

Best regards from Vermont

Jean

On Jul 7, 2014, at 12:25 PM, Tucker, Jennifer - AMS wrote:

> Hi Jean - My apologies for the delay in response on this..... I am assuming that your request relates to upcoming needs related to Technical Reports? We have set aside a solid pot of funds for these reports, and I am in close communication with Lisa Brines and Emily about the subcommittee prioritization efforts in this area - I am confident that we will be able to fund a good number of reports to support the Board's work over the coming months. If there are other needs that you would like to discuss, we are happy to take those into consideration as well.

> It is agency practice not to release program-level budget breakdowns, as decisions related to budget needs are made internally both the program and agency, and are all part of an overarching appropriation for AMS Marketing Services.

> Thanks -

> Jenny

>

> -----Original Message-----

> From: Jean Richardson [[mailto: \[REDACTED\] \(b\) \(6\)](#)]

> Sent: Thursday, June 26, 2014 12:47 PM

> To: Tucker, Jennifer - AMS

> Subject: Re: NOP Budget

>

> Hi Jenny

> Thank you, but can you give me the rough NOP budget breakdown Thank you Jean

>

> On Jun 26, 2014, at 11:54 AM, Tucker, Jennifer - AMS wrote:

>

>> Hello Jean - I hope you are well! USDA has allocated \$190,000 for NOSB operations - that allocation comes out of the overall NOP budget. The \$190,000 ceiling is set by USDA based on total allowed funding across all USDA Committees. Approximately \$100,000 of that goes to Michelle's salary, overhead, and benefits; approximately \$40,000 goes to contracts to support NOSB meetings and materials (facilities, A/V, supplies, etc), and approximately \$50,000 goes to Board travel - those have been consistent levels over the past 3 years, with slight variability depending on where the meetings are. The technical support that NOP provides the Board comes from our general NOP budget, including the labor time for technical staff, the costs of transcripts, and the technical reports.

>>

>> Best -

>> Jenny

>>

>> -----

>> Jennifer Tucker, Ph.D.

>> Associate Deputy Administrator

>> USDA National Organic Program

>> 1400 Independence Ave SW; Room 2642 (Stop 0268) Washington, DC

>> 20250-0268

>> Phone: (202) 720-3252

>> Jennifer.Tucker@ams.usda.gov

>>

>>

>> -----Original Message-----

>> From: Jean Richardson [mailto: (b) (6)]

>> Sent: Thursday, June 26, 2014 10:58 AM

>> To: Tucker, Jennifer - AMS

>> Subject: NOP Budget

>>

>> Hi Jenny

>> Could you send to me the most recent NOP budget, with breakdown so that I can assess our NOSB needs.

>> Thank you

>> Cheers

>> Jean

>>

>>

>>

>>

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>

From: [Jean Richardson](#)
To: [Colehour Bondera](#)
Cc: [Tracy Favre](#); [Stone, Mac \(AGR\)](#); [Jennifer Taylor](#); [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#); [Arsenault, Michelle - AMS](#); [harolda@zirklefruit.com](#); [Tucker, Jennifer - AMS](#)
Subject: Re: Non live NOSB public meeting participation
Date: Monday, July 20, 2015 7:08:53 AM

Colehour

Could you clarify please.

Do you object to Harold attending the October meeting by virtual presence?- just a yes or no!

Thank you

Jean

Sent from my iPhone

On Jul 20, 2015, at 1:47 AM, Colehour Bondera <(b) (6)> wrote:

Aloha again PDS,

This message is about the “decision” to permit electronic phone, rather than live participation/voting of an NOSB member in a public meeting. My concerns were raised, to the degree permitted, at the La Jolla meeting. But it appears that the intent of the ES and the NOP is to continue forth with the same conclusion, without full consideration.

So I reached out last week (after checking with Jean) to former NOSB members Kevin Englebert, and his reply tells me that NOP told him that they were unwilling to pay for non-air transportation to a 2010 NOSB meeting in CA, and when asked if he could participate/vote via electronic phone communication, was told that it would not be permitted. This is sad because it confirmed my understanding that in the past it has NOT been permitted when requested to participate in a public NOSB meeting via electronic (phone) connection instead of live.

While this subject was brought to the ES (and I am happy to forward this to that list [sorry that I just got a changed computer yesterday and am slow to locate things...]), it is my request that this history be directly acknowledged and dealt with and addressed, since this(Kevin) is the only recent example that I am aware of...if an error in judgement was made with Kevin; that must be so stated, and so accommodated in a public manner.

Coming up with a new policy because a present member cannot (or should not) fly is not something that should be done randomly, but rather with an agreement and policy that can and will be followed in the future, rather than individual personalities and opinions, since that is not how to set policies.

Again, it is my request that this determination (that somehow an NOSB member, Harold, can participate via a phone/electronic connection in our Vermont meeting) be seriously and completely reviewed and considered again, since it was told to Kevin that it was NOT an option to so participate (Skype and other programs are the same as a phone connection, and we cannot use that minor communication difference as why one would be refused and another would be accepted) then it would appear that there is legal precedent already in place, and a shift must have a policy change to enact (according to my understanding of not simply Roberts’ Rules, but more-so of FACA).

Perhaps we (NOSB or NOP) could act super fast and put a policy in some record to be followed, but at this time there is in no place that I am aware (like I raised at the La Jolla meeting as a Point of Order) which states that such an option can be allowed. The precedent in place shows that it is not permitted. While I do not hold a JD, and have not consulted with a lawyer, it is important that the NOP is sure that the precedent set in 2010 is reviewed by legal advisors in terms of action which do not have any other history to work from...

Thank you for your attention and consideration.

Sincerely,

Colehour

From: [Jean Richardson](#)
To: [Colehour Bondera](#)
Cc: [Tracy Favre](#); [Stone, Mac \(AGR\)](#); [Jennifer Taylor](#); [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#); [Arsenault, Michelle - AMS](#); [Austin Harold](#); [Tucker, Jennifer - AMS](#)
Subject: Re: Non live NOSB public meeting participation
Date: Tuesday, July 21, 2015 9:38:16 AM

Hi Colehour

My preference is always to move to solution of a problem as quickly as possible.

So can you come up with a policy we can vote on right away, July 28, in PDS?

Such as : " In cases of a medical situation preventing attendance in person, a virtual presence is permitted"

We can vote at next meeting and take it to Board? But we need to plan for the meeting too, and Harold has worked much harder than many NOSB members and he deserves our support.

How do you feel about this suggestion.

Jean

On Jul 21, 2015, at 12:34 AM, Colehour Bondera wrote:

> Thank you for your thoughts.

>

> Yes, Jean, my opinion is that it is NOT ok to have someone participate in a NOSB public meeting except in person, unless there is a policy (in some by-laws somewhere) which permits.

>

> As FACA tells us, a by-law can permit such an option, and so we (the NOSB) take responsibility.

>

> Since I called a point of order in La Jolla because action was being taken with no agreement in place (and none was cited in any of the replies at the meeting) so permitting, there has been plenty of time to take this on, and it seems that no one else sees this as time sensitive or important to put some kind of "flexible policy" in place.

>

> We all agree to follow the same policies, and none in place means that any can be created by whoever so needs/desires and that is not appropriate (perhaps verges on arbitrary).

>

> We cannot and should not ignore decisions made in the past and a decision made regarding a similar request should be addressed and not administratively dismissed as not relevant. I see the Kevin example as quite relevant, and in fact virtually identical.

>

> Happy to discuss on PDS, but I also believe that the NOP should be sure that they are not allowing actions that have no policy in place to follow. We must have policies that apply across the board (and yes the whole of the NOSB) and across time, and it is not clear to me what is being followed or members are being held to in terms of electronic participation being declared equivalent to live with no discussion or consideration by the public we claim to be representing but are not allowing to participate.

>

> Talk soon,

>

> Colehour

>

>> On Jul 20, 2015, at 6:17 AM, Tracy Favre <tfavre@favrehouse.com> wrote:

>>

>> Colehour,

>> I agree that a conversation should take place about how to craft the policy, but I disagree with your comment about "legal precedent" being set.

>>

>> Policies are just that, policies and do not really have the same weight of law as something like legislation. The distinction is one that I think is important, as policies should allow for flexibility to changing circumstances and

technologies.

>>

>> IMO, the ability to participate via Skype is NOT the same as participating via phone call. Skype allows for video communication and as such is much more akin to physical presence during a meeting. Regardless, I think it's ridiculous to disallow a member to participate because of the inability to be physically present. Whether or not that was a reasonable decision at the time of Kevin's tenure on the board is not the point...

>>

>> As has been pointed out MULTIPLE TIMES, other FACA committees allow for remote participation at a meeting... so clearly there is conflicting "precedent" regarding the allowance for this at a FACA board meeting.

>>

>> Let's make sure we have a robust conversation about this on a PDS call so that we can discuss it to everyone's contentment.

>> T

>>

>>

>>

>>> On Jul 20, 2015, at 12:47 AM, Colehour Bondera <(b) (6)> wrote:

>>>

>>> Aloha again PDS,

>>>

>>> This message is about the "decision" to permit electronic phone, rather than live participation/voting of an NOSB member in a public meeting. My concerns were raised, to the degree permitted, at the La Jolla meeting. But it appears that the intent of the ES and the NOP is to continue forth with the same conclusion, without full consideration.

>>>

>>> So I reached out last week (after checking with Jean) to former NOSB members Kevin Englebert, and his reply tells me that NOP told him that they were unwilling to pay for non-air transportation to a 2010 NOSB meeting in CA, and when asked if he could participate/vote via electronic phone communication, was told that it would not be permitted. This is sad because it confirmed my understanding that in the past it has NOT been permitted when requested to participate in a public NOSB meeting via electronic (phone) connection instead of live.

>>>

>>> While this subject was brought to the ES (and I am happy to forward this to that list [sorry that I just got a changed computer yesterday and am slow to locate things...]), it is my request that this history be directly acknowledged and dealt with and addressed, since this(Kevin) is the only recent example that I am aware of...if an error in judgement was made with Kevin; that must be so stated, and so accommodated in a public manner.

>>>

>>> Coming up with a new policy because a present member cannot (or should not) fly is not something that should be done randomly, but rather with an agreement and policy that can and will be followed in the future, rather than individual personalities and opinions, since that is not how to set policies.

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>>> Again, it is my request that this determination (that somehow an NOSB member, Harold, can participate via a phone/electronic connection in our Vermont meeting) be seriously and completely reviewed and considered again, since it was told to Kevin that it was NOT an option to so participate (Skype and other programs are the same as a phone connection, and we cannot use that minor communication difference as why one would be refused and another would be accepted) then it would appear that there is legal precedent already in place, and a shift must have a policy change to enact (according to my understanding of not simply Roberts' Rules, but more-so of FACA).

>>>

>>> Perhaps we (NOSB or NOP) could act super fast and put a policy in some record to be followed, but at this time there is in no place that I am aware (like I raised at the La Jolla meeting as a Point of Order) which states that such an option can be allowed. The precedent in place shows that it is not permitted. While I do not hold a JD, and have not consulted with a lawyer, it is important that the NOP is sure that the precedent set in 2010 is reviewed by legal advisors in terms of action which do not have any other history to work from...

>>>

>>> Thank you for your attention and consideration.

>>>

>>> Sincerely,

>>>

>>> Colehour

>>

>

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Nominations for next batch of NOSB
Date: Friday, March 13, 2015 2:30:51 PM

Hi Miles

I have been thinking a lot about future Board members.

Qualities which seem vital based on my experience over the last 3 years:

- * Highly intelligent, Quick learner;
- * Demonstrated ability to clearly articulate issues in writing and verbally.
- * Good knowledge of Chemistry - which is our primary materials work, (Knowing how to ask the right questions!)
- * Very knowledgeable in at least 3 of the following: organic certification, processing/handling, livestock, crops, inspections.

Board members should be encouraged to take part in inspections so as to be able to understand the implications of Board recommendations on organics.

- * Every group brought on must include at least 2 and preferably 3 people who could be potential NOSB Chair, Vice Chair -
- * Ability and desire to work with others, team player, not a knight in shining armor !
- * Every person must be able to articulate trust in the NOP/USDA, and manage their biases professionally.

OK, all for now,
Jean

From: [McEvoy, Miles - AMS](#)
To: ["Jean Richardson"](#); ["Rachel Fussell"](#)
Subject: RE: NOFA-VT Winter Conference Roundtable
Date: Tuesday, January 20, 2015 8:56:49 AM

Jean – that description looks fine, thanks.

Miles

Miles McEvoy
Deputy Administrator
National Organic Program

From: Jean Richardson [mailto: (b) (6)]
Sent: Monday, January 19, 2015 4:18 PM
To: Rachel Fussell
Cc: McEvoy, Miles - AMS
Subject: Re: NOFA-VT Winter Conference Roundtable

How about:

Miles McEvoy, NOP Deputy Administrator and Dr Jean Richardson, Chair, National Organic Standards Board and Organic Inspector, will convene a round table discussion on organic production of crops, livestock and processed organic foods. Come with your concerns and questions.

Miles, what do you think?
Jean

On Jan 19, 2015, at 3:39 PM, Rachel Fussell wrote:

Hello Miles and Jean,

Hope you are both doing well on this Monday afternoon.

I wanted to email you because I realized that I do not have a description for the roundtable discussion to be held on Saturday, Feb. 14 from 1:00pm to 2:00pm. Could you please send me a description on what topics and conversations you hope to have with the roundtable participants. It only needs to be few sentences long.

Thank you for your help in this matter.

Sincerely,
Rachel Fussell

Rachel Fussell
Education Coordinator
Northeast Organic Farming Association of Vermont
PO Box 697, Richmond, VT 05477

802-434-4122 x28
rachel@nofavt.org

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: NOFA-VT Winter Conference
Date: Monday, October 20, 2014 5:08:13 PM

I am not clear on time frames or sessions here. I thought Saturday there would be an hour long workshop followed by a "Listening Session" type informal round table, not a "panel" at all and that I am to moderate both of these and provide some comments with Miles at the Workshop from the volunteer NOSB perspective. I am not sure who Grace is?
Jean

On Oct 20, 2014, at 4:52 PM, McEvoy, Miles - AMS wrote:

There are two sessions, correct?

The first is a general session on organic agriculture at USDA, USDA organic standards, organic hydroponics, National Organic Standards Board, and the revised sunset process.

The second session is more of a discussion with Jean Richardson. It seems that Grace may be a good addition to the second session. Jean – what do you think of having Grace join our discussion panel?

Miles McEvoy
Deputy Administrator
National Organic Program

From: Rachel Fussell [mailto:Rachel@nofavt.org]
Sent: Friday, October 17, 2014 11:46 AM
To: McEvoy, Miles - AMS
Subject: NOFA-VT Winter Conference

Hello Miles and Happy Friday,

I just spoke with Grace Gershuny who was very interested in joining your workshop presentation as a panelist. She believes that she would offer a lot of historical insight and context, which she believes would be very beneficial to your audience. What is your opinion on this collaboration and would this be beneficial for your presentation?

Thanks for your help,
Rachel

Education Coordinator
NOFA-VT

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From: [McEvoy, Miles - AMS](#)
To: [Rachel Fussell](#)
Cc: [Jean Richardson](#) (b) (6)
Subject: Re: NOFA-VT Winter Conference
Date: Wednesday, October 22, 2014 7:56:30 PM

Better to keep it as Jean and me for the roundtable. Thanks.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

On Oct 22, 2014, at 1:21 PM, "Rachel Fussell" <Rachel@nofavt.org> wrote:

Hello Miles,

Thanks for considering Grace for the Roundtable. I think this would be a great idea.

I have you scheduled for two events, one being a workshop on said topics, and the other will be an hour long roundtable.

Let me know what Jean and you think of adding Grace to the round table.

Thanks so much
Rachel

On Oct 20, 2014, at 4:52 PM, McEvoy, Miles - AMS
<Miles.McEvoy@ams.usda.gov> wrote:

There are two sessions, correct?

The first is a general session on organic agriculture at USDA, USDA organic standards, organic hydroponics, National Organic Standards Board, and the revised sunset process.

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Miles McEvoy
Deputy Administrator
National Organic Program

From: Rachel Fussell [<mailto:Rachel@nofavt.org>]
Sent: Friday, October 17, 2014 11:46 AM
To: McEvoy, Miles - AMS
Subject: NOFA-VT Winter Conference

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I just spoke with Grace Gershuny who was very interested in joining your workshop presentation as a panelist. She believes that she would offer a lot of historical insight and context, which she believes would be very beneficial to your audience. What is your opinion on this collaboration and would this be beneficial for your presentation?

Thanks for your help,
Rachel

Education Coordinator
NOFA-VT

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From: [McEvoy, Miles - AMS](#)
To: enid@nofavt.org; [nicole dehne](#); [Jean Richardson](#); [REDACTED] (b) (6)
Subject: NOFA-VT

[REDACTED] (b) (6)

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Cc: ["Nicole Dehne"](#)
Subject: RE: NOFA Winter Conference
Date: Wednesday, January 21, 2015 8:34:38 PM

Yes, I will have slides

From: Jean Richardson [mailto: (b) (6)]
Sent: Wednesday, January 21, 2015 10:11 AM
To: McEvoy, Miles - AMS
Cc: 'Nicole Dehne'
Subject: Re: NOFA Winter Conference

That sounds perfect. I will explain how the NOSB works and how the public can be involved in the mix of NOP/NOSB/Certifier etc.

Miles will you bring a few slides on a thumb drive for power point?

Jean

On Jan 21, 2015, at 10:06 AM, McEvoy, Miles - AMS wrote:

During the workshop we could each explain the role and projects for NOP, NOSB and NOFA-VT. We could each include information about upcoming projects (e.g. sound and sensible, transitional certification, NOSB topics, organic hydroponics). We should leave time for some Q&A.

The roundtable could be more of a conversation and discussion. We could start with some back and forth between us as certifier (Nicole), accreditor (Miles), advisory board (Jean), scheme owner (Miles with advice from NOSB), enforcer (NOP, Nicole as certifier, Jean as inspector). We could then open it up with questions/comments from participants.

Miles

From: Nicole Dehne [<mailto:nicole@nofavt.org>]
Sent: Wednesday, January 21, 2015 9:40 AM
To: McEvoy, Miles - AMS; 'Jean Richardson'
Subject: RE: NOFA Winter Conference

Well let me just be super clear.

Saturday at 10:45-12:00 we have a workshop entitled "**USDA National Organic Program: What Does the Future Hold?**" This is typically more of a presentation with questions and discussion of course.

Then from 1-2 there is the round table discussion entitled "**National Organic Program Discussion with Miles McEvoy, NOP Administrator**". This is typically a discussion about hot topics. I believe Jean is moderating this discussion.

I think we can explain what the NOP, NOSB and certifiers do but the title is also "What does the future hold?". Not sure how we want to incorporate that theme exactly. Obviously the sound and sensible initiative will be of interest to folks as well as the future of Chilean Nitrate, Biodegradable Mulch (I know it is out of the hands of the NOP at the moment but I wouldn't be

surprised if people ask questions about its use), Origin of Livestock, etc.

Thoughts?

-Nicole

Nicole Dehne
Certification Administrator
Vermont Organic Farmers LLC
P.O. Box 697
Richmond, VT 05477
www.nofavt.org
802-434-3821
802-434-4154 (fax)

-----Original Message-----

From: McEvoy, Miles - AMS [<mailto:Miles.McEvoy@ams.usda.gov>]
Sent: Tuesday, January 20, 2015 2:33 PM
To: Nicole Dehne; 'Jean Richardson'
Subject: RE: NOFA Winter Conference

If we only have an hour and fifteen minutes I think we should keep the opening remarks short - say 5-10 minutes each. That will provide more time for questions and discussion. Thanks and looking forward to this!

Miles

-----Original Message-----

From: Nicole Dehne [<mailto:nicole@nofavt.org>]
Sent: Tuesday, January 20, 2015 11:25 AM
To: Jean Richardson; McEvoy, Miles - AMS
Subject: RE: NOFA Winter Conference

Sounds good all. The workshops are an hour and fifteen minutes-fairly short if you leave time for questions. I can do as much or as little as you all want. I think however that the audience is going to want to hear from Miles and Jean. At this point, I can just prepare a 10-15 minute powerpoint/presentation about the role of the certifier. If that cuts into Miles presentation however, I would almost rather let him do his thing and I can be there to answer questions. Let me know.

Thanks all!

-Nicole

Nicole Dehne
Certification Administrator
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802-434-3821
802-434-4154 (fax)

-----Original Message-----

From: Jean Richardson [<mailto:> (b) (6)]
Sent: Saturday, January 17, 2015 8:08 AM
To: Nicole Dehne; Miles - AMS McEvoy
Subject: NOFA Winter Conference

Hi Nicole and Miles

In looking at our NOFA Winter Conference slot I note that we have one presentation at 10.45 till noon on Saturday Feb 14 (Sarah's Birthday!).

I am assuming we will then do a roundtable but I do not see where those are listed. I will ask the coordinator.

Miles -, you could do the same fairly short presentation that you did at NODPA essentially and I will do mine the same too, just explaining what NOSB does. Nicole can follow by a simple explanation of what the certifier organization does. Then we take questions, and if there are not many questions we can ask each other questions!

I am happy to moderate the session.

Cheers

Jean

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From: [McEvoy, Miles - AMS](#)
To: [Sarah Flack; jean](#)
Subject: RE: NOFA Meeting
Date: Wednesday, February 11, 2015 8:12:30 AM

Hi Sara,

Yes, it sounds like it is going to be super cold. I'm don't think I'm ready for that. I brought some warm clothes but I'm not prepared for the single digits or colder. I'm in Arkansas now and fly directly from here to Vermont - so I don't have time to pick up warmer clothes at home in DC.

I think given the forecast that we should skip the ski outing. I really appreciate all of the work you've done to set this up but the frigid temperatures don't seem conducive to the trip.

Also, not going skiing will provide more time to spend at the NOFA conference.

Sorry for any inconvenience, thanks again for setting this up, look forward to seeing you.

Miles

-----Original Message-----

From: Sarah Flack [[mailto: \(b\) \(6\)](#)]
Sent: Tuesday, February 10, 2015 9:26 PM
To: jean
Cc: McEvoy, Miles - AMS
Subject: Re: NOFA Meeting

Hello Miles

The good news is that the snow conditions here in Vermont are great. The bad news is that the weather for this weekend is going to be chilly!

The high temperature on Saturday is only 6 degrees! And if we decide to go up to Bolton to ski it will be colder up there...

We have boots and skis and poles for you to borrow. If it is windy I have an extra pair of goggles.

If the cold doesn't seem too daunting, then be sure to bring layers and let me know if there is any other gear we should organize for you?

Sarah

On Feb 10, 2015, at 5:50 PM, Jean Richardson <[\(b\) \(6\)](#)> wrote:

- > Hi Miles
- > This is to introduce you to my daughter, Sarah Flack, who will be facilitating your X country ski this weekend after your presentations on Saturday Feb 14 and before your dinner meeting.
- > She has some suggestions and questions.
- > Thank you
- > Jean

Sarah Flack

[\(b\) \(6\)](#)

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: RE: NODPA -video Lisa McCrory
Date: Thursday, September 18, 2014 7:34:39 AM

Really nice. Thanks for sharing.

Miles V McEvoy
Deputy Administrator
National Organic Program

From: Jean Richardson [mailto: (b) (6)]
Sent: Sunday, September 14, 2014 12:35 PM
To: McEvoy, Miles - AMS
Subject: NODPA -video Lisa McCrory

Hi Miles

Lisa McCrory has a certified OG farm, did her Masters on pasture rotation as part of my EPIC Kellogg Grant in the 90's, works with NODPA and will be at the NODPA conferecne.

Thought you might enjoy this educational video on tracking organic pastures.

Best

Jean

<http://youtu.be/m7XzJgPCs2A>

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Re: NODPA News
Date: Monday, June 09, 2014 9:03:44 AM

Yes - though I'll be on vacation from the 18th to the 29th.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

> On Jun 9, 2014, at 9:02 AM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:

>

> OK

> I have some ideas how I might work on these PR related issues.

> Are we scheduled to chat every Friday at 8.30 ?

>

>> On Jun 9, 2014, at 8:34 AM, McEvoy, Miles - AMS wrote:

>>

>> Yes, also page 2 - President Liz Bawden's message.

>>

>> -----Original Message-----

>> From: Jean Richardson [[mailto:\[\\(b\\) \\(6\\)\]\(#\)](#)]

>> Sent: Sunday, June 08, 2014 4:40 PM

>> To: McEvoy, Miles - AMS

>> Subject: NODPA News

>>

>> Miles

>> I looked at the May - June NODPA News . Is it the Maltby article on p 3?

>> Jean

>>

>> Sent from my iPhone

>>

>>

>>

>>

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>

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: NODPA News
Date: Tuesday, December 16, 2014 7:11:31 AM

Hi Miles

NODPA News for November includes my opening comments from the Kentucky meeting, and they want an NOSB update for the January edition (deadline Dec 22). I am drafting it today. I thought I would add a few notes about your recent work in a "so what is the Deputy Administrator up doing and what has he accomplished recently?" ! so how about sending me a few bullet type notes to brag about your recent accomplishments! International or whatever. I can brag for you. I will, of course, send you the short article before I send it on to NODPA.

Cheers

Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: NODPA News
Date: Tuesday, December 16, 2014 7:15:19 PM

Great
I will work on this Thursday
Jean

Sent from my iPad

> On Dec 16, 2014, at 6:31 PM, "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov> wrote:
>
> Thanks so much
> Sorry the day got away from me. See if this is useful -
> Attached is a rather long list that you may be able to pull from. Also some USDA organic accomplishments below.
>
> Best,
> Miles
>
> Organic Agriculture
> October 2012 marked the 10th anniversary of the USDA organic seal, which has become a leading global standard. In the United States, there are now 18,513 certified USDA organic operations, representing nearly a 245% increase since 2002. In 2013 alone, USDA helped an additional 763 producers and handlers become certified organic, an increase of 4.2%. Worldwide, there are over 25,000 certified organic operations in more than 120 different countries.
>
> Growing Markets for Organic Products
> * As of 2013, organic products are a \$35 billion industry in the United States.
>
> * USDA continues to expand markets for American organic products abroad. We work aggressively to break down barriers to trade and assist U.S. farmers and businesses with the resources needed to reach consumers in a global marketplace.
>
> * Equivalence arrangements are important for small and mid-sized operations that want to export products but cannot afford the time and money necessary for duplicative certifications, fees, and inspections. They allow organic products certified in one country to be sold as organic in each respective market.
>
> o In 2009, USDA signed an organic equivalence arrangement with Canada. The United States exports close to \$2 billion in organic products to Canada each year.
>
> o In February 2012, we established a similar equivalence arrangement with the European Union, the second largest organic market in the world after the United States. In 2012, the United States exported organic products worth approximately \$73 million to the European Union.
>
> o In January 2014, we implemented the U.S. - Japan organic equivalency arrangement, opening up an emerging Asian organic market for U.S. farmers and processors. U.S. organic exports to Japan are currently estimated at \$80 million, with growth due to the arrangement expected to reach at least \$250 million in 10 years.
>
> * To make sure consumers can trust the organic seal, in fiscal year 2013 USDA completed 260 complaint investigations and issued 18 civil penalties for willful violations of National Organic Program regulations.
>
> * To keep mislabeled products out of the marketplace, USDA launched a new way to notify buyers when fraudulent organic certificates are identified. USDA also regularly conducts surveillance audits of certifiers and

operations certified in foreign countries. In 2014, NOP will conduct foreign audits of certifiers in Mexico, Taiwan, South Korea, Australia, Turkey, France, England, Peru, Argentina, and Bolivia.

>

> Strengthening Support for Organic Producers

>

> * To make organic certification accessible, attainable, and affordable for all operations, USDA has implemented a 'Sound and Sensible' approach to organic certification, which includes identifying and removing barriers to certification, streamlining the certification process, focusing enforcement, and working with farmers and processors to correct small issues before they become larger ones. USDA has also established an online "one-stop-shop" to help producers access information on organic programs and opportunities, including:

>

> o Reimbursements for up to 75% of the costs of organic certification. In 2012, USDA issued 9,593 reimbursements to assist organic producers and handlers, for a total of over \$6.5 million.

>

> o Market and pricing information free of charge for approximately 250 organic products through USDA's Market News. USDA plans to expand its offerings in the future.

>

> o Financial and technical conservation assistance to farmers to help address certain natural resource concerns in their existing organic systems and to help producers transitioning to organic crop and livestock production. Since 2009, more than 6,000 farms have benefitted from \$106 million in assistance through the Environmental Quality Incentives Program Organic Initiative.

>

> * USDA has also taken steps to provide effective insurance coverage for organic crops and better risk management tools for organic producers.

>

> o In 2011, for the first time ever, USDA began offering crop insurance for organic producers that reflects organic pricing of cotton, corn, soybeans, and processing tomatoes.

>

> o In 2014, USDA eliminated the historical 5% surcharge on organic policy premiums for all crops, added more crops with organic prices for losses, and added a contract pricing option.

>

> o A new Whole-Farm Revenue protection policy, recently approved by the Federal Crop Insurance Corporation Board of Directors, will be available as a pilot program in 2015. This policy option is designed to meet the needs of specialty crop growers and producers with highly diversified farms, including organic producers.

>

> * Since 2009, USDA has supported internal and university researchers with nearly \$160 million in funding for research focused on improving the productivity and success of organic agriculture, including a number of successful seed-breeding projects.

>

> * In September 2012, USDA launched the Organic Literacy Initiative, a training and outreach program to help USDA employees better understand and serve organic operators. By spring of 2014, over 30,000 USDA employees had taken the "Organic 101" course and over 8,000 had taken the "201" course.

>

> -----Original Message-----

> From: Jean Richardson [<mailto:jeanr@ams.usda.gov>] (b) (6)

> Sent: Tuesday, December 16, 2014 7:11 AM

> To: McEvoy, Miles - AMS

> Subject: NODPA News

>

> Hi Miles

> NODPA News for November includes my opening comments from the Kentucky meeting, and they want an NOSB update for the January edition (deadline Dec 22). I am drafting it today. I thought I would add a few notes about your recent work in a "so what is the Deputy Administrator up doing and what has he accomplished recently?" ! so how about sending me a few bullet type notes to brag about your recent accomplishments! International or whatever. I can brag for you. I will, of course, send you the short article before I send it on to NODPA.

> Cheers

> Jean

>

>

>

>

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> <2014 accomplishments.docx>

From: [McEvoy, Miles - AMS](#)
To: [Arsenault, Michelle - AMS](#); [Barry Flam](#); [Carmela Beck \(carmela.beck@driscolls.com\)](#); [Colehour Bondera \(colemel@efn.org\)](#); [Harold Austin](#); [Jay Feldman](#); [Jean Richardson](#) (b) (6) [Jennifer Taylor](#) (b) (6) [JFoster@ebfarm.com](#); [joe.dickson@wholefoods.com](#); [Nicholas Maravell](#) (b) (6) [Robert Mac Stone \(mac@elmwoodstockfarm.com\)](#); [Rueben Walker](#) (b) (6) [Tracy Favre \(tfavre@favrehouse.com\)](#); [wendy.fulwider@organicvalley.com](#); [Zea Sonnabend \(zea@well.com\)](#)
Cc: [Coke, Lorraine - AMS](#); [Bailey, Melissa - AMS](#); [Brines, Lisa - AMS](#); [Tucker, Jennifer - AMS](#); [Brown Rosen, Emily - AMS](#)
Subject: NOP response to Savannah NOSB mtg
Date: Wednesday, March 21, 2012 6:25:51 PM
Attachments: [NOP Resp to NOSB Dec 2011 Recs-final.pdf](#)
[image001.png](#)

Attached is the NOP's response to the Savannah NOSB meeting recommendations. The response will be posted on the NOP website tomorrow.

Thank you for all of your work. Looking forward to our meeting in Albuquerque.

Miles V. McEvoy
Deputy Administrator
National Organic Program
U.S. Department of Agriculture
Room 2646-So. (Stop 0268)
1400 Independence Ave SW
Washington, DC 20250-0268
202-720-3252
www.ams.usda.gov/nop

Organic Integrity from Farm to Table, Consumers Trust the Organic Label

Register for the NOP Organic Insider, the National Organic Program's email notification service, by visiting <http://bit.ly/NOPOrganicInsiderRegistration>.



From: [Jean Richardson](#)
To: [Arsenault, Michelle - AMS](#)
Cc: [McEvoy, Miles - AMS](#)
Subject: Re: NOSB Group photo
Date: Thursday, November 13, 2014 10:28:21 AM

Thank you!

Sent from my iPhone

> On Nov 13, 2014, at 10:01 AM, "Arsenault, Michelle - AMS" <Michelle.Arsenault@ams.usda.gov> wrote:

>

> Hi Jean,

> I know! I've been trying to do that for years! Who wants a picture when everyone is tired and racing off to catch a plane!?

> I will make it an official part of the agenda from now on.

>

> Thanks,

> Michelle

>

> -----Original Message-----

> From: Jean Richardson [[mailto: \[REDACTED\] \(b\) \(6\)](#)]

> Sent: Thursday, November 13, 2014 9:37 AM

> To: Arsenault, Michelle - AMS

> Cc: McEvoy, Miles - AMS

> Subject: NOSB Group photo

>

> Hi Michelle

> As we plan for next NOSB meeting let's add in a time immediately BEFORE the meeting starts to get a good group photo. These scrambling at the end of the week photos are not great for many reasons.

> I will also mark it on my draft agenda to remind me.

> Thanks Jean

>

>

>

>

>

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From: [McEvoy, Miles - AMS](#)
To: ["Karen Archipley \(karen@archisacres.com\)"; "Colin Archipley"](#)
Cc: [Arsenault, Michelle - AMS; "Jean Richardson"](#)
Subject: NOSB field trip
Date: Monday, March 02, 2015 12:44:02 PM

Hi Karen and Colin,

The spring NOSB meeting is scheduled for April 27-30, 2015 in La Jolla, California. The NOSB will be reviewing hydroponic and aquaponic operations over the next year and we'd like to get them out on field trips to visit these type of operations. Would it be possible for the NOSB members to come by Archi's Acres to see your operation on Sunday, April 26? They have to be back in La Jolla for a late afternoon meeting.

I've copied Michelle Arsenault, NOSB Advisory Board Specialist, and Jean Richardson, NOSB chair. Michelle will be making the travel arrangements if this works out.

Thanks and Best regards!

Miles McEvoy
Deputy Administrator
National Organic Program

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: NOSB February DC dates
Date: Monday, December 29, 2014 10:30:45 AM

Thank you

On Dec 29, 2014, at 10:22 AM, McEvoy, Miles - AMS wrote:

> Happy December 29,
> I'd suggest coming in Tuesday morning for meetings on Tuesday afternoon. Leaving later on Friday provides you with flexibility for additional meetings. We can also fit in meetings on Wednesday and Thursday if necessary.

>

> Cheers and best to you and your family,

>

> Miles V McEvoy

> Deputy Administrator

> USDA National Organic Program

>

>> On Dec 26, 2014, at 6:16 AM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:

>>

>> Hi Miles

>> The new member training is Wednesday and Thursday (Feb 4 and 5). I should make plane bookings and reserve Monday at hotel.

>> You mentioned that you would like me to meet with some one in the Secretary's office? Others? - and I plan on meeting with Adrienne in Leahy's office, if she is around.

>> I would also like to work on the PPM with Emily.

>> So I am assuming I should fly down Monday evening to do Tuesday visits with staff? and stay till 3 pm flight home on Friday?

>> This seem OK?

>>

>> Happy Boxing Day

>> Cheers

>> Jean

>>

>

>

>

>

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From: [McEvoy, Miles - AMS](#)
To: [Zea Sonnabend](#); [Arsenault, Michelle - AMS](#)
Cc: [Calvin Walker](#); [Carmela Beck](#); [COLEHOUR BONDERA](#); [Francis Thicke](#); [Harold Austin](#); [Jay Feldman](#); [Jean Richardson](#); [Jennifer Taylor](#); joe.dickson@wholefoods.com; [John Foster](#); [Mac Stone](#); [Nick Maravell](#); [Tracy Favre](#); [Wendy Fulwider](#)
Subject: RE: NOSB February 2014 training agenda
Date: Thursday, November 07, 2013 6:22:00 AM

Hi Zea,

We hope to have OGC contribute to some of the training sessions. It is not possible to have OMB/OIRA participate although we may be able to have someone from USDA Office of Budget and Program Analysis provide perspective on the tortuous path of clearing rules, guidance, notices. We can discuss more during next week's Executive call.

Miles V McEvoy
Deputy Administrator
National Organic Program
202-720-3252

From: Zea Sonnabend [mailto:zea@well.com]
Sent: Wednesday, November 06, 2013 8:38 PM
To: Arsenault, Michelle - AMS
Cc: Calvin Walker; Carmela Beck; COLEHOUR BONDERA; Francis Thicke; Harold Austin; McEvoy, Miles - AMS; Jay Feldman; Jean Richardson; Jennifer Taylor; joe.dickson@wholefoods.com; John Foster; Mac Stone; Nick Maravell; Tracy Favre; Wendy Fulwider
Subject: Re: NOSB February 2014 training agenda

Hello,

I respectfully request that we hear from the OGC or OMB as Miles indicated might be possible, and that there be time set aside for subcommittee meetings. I know Crops needs one and there might be others.

Zea

On Nov 6, 2013, at 12:22 PM, Arsenault, Michelle - AMS wrote:

Hello team,

Attached, please find the draft training agenda for our February 4-5, 2014 meeting. We are working on travel and hotel logistics and as soon as I have any information I will send that to you. I am also thinking big thoughts about a Board dinner and some sort of reception or meet and greet event with the staff.

As I understand it, Jenny and Mac will be facilitating the meeting, and various NOP staff members (like Melissa) will present certain components.

Let me know if you have any questions!

Michelle

Michelle Arsenault
Advisory Board Specialist
USDA National Organic Program
1400 Independence Ave SW; Room 2640S
Washington, DC 20250-0268
Office phone: (202) 720-0081
Mobile: (b) (6)
michelle.arsenault@ams.usda.gov

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From: [Jean Richardson](#)
To: [Zea Sonnabend](#); [Mac Stone](#); [John Foster](#); joe.dickson@wholefoods.com; [Tracy Favre](#); [Harold Austin](#); [Fulwider Wendy](#); [Jennifer Taylor](#); [Nick Maravell](#); [Walker Calvin](#); [Thicke Francis](#); [Carmela Beck](#); [Colehour Bondera](#); [Jay Feldman](#)
Bcc: [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#)
Subject: NOSB Ethics
Date: Wednesday, October 22, 2014 8:24:55 PM

Hi Everyone:

As most of you are aware, this week Zea found out, when reading public comments, that Jay had passed on confidential information concerning inert ingredients under discussion in the Inerts Working Group, of which he is a member, and this information was distributed to the public before even the rest of the Board has received any report. This is in violation of our NOSB professional and Ethical Standards. Zea has referred this matter to the NOSB Chair and requested that the PDS develop an NOSB censure policy.

As a gentle reminder to us all I have pasted below page 8 of our NOSB PPM which clearly indicates that members shall not allow non-authorized disclosure of nonpublic information. Please re-read this entire page and be sure that it is clear to you all.

This is the second time such an action has occurred in the last year, and it is very troubling.

It is important to remember that we can only be successful in our endeavors on the board if we work together for the good of the organic community as a whole.

Thank you
Jean

PPM Page 8:

Maintaining Professional and Ethical Standards

As appointees of the Secretary, NOSB members must maintain high professional and ethical standards for the conduct of all activities within and outside of the NOSB. Areas of particular concern include professional conduct and conflict of interest.

• Professional Conduct

- o Public service is a public trust, requiring ethical principles above private gain.
- o NOSB members shall put forth honest effort in the performance of their NOSB duties.
- o NOSB members shall make no commitments or promises of any kind purporting to bind the Government.
- o NOSB members shall act impartially and not give preferential treatment to any organization or individual.
- o NOSB members, committee members and task force members shall not engage in a financial transaction using nonpublic information, not allow the improper use of nonpublic information to further his/her own private interest or that of another, whether through advice or recommendation, or allow the unauthorized disclosure of nonpublic information.
- o Nonpublic information is defined as information that the board member gains by reason of participation in the NOSB and that he/she knows, or reasonably should know, has not been made available to the general public. This includes information that is “routinely exempt from disclosure in 5 U.S.C. 552 (Freedom of Information Act) or otherwise protected from disclosure by statute, Executive Order or regulation; is designated as confidential by the agency or program; or has not actually been disseminated to the general public and is not authorized to be made available to the public upon request.”
- o NOSB members, committee members and task force members shall keep confidential all information identified by petitioners as confidential business information.

1

o To the maximum extent possible, NOSB members should speak with one voice. Although there may be disagreements within NOSB committee or working group

sessions, once NOSB members leave the session, they have the responsibility to support the integrity of the process, whether or not they agree with the final outcome. While NOSB members retain the right to express minority opinions, the public airing of dissension could strain interpersonal relationships and create distrust and conflict among NOSB members. Such stresses could undermine the NOSB's ability to effectively carry out its role as a governmental advisory board.

- o NOSB members with diverse backgrounds are recruited to provide balance to the Board. While individual NOSB members represent the segments of the population from which they were selected, they also represent the greater good of the population as a whole

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Cc: [Arsenault, Michelle - AMS](#); [Calvin Walker](#); [Carmela Beck](#); [Colehour Bondera](#); [Francis Thicke](#); [Harold Austin](#); [Jay Feldman](#); [Jennifer Taylor](#); joe.dickson@wholefoods.com; [John Foster](#); [Mac Stone](#); [Nick Maravell](#); [Tracy Favre](#); [Wendy Fulwider](#); [Zea Sonnabend](#); [Brown Rosen, Emily - AMS](#)
Subject: Re: NOSB ES Agenda for October 17, 2014
Date: Monday, October 20, 2014 1:58:59 PM

Miles,
Thank you for this weeks's "Word from Washington"!
I am very impressed that you survive with all that stuff.
We shall work to expunge the worrisome Workplan word and replace it with "Agenda Items"
Thank you
Jean

On Oct 20, 2014, at 1:21 PM, McEvoy, Miles - AMS wrote:

Within USDA workplans are part of a rule making or guidance development package. Workplans have to go through USDA departmental clearance and review by the Office of Management and Budget. It's a long process with many offices that review and approve workplans. I'm concerned that when the NOSB uses the term "workplans" that it will attract the interest of USDA departmental clearance offices.

I'd suggest that we utilize a different term for NOSB workplan items so that these items don't get dragged through the USDA departmental review process. I'd suggest that we refer to them as agenda items since these topics end up on the NOSB meeting agenda.

We can discuss next week at the board meeting. Thanks,

Miles V. McEvoy
Deputy Administrator
National Organic Program
1400 Independence Ave. SW
Washington, DC 20250-0268
202-720-3252
www.ams.usda.gov/nop

Organic Integrity from Farm to Table, Consumers Trust the Organic Label

From: Arsenault, Michelle - AMS
Sent: Friday, October 17, 2014 11:49 AM
To: Calvin Walker; Carmela Beck; Colehour Bondera; Francis Thicke; Harold Austin; Jay Feldman; Jean Richardson; Jennifer Taylor; joe.dickson@wholefoods.com; John Foster; Mac Stone; Nick Maravell; Tracy Favre; Wendy Fulwider; Zea Sonnabend
Cc: McEvoy, Miles - AMS; Brown Rosen, Emily - AMS
Subject: FW: NOSB ES Agenda for October 17, 2014

Hello all,

Draft workplans now attached. I have some outstanding questions highlighted in yellow. If the Subcommittee Chairs could take a look and give me an update, I'd appreciate that.

Thanks,
Michelle

From: Arsenault, Michelle - AMS

Sent: Thursday, October 16, 2014 3:51 PM

To: 'Calvin Walker'; 'Carmela Beck'; 'Colehour Bondera'; Francis Thicke; 'Harold Austin'; 'Jay Feldman'; Jean Richardson; 'Jennifer Taylor'; 'Joe Dickson'; 'John Foster'; Mac Stone; 'Nick Maravell'; 'Tracy Favre'; Wendy Fulwider; 'Zea Sonnabend'

Cc: Brown Rosen, Emily - AMS; McEvoy, Miles - AMS

Subject: NOSB ES Agenda for October 17, 2014

Hello all,

Below, please find the agenda for the ES call this Friday, October 17. I've attached the last set of notes (September 12) and the sunset review template which we will discuss on the call. I will send the draft workplans as soon as I can.

Thanks!

-

ES call 1-2:30 ET (10-11:30 PT)

(b) (6)

-

Agenda

-

- **Call to Order** - JR
- **Approval of Notes:** September 12, 2014 (attached)
- **Chairs Report**
- **Advisory Board Specialist (ABS) update** – MA
 - Comments/oral and written
 - Travel plans/logistics
- **NOP news and update** – MM
 - Workplans (attached)
 - Sunset review final template (attached)
- **Subcommittee Reports** (5 minutes each)
 - Crops (CS) - ZS
 - Livestock (LS) - TF
 - Handling (HS) - HA
 - Materials/GMO ad hoc (MS/GMO) - CW
 - Compliance, Accreditation, & Certification (CACS) - CBe
- **Additional Items**

- **Adjourn**

Michelle Arsenault
Advisory Committee Specialist
USDA National Organic Program
1400 Independence Ave SW; Room 2641S
Washington, DC 20250-0268
Temporary office phone: (202) 260-8209
Office voicemail only: (202) 720-0081
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From: [Jean Richardson](#)
To: [Arsenault, Michelle - AMS](#)
Cc: [Calvin Walker](#); [Carmela Beck](#); [Colehour Bondera](#); [Francis Thicke](#); [Harold Austin](#); [Jay Feldman](#); [Jennifer Taylor](#); joe.dickson@wholefoods.com; [John Foster](#); [Mac Stone](#); [Nick Maravell](#); [Tracy Favre](#); [Wendy Fulwider](#); [Zea Sonnabend](#); [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#); [Brines, Lisa - AMS](#); [Jones, Samuel - AMS](#); [Ricci, Carrie - OGC](#)
Subject: Re: NOSB Dinner Wednesday Oct 29
Date: Thursday, October 23, 2014 3:12:44 PM

sounds tasty to me
Thank you
Jean

On Oct 23, 2014, at 2:56 PM, Arsenault, Michelle - AMS wrote:

Hello folks,

Please see below for details about the Board dinner, Wednesday October 29 at 6:30p. If you plan on NOT attending, please let me know so I can adjust the count for the restaurant. Since this is a private room and it is family style, we will split the bill based on the total number of people. We provided the restaurant with the list of food allergies that I was aware of, but if anyone has others please let me know. They are very accommodating! I think the cost will be ~40.00/person but I am not sure about that yet.

[Ramsi's Cafe On the World](#)

1293 Bardstown Road
Louisville, KY 40204

(~ 5 miles (a 10 minutes cab ride) SE of hotel. We will congregate in the hotel lobby so we can taxi over in small groups between 6:00 and 6:15).

Private dining room in the main bar area.

Appetizers (to be served family style at each table of six or eight guests)

Fried green tomatoes (from Raising Hope Organic Farm) with sweet chili basil glaze and melted mozzarella

Charred shisitos (from our farm) in garlic and citrus mojo

Stuffed eggs (also from our farm) with a tomato jam underneath

Main course (buffet style)

Beef brisket, braised in Achioté sauce, served sliced (Achioté is a Mexican spice that is a beautiful red hue. The sauce has other sweet spices and some chilies, but it's not spicy)

Roasted whole chickens, rubbed in garlic, lemon and fall herbs.

Mashed potatoes, traditional

Roasted sweet potatoes, beets, peppers, orange and sage

Mixed lettuces with poached organic pears, shaved fig bread, with shaved white cheese in a bourbon pear vinaigrette

Bread?

Dessert (plated for each guest)

Chocolate pate (flourless chocolate torte) topped with fresh organic raspberries and blackberries, chocolate beet sauce, vanilla ice cream with raspberry beet swirl

Coffee/soda/tea/other beverages/gratuuity separate.

“We will be happy to create a special drink list highlighting our organic wine, beer and spirit selections. Everyone can order from the regular menu, of course.”

Michelle Arsenault
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From: [Jean Richardson](#)
To: [Tom Chapman](#)
Cc: [Arsenault, Michelle - AMS](#); [Ashely Swaffar](#); [Calvin Walker](#); [Carmela Beck](#); [Colehour Bondera](#); [Francis Thicke](#); [Harold Austin](#); [Jennifer Taylor](#); [Lisa de Lima](#); [Mac Stone \(mac@elmwoodstockfarm.com\)](#); [Nick Maravell](#); [Paula Daniels](#); [Tracy Favre](#); [Zea Sonnabend](#); [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#); [Brines, Lisa - AMS](#); [Barnes, Rex - AMS](#); [Walden, Jessica - AMS](#)
Subject: Re: NOSB dinner - Monday April 27, 2015
Date: Wednesday, April 22, 2015 4:11:02 PM

Could be salmon from Scotland...

On Apr 22, 2015, at 3:48 PM, Tom Chapman wrote:

Is that organic Salmon?..... what, not funny?

Tom

From: Arsenault, Michelle - AMS [mailto:Michelle.Arsenault@ams.usda.gov]
Sent: Wednesday, April 22, 2015 12:39 PM
To: Ashely Swaffar; Calvin Walker; Carmela Beck; Colehour Bondera; Francis Thicke; Harold Austin; Jean Richardson; Jennifer Taylor; Lisa de Lima; Mac Stone (mac@elmwoodstockfarm.com); Nick Maravell; Paula Daniels; Tom Chapman; Tracy Favre; Zea Sonnabend
Cc: McEvoy, Miles - AMS; Brown Rosen, Emily - AMS; Brines, Lisa - AMS; Barnes, Rex - AMS; Walden, Jessica - AMS
Subject: NOSB dinner - Monday April 27, 2015

Hello folks!

Below, please find the information for the Board dinner. Based on the current headcount (22) the dinner will be ~\$58/person (inclusive of tax and tip). In order to meet our minimum we must also spend a total of \$233.00 in cash sales (read: drink sales) or be charged a service fee. We have 3 birthdays this week, and Monday is Zea's, so if everyone buys her a drink we should be good! If we have less than 22 people, the cost per person will increase a little bit. Please let me know if you cannot come, but I hope everyone will!

Monday April 27, 2015 7:30 pm

[Seasons52](#)

4505 La Jolla Village Drive Suite C-1
Napa Room

Menu (see attached brochure for very enticing photographs!)

Organic field greens salad (Cucumbers, tomatoes, sunflower seeds, white balsamic vinaigrette

Entrees:

Cedar plank roasted salmon & veggies and crushed potatoes

Wood roasted Portobello & Pork tenderloin w/sweet potato mash, green beans
and cipollini onions

Hone & herb All Natural Roasted half chicken with spring veggies

Vegetarian option

Mini Indulgence desserts, including fresh berries with organic whipped cream

Miscellaneous beverages (iced tea, coffee, raspberry lemonade, etc)

Michelle Arsenault

Advisory Committee Specialist

USDA National Organic Program

1400 Independence Ave SW; Room 2638S

Washington, DC 20250-0268

Office: (202) 720-0081

Mobile: (b) (6)

michelle.arsenault@ams.usda.gov

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#) (b) (6)
Subject: NOSB check in

Does this time work for you?
Topic – review NOSB agenda

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Re: NOSB check in
Date: Wednesday, September 03, 2014 8:01:44 AM

Ok. Let's skip this week. Things are moving along well
I plan to speak with all NOSB folks but it will take me a few weeks.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

On Sep 3, 2014, at 6:42 AM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:

I will be starting an inspection in Syracuse at that time.
I could do 7.30 am on my cell phone? Or we could wait?
Jean

On Sep 3, 2014, at 6:00 AM, McEvoy, Miles - AMS wrote:

Thursday morning at 8.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

On Sep 2, 2014, at 9:10 PM, "Jean Richardson"
<[\(b\) \(6\)](#)> wrote:

computer wont read this
Day, time?
I have several calls because you have talked to people.
all good
Keep up the good work!
cheers
Jean

On Sep 2, 2014, at 7:48 PM, McEvoy, Miles - AMS
wrote:

Does this time work for you?
Topic – review NOSB agenda

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<Mail Attachment.ifb>

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: RE: NOSB Charter
Date: Friday, September 19, 2014 8:10:39 AM

We are working on it. We should have an announcement soon.

Miles V McEvoy
Deputy Administrator
National Organic Program

-----Original Message-----

From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)
Sent: Friday, September 19, 2014 6:38 AM
To: McEvoy, Miles - AMS
Subject: NOSB Charter

Hi Miles
I believe there were recent changes again to the Charter?
Has this happened yet?
Thanks
Jaen

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: RE: NOSB Chair's Opening Comments - not for circulation
Date: Friday, October 24, 2014 12:46:29 PM

Thanks Jean for your confidence in me for reviewing your comments.
They look great - nice tone.
I'll send you my draft presentation and comments by the end of the day,
Best,
Miles

-----Original Message-----

From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)
Sent: Thursday, October 23, 2014 9:13 AM
To: McEvoy, Miles - AMS
Subject: NOSB Chair's Opening Comments - not for circulation

Hi Miles

Draft of my opening comments - using only a cartoon of a few cows discussing Kentucky Blue grass as an overhead.
to be delivered in an English accent at about 11 am Tuesday after Lisa Brines, and before Public comment Working with Sam to add it to the Blog he is working on to go out next week.
Cheers

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From: [McEvoy, Miles - AMS](#)
To: [Haines, Lindsay - NRCS, Washington, DC](#); [Brown Rosen, Emily - AMS](#); [Jean Richardson](#); [Tracy Favre](#); [White, Jeffrey - NRCS, Washington, DC](#)
Subject: NOSB chairs and NRCS

Topics
NOSB work on conservation practices
CAP 138
EQIP

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: NOSB call in number and password
Date: Saturday, January 31, 2015 10:39:40 AM

Hi Miles

there is some concern among several NOSB members about retaining the same call in number and password with the change over in Board members.

We would appreciate your thoughts on this.

Thank you

Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: Nosb board turn over
Date: Wednesday, November 05, 2014 8:13:33 PM

That could work
3 year terms perhaps
Let me try the math

Sent from my iPhone

> On Nov 5, 2014, at 8:12 PM, "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov> wrote:

>

> Challenging - more likely to make shorter appointments to even out appointment process.

>

> -----Original Message-----

> From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)

> Sent: Wednesday, November 05, 2014 3:48 PM

> To: McEvoy, Miles - AMS

> Subject: Nosb board turn over

>

> Miles

> I wonder if we should discuss how to get better balance in cohorts coming on the board? Only 1 in Francis year.

> Would the Secretary consider extending a board member or 2 by a year for example?

> Tough to set up subcommittees and work distribution with 5 person turn over two years in a row Jean

>

> Sent from my iPhone

>

>

>

>

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From: [Jean Richardson](#)
To: [Tracy Favre](#); [Harold Austin](#); [Carmela Beck](#); [Calvin Walker](#); [Zea Sonnabend](#); [Mac Stone](#)
Cc: [Arsenault, Michelle - AMS](#); [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#)
Subject: NOSB April Meeting
Date: Tuesday, November 11, 2014 10:53:03 AM

Dear Chairs

As you will have noticed from Michelle's e-mail yesterday, she has set February 7th as the date when the Tentative Agenda for the April meeting should be ready. - About 11 weeks from now. ! With Thanksgiving, Christmas, New Year and 4 new Board members to train up! And make it mostly fun!

My self imposed theme for the Kentucky meeting was building trust, seeking common ground and getting back our community sense of humor!. For the San Diego Meeting my personal goal as Chair is to show that we can work together with NOP, and stakeholders, and between ourselves to actually get a lot of work accomplished - pass proposals, vote on Sunset materials, send nothing back to subcommittee unless we really have to.

As sub committee Chairs I hope you can review all the items you have to bring forward at this upcoming meeting, make sure each lead person is on track, and push to get work done sooner. The last minute scrambles only lead to sloppy work as we know. What TR's are we missing.? Do we need to anticipate additional conference calls?

As leaders we set the tone! Cheerful in our volunteer work!

If there is anything at all that I can do to help, let me know.

The Executive meeting is this Friday, November 14th.

Talk with you then

Cheers

Jean

From: [Jean Richardson](#)
To: [Arsenault, Michelle - AMS](#)
Cc: [McEvoy, Miles - AMS](#); [Tucker, Jennifer - AMS](#)
Subject: Re: NOSB April 2015 Declaration of Interests/COIs
Date: Thursday, April 02, 2015 8:11:23 AM

Excellent work Michelle

Everyone, including all our new members should be able to understand this.

Thank you

Jean

On Apr 1, 2015, at 9:19 PM, Arsenault, Michelle - AMS wrote:

Hello All,

Attached (and in Dropbox), please find the spreadsheet with a list of all proposals and discussion documents, which I hope will serve two functions: 1) a place for you to indicate any Declarations/Conflicts of Interest, and 2) as a summary document to help you prepare for the meeting.

A few notes about the spreadsheet:

- Each of the proposals is hyperlinked to supporting information such as the actual proposal (all bundled in the same pdf and linked in Column D), the petition, and the TR (if applicable). If the petitioner is your wife/brother/business partner, you could have a COI, so make sure to take a look!
- Column F contains the date of discussion or vote in Subcommittee, so you can refer to that set of Subcommittee notes if you would like to familiarize yourself with the discussion. (Link to Subcomm notes provided)
- Columns I - W are where you will indicate any COIs. Note the fields I already populated with NA. Generally if people have a COI it's with a material and not a general document like the CACS's Peer Review. I have also placed NA after each one of the 2017 sunset materials, because this is posting 1 and we are not voting on any of these materials.

Conflicts of Interest (COIs). As per the COI memo (linked in the spreadsheet and attached here as well), the NOP is asking Board members to self-report any conflicts of interest (COIs) so we can compile recusals in advance of the meeting. If you know you need to recuse yourself due to an actual COI, please place an X on the spreadsheet in the column under your name next to the appropriate proposal(s). If you are unsure if you should recuse yourself, please contact Jenny Tucker, NOP's Associate Deputy Administrator (copied here), to discuss your possible COI. After that conversation, complete the spreadsheet as needed. Once you have finished, please send your completed spreadsheet back to me. At the meeting the NOP will state who is recusing themselves. When it is time to vote, you can simply state "recuse" with no further explanation.

A snippet from the training slides presented February 2015:

Board members are appointed in part because of their interests. As such, finding the line between an **acceptable interest** and a **conflict of interest** is important.

Conflict of Interest: Interest that directly and disproportionately benefits the NOSB member (or a person associated with that member). Many of the interests that you hold are **acceptable interests**. An interest is acceptable if you carry it on behalf of a represented group, and if you receive no disproportionate benefit from expressing the interest. Interests can create appearance problems when an interest: directly and disproportionately benefits you or a person associated with you; could impair your objectivity in representing your group; or has the potential to create an unfair competitive advantage. Be alert for situations when one of the following persons or entities will be specifically affected by your committee's activities: a member of your household; a former employer or a prospective employer; a client of yours or your spouse; a person or organization with which you have some kind of business or contract relationship; or your spouse's employer.

Please return the worksheet to me by Friday April 15, so I can compile the info in advance of the meeting. If you have no COIs that warrant recusal, you may reply with an email stating so, instead of returning the worksheet with no X's.

If you have any questions, you know where I live!
Thanks!

Michelle Arsenault
Advisory Committee Specialist
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Washington, DC 20250-0268
Office: (202) 720-0081
Mobile: (b) (6)
michelle.arsenault@ams.usda.gov

<Spr 2015 DOI_COI List.xlsx><NOSB-NOP-COI-FINAL.pdf>

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: NOSB 2015
Date: Wednesday, April 16, 2014 6:31:01 PM

sounds good
I will call you Thursday
Jean

On Apr 16, 2014, at 5:36 PM, McEvoy, Miles - AMS wrote:

Hi Jean,
Got your message. I was in Korea last week. Just getting back and catching up. We are planning on moving the 2015 NOSB meetings to June/November. Love to have the June meeting in Vermont – after black fly season is over. I'll be around the next few days if you'd like to discuss further.

Miles McEvoy
Deputy Administrator
National Organic Program

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From: [Jean Richardson](#)
To: [COLEHOUR BONDERA](#)
Cc: [Tracy Favre](#); [Harold Austin](#); [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#)
Subject: NOSB - New member training
Date: Friday, December 12, 2014 11:07:34 AM

Hi Colehour

I got back from India yesterday and am catching up on e-mails.

Your November 19 e-mail to me came literally as I was headed out the door to the plane for India.

As you recall, Miles could not be on our last ES call and thus details on the NOP's new member training in February were not available.

This morning I discussed your concerns with Miles in my regular phone conversation with him and asked that he describe the new member training on the ES call today, and the possible date for the Ethics part of the required annual NOSB /FACA training.

To clarify one of the concerns you raise in your e-mail to me, the NOSB Officers are not going to be training new members, only the NOP staff does that. I hope that the NOSB leadership Team can listen carefully to the training provided to the new members by the NOP and ensure that we all understand the roles that we have to play and the rules we have to play by.

Now that I am home I would be happy to chat with you about this training and other matters of concern to you.

Best Regards

Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: NOSB
Date: Monday, September 01, 2014 1:28:33 PM

Hi Miles

forgot to let you know that Nick and Wendy and Mac are active again on the Board. And if you are calling around members be sure to chat with both Tracy and Harold

Thanks,

Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: NOSB
Date: Thursday, September 04, 2014 5:45:58 PM

Hi Miles

Dave retired at the beginning of September. I am not sure if NOFA has hired another policy person
Jean

On Sep 4, 2014, at 12:35 PM, McEvoy, Miles - AMS wrote:

Hi Enid and Dave,

I'd like to set up a time to talk about the National Organic Standards Board (NOSB). I understand you may have concerns that I'd like to hear. I'd also like to discuss some ideas we have about organic hydroponics. Are you available on Tuesday, September 16 at 3 pm eastern time for a conference call?

I'd also like to see if there could be a session at the NOFA-VT winter conference to discuss the National Organic Program and NOSB.

Miles McEvoy
Deputy Administrator
National Organic Program

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From: [McEvoy, Miles - AMS](#)
To: [Brines, Lisa - AMS](#); [Jean Richardson](#)
Subject: FW: NOSB
Date: Thursday, April 30, 2015 2:13:34 PM

fyi

-----Original Message-----

From: Dinh, Mai - OGC
Sent: Tuesday, April 28, 2015 11:36 AM
To: McEvoy, Miles - AMS
Subject: RE: NOSB

Hi Miles -

I hope the meeting is going well. The minutes for the meeting should note that he is participating by phone and make sure his votes are recorded especially if the others are voting by show of hands. The Chair should announce that he is participating by phone and give him opportunities to be recognized and speak when appropriate.

Thanks,

Mai Dinh
Assistant General Counsel
Marketing, Regulatory, and Food Safety Programs Division Office of the General Counsel U.S. Department of
Agriculture Room 2343, South Building
1400 Independence Ave., SW
Washington, DC 20250
202-720-5935

-----Original Message-----

From: McEvoy, Miles - AMS
Sent: Tuesday, April 28, 2015 10:16 AM
To: Dinh, Mai - OGC
Subject: NOSB

Harold Austin, on of the NOSB members, fell last night and broke his hip. He is having surgery this morning and won't be back at the NOSB meeting today. He will most likely be at the hospital the rest of this week. We would like to set up a phone line with him so that he could listen and participate in the meeting on Wednesday and Thursday. Are there any protocols or considerations that we need to consider regarding his participation and voting through a phone connection?

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

From: [Jean Richardson](#)
To: [Nick Maravell](#)
Cc: [Arsenault, Michelle - AMS](#); [Tracy Favre](#); [Brown Rosen, Emily - AMS](#)
Bcc: [McEvoy, Miles - AMS](#)
Subject: NOSB
Date: Friday, June 26, 2015 4:40:31 PM

Hi Nick

We have not heard from you since San Diego meeting [REDACTED] (b) (6)

[REDACTED]

Are you planning on being on any of the calls this summer? And are you planning on being on the public comment Webinars in September? Are you coming to the October meeting (26-29 in Vermont).?

Let me know if you would like to chat about any of the NOSB issues and progress on Sunset materials etc.

Very Best Regards

Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Fwd: North East veg and berry news
Date: Friday, July 18, 2014 8:28:20 AM

Hi Miles

I know most of the folks who send these in to Dr Grubinger our Extension person for veg and Berry. They are primarily organic growers.

It gives a nice flavor (sorry for the pun) of growing season conditions. At the end of the farm reports are some notes on pests and diseases from the other staff

Jean

Begin forwarded message:

From: Vern Grubinger <vernon.grubinger@uvm.edu>
Date: July 18, 2014 7:52:10 AM EDT
To: Vern Grubinger <vernon.grubinger@uvm.edu>
Subject: VT veg and berry news

Vermont Vegetable and Berry News – July 18, 2014
compiled by Vern Grubinger, University of Vermont Extension
(802) 257-7967 ext. 303, vernon.grubinger@uvm.edu
www.uvm.edu/vtvegandberry

REPORTS FROM THE FIELD

(Guilford) This might be our latest strawberry season ever, we picked some Cavendish and Sparkle this week. Still no sign of SWD, but we want to order large amounts of Proteknet for blueberries and raspberries. Great pea crops, but why can't they get quality control up on pea seed? Always shell peas in with sugarsnaps. Weeds are loving the weather and took advantage of all those harvesting days so we're battling our way out. Deer and woodchucks hitting us hard this year. It may go down as Year of the Mammalian Pest for us, after Year of the Snail, Year of the Slug, and Year of the SWD.

(Plainfield NH) Wrapping up PYO this weekend. Had a better season than expected after an initial onslaught of leaf spot disease and plants getting off to a real slow start vegetatively after the long winter. Harvest got off to a slow and late start for us as well, but good picking weather helped. Old workhorse varieties performed the best: Cavendish, Annapolis, Valley Sunset and Lamour. Will miss Noreaster from Nourse which was a dependable for PYO on our soils. Now picking raspberries, black caps and blueberries while harvesting summer vegetables and greenhouse tomatoes for the farmstand and accounts. Plants that should be transplanted out in the field are backing up in the greenhouse and the weeding and cultivations are less than timely. Weeds have exploded the last 10 days, put on tremendous growth making cultivation challenging. Have a potato leaf blight (currently being diagnosed at UNH) and one of the heavy hatches of Jap Beetles in many years. Some thrips injury and purple blotch in one onion plantings. The 7-member field crew is swamped, putting in 12 to 14 hour days

now that blueberries are ready. This time of year always puts a hole in our labor strategy and is extremely tiring for all of us as we try to hold it together. Can't say enough good things about the dedication my guys (male and female) have been showing.

(Wolcott) Red and black currants are heavy with fruit. Blueberries are in the green stage so time to get the netting ready, this helps us to allow them to get to their full sweet flavor without worrying that we better pick them before the birds do. Looks like a great plum year. We fruited Rubicon strawberry and happy with the size and flavor. Kolomitka kiwis are loaded and stores love them. Still very dry up here in elmore, even with the hard rains and thunderstorms, not sure why.

(Westminster West) Greenhouse raspberries starting to come in and are very large so far. We haven't run drip in the houses until now just too busy but it doesn't seem to have made any difference. Thinned and cut back heavily this year might have helped. Winter squash running and setting lots of fruit but as always won't know the yields until harvest time. Very few squash bugs so far. Onions looking good, trying to keep up with copper applications as well as thrips control, also haven't had to run drip yet but will commence as I need to fertigate. Garlic harvest starting today, some varieties really large and no signs of last year's problems. Tunnel tomatoes coming in heavy now and selling all we can pick. Lettuce from tunnels looks great and moving fairly well. Just finished planting fall carrots and beets on raised beds a bit earlier than last year so I guess 'on time' for a change! Mostly winning the war on weeds. Potatoes looking great too, no bugs yet? Gotta find time to enjoy summer a bit more is this year's resolution.

(Waterbury Center) Wrapped up our strawberry harvest last week. It lasted about three weeks, with sunny weather for harvesting. Still happiest with Jewel. Extrapolated to a per acre basis we harvested about 8,000 lbs/acre on certified organic land. Yields were affected by some as yet unidentified problem, possibly winter injury coupled with disease. Constructed low tunnels with 4 mil plastic over six 250 foot beds in case of rain like we had last year, which didn't happen, but they were insurance anyway and did seem to help with gray mold. Now we'll try to get a second fruiting season from June bearers on plastic by removing plastic, renovating, and hoping plants will fill in the beds. Mother plants just seem exhausted. Started harvesting Prelude raspberries two weeks ago inside high tunnel, nice big berries. Problems with mites but overhead irrigating has gotten them under control. Garlic, peppers, cantaloupe, and watermelons all looking good.

(Hampton NY) Squash bugs, deer and hail Oh My! What started off as a really good May and June has rapidly gone downhill in July. The crops were looking good with first harvest of peas and string beans anticipated for end of June. Then the deer came. Gone are all the peas, a 125' double row of string beans, the tops of all Early Girl and Lemon Boy tomatoes and most leaves on half the sunflower plants. I have since cubed bars of Irish Spring Soap around the crops that they prefer which is keeping them away for now. On July 3rd the hail came. Summer and winter squash plants will recover but the remaining tomatoes have split stalks. I think they'll survive but will be delayed. Now the squash bugs. No one ever said farming was easy. Have been picking cucumbers for a week but yields are

down. Burpless cucumber should be producing in early September. Second sowing of string beans are flowering; third sowing leafing out; fourth sowing just went in. Should start harvesting frying peppers next week; bell peppers in two weeks. Butta yellow zucchini are doing poorly this year. Zinnias and Daisies going on the stand this weekend.

(Warren) No major disasters, all crops looking good so far. Markets are steady and I have enough product to fill every order. High tunnel peppers and tomatoes are looking great, loaded with fruit. Kind of the calm before the storm. With the exception of salad greens successions and turnips everything is in the ground. Weeds are as under control as they are going to get and there is a week or so before bulk carrot, beet and onion harvests begin so I'm off on vacation for a week. A big lesson I've learned is that if you happen to stumble across employees worth keeping, do whatever you can to keep them around. An extra couple bucks an hour is a fantastic investment when you figure the cost of retraining folks each year. My guys are over the moon about having the place to themselves for a week and I'm equally happy about becoming non-essential in terms of day to day operation.

(Burlington) Strawberries were outstanding. Best crop in 22 years of growing. Chalk it up to no frost after early April, unexplained lack of TPB, and a nice balance of sun and rain beginning in mid-May. Only complaint is that our tertiary fruit didn't have great flavor, while the king and secondary berries were delicious, and so were the quaternaries. Only guess is not enough leaves and reserves to support good sugar production, because the weather cooperated. My favorite part of the farm right now is a cover crop section we intend to crop next year that has serious compaction, and it has a super stand of 6' sweetclover, red clover, rye, and vetch with a wonderful scent.

(Marlboro) Both raspberries and blueberries are starting. Blueberries are loaded and all the rain coupled with the fruit load has the canes bent right to the ground. Spraying will be a challenge! So far, no confirmed SWD. Have captured some flies in the traps, but they don't seem to be laying eggs in berries. It is so nice picking before the SWD arrives. Vegetables are making up for lost time, now that the nights are finally out of the 40's. Just started to harvest garlic and the heads are huge.

(Rochester) The long and cold winter didn't seem to impede the insect pests: raspberry cane borer is more widespread this year; rose chafers chafed the raspberry foliage at the same rate; and Japanese beetles are now out in force. New cane growth in the raspberries is very vigorous and the fall bearers might do very well. Winter damage will leave us with a weak yield in the earliest blueberries but the later varieties look strong. We were given an on-farm demonstration of a compact sawdust/mulch spreader from Quebec company called A. Therrien & Fils, and were very impressed. Growers with small plantings or narrow alleys might be interested. They have a YouTube video of it in action on their site <http://atherrien.net>

(Monkton) Great strawberry season, over twice the yield of last year, only a trace of fungal diseases, and hardly any tarnished plant bug damage. PYO demand also

seems to be up. Blueberries, currants, and raspberries look good and the traps are out for SWD. Garlic harvest has begun and bulbs look great although a few rogue, mysterious (even to the plant diagnostic lab) virus specimens have appeared. Other crops look good although we over-planted summer squash. Anyone need extra zucchini? Overall, a pleasure to work in good weather!

(New Haven) All crops are on target. We are picking summer squash, cukes, onions, greens, carrots, beets and beans. Corn is slow to mature but we will be picking by next week. Pumpkins and winter squash all on target. We will start planting fall cole crops next week. A little rain would be nice.

(Hinesburg) Partway through garlic harvest. There is some minor leek moth damage, but overall the bulbs are significantly larger and of much better quality than last year.

(Williston) Japanese beetles are on the rise. Hand picking daily seems to be keeping them under control. Potato beetle on the eggplant have been doing damage but more hand picking has decreased numbers. I found a hornworm moth 2 weeks ago in my hoop house tomatoes and will spray Dipel. Wholesale market sales are picking up after a slow late May/June. Hoping basil will be okay for a while before mildew shows up. Had trouble with my Mazzie fertilizer system and found the in-line filter was plugged up from fish/seaweed fertilizer. Need to put whole system before sand/gravel filter. Last few quick heavy rains of up to 2" rain mean I need to get fertilizer in fields.

(Grand Isle) We will finally be picking sweet corn tomorrow. We are using Trichogramma wasps this year for corn borer in our sweet corn. So far, so good. Also we are trialing Malwina strawberries. We didn't have time to clip the flowers from the new plants, and the fruit is large, good looking and very sweet. Very little bug pressure so far. Good weather to work in; life is good!

(Argyle NY) Our annual bed strawberry season was better than average with Chandler, but heavy rains did cause some loss of production. We think about putting them in tunnels to control the weather! They are scheduled to be turned under tomorrow. We have some experimental ever-bearing varieties that we are keeping data on and will be working at keeping out insects. The first week of August we will get our new Chandler tips in Canada and root them in our greenhouse for the Sept planting. Blueberries have lots of winter-kill and we have zero apples. Over-wintered Bridger and Forum onions have surprisingly been our best crop ever; the Forum we planted in early December from sets now have their tops over and they are ready for drying down or fresh onion sales; we just finished selling the earlier Bridgers. We have never had disease on these onions and they store for many months. Most crops are doing well, except the greens that had a little hail damage last week. Leafhoppers just appeared in a flurry 2 days ago so we had to break out the Pyganic. Markets are a little slower this summer and we will be searching for fall farm workers.

SWD INFORMATION

The first few spotted wing drosophila adults of the year have been captured in CT,

NH, RI and Hudson Valley - but as Alan Eaton of UNH says “Don’t get too excited.” Yet. Populations are expected to rise a lot in August in most parts of Vermont, as in past years. It will be interesting to see if SWD shows up in northern-most areas. The time to set out traps is just before fruits starts to color; but low traps catches are not a guarantee the pest has not attacked fruit. There is no need to spray a crop for SWD until fruit is first turning ripe – they do not attack unripe fruit. Details on traps, netting, sprays and cultural management are posted at: <http://www.uvm.edu/vtvegandberry/SWDInfo.html>.

UPDATE FROM THE UVM PLANT DIAGNOSTIC CLINIC – Ann Hazelrigg

Field tomatoes: Septoria (little black spots with gray centers) and Alternaria (early blight-larger brown spot with target appearance and advancing yellow margin) leafspot diseases showing up now on lower leaves. Stake tomatoes, keep up adequate fertility and protect new tissue with a fungicide on a 7-10 day schedule into the fall. Closest late blight is in Maine on potatoes. Tomato hornworm feeding noted.

No late blight reported yet in VT but it’s been confirmed in western NY, Long Island, and southeast ME. Plan to protect tomato and potato crops; depending on the weather it may appear here soon. You can track progress of the disease on a map and read management info at: <http://usablight.org/>

GH Tomatoes: Lots of Botrytis (gray fuzzy spores on dying tissue) and leaf mold (yellow spots on upper side of leaves with brown spores on undersides) showing up after the rainy weather. Keep RH below 85%, prune lower leaves up to first fruit cluster and clean up fruit and infected leaves. Also seeing ghost spot (small white rings on green fruit) where Botrytis spores have infected fruit and stopped. <https://negrainupdate.info/photos/botrytis-greenhouse-tomato-ghost-spot>. Add fans, open up ends, etc. Also seeing hot spots of two spotted spider mites. Look for off-colored/bronzing foliage and check leaf undersides with hand lens. <https://extension.umass.edu/vegetable/insects/mite-twospotted-spider>. Can spot treat and use predators.

Cucurbits: No downy mildew in the area as yet and we are still at low risk at this point. To track progress, look at the national map <http://cdm.ipmPIPE.org/scripts/map.php>. Powdery mildew showing up. Squash bugs hatching and feeding, see: <https://extension.umass.edu/vegetable/insects/squash-bug>. Use azadirachtin/Neemix for nymphs for organic growers and acetamiprid (Assail 5.3 oz/A) for others. Squash vine borer trap captures have hit 100 at one farm in CH Co, but no damage in the field seen.

Brassicas: The second peak of flea beetle damage may occur on newly planted fall brassicas. Alternaria is showing up in brassicas, and adequately fertilized crops are less susceptible. Black rot diagnosed in kale. ‘V’-shaped yellow lesions are the main symptom. Both pathogens can be seed borne and hot water seed treatment is effective for both. Swede midge damage seen in growing points of broccoli with severe tell-tale scarring on petioles/stems in Chittenden County. All stages of imported cabbage worm in brassicas now; adults, pupae and young

larvae feeding in crops. Easier to control/manage when larvae are small.

Beans: Lots of Mexican bean beetle spiky yellow larvae seen feeding on beans. Feeding occurs on the underside of leaves, but causes death of leaf tissue in a lace-like pattern. Feeding damage over 10-20% can cause yield loss. High numbers cause circular spots/feeding damage on pods. Potato leafhopper may be causing hopper burn on leaf edges.

Onions: Botrytis and purple blotch seen. Lots of damage from onion leek moth destroying garlic scapes and leaves. Thrips numbers increasing.

Basil: Downy mildew not found in VT so far but it is coming soon. Get as much basil grown, harvested and turned into pesto ASAP since once it shows up, it is hard to keep it disease-free.

Mint: Four-lined plant bug damage seen on mints causing disease-like angular black spots on foliage.

Parsley: Septoria leaf spot on flat leaf parsley diagnosed. Look for brown spots with black dots inside the spots.

Corn: for discussion of European corn borer and earworm trap captures from scouting in MA and VT see:
<https://extension.umass.edu/vegetable/publications/vegetable-notes-newsletter/>

UPCOMING EVENTS See: <http://www.uvm.edu/vtvegandberry/?Page=meetlist.html>

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: NOSB Oct 2015
Date: Thursday, December 18, 2014 6:23:59 PM

I am out of the office. Please contact Desiree Lee at 202-720-3252, desiree.lee@ams.usda.gov if you need immediate assistance.

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: RE: NOSB Oct 2015
Date: Friday, December 19, 2014 5:50:05 AM

Understood

-----Original Message-----

From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)
Sent: Thursday, December 18, 2014 6:24 PM
To: McEvoy, Miles - AMS
Subject: Re: NOSB Oct 2015

The Tuesday evening event will be run by NOFA VT, not by NOSB Jean

On Dec 18, 2014, at 4:54 PM, McEvoy, Miles - AMS wrote:

> Hi Jean,
> The general schedule looks good. I will need to run the Tuesday evening idea by the USDA Office of Congressional Relations.
>
> Miles

> -----Original Message-----

> From: Arsenault, Michelle - AMS
> Sent: Thursday, December 18, 2014 9:36 AM
> To: Jean Richardson; McEvoy, Miles - AMS
> Subject: RE: NOSB Oct 2015

> Hi Jean,
> This sounds like a great itinerary. And I'm glad I'm not responsible for organizing it all! The only thing I would insist on is that the public meeting begin at 8:30. It's pretty tough on the West Coasters to start so early, unless we are allowing them to fly in a couple days early to acclimate to the time zone.

> Looking forward to it.

> Thanks!
> Michelle

> -----Original Message-----

> From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)
> Sent: Thursday, December 18, 2014 9:17 AM
> To: McEvoy, Miles - AMS; Arsenault, Michelle - AMS
> Subject: NOSB Oct 2015

> Hi Miles and Michelle

> I had an initial meeting yesterday with folks at NOFA VT to plan the October NOSB Meeting organic Celebration in Vermont.

> Here is our initial plan:

> Sunday October 25, Optional Field trips to a dairy farm, veg farm and processor including a drive over the Notch (top of Mountain). scenic drive.

> NOFA will provide a van working with the Youth Conservation Corps.

> Sunday early evening NOFA and farmer/producer, sponsored Welcoming Reception featuring local organic wines

and cheeses etc.

>

> NOSB Meeting starts 8 am Monday morning - Miles we may wish to give NOC a heads up that for both San Diego and Stowe we will be having 4 day meetings starting on the Monday, given that NOC typically uses the Monday for their meeting. Let me know if you wish to make that contact, or if I should.

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> Monday night nothing planned

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> Tuesday afternoon, end the formal meeting at 4 pm (I added in buffer time) so that we can have the BIG COMMUNITY CELEBRATION OF ORGANIC Tuesday evening starting early so we can get families and children. (We may change our minds on this, but this is our initial thinking).

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> Planned activities - Regional Organic food and beverages, so many to choose from. If family oriented we may do a huge sit down meal or a Reception style with producer sponsored tables,...

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> NOFA is immediately looking to reserve the best Barn space, real barn

> close by or at Conference Center

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> Board Dinner Wednesday night - with goodbyes to outgoing Board members.

>

> Thursday - work all day probably!

>

>

> We have a NOFA meeting with our VT Congressional staffers on Monday Dec 22 and will get this date on their calendars.

>

> Hope this sounds OK to you?

>

> Thank you

> Jean

>

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>

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Re: NOSB Oct 2015
Date: Monday, December 22, 2014 11:18:34 AM

This event will be fine. I just need to keep everyone informed. Thanks.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

> On Dec 18, 2014, at 3:23 PM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:

>

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> Jean

>

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>> Sent: Thursday, December 18, 2014 9:17 AM

>> To: McEvoy, Miles - AMS; Arsenault, Michelle - AMS

>> Subject: NOSB Oct 2015

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>> Jean

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>

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: NOSB meetings 2015
Date: Tuesday, July 08, 2014 9:09:35 AM

I am out of the office. Please contact Joan Avila at 202-720-3252, joan.avila@ams.usda.gov if you need immediate assistance.

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From: [Jean Richardson](#)
To: [Arsenault, Michelle - AMS](#)
Cc: [McEvoy, Miles - AMS](#)
Subject: Re: NOSB meetings 2015
Date: Tuesday, July 08, 2014 12:57:28 PM

Yes I will follow up. So glad you are onto it for 2016 and 17
Sooner we get these set in place the better in terms of good choices with pleasant atmosphere.

On Jul 8, 2014, at 10:16 AM, Arsenault, Michelle - AMS wrote:

> Hi jean,
> Thanks for doing some extra legwork. It's very helpful to get a "boots on the ground" view. Two notes; I couldn't find anything on the Stowe hotel website regarding the free shuttle. Can you find out more info about it and get back to me? The hospitality company has already scouted locations for us for 2016 and 2017.

>

> Thanks,
> Michelle

>

>

>

> -----Original Message-----

> From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)

> Sent: Tuesday, July 08, 2014 9:09 AM

> To: McEvoy, Miles - AMS

> Subject: NOSB meetings 2015

>

> Hi Miles

> You will be pleased to hear that we have been able to find two locations and hotels for 2015 NOSB Meetings.

> Late April: SanDiego - Carmela approved the choice of hotel October (28, 29, 30) - Vermont- Stowe Conference Center - we tried to get Burlington but most hotels are either not big enough or do not take Government per diem until late November. The Sheraton near the interstate may be a possibility, but there are no restaurants close by for lunches outside hotel. I did consult with the local organic community and the strong preference was for Stowe at that time of year and no-one likes the Sheraton. Stowe Conference is 40 minutes in shuttle from airport. Lots of close by restaurants. On a walking/bicycle path. The location should be conducive to a pleasant meeting where we can build partnerships amongst stakeholders (Jen is ever optimistic!). Vermonters, as you know, will come out and help make this a memorable week.

>

> We might want to start work on 2016 meeting locations and hotels when the flurry of summer hard work slows down. Because we choose smaller cities our choices are limited. But I think it is still a great idea to go around the US this way. And DC is very expensive anyway.

>

> Off to work!

> Dairy farm inspection

> Cheers,

> Jean

>

>

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From: [McEvoy, Miles - AMS](#)
To: ["Jean Richardson"](#); ["Zea Sonnabend \(zea@well.com\)"](#); ["Harold Austin"](#); ["Tracy Favre \(tfavre@favrehouse.com\)"](#); ["Tom Chapman"](#)
Cc: [Arsenault, Michelle - AMS](#); [Brown Rosen, Emily - AMS](#); [Brines, Lisa - AMS](#)
Subject: NOSB workplan
Date: Friday, August 21, 2015 6:25:16 PM

Dear NOSB,

At the August 14 Executive Subcommittee meeting we discussed a number of new agenda items that have been submitted to NOP for inclusion on the NOSB work agenda. The NOP agrees that the following items will be added to the work agenda:

Handling Subcommittee:

- Reclassification proposals for: Alginic Acid, Xanthan Gum, Carnauba Wax, and Tocopherols- approved for the Oct 2015 meeting agenda
- Ancillary Substance proposals: Dairy Cultures (will be part of microorganisms), Pectin, Yeast- approved for the Oct 2015 meeting agenda
- Discussion document- Annotation change proposals for Nutrient Vitamins and Minerals- this is a complex topic, and the document needs more work, can be presented at the Spring 2016 meeting if ready

Crops Subcommittee

- Annotation change proposal for List 4 inerts – approved for the Oct 2015 meeting agenda
- Annotation change for micronutrients - approved for Oct 2015 meeting agenda
- Discussion document proposing annotation change to prohibit NPEs as inerts – this item has not been requested formally, we need a request for this and suggest it be presented at the Spring 2016 meeting if ready
- NOP notes that the petition for hypochlorous acid is directed toward both crops and handling, so it will be added to the Crops meeting agenda for Spring 2016.

Livestock Subcommittee

NOP requests that the LS also review the hypochlorous acid petition for the Spring 2016 meeting, since it has uses in livestock facilities as well.

Please forward to other NOSB members.

Thank you,

Miles McEvoy
Deputy Administrator
National Organic Program

From: [Jean Richardson](#)
To: [Edward Maltby](#)
Cc: [McEvoy, Miles - AMS](#)
Subject: Re: NOSB work on livestock materials
Date: Tuesday, July 21, 2015 3:28:00 PM

Hi Ed
Thank you very much.

Jean

On Jul 19, 2015, at 7:09 PM, Edward Maltby wrote:

Dear Jean and Miles

Thank you both for the great conversation we had the other week which was very useful. We should do it again when time permits.

As a follow-up on a couple of other issues to do with the withholding time on different drugs which seem to have an arbitrary withdrawal time. Lidocaine and procaine are used as a topical treatment, external parasiticide or local anesthetic as applicable. Under the current regulations they require a withdrawal period of 90 days after administering to livestock intended for slaughter and 7 days after administering to dairy animals. As you know Lidocaine is a local anesthetic. It numbs ONLY the area to be worked on. To my knowledge there is no scientific basis for the current withholding time and NODPA will support a proposal of a withholding time of only 5 days for all livestock, dairy and slaughter.

NODPA also supports a proposal to shorten withholding periods on Fenbenzadole and Moxidectin. We understand from discussions that this will be more complex proposal because of the need to change how Moxidectin is listed. We believe that this should be on the Work Agenda for the NOSB so that there could be a discussion document this Fall and the process to a vote can be moved forward quickly.

Taking the time to ensure that we have a scientific basis to the use and withdrawal time of different drugs will benefit organic livestock producers so we fully support the NOSB working on these issues.

Thank you for your consideration and all your work on these issues
Ed

Ed Maltby
NODPA Executive Director
(b) (6)
Deerfield, MA 01342

Cell: (b) (6)
Home phone: (b) (6)
Fax: 866-554-9483

Petition against Organic Check-off: <https://nofa.wufoo.com/forms/online-petition-organic-checkoff-program/>

The other side to the organic check-off: www.noorganiccheckoff.com

Website: www.nodpa.com or www.organicmilk.org

Please support NODPA's efforts! <http://www.nodpa.com/donate.shtml>

Find us on Facebook! www.facebook.com/pages/Organic-Dairy-Farmers/237021992104?ref=hl#

From: [Jean Richardson](#)
To: [Brines, Lisa - AMS](#); [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#)
Subject: Nosb voting style
Date: Thursday, May 14, 2015 7:22:42 AM

I would like to consider using simple hand voting in October .

Why do we do roll call?

Are we required to have a record by individual name?

Any legal reason not to do hand vote and just totals?

Cornucopia won't be able to rate our voting record!

Save time

Let me know

Thank you

Jean

Sent from my iPhone

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: Nosb voting style
Date: Thursday, May 14, 2015 7:22:42 AM

I am out of the office. Please contact Joan Avila at 202-720-3252, joan.avila@ams.usda.gov if you need immediate assistance.

From: [Jean Richardson](#)
To: [COLEHOUR BONDERA](#)
Cc: [Arsenault, Michelle - AMS; tchapman@clifbar.com; ashley@arkansasegg.com; Paula Daniels \(pdaniels@goodfoodla.org\); lisa@momsorganicmarket.com; Calvin Walker; Carmela Beck; Francis Thicke; Harold Austin; Jay Feldman; Jennifer Taylor; joe.dickson@wholefoods.com; John Foster; Mac Stone; Nick Maravell; Tracy Favre; Wendy Fulwider; Zea Sonnabend; Brown Rosen, Emily - AMS; McEvoy, Miles - AMS; Brines, Lisa - AMS](#)
Subject: Re: NOSB training meeting
Date: Wednesday, November 19, 2014 7:37:48 AM

Good Grief Colehour!

Here I am trying to build collaboration.!

It seems to me to be a sensible thing to have at least the Officers of the NOSB in DC to hear and take part in NOP training of new board members.

New member training in DC has been done in the past.

It seems to me it would be a complete waste of valuable resources to bring 19 people to DC in February, not to mention a waste of their time because we were all just "trained" a year ago in DC.

It seems courteous and appropriate to allow the new members the same opportunity that we all had last February.

Regards

Jean

On Nov 19, 2014, at 12:31 AM, COLEHOUR BONDERA wrote:

Aloha Michelle,

Thank you for this message. Since I sat in on the Executive Subcommittee (ES) call of November 14, 2014, I was able to learn a little more about the "training meeting" mentioned in your email (below), and would like to request some points of clarification.

It is stated (please see below) that a decision has been made to hold, "The NOSB training meeting for new Board members". However it is not familiar to me that this is an agreed upon collaborative policy, or that this exists in the NOSB Policy Procedure Manual (PPM). Further it is not clear why the word "the" is used, which suggests that this is somehow standard or even required. Where is this stated as a required NOP action? Please refer us all to said policy.

My understanding was that in February, 2013, when NOSB members were brought to Washington, DC, that was the first such training (at least in recent history), and that no one was aware of a plan to replicate. It was discussed that it might be done with some regularity, and several of us indicated that it might make sense for us to all (ie, the whole NOSB) get together if legally permitted where decisions or serious opinions on subjects were not exchanged, which require public transparency if more than two NOSB members at one time in one place.

However, if there is a plan (as it appears) to provide such a training to each new NOSB member, then it seemed to me that the most important component in February, 2013 was

for all of the NOSB members to be together in a non-decision making gathering. We were all provided with the most up-to-date and current information available from the NOP and AMS. That way we all could and would be on the same page for both working with one another, and also working with the NOP.

Realistically any new staff at NOP, and/or any even minor changes in presentations are not best filtered through only some of the NOSB members and not to all. We all are aware that these changes happen regularly (staffing, positions, etc.) and there are several examples that can be cited in both Policy Memos from the NOP to the public and/or to the NOSB since the February, 2013 training. These changes, and limitation of NOSB participation in an annual meeting suggests potential discrimination, which we should avoid at all costs, in my opinion.

This last point was brought home for me during the ES call when it was stated that the elected NOSB Officers would also be attending the training. If there is some rationale for this beyond representation, it is not clear, at least not to myself. There is no precedent of NOSB Officers providing this kind of learning and communication in a formal manner from a training, other than as recorded in meetings of subcommittees and at public meetings.

So then it leaves me with significant concerns, since there is no NOSB methodology in place to be sure that all NOSB members are brought up to speed of Officer representation, and therefore, again, potential intended or unintended discrimination comes forth and it is a serious enough concern of mine that I request that any agreement of collaboration between the NOSB and NOP on this subject area and decisions be shared with all NOSB members promptly and directly, so that we are all, "playing at the same table", so to speak. Honestly the table is in a room and not just a phone call away as we all know through experience in terms of informal conversations which happen and we are all full aware would happen without all perspectives present, as this seems to be laid forth. Required vs. Optional participation is a whole additional concept to consider, as well.

With sincere hopes that this makes sense, and is not seen as an attempt by myself to force all ongoing NOSB members to participate in a formal process that they do not see the utility or benefits of, it is my hope to ensure that the positive and team building and working together aspects of such publicly-announced, all NOSB member trainings, are best able to be taken advantage of through efforts to meet the shared goals of the NOP and the NOSB, who can and will be working collaboratively, as put forth in the formation Statute, and also within Section V of the NOSB PPM.

Sincerely,

Colehour Bondera

(b) (6) cell/text

From: "Arsenault, Michelle - AMS" <Michelle.Arsenault@ams.usda.gov>

Date: Mon, 10 Nov 2014 16:57:53 +0000

Subject: NOSB Spring 2015 Milestones

Hello everyone,

I hope you are all feeling well and rested after the meeting, and for some of you, the looong journey home. I'm still getting caught up from last semester while trying to look ahead to the next. In preparation for that, below, please find the Spring 2015 milestones. I will add this table to the Subcommittee notes.

FYI: The NOSB training meeting for the new Board members is scheduled for February 4-5 in DC. During this two day period we are planning on holding a 1 hour teleconference/webinar for the annual ethics training for the entire Board. I will let you know as soon as possible when that is scheduled.

Let me know if you have any questions, comments or corrections,

Thanks!

Michelle

From: [Jean Richardson](#)
To: [Alonzo, Anne - AMS](#)
Cc: [McEvoy, Miles - AMS](#); [Tucker, Jennifer - AMS](#); [Brown Rosen, Emily - AMS](#); [Tracy Favre](#); [Harold Austin](#); [Arsenault, Michelle - AMS](#); [Swaffar Ashley](#); [Tom Chapman](#); [Lisa de Lima](#); [Daniels Paula](#)
Bcc: [Eckhouse, Sara - AMS](#)
Subject: NOSB Training
Date: Sunday, February 08, 2015 2:44:40 PM

Hi Anne

Thank you so very much indeed for kicking off the New Board Member Training for the NOSB.

Your comments were empowering, and served to remind us all of the importance of our work in maintaining the integrity of the organic seal and the opportunities provided by the expanding national and international organic markets. I know that these trainings are expensive and time consuming for NOP, but I believe that they will bring greater consistency to our work and foster vital collaboration between NOP and NOSB. I hope that they become an annual event.

Tracy and Harold and I, as the present NOSB Officers, are determined to improve our stakeholder outreach efforts and we have been talking at Workshops and with organizations and we make ourselves available for interviews. We believe that our efforts are already showing good results. Similarly, we applaud the NOP efforts to build partnerships with other agencies, such as EPA and NRCS. These partnerships are vital to our shared vision of a better future for our children and grandchildren.

Working together we can make a difference.

We look forward to a productive 2015.

Thank you

Jean

From: [McEvoy, Miles - AMS](#)
To: "[Jean Richardson](#)"
Subject: RE: NOSB time donation per week
Date: Tuesday, July 28, 2015 8:47:07 AM

Thanks. Quite variable in terms of individual time involved.

-----Original Message-----

From: Jean Richardson [<mailto:> (b) (6)]
Sent: Tuesday, July 28, 2015 8:44 AM
To: McEvoy, Miles - AMS
Subject: NOSB time donation per week

Hi Miles

I did a quick e-mail poll of board time to give you some idea for your NOSB new member interviews. Here is what I have:

Paula: I did not poll Paula, but 0 time really

Nick: an hour now and then. Attends the 2 weeks of meetings

Mac: 0 for last two years of term, except for attending meetings. Probably 12- 15 hours week while Chair.

Jennifer: No response to 2 e-mails, appears to spend an hour or so each week.

Calvin: 5-20 depending on subcommittee workloads.

Carmela: 10-15 per week, plus more time in the week before the two meetings in order to read all 1000 plus comments.

Lisa: She is on vacation this week, so I can only estimate about the same time as Carmela.

Francis : 3-5 hours typically, plus 10 hours week pre meeting to read comments.

Colehour: about 20 hours a week

Tracy: I'd say average 10 hrs per week on non-sunset years. It's been more than that lately. Pre meeting about the same but the final days before the meeting probably more like 20 hours that week. If I am lead on something big you can probably double that time

Zea: I tend to agree with Tracy that it has averaged about 10 hours a week in non-sunset 2017 years. This doesn't include things like travel time, random phone calls, networking with the stakeholders on various issues, etc. And then the month of the meeting it is about 20 and at the meeting itself usually 50 or more.

In this sunset 2017 year (being a subcommittee chair), that workload is about double, and especially because the change in the sunset process has created more work for us (especially chairs). See more about this in a subsequent email from me.

Harold: Let Miles know my average is between 12 - 15 in the light duty weeks (not many of these), 20-25 when we are busier & and when I was Chair of Handling (and also during open public comment period and weeks leading up to spring or fall meeting) it would average around 30-35 hours. If I look back an overall average for me personally would be 25 hrs probably on the whole per week.

Last week and a half of public comment busy, but the last two weeks going into a meeting is just crazy the time that is needed to try and go through all the comments properly, document prep for the meeting, question prep for oral

presenters, and final review of documents and supporting background information. Also, preparation of ensuring I am completely up to date on other subcommittees meeting documents (that I am not on) to be as well informed as possible.

Tom: Have not heard back, but he appears to work very hard and thus he will be putting in about the same as Tracy and Zea, but not as much as Harold (who should get the prize!)

Jean: Typically same as Tracy and Zea, but as Chair of course there are many weeks of 20-30 hours with a couple of weeks of 39 hours. Reading through all of the more than 1000 public comments before each meeting, and synthesizing them to be able to vote sensibly, is incredibly time consuming.

There is a seasonality to the years work load but the new Sunset is a considerable increase in our workload, and so we have not seen as much down time.

Hope this helps.

Cheers

Jean

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: NOSB time commitment
Date: Friday, November 07, 2014 4:38:10 PM

I am out of the office. Please contact Desiree Lee at 202-720-3252, desiree.lee@ams.usda.gov if you need immediate assistance.

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Re: NOSB time commitment
Date: Friday, November 07, 2014 6:15:20 PM

Yes we talked about it.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

> On Nov 7, 2014, at 1:38 PM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:

>

> Hi Miles

> Ashley is concerned about time commitment being on 2 subcommittees.! During interview you did explain typical time commitment of 8 hours a week, sometimes more sometimes less, and 2 subcommittees, and maybe ad hoc and working groups etc/ ?... I know you did when you interviewed me. Just checking?

> Thank you

> Jean

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From: [Jean Richardson](#)
To: [Ashley Swaffar](#); tchapman@clifbar.com Chapman; [Paula Daniels \(pdaniels@goodfoodla.org\)](mailto:pdaniels@goodfoodla.org); lisa@momsorganicmarket.com de Lima
Cc: [Arsenault, Michelle - AMS](#); [Tracy Favre](#); [Zea Sonnabend](#); [Harold Austin](#); [Carmela Beck](#)
Bcc: [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#)
Subject: NOSB subcommittee assignments
Date: Friday, November 07, 2014 5:16:54 PM

Hi Ashley, Paula, Tom and Lisa:

Thank you for your responses about subcommittees.

We should be able to get complete NOSB Subcommittee lists out on Monday or Tuesday, but in the meanwhile, I know you are anxious to get a better understanding of your NOSB workload, so here are you subcommittee assignments.

Ashley- Handling (HS) and Livestock/Aquaculture (LS)

Paula - Crops (CS) and Livestock/Aquaculture

Tom - Certification Accreditation (CACS) and Handling

Lisa - Certification and Accreditation, and Handling.

While you do not officially start your terms until January 24 2015, you may wish to sit in on the subcommittee calls to get a sense of what the agendas are - especially for Handling which has so many Sunset materials. November 11 is a Federal holiday, so the first set of conference calls for these subcommittees will be November 18. Thereafter the calls will be as follows, with times being in ET:

1st and 3rd Tuesday

1.00 pm Handling

2.00 pm Crops

3.00pm Livestock/Aq

2nd Tuesday

1.00 pm Materials/GMO ad hoc

2.00 pm Policy Development

3.00 pm Certification

Calls start and end promptly so you can block out Tuesday afternoons accordingly.

The chairs of your subcommittees are copied here, Tracy LS; Harold HS; Carmela CACS and Zea CS.

If you choose to listen in (observer status) just announce your name so that Michelle and the Chair know you are there, and typically we all keep our phones on mute unless talking.

I am assuming that you have read the Policy and Procedures Manual (PPM) and are familiar with the policies on non public information (PPM page 8)

The PPM allows incoming members to receive subcommittee e-mails (page 21)

The call in phone number is : (b) (6) Passcode (b) (6)

Contact any of us if you have questions at any time.

We want you to have fun!

Jean

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#); [Bailey, Melissa - AMS](#); [Brines, Lisa - AMS](#)
Subject: RE: NOSB Public meeting feedback
Date: Wednesday, May 14, 2014 11:29:08 AM

Nice talking with you. I will schedule 8:30 am on Friday mornings (starting May 30) to check in with you on all things NOSB.

Let's use the term Designated Federal Officer or DFO for my position. We can more completely describe the DFO and NOSB chair's role as we move forward.

Miles

-----Original Message-----

From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)
Sent: Wednesday, May 14, 2014 11:08 AM
To: McEvoy, Miles - AMS; Bailey, Melissa - AMS; Brines, Lisa - AMS
Subject: NOSB Public meeting feedback

Hi Miles, Lisa and Melissa

I am on the phone every day with various stakeholder groups and NOSB members. Feedback on Miles' "co-chair" concept is actually quite good. People in the audience liked to see NOP leadership up front and available to handle NOP questions and rule on procedure. Is co-chair the right phraseology?. There are two functions and one chair for each function. Can we say that the NOP and NOSB will Chair the meeting in collaboration / collaboratively? --

--- That way we could move back and forth with chairing duties, and the NOP information pieces can be scattered through the 3 or 4 days with the sub committee reports.

I will be sending out e-mails to NOSB members to remind them to intervene now at sub committee levels if they want input into substance review or guidance etc because changes at the public meeting cannot be substantive and I do not want to send everything back to subcommittee!.

All for now
Jean

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From: [Jean Richardson](#)
To: [Arsenault, Michelle - AMS](#)
Cc: [Jay Feldman](#); [John Foster](#); [Mac Stone](#); [Nick Maravell](#); [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#)
Subject: Re: NOSB PDS meeting Monday Oct 27
Date: Friday, October 17, 2014 10:23:50 AM

Michelle

Nick does not land till about then so let's move the PDS meeting till later that week if possible
Sorry to keep making changes but it would be good to have us all present

Thank you

Jean

Sent from my iPad

On Oct 17, 2014, at 9:58 AM, "Arsenault, Michelle - AMS"

<Michelle.Arsenault@ams.usda.gov> wrote:

Hello folks,

On the last PDS call we discussed gathering the Subcommittee for a brief meeting at the fall NOSB meeting in Louisville. I have reserved the Willis Room Monday October 27, 2014 from 3:00 - 4:00 ET.

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<mime-attachment.ics>

From: [Jean Richardson](#)
To: (b) (6)
Cc: [Tracy Favre](#); [Brown Rosen, Emily - AMS](#); [Stone Mac](#); [Jennifer Taylor](#); [McEvoy, Miles - AMS](#); [Arsenault, Michelle - AMS](#)
Subject: Re: NOSB PDS meeting extra
Date: Thursday, July 23, 2015 8:00:37 PM

Let's at least complete our ppm review
Jean

Sent from my iPad

On Jul 23, 2015, at 7:53 PM, (b) (6) wrote:

Will be on call. But cannot prepare at all due to other obligations, so nothing else written and just talk about thoughts shared before.

Aloha,
Colehour

Sent from my iPhone

On Jul 23, 2015, at 13:12, Jean Richardson <(b) (6)> wrote:

Yes I can be there
Jean

Sent from my iPad

On Jul 23, 2015, at 6:52 PM, Tracy Favre <tfavre@favrehouse.com> wrote:

Thanks. I was going to check as I hadn't heard from Colehour, Jennifer or Mac.
Folks please try to be on the call Tuesday.
Thanks
T

Sent from my iPad

On Jul 23, 2015, at 10:51 AM, Brown Rosen, Emily - AMS <Emily.BrownRosen@ams.usda.gov> wrote:

Hi, my understanding is that the LS call for the 28th is cancelled, so we are using that slot.
Tracy, let me know if there is any change in plan. Michelle is off today so I am sending this

one time invite -
Thanks,
Emily

<mime-attachment.ics>

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Cc: [Jay Feldman](#); [Mac Stone](#); [Nick Maravell](#); [John Foster](#); [Arsenault, Michelle - AMS](#); [Brown Rosen, Emily - AMS](#); [Tucker, Jennifer - AMS](#)
Subject: RE: NOSB PD-ad hoc call?
Date: Tuesday, August 12, 2014 8:44:15 AM

Hi Jean,

I will be sending out more information about this call soon. I wanted to get it on everyone's schedule to start with. Thanks,

Miles McEvoy
Deputy Administrator
National Organic Program

From: Jean Richardson [mailto: (b) (6)]
Sent: Monday, August 11, 2014 4:36 PM
To: McEvoy, Miles - AMS
Cc: Jay Feldman; Mac Stone; Nick Maravell; John Foster; Arsenault, Michelle - AMS; Brown Rosen, Emily - AMS; Tucker, Jennifer - AMS
Subject: Fwd: NOSB PD-ad hoc call?

Hi Miles:

Thank you for your request to consult with the Policy Development (ad hoc) subcommittee.

The PDS (ad hoc) has no Work plan items and no agenda. To be efficient of our time, I would appreciate it if you could send out an agenda, attach any written material you wish us to review, and provide an indication of your goals or expected outcomes, before we schedule a conference call . This will help us be able to provide you with our best advice.

Thank you

Jean

Begin forwarded message:

From: "Arsenault, Michelle - AMS"
<Michelle.Arsenault@ams.usda.gov>
Date: August 11, 2014 2:09:09 PM EDT
To: Jay Feldman <jfeldman@beyondpesticides.org>, Jean Richardson <(b) (6)>, John Foster <jfoster@ebfarm.com>, Mac Stone <(b) (6)>, Nick Maravell <(b) (6)>, "Tucker, Jennifer - AMS" <Jennifer.Tucker@ams.usda.gov>
Cc: "Brown Rosen, Emily - AMS"

<Emily.BrownRosen@ams.usda.gov>

Subject: NOSB PDS call

Hello all,

Miles wanted to gather the PDS for a call, but is not available tomorrow, August 12, which is when we had our placeholder meeting scheduled, so I'm proposing a different date and time. Let me know if this doesn't work for you and I will search for alternatives.

Thursday August 28, 2014 @ 12:00 ET/9:00 PT

Policy Development call

Conf Line #: (b) (6)

Passcode: (b) (6)

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Fwd: NOSB PD-ad hoc call
Date: Monday, August 11, 2014 4:11:13 PM
Attachments: [Mail Attachment.ifb](#)

Hi Miles:

Thank you for your request to consult with the Policy Development (ad hoc) subcommittee. The PDS (ad hoc) has no Work plan items and no agenda. To be efficient of our time, I would appreciate it if you could send out an agenda, attach any written material you wish us to review, and provide an indication of your goals or expected outcomes, before we schedule a conference call . This will help us be able to provide you with our best advice.

Thank you

Jean

Begin forwarded message:

From: "Arsenault, Michelle - AMS" <Michelle.Arsenault@ams.usda.gov>
Date: August 11, 2014 2:09:09 PM EDT
To: Jay Feldman <jfeldman@beyondpesticides.org>, Jean Richardson <(b) (6)>, John Foster <jfoster@ebfarm.com>, Mac Stone <(b) (6)>, Nick Maravell <(b) (6)>, "Tucker, Jennifer - AMS" <Jennifer.Tucker@ams.usda.gov>
Cc: "Brown Rosen, Emily - AMS" <Emily.BrownRosen@ams.usda.gov>
Subject: NOSB PDS call

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Policy Development call

Conf Line #: (b) (6)
Passcode: (b) (6)

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#); [Jones, Samuel - AMS](#)
Cc: [Arsenault, Michelle - AMS](#); [Nicole Dehne](#); [Kirsten Bower](#); [Brown Rosen, Emily - AMS](#)
Subject: NOSB October
Date: Friday, July 24, 2015 11:15:54 AM

Hi Miles and everyone

I have just heard back from Chuck Ross, Vermont Secretary of Agriculture, that he will be on hand to give a "Welcome to Vermont" at 9 am on Monday October 26, to kick off our week in Vermont and will also attend the Celebration of Organic, Taste of Vermont, 25 years of OFPA, from 6-9 pm on Tuesday October 27. Let me know if you have any questions.

I am working on the Congressional Delegation, but given the timing it is not likely
Thank you
Jean

From: [Jean Richardson](#)
To: [Tracy Favre](#); [Tom Chapman](#); [Calvin Walker](#); [Zea Sonnabend](#); [Carmela Beck](#); [Harold Austin](#); [Lisa de Lima](#); [Ashley Green](#); [Colehour Bondera](#); [Francis Thicke](#); [Nick Maravell](#); [Mac Stone \(mac@elmwoodstockfarm.com\)](#); [Jennifer Taylor](#); [Paula Daniels](#)
Cc: [Arsenault, Michelle - AMS](#); [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#)
Subject: NOSB/ES-Public Comment
Date: Sunday, July 05, 2015 10:02:29 AM
Attachments: [NOSBPublicComment.doc](#)

Hi Everyone

On Friday July 10 one of the Agenda items on the ES call will be an update on how the two webinar days will work in September, and to look at time allotted for public comment at the Fall meeting. Getting early word out to all our stakeholders is important.

Our goal is to increase the mechanisms by which we receive public comment, hence the pre-meeting 6 hours of open public comment, and to ensure that we have adequate public comment time at the Fall meeting while still getting our work done on materials etc.

In preparation for our ES call I asked Michelle to prepare a rough table of data to compare the last few meetings, and I have extracted some of that data into the table attached below. You can see our workload at the Stowe meeting will take considerable time. Can we fit in enough public comment on the Monday so we can concentrate on our discussions and voting for the 3 following days?

It is never easy to estimate how many will want to present public comment in person. We assumed that in California, as Zea noted, we would have more people. So we allotted time for 130 commenters using 5 minute blocks, for a total of 11 hours allotted . We actually had 124 commenters for a total of about 10 hours. Typically (over the previous 5 meetings) we have had 74-92 oral presentations. If we estimate 80-90 presenters in Stowe we would need to allot roughly 6.6 - 7.5 hours of time. I am inclined to go with the 6.6 hours and have all public comment on the Monday when everyone is fresh. ? What do you think?

For the Webinars we are suggesting that each person could talk for 5 minutes each (more than the 3 minutes in Stowe) plus questions, and thus expand public comment time overall and attract public commenters who would like more time and/or who prefer so save on carbon footprint and expense and not attend Stowe in person. So each of the 3 hour Webinars could accommodate about 20 people (40 persons total), allowing for some "wasted" time with chit chat and technical challenges.

As Chair in my own back yard I am hoping that the Vermont meeting will be enjoyable for all stakeholders and we can celebrate 25 years since OFPA.

I would appreciate your ideas and help with this.

Thank you

Jean

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: NOSB/ES-Public Comment
Date: Sunday, July 05, 2015 10:02:30 AM

I am out of the office. Please contact Joan Avila at 202-720-3252, joan.avila@ams.usda.gov if you need immediate assistance.

Table to compare public comment at recent NOSB meetings

	Spring 2012 Albuq.	Fall 2012 Providence	Spring 2013 Portland	Fall 2013 Gov. Shutdown cancelled	Spring 2014 San Antonio	Fall 2014 L'ville	Spring 2015 La Jolla	Fall 2015 Stowe
Days of meeting	3.5	4	3	3	3.5	3	4	4
#Proposals including Sunset votes	18	21	13	16	22	12	25	198 ? Sunset plus? 16 proposals
Discussion Docs	10	4	5	4	3	3	3	3 ?
Reports	1	3	5	4	5	2	1	1 ?
Sunset First Meeting Summaries	N/A	N/A	N/A	7	9	12	19	15
Expert Panels	0	2	1	0	0	0	2	1
Oral Comments	79	74	92	N/A	87	86	124	? 90
Written Comments	1670	620	3000	0	964	1049	1233	

From: [Jean Richardson](#)
To: [Zea Sonnabend](#)
Cc: [Tracy Favre](#); [Harold V. Austin IV \(harolda@zirklefruit.com\)](#); [Carmela Beck](#); [Mac Stone \(mac@elmwoodstockfarm.com\)](#); [Calvin Walker](#); [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#)
Subject: Re: NOSB-Exec-Minority Opinion
Date: Sunday, March 15, 2015 2:56:23 PM

Yes the next Exec call is Friday April 10, my error.
Thank you Zea

On Mar 15, 2015, at 2:27 PM, Zea Sonnabend wrote:

> Isn't the Exec call on April 10, Friday? I cannot attend on Monday 4/13.
> Zea
>
> On Mar 15, 2015, at 9:37 AM, Jean Richardson wrote:
>
>> Hi Exec.
>> I have received written or verbal comments on Minority Opinions from every member of the Executive Subcommittee.
>> Based on your comments and our discussion on the March Exec call, and our informal discussion on the PDS call on March 10, here is a draft Interim Internal Policy/Procedure on Minority Opinions .
>> I would like us to vote on this, or an edited version, at our next Exec call on April 13.
>> Let me know what you think.
>> Be sure to re-read the PPM page 8 paragraph which reminds us how important it is to work together.
>> Thank you
>> Jean
>>
>>
>> <Minority OpinionDraftMarch15.doc>
>

From: [Jean Richardson](#)
To: (b) (6)
Cc: (b) (6); harolda@zirklefruit.com; zea@well.com; carmela.beck@driscolls.com; mac@elmwoodstockfarm.com; [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#)
Subject: Re: NOSB-Exec-Minority Opinion
Date: Sunday, March 15, 2015 3:54:37 PM

Hi Calvin

Thank you for your comments

(b) (6)

Jean

On Mar 15, 2015, at 3:08 PM, (b) (6) wrote:

Hello All,

(b) (6)

(b) (6)

(b) (6)

(b) (6)

(b) (6)

Best and high regards,

Calvin

-----Original Message-----

From: Jean Richardson <(b) (6)>
To: Tracy Favre <(b) (6)> Harold V. Austin IV (harolda@zirklefruit.com)
<harolda@zirklefruit.com>; Zea Sonnabend (zea@well.com) <zea@well.com>; Carmela
Beck <carmela.beck@driscolls.com>; Mac Stone (mac@elmwoodstockfarm.com)
<mac@elmwoodstockfarm.com>; Calvin Walker <(b) (6)>
Cc: Michelle - AMS Arsenault <Michelle.Arsenault@ams.usda.gov>; Miles - AMS McEvoy
<Miles.McEvoy@ams.usda.gov>; Emily - AMS Brown Rosen
<emily.brownRosen@ams.usda.gov>
Sent: Sun, Mar 15, 2015 11:37 am
Subject: NOSB-Exec-Minority Opinion

Hi Exec.

I have received written or verbal comments on Minority Opinions from every member of the Executive Subcommittee. Based on your comments and our discussion on the March Exec call, and our informal discussion on the PDS call on March 10, here is a draft Interim Internal Policy/Procedure on Minority Opinions. I would like us to vote on this, or an edited version, at our next Exec call on April 13. Let me know what you think. Be sure to re-read the PPM page 8 paragraph which reminds us how important it is to work together. Thank you
Jean

From: [Jean Richardson](#)
To: [Tracy Favre](#); [Mac Stone](#); [John Foster](#)
Cc: [Arsenault, Michelle - AMS](#); [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#)
Subject: NOSB-Aquaculture
Date: Monday, September 01, 2014 10:25:26 AM

Hi Tracy, Mac, John:

As you will note from the e-mail thread below, the proposed final rule is moving along and may be out by February to April 2015

I would like to put on our Executive Agenda a discussion of which NOSB subcommittee should be dealing with aquaculture materials.

Grouping them all together as we did certainly makes sense to consider them as part of a system. Tracy, looking ahead does it look as though Livestock (soil based) will have plenty to do with Sunset materials and new petitions etc. ? We put off a lot of items to review all those aquaculture materials.

My feeling is that we should create a separate subcommittee called "aquaculture".

Let me know what you think.

Thank you,

Jean

On Aug 30, 2014, at 5:13 PM, Arsenault, Michelle - AMS wrote:

FYI

From: (b) (6) [mailto:(b) (6)]
Sent: Saturday, August 30, 2014 1:00 PM
To: (b) (6) cnelson@bonsecourfisheries.com; (b) (6) ralph@aquatechnics.com; (b) (6) Arsenault, Michelle - AMS; kquagrai@purdue.edu; rmayo@cccattfish.com; (b) (6) (b) (6) rhardy@uidaho.edu; (b) (6) (b) (6) pecosbart@windstream.net
Cc: (b) (6)
Subject: Fwd: proposed final rule

AWG, here is the latest on the proposed final rule for aquaculture. I am very hopeful that USDA can shorten their two reviews and save at least one-month. If so, we will have a very meaningful session at Aquaculture Americas 2015 in New Orleans. George

George S. Lockwood

PO Box 345, 8 El Robledo
Carmel Valley, CA 93924
831-659-4145 (office)

(b) (6) (cell)

From: (b) (6)
To: Miles.McEvoy@ams.usda.gov
CC: (b) (6) Mark.Bradley@ams.usda.gov, Max.Holtzman@osec.usda.gov
Sent: 8/30/2014 9:47:57 A.M. Pacific Daylight Time
Subj: Re: proposed final rule

Miles,

Thanks for this helpful information.

Hopefully the 30 days plus 60 days within the USDA can be shortened by a month or at least a few weeks. If that can happen, our February session at Aquaculture Americas 2015 in New Orleans will be very timely.

Having a proposed rule posted for public comment before our meeting would allow the aquaculture community the fullest possible opportunity to creatively participate in this very important process and to intelligently develop meaningful comments. I believe that this would bring the fullest amount of credit to USDA from the aquaculture community, retailers, and consumers who remain very disappointed in progress so far.

We have lined up a number of important people from different perspectives to participate in our session. We will hold back on canceling this session until we hear further from you if, in fact, the 90 days for groups within USDA to do their jobs. Please keep me informed since if we have to cancel the session, we would like to give people as much notice as possible.

Thanks again.

George

George S. Lockwood

PO Box 345, 8 El Robledo
Carmel Valley, CA 93924
831-659-4145 (office)

(b) (6) (cell)

In a message dated 8/29/2014 3:22:44 P.M. Pacific Daylight Time, Miles.McEvoy@ams.usda.gov writes:

Hi George,

The proposed rule has been drafted. We are in the clearance process where we do not control the time frame. First there is clearance from the Office of General Counsel - we expect this to be complete within the next 30 days. Next is departmental clearance which generally takes 60 days. After that we have clearance from the Office of Management and Budget. They have 90 days to complete their review.

Taken all together we hope to publish a proposed rule early next year - sometime between February - April. It is certainly possible that the proposed rule will not be published by February 19. We hope it is but as I explain above this is outside of our control. Please understand that we are doing what we can to move this as quickly as possible.

In regards to the February 19 meeting we really won't know the prospects of publication before February 19 until we complete departmental clearance. We still have a ways to go with that.

Best regards,

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

On Aug 28, 2014, at 1:18 PM, (b) (6)

<(b) (6)> wrote:

Miles,

I have just been told by a third party that your proposed final rule for organic aquaculture may not be posted by the end of 2014 as was originally planned.

As you are aware, Gary Jensen and me have organized a special session to discuss your proposal, and to discuss related matters, for the Aquaculture Americas 2015 conference that starts next February 19 in New Orleans. If it is likely that the posting will not happen before then, we will have to change the program or even cancel this important session.

I would greatly appreciate an update from you about the timing of the public posting of your proposed final rule. Thanks.

George

George S. Lockwood

PO Box 345, 8 El Robledo
Camel Valley, CA 93924
831-659-4145 (office)

(b) (6) (cell)

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From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Re: NOSB-Annotations
Date: Sunday, July 13, 2014 7:04:09 PM

Sure

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

> On Jul 13, 2014, at 12:14 PM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:

>

> Hi Miles

> As you know Harold is pretty keen on doing a discussion document on Annotations via the CAS committee.

> I am concerned about this. Can we be sure to talk about this before you reply to him.

> Thank you

> Jean

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: NOSB-Annotations
Date: Monday, July 14, 2014 5:17:23 PM

Miles if you cannot call today I can make it work to take your call on Wednesday 7.30 or 8am?
Jean

Sent from my iPhone

> On Jul 14, 2014, at 3:39 PM, Jean Richardson <(b) (6)> wrote:

>

> late today would be best given my work schedule

> I am chatting with Michelle at 4 pm for about 30 mins.

> then free till 6.30 pm when I have to go out.

>

>> On Jul 14, 2014, at 3:35 PM, McEvoy, Miles - AMS wrote:

>>

>> When are you available? Early tomorrow?

>> Late today or early Wednesday?

>>

>> -----Original Message-----

>> From: Jean Richardson [[mailto:\(b\) \(6\)](#)]

>> Sent: Sunday, July 13, 2014 12:15 PM

>> To: McEvoy, Miles - AMS

>> Subject: NOSB-Annotations

>>

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From: [Jean Richardson](#)
To: [Brown Rosen, Emily - AMS](#)
Cc: (b) (6) tfavre@favrehouse.com; (b) (6) (b) (6) joe.dickson@wholefoods.com; (b) (6) [Arsenault, Michelle - AMS](#); [Lipson, Mark - OSEC](#); (b) (6) [Zea Sonnabend](#); [McEvoy, Miles - AMS](#); [Bailey, Melissa - AMS](#)
Subject: NOSB_LS_Research Priorities 2012
Date: Wednesday, July 02, 2014 5:27:38 PM

Hi Everyone:

Today I discussed with Emily the issue of vaccines on the LS research priorities list with Emily. I agree with her analysis, although I am not sure that the NOSB can "pick up" our recent discussion document and "decide which techniques are excluded", but I do suggest we remove the vaccines item off our Research Priorities list as our questions and concerns do not fit there.

I would like to be able to discuss with the LS how to proceed with the non gmo vaccine verification issue. But this can wait until we have completed our Sunset TR determinations. Thank you

Jean

On Jul 2, 2014, at 12:10 PM, Brown Rosen, Emily - AMS wrote:

Hi Jean and LS,

I discussed the vaccine issue with Miles today. This is definitely a large unresolved issue, but I don't think these type of questions can be circulated to the wider research community, but need to be addressed more internally by NOP & NOSB, in order to move forward.

For instance, your suggested point (1) , how do ACA's verify non-GMO status of vaccines – is not a research question for the academic community, that is information we (NOP & NOSB) can collect ourselves from the certifiers. As you are aware, most are waiting for more guidance from NOP before undertaking this type of review.

Your point 2) what is the actual definition of a GMO vaccine- is also not an academic research question, this is a standards-setting issue. This is the heart of the problem that we have to date: we need to understand the technology and decide what techniques should be considered excluded, and what should not be. We can't expect academia to provide information regarding types of suitable vaccines for organic, if we don't give them the ground rules first. NOP did commission a TR on GM- vaccines, and the Vaccine Working group drafted a detailed discussion document that posed a number of questions for public comment, but ultimately NOSB needs to pick this up and decide which techniques are excluded. If you have specific questions on some types of technology, NOP could possibly contract for another technical review on some aspects.

Once NOSB has made a recommendation to clarify the excluded methods related to vaccine production, then your step 3) is possible. NOP could possibly contract with a Materials Review Organization to develop a list of non-GMO vaccines.

Thanks for your work on all this – I am still catching up on all the prior work.

Sincerely,

Emily Brown Rosen
Specialist, Standards Division
USDA-AMS-NOP
www.ams.usda.gov/nop
609-737-8630 NJ office
(b) (6) cell

From: Calvin Walker [mailto:(b) (6)]
Sent: Tuesday, July 01, 2014 5:09 PM
To: Jean Richardson
Cc: tfavre@favrehouse.com; joe.dickson@wholefoods.com; colemel@kanalanifarm.org;
(b) (6) fthicke@iowatelecom.net; Brown Rosen, Emily - AMS; Arsenault, Michelle - AMS
Subject: Re: NOSB_LS_Research Priorities 2012

Great.
I just read your email.
Calvin

Sent from my iPhone

On Jul 1, 2014, at 1:20 PM, Jean Richardson <(b) (6)> wrote:

Hi Calvin
I have reviewed the research priorities list.
I know that NOP wanted more detail on the GMO vaccine issue. Is this what you are looking for Calvin?

Can we say:

We need gmo vaccine research regards the following:

1. GMO vaccines (vaccines made with excluded methods) are not allowed to be used in organic agriculture but there does not appear to be any consistency in how ACA's are verifying use of non-gmo vaccines, or if they even bother to verify. We need research on how ACA's are addressing verification of non-gmo vaccines.
2. The definition of "excluded methods" is difficult to apply in determining which vaccines are non- GMO . Research is need to develop a clear and more up to date definition of "excluded methods" which can be more easily understood and used by ACA's and producers.
3. Research is needed to provide an up to date, easier to use List of non-gmo vaccines as compared with the present APHIS list.

Will we go through the research priorities list today?
Thanks Jean

On Jul 1, 2014, at 10:26 AM, (b) (6) wrote:

<NOSB-
NOP_Research_Priorities_Assessment_by_OWG_Re
s_Team_03-30-14 (2).docx>

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From: [Jean Richardson](#)
To: [COLEHOUR BONDERA](#)
Cc: [Zea Sonnabend](#); [Arsenault, Michelle - AMS](#); [Calvin Walker](#); [Carmela Beck](#); [Francis Thicke](#); [Harold Austin](#); [Jay Feldman](#); [Jennifer Taylor](#); joe.dickson@wholefoods.com; [John Foster](#); [Mac Stone](#); [Nick Maravell](#); [Tracy Favre](#); [Wendy Fulwider](#); [McEvoy, Miles - AMS](#); [Tucker, Jennifer - AMS](#); [Kevin T. Bryan \(KBryan@merid.org\)](mailto:KBryan@merid.org)
Subject: Re: NOSB/NOP Assessment
Date: Sunday, September 22, 2013 6:02:00 PM

Well said Colehour.

Unfortunately it IS being "done " to us

It is not even a useful laboratory review. Poor research methods. Too many confounding variables.

Jean

On Sep 22, 2013, at 3:23 PM, COLEHOUR BONDERA wrote:

Aloha All -

Thank you Zea, for your note.

I do think that both your general and specific points are right on, and I think that such an evaluation/assessment could and should seek internal analysis of self and group dynamics, with results to be considered (and made use of) for consensual changes by those who are members of the process in question!

Very appropriate to hear others' group input at this stage, in my opinion; for those who are willing to so share... Otherwise this process can not belong to us, but rather is something being done to us - as might be done in a basic laboratory review! What would best help the NOSB to best achieve both our statutory and internal missions?

Colehour

From: Zea Sonnabend <zea@well.com>
Date: Thu, 19 Sep 2013 21:30:39 -0700
To: "Arsenault, Michelle - AMS" <Michelle.Arsenault@ams.usda.gov>
Cc: CALVIN WALKER <(b) (6)> Carmela Beck <carmela.beck@driscolls.com>, Colehour Bondera <colemel@kanalanifarm.org>, Francis Thicke <fthicke@iowatelecom.net>, Harold Austin <harolda@zirklefruit.com>, Jay Feldman <jfeldman@beyondpesticides.org>, Jean Richardson <(b) (6)>, Jennifer Taylor <(b) (6)>, Joe Dickson <joe.dickson@wholefoods.com>, John Foster <jfoster@ebfarm.com>, Mac Stone <(b) (6)>, Nick Maravell <(b) (6)>, Tracy Favre <tfavre@favrehouse.com>, Wendy Fulwider <(b) (6)>, Miles - AMS McEvoy <Miles.McEvoy@ams.usda.gov>, "Tucker, Jennifer - AMS" <Jennifer.Tucker@ams.usda.gov>, "Kevin T. Bryan (KBryan@merid.org)" <KBryan@merid.org>
Subject: Re: NOSB/NOP Assessment

Hello all,

It seems to be missing a key question below about the internal dynamics within the NOSB that can affect our work. I know I might be out of line here, but why would you ask question 9 which really is none of our business to know and instead ask about what might be holding us back from within?

On Sep 19, 2013, at 6:07 AM, Arsenault, Michelle - AMS wrote:

Dear NOSB Members,

During our Executive Committee conference call on Friday, September 13, we introduced Kevin Bryan, Senior Mediator at Meridian Institute. Meridian has been retained to conduct an assessment of the processes of the National Organic Standards Board and its relationship with the National Organic Program. As part of this assessment, Meridian will gather data from NOSB board members, key staff, and a sampling of external stakeholders through a series of individual interviews. Meridian will also attend and observe the October NOSB meeting in Louisville, KY. From this information, Meridian will offer an assessment outlining the strengths of the NOSB's process, structure, meetings, and relationship with the NOP and external stakeholders, as well as improvements that can build upon those strengths.

Joining Mr. Bryan on the Meridian team will be Gary Decker, Mediator, and Selena Elmer, Project Associate, who will help to conduct the interviews; Liz Duxbury, who will work with you to schedule interviews; and John Ehrmann, Managing Partner, who will attend the Louisville meeting and help in the assessment process.

The Meridian team would like to conduct as many interviews as possible before the Louisville meetings. Over the next few days, Liz Duxbury (lduxbury@merid.org) will contact each NOSB board member to schedule the best date and time to talk with Meridian staff. We expect the interviews to last between 45 – 60 minutes. All of the information from the interviews will be treated as confidential, and while themes from across interviews will be presented, comments made during interviews will not be attributed to interviewees in the final assessment report.

Here are some of the questions Meridian developed to help shape their time with you – we hope they provide some starting points for your thinking as you look ahead to the interviews:

1. What is your understanding of the NOSB's roles and

- responsibilities?
2. What is your perception of the NOSB's authority?
 3. What is your perception of the NOP's authority?
 4. How would you characterize the existing relationship between the NOSB and the NOP? What are the strengths of that relationship? What improvements can be made to build on those strengths?
 5. What is your experience with external stakeholder engagement?
 6. What do you think of the NOP's current level of engagement in directing NOSB activities?
 7. In your opinion, how effective are the NOSB meetings? What works particularly well in the NOSB meetings? What changes, if any, would you use to make the NOSB meetings more effective?
 8. How is the time between NOSB meetings used? Could that time be used more effectively?
 9. What is your understanding of the process for writing and clearing rules once USDA begins rulemaking?
 10. What steps could NOSB take to better align recommendations with the rulemaking process?
 11. How do you feel that the NOSB is supported by USDA and the Secretary's office?
 12. How do you think the NOSB impacts the broader organic movement?

Miles McEvoy
Deputy Administrator
National Organic Program
202-720-3252

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From: [Jean Richardson](#)
To: [Kevin T. Bryan](#)
Cc: [Harold Austin](#); [Arsenault, Michelle - AMS](#); [COLEHOUR BONDERA](#); [Zea Sonnabend](#); [Tucker, Jennifer - AMS](#); [McEvoy, Miles - AMS](#); [Calvin Walker](#); [Jay Feldman](#); [Nick Maravell](#); [Carmela Beck](#); [John Foster](#); [Tracy Favre](#); [Jennifer Taylor](#); [Mac Stone](#); [Wendy Fulwider](#); [Francis Thicke](#); joe.dickson@wholefoods.com
Subject: Re: NOSB/NOP Assessment
Date: Thursday, September 26, 2013 5:41:24 PM

Hi Kevin:

Thank you for your comments, and for "listening" to our discussion.

As you can see, we all share a deep commitment to the integrity of the organic label.

Are you at liberty to share with us which stakeholders complained about us, and what the substance of their complaints is?

This might help some of us as we respond to questions during our upcoming interviews.

Kind Regards,

Jean

On Sep 23, 2013, at 11:10 AM, Kevin T. Bryan wrote:

Good Morning Everyone:

We have had a chance to review some of your comments regarding the interview process. Our goal is to engage the NOSB members and key stakeholders through the interviews, and through more informal interactions at the Louisville meeting, to learn your sense of the NOSB's effectiveness. From these interviews and other interactions, we should be able to provide the NOSB with a set of recommendations that the NOSB can own going forward.

We are certainly interested in the internal dynamics within the NOSB, and the responses we have seen thus far make it clear that we will hear your viewpoints on those dynamics. We have developed the initial set of specific questions as a framework to guide the discussions. As we do in any interview process, we will adjust the questions before our first interviews to reflect our continued learning about your specific concerns, and we will review the questions throughout the process to make sure we are gathering the best data possible. During the interviews, we expect to ask follow up questions that seek greater understanding on issues you raise during the interview (like internal dynamics). We also expect that we will ask some questions to NOSB members that may not make sense to ask external stakeholders that we interview, and vice versa; we will adjust the interviews so that they make sense for particular groups of interviewees.

Just a point of clarification on Question 9 - we understand that some of the interviewees will know more about the rulemaking process than others. Our interest is to understand the diversity of understanding among the interviewees on the rulemaking process.

We are happy to hear your views on this process. If any of you have additional thoughts that you would like to share, please contact me by email or phone (that information is listed below). We are looking forward to speaking with all of you throughout the interview process and at the Louisville meeting.

Regards,

Kevin T. Bryan
Senior Mediator and Program Manager
Meridian Institute
1920 L Street NW, Suite 500
Washington, DC 20036
202.354.6452 office
(b) (6) cell
202.354.6441 fax
kbryan@merid.org
www.merid.org

<image001.gif>

From: Jean Richardson [mailto:(b) (6)]
Sent: Sunday, September 22, 2013 8:59 PM
To: Harold Austin
Cc: Michelle - AMS Arsenault; COLEHOUR BONDERA; Zea Sonnabend; Jennifer - AMS Tucker; Miles - AMS McEvoy; Calvin Walker; Jay Feldman; Nick Maravell; Carmela Beck; John Foster; Tracy Favre; Jennifer Taylor; Mac Stone; Wendy Fulwider; Francis Thicke; Kevin T. Bryan; Joe Dickson
Subject: Re: NOSB/NOP Assessment

Thank you Harold
Eloquent as always
I am canning and making jam and pies etc and was just thinking of you as I was making a pear and apple pie.
Yes we must remember that we have a common goal of organic agriculture
And it is interesting how much this assessment is already helping us think through our roles
Hope your harvest is going well
I am drowning in pears and apples this year and will make hard cider after the first frost
Best
Jean

Sent from my iPhone

On Sep 22, 2013, at 8:41 PM, "Harold Austin" <HaroldA@Zirklefruit.com> wrote:

Zea,
I would agree with your assessment of the missing question pertaining to the working dynamic within the NOSB and the various sub-committees (this is probably one of the most significant areas that should be looked at, as Colehour eluded to). I also would concur with you regarding question 9, yet I do understand the probable logic for it being included in the questions.

I will go on record at this point in time to say that I fully support the assessment as well as the need for one being conducted. This will allow for a thorough review of the process, the internal workings of the sub-committees and that of the board, as well as the external influences. Here too comes into play the balance between the NOP and the NOSB and what that functionality should look like, in order for both to be effective in their individual areas of responsibility. Hopefully, this will shed some light on this for all of us.

I would say that I do not feel that this is something being done to us, but rather something being done to assist us in finding ways to make us more efficient and ultimately more effective. Let's allow the process to move forward before we pass judgement on it or the rationale of it's existence. I would be extremely surprised if when this is all said and done we are not better for it, in the long run.

Just passing on the thoughts from one "harvest weary" member. I would also ask us all to remember that at the end of the day we are all trying to what we each feels is best for the organic industry, community, and organic as a whole!

May you each have a wonderful rest of the evening and a great start to the new work week that lies ahead of us,

Harold

>>> COLEHOUR BONDERA <colemel@kanalanifarm.org>
9/22/2013 12:23 PM >>>
Aloha All -

Thank you Zea, for your note.

I do think that both your general and specific points are right on, and I think that such an evaluation/assessment could and should seek internal analysis of self and group dynamics, with results to be considered (and made use of) for consensual changes by those who are members of the process in question!

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Date: Thu, 19 Sep 2013 21:30:39 -0700

To: "Arsenault, Michelle - AMS" <Michelle.Arsenault@ams.usda.gov>

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Harold Austin <harolda@zirklefruit.com>, Jay Feldman
<jfeldman@beyondpesticides.org>, Jean Richardson
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Maravell <(b) (6)> Tracy Favre
<tfavre@favrehouse.com>, Wendy Fulwider <(b) (6)>
Miles - AMS McEvoy <Miles.McEvoy@ams.usda.gov>, "Tucker, Jennifer -
AMS" <Jennifer.Tucker@ams.usda.gov>, "Kevin T. Bryan
(KBryan@merid.org)" <KBryan@merid.org>

Subject: Re: NOSB/NOP Assessment

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Dear NOSB Members,

During our Executive Committee conference call on Friday, September 13, we introduced Kevin Bryan, Senior Mediator at Meridian Institute. Meridian has been retained to conduct an assessment of the processes of the National Organic Standards Board and its relationship with the National Organic Program. As part of this assessment, Meridian will gather data from NOSB board members, key staff, and a sampling of external stakeholders through a series of individual interviews. Meridian will also attend and observe the October NOSB meeting in Louisville, KY. From this information, Meridian will offer an assessment outlining the strengths of the NOSB's process, structure, meetings, and relationship with the NOP and external stakeholders, as well as improvements that can build upon those strengths.

Joining Mr. Bryan on the Meridian team will be Gary Decker, Mediator, and Selena Elmer, Project Associate, who will help to conduct the interviews; Liz Duxbury, who will work with you to schedule interviews;

and John Ehrmann, Managing Partner, who will attend the Louisville meeting and help in the assessment process.

The Meridian team would like to conduct as many interviews as possible before the Louisville meetings. Over the next few days, Liz Duxbury (lduxbury@merid.org) will contact each NOSB board member to schedule the best date and time to talk with Meridian staff. We expect the interviews to last between 45 – 60 minutes. All of the information from the interviews will be treated as confidential, and while themes from across interviews will be presented, comments made during interviews will not be attributed to interviewees in the final assessment report.

Here are some of the questions Meridian developed to help shape their time with you – we hope they provide some starting points for your thinking as you look ahead to the interviews:

1. What is your understanding of the NOSB's roles and responsibilities?
2. What is your perception of the NOSB's authority?
3. What is your perception of the NOP's authority?
4. How would you characterize the existing relationship between the NOSB and the NOP? What are the strengths of that relationship? What improvements can be made to build on those strengths?
5. What is your experience with external stakeholder engagement?
6. What do you think of the NOP's current level of engagement in directing NOSB activities?
7. In your opinion, how effective are the NOSB meetings? What works particularly well in the NOSB meetings? What changes, if any, would you use to make the NOSB meetings more effective?
8. How is the time between NOSB meetings used? Could that time be used more effectively?
9. What is your understanding of the process for writing and clearing rules once USDA begins rulemaking?
10. What steps could NOSB take to better align recommendations with the rulemaking process?
11. How do you feel that the NOSB is supported by USDA and the Secretary's office?
12. How do you think the NOSB impacts the broader organic movement?

Miles McEvoy

Deputy Administrator
National Organic Program
202-720-3252

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From: [McEvoy, Miles - AMS](#)
To: [Barry Flam](#); [Carmela Beck \(carmela.beck@driscolls.com\)](#); [Colehour Bondera \(colemel@efn.org\)](#); [Harold Austin](#); [Jay Feldman](#); [Jean Richardson](#) (b) (6) [Jennifer.Taylor@fam.u.edu](#); [JFoster@ebfarm.com](#); [joe.dickson@wholefoods.com](#); [Nicholas Maravell](#) (b) (6) [Robert Mac Stone \(mac@elmwoodstockfarm.com\)](#); [Rueben Walker](#) (b) (6) [Tracy Favre \(tfavre@favrehouse.com\)](#); [wendy.fulwider@organicvalley.com](#); [Zea Sonnabend \(zea@well.com\)](#)
Cc: [Bailey, Melissa - AMS](#); [Coke, Lorraine - AMS](#); [Tucker, Jennifer - AMS](#); [Brines, Lisa - AMS](#)
Subject: NOSB-May2012-03092012-
Date: Friday, March 09, 2012 5:36:27 PM
Attachments: [NOSB-May2012-03092012-.docx](#)

Revised proposal

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From: [Jean Richardson](#)
To: [Arsenault, Michelle - AMS](#)
Cc: [Calvin Walker](#); [Carmela Beck](#); [Colehour Bondera](#); [Francis Thicke](#); [Harold Austin](#); [Jay Feldman](#); [Jennifer Taylor](#); [joe.dickson@wholefoods.com](#); [John Foster](#); [Mac Stone](#); [Nick Maravell](#); [Tracy Favre](#); [Wendy Fulwider](#); [Zea Sonnabend](#); [McEvoy, Miles - AMS](#); [Bailey, Melissa - AMS](#); [Rakola, Betsy - AMS](#)
Subject: Re: October 16 Listening Session and Memo to the National Organic Standards Board
Date: Wednesday, October 08, 2014 9:06:37 AM

Hi Team!

If possible I think it would be great if as many of us NOSB members could listen in on this Session.

Thank you

Jean

Sent from my iPad

On Oct 8, 2014, at 8:58 AM, "Arsenault, Michelle - AMS"
<Michelle.Arsenault@ams.usda.gov> wrote:

All – The attached memo and the following message will be sent out through the Organic insider this afternoon – we wanted to give you an advanced look at what we will be sending....

USDA's Agricultural Marketing Service (AMS) is pleased to announce a memo from the National Organic Program (NOP) to the National Organic Standards Board (NOSB) as well as an upcoming phone/online listening session.

-

NOP Hosts Listening Session on NOSB: October 16

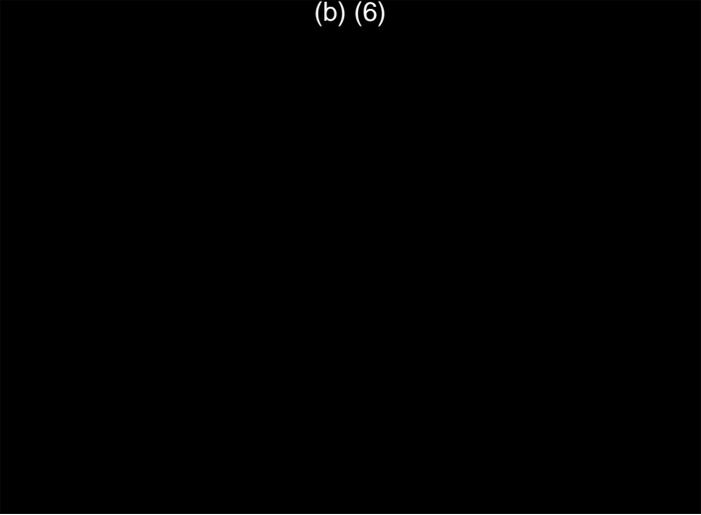
On Thursday, October 16, 2014 from 3:00-5:00 PM Eastern Time, NOP will host a listening session focusing on the NOSB, a federal advisory committee that provides recommendations to USDA. The NOP is seeking comments on NOSB administrative procedures including public participation opportunities, the petition process, and sunset review process. More information on NOSB administrative procedures can be found in the [NOSB Policy and Procedures Manual](#), [National Organic Standards Board Presentation](#), [Petition Process](#), and [Sunset Review Process](#).

The NOP will open with a short presentation, afterwards participants will be able to provide comments to the NOP. Participants wishing to provide comments will then indicate to the call operator their interest in speaking. Each person will be given 3 minutes to share his or her comment. We will take as many comments as we can until the call ends at 5 PM Eastern Time. The NOP will issue a summary of the listening session after the call.

Pre-registration is not required for this listening session. To participate:

Thursday, October 16, 2014 – 3-5 PM Eastern

(b) (6)



Memo to NOSB on Sunset Review Process

The NOP has issued a memo to the NOSB clarifying the process to be followed for the Sunset Review of the National List of Allowed and Prohibited Substances (National List). (Attached)

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<2014-Sunset-Clarification-Final.pdf>

From: [Jean Richardson](#)
To: [Swaffar Ashley](#); [Daniels Paula](#); [Chapman Tom](#); [Lisa de Lima](#)
Cc: [Tracy Favre](#); [Harold Austin](#); [Mac Stone](#); [Francis Thicke](#); [Walker Calvin](#); [Colehour Bondera](#); [Jennifer Taylor](#); [Nick Maravell](#); [Carmela Beck](#); [Zea Sonnabend](#)
Bcc: [Brown Rosen, Emily - AMS](#); [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#); [Tucker, Jennifer - AMS](#)
Subject: NOSB-New Year begins - Chair's Welcome
Date: Saturday, January 24, 2015 1:10:38 PM

Hi Everyone:

First let me welcome Ashley, Tom, Lisa and Paula to the NOSB as the new term begins.

You will find us an opinionated, knowledgeable, outspoken, hardworking bunch who represent the organic community with passion and integrity. We work together with a good sense of humor! We try always to work toward consensus where possible, respecting and learning from the different perspectives we each bring to the table as we do Sunset Review and develop Advice for the Secretary. - Yes I sound like a Girl Scout!

You are joining the NOSB at a time when the volunteer Board has probably never had such a large and complex workload. All the easy work has been done - so to speak!. And, assuming we are Asking the Right Questions, there are no simple yes and no answers for us to quickly give. In addition, all of the procedures for Review of Sunset materials, our primary mandate under OFPA, have changed. Procedures and "templates" for tracking materials from past into the future are new and being piloted by us for the first time. So right now things may seem to you to be a bit overwhelming, time consuming to understand, and complex. The NOP and NOSB hope that the new procedures will provide a much more transparent process for the public. As you know, we now seek public comment in a two step process of Meeting One, Initial Review, with questions, and Meeting Two when we will vote as a whole Board on each material. Every material and topic for Discussion or Proposal and Recommendation, requires our careful and detailed analysis. The devil is in the details! We are still a "grass roots" kind of Board, not a "rubber stamp" Board!

This means that the Handling, Livestock and Crops subcommittees are meeting every week instead of every other week, and there are many e-mails and documents pouring into our e-mail boxes! We are working to a deadline of February 25 when all of the NOSB written documents must be in Michelle's hands in order for her and other NOP staff to get them all in the format for posting on the Federal Register on March 9 to bring us within the required 45 days before the April meeting in San Diego.

So the NOSB has a lot of work to complete in the next 4 weeks. Then, from February 25 until April 13, while we wait for public comment, we will just do our regular committee work and it will seem more quiet and much less time consuming and even relaxed!. Then we read and analyze public comments in mid April and gear up for the week of the April Meeting. Then it will be somewhat quiet before we have to face all the Sunset materials to be readied for the Second meeting in order to vote on Sunset 17 materials and Petitions at the October Meeting in Vermont. Then it will be "relatively" slower as we move into Holiday Season and a new year with the next set of new members!

We all of us are assigned or volunteer as a lead person for materials or topics in our subcommittees with many weeks or months of notice. So, in theory, it should be easy to plan our time between paid work, volunteer work and family/recreation. We all understand that life can interfere with our best intentions! ... And so we try to function as a team of 15 where another person can take over some of the work of another board member when we have a Federal deadline which must be met.

Some board members assume that there will be an ice storm, power outage, sick cows, sick family member, computer crash, and that their work will always takes longer than initially thought! ... This type of person gets NOSB work done and sent out to the committee early. Other Board members appear to love that Adrenalin rush that comes from procrastination ! , and they turn stuff in at the 11th or 12th hour, which makes it very difficult for others to read it before the discussion on our very short calls. ! We each of us know our preferred style of operating! --- So please ask for help early rather than at the last minute, and please, only take on what you believe you can realistically do given your work, personal life, and other commitments....

My apologies if this e-mail seems redundant, but having been on the NOSB for 3 years I feel that I should be sure

that I have opened the door for discussions on volunteer workload and expectations at the very beginning of your tenure. Five years is a long time, and a volunteer Board should be lots of Fun!

I am really enjoying my time on the NOSB. We get to know each other pretty well and there is a lot of give and take. We will all miss John, Joe, Jay and Wendy who have just finished their terms. We also work really hard to collaborate with the NOP and work as closely as possible with NOP staff. They are an amazing group of people. I love the mix of science, policy, agriculture, certification, law, politics and people! . Challenges on every front!

I sincerely hope that you will enjoy being on the NOSB as much as I do.
Contact me any time with questions or concerns
Welcome.

Jean

(b) (6) (home/Office -Land Line)

(b) (6) (Mobile and Text)

(b) (6)

From: [Jean Richardson](#)
To: lisa@momsorganicmarket.com; ashley@arkansasegg.com; [Tom Chapman](#); [Paula Daniels](#)
Cc: [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#)
Subject: NOSB-Mentor
Date: Tuesday, October 14, 2014 10:14:19 AM

Good morning Lisa, Ashley, Paula and Tom:

I hope that you are getting to know some of the NOSB members, and familiarize yourselves with the OFPA, PPM and present Workplans and agendas of subcommittees.

You can of course chat with any of us at any time, but we also have a mentoring program in place. So, Pursuant to the Policy and Procedures Manual (PPM) could you please let me know which of the NOSB members you would like to act as a mentor to you as you transition onto the Board.

If you are not sure, or would prefer the Chair to assign someone, just let me know and I will do so.

Please let me know your mentor preference by October 16 if possible. And let me know if you have any questions about the mentoring program.

Thank you

Jean

(b) (6)
(b) (6) (home/office)
(b) (6) (mobile voice and text)

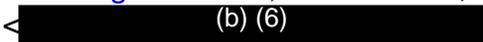
From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#); [Zea Sonnabend](#)
Subject: Fwd: OFPA/USDA Compost standards
Date: Wednesday, April 22, 2015 1:52:07 PM
Attachments: [image.png](#)
[2011 NOP compost guidance.pdf](#)

Hi all

I know that NOP cannot say anything since the case is in court, but FYI- Wendy Sue Harper has a PhD in Soil Science, and Steve Wissbaum is a major organic compost producer

I got these e-mails today
Jean

Begin forwarded message:

From: Wendy Sue Harper <wsh@gmavt.net>
Date: April 22, 2015 1:38:49 PM EDT
To: Pat Sagui <pats@gaw.com>
Cc: Steven Wisbaum <steven@cvcompost.com>, Wendy Sue Harper <wsh@gmavt.net>, "Richardson, Jean" <> (b) (6)
Subject: Re: OFPA/USDA Compost standards

Hi Pat,

This is the first I have heard of CFS suing USDA about the 2011 NOP Green Waste guidance document (attached). It does not appear to me to have much merit as the NOP has always been a process based program with excluded methods. It does require some testing by certifying agencies for synthetic pesticides on organic produce, but it is not a testing based program. VOF has not discussed it with inspectors, but we do not meet until next month for updates.

I am including Jean Richardson here as an FYI to her because she chairs the NOSB, which is mentioned in Steve's email. Jean if you have anything to add please do so.

However, that said the outcome of the lawsuit could impact composters so perhaps it should be on the Compost Association of Vermont's meeting agenda for 4/30 as an issue to watch.

Steven should take the lead on this agenda item, because he sent it to you. I would be happy to provide my 2 cents as always.

Best regards,

Wendy Sue

Wendy Sue Harper

(b) (6)

Bristol, VT 05443

(b) (6)

wsh@gmavt.net

On Wed, Apr 22, 2015 at 10:33 AM, Pat Sagui <pats@gaw.com> wrote:

Hi Wendy Sue, see below from Steve Wisbaum, a CAV composter. Should we reserve a few minutes on the 4/30 agenda for you to give a brief update?

Begin forwarded message:

Date: April 21, 2015 at 1:20:50 PM EDT

Subject: FW: OFPA/USDA Compost standards

From: Steven Wisbaum <swisbaum@gmavt.net>

To: <cultivate@cornucopia.org>, Dan Goossen

<Dan@greenmountaincompost.com>, Tom Moreau <tmoreau@cswd.net>, Pat

Sagui <pats@gaw.com>, <vof@nofavt.org>

All,

The following press release was just came to my attention and I thought you might be interested in my response (pasted below) regarding the implications for the use of compost.

<http://www.centerforfoodsafety.org/press-releases/3847/cfs-and-allies-challenge-organic-loophole-for-pesticides-in-compost#>

<<http://www.centerforfoodsafety.org/press-releases/3847/cfs-and-allies-challenge-organic-loophole-for-pesticides-in-compost>>

----- Forwarded Message

From: Steven Wisbaum <swisbaum@gmavt.net>

Date: Tue, 21 Apr 2015 13:08:16 -0400

To: <office@centerforfoodsafety.org>

Cc:

Conversation: OFPA/USDA Compost standards

Subject: OFPA/USDA Compost standards

To whom it may concern,

My name is Steven Wisbaum. For a little background, I've been a proponent, small-scale producer, and consumer of organic food for over three decades. I also worked as an independent organic certification inspector for farms and processors in the western US, the mid-west, and Vermont and New York State from around 1992 to 1996. During that time I was a major contributor to some of the first formal organic inspector training manuals for the Independent Organic Inspectors Association (IOIA) and also advocated for substantial changes in the

inspection and certification process to address the very real potential for organic fraud and minimal adherence to organic standards – changes by the way which are likely still very much needed. Since 1996 I've also owned and operated a medium sized compost operation in NW Vermont that serves mostly residential customers but also a handful of organic farms.

While I fully support the CFS' and Beyond Pesticide's efforts to challenge the U.S. Department of Agriculture (USDA) National Organic Program's (NOP) failure to follow the law in making substantial rule changes to the USDA organic standards concerning the sunset process and that also undermine the independence of the NOSB in general, I have some major concerns about prohibiting the use of compost that likely contains low levels of synthetic pesticides.

Because of the ubiquitousness of synthetic compounds of all types (ie. not just pesticides) in our air, water, and food, it's just a fact of our modern/industrialized society that these compounds will be also found in compost. This is not to say that we should ignore the issue and not take steps to limit the amount of these compounds in compost. But to simply to force the USDA/NOP to prohibit the use of compost that contains any measureable amount of synthetic compounds would mean that the only raw materials that could be used to make compost would have to be animal manure from organic farms or food residuals from processing facilities that only handle organic food. But the fact is that organic livestock farms typically don't produce surplus manure (industrial "organic" livestock farms may produce surplus manure but they shouldn't be certified in the first place) and there are very few food processing facilities that handle only organic food. So, if this effort was successful, organic farms that don't raise animals would simply not be able to use ANY compost, depriving these organic farms of a valuable and long-used soil building practice.

Feel free to contact me to discuss this issue further.



Steven Wisbaum

(b) (6)

(b) (6)

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swisbaum@gmavt.net

----- End of Forwarded Message



Guidance

Allowance of Green Waste in Organic Production Systems

1. Purpose

This guidance provides clarification on the allowance of green waste and green waste compost in organic production systems under the National Organic Program (NOP) regulations.

2. Scope

This guidance applies to National Organic Program (NOP) certifying agents and all certified and exempt organic producers.

3. Background

The Organic Foods Production Act of 1990 (OFPA), 7 U.S.C. Section 6501, *et. seq.*, as amended, as implemented in 7 CFR Part 205, the NOP Final Rule, regulates the production, handling, processing, and labeling of all raw or processed agricultural products to be sold, labeled, or represented as organic in the United States.

The NOP regulations support the use of composted plant and animal materials to maintain or improve soil organic matter. According to § 205.203(c):

“The producer must manage plant and animal materials to maintain or improve soil organic matter content in a manner that does not contribute to contamination of crops, soil, or water by plant nutrients, pathogenic organisms, heavy metals, or residues of prohibited substances.”

In 2009, the California Department of Food and Agriculture (CDFA) found bifenthrin residues in samples of three different commercial green waste composts. Bifenthrin is a synthetic pyrethroid insecticide that is prohibited under the NOP regulation. Acting under their authority as a State organic program and under advisement from the NOP, CDFA advised organic producers and accredited certifying agents in California that these three green waste composts were not allowed to be used in organic crop production.

In the fall of 2009, the NOP sent a draft policy to accredited certifying agents that addressed pesticide residues in compost. We received six comments, all of which urged the NOP to take an alternative approach. In January 2010, a meeting was held in Monterey, California to discuss the draft policy and other alternatives.

In March 2010, the NOP received compost test results from CCOF, an accredited certifying agent. Samples were collected from crop fields where green waste compost had been applied in July 2009, at the rate of 5-6 tons per acre. The green waste compost had been tested in December 2009 and showed



bifenthrin residues of 0.09 ppm. Bifenthrin residues were not detected in any of the soil or crop samples, collected in February 2010, at a limit of detection of 0.01 ppm.

After considering comments and the sample results, the NOP is providing this information to certifiers, certified producers and other interested parties concerning the use of green waste and green waste compost in organic production systems.

4. Policy

For the purpose of this guidance, the following definitions shall apply:

Green waste: Biodegradable waste that can be composed of garden or park waste, such as grass or flower cuttings and hedge trimmings, as well as domestic and commercial food waste. Green waste is often collected in municipal curbside collection schemes or through private waste management contractor businesses.

Feedstocks: Bulk raw materials that are mixed together during the composting process.

Approved feedstocks for compost include:

1. Plant and animal materials, such as, crop residues, animal manure, food waste, yard waste;
2. Nonsynthetic substances not prohibited by § 205.602;
3. Synthetic substances specifically allowed for use as a compost feedstock per § 205.601.

Compost that is produced with prohibited feedstocks such as urea, recycled wallboard, or sewage sludge is prohibited. The NOP does not allow the use of compost that contains synthetic substances that are not on the National List. Section 205.203(e) states:

“The producer must not use: (1) Any fertilizer or composted plant and animal material that contains a synthetic substance not included on the National List of synthetic substances allowed for use in organic crop production;”

However, the NOP regulations were established with recognition that background levels of synthetic pesticides may be present in the environment and, therefore, may be present in organic production systems. This is referred to as unavoidable residual environmental contamination (UREC) in the regulations. Furthermore, the NOP standards are process based and do not mandate zero tolerance for synthetic pesticide residues in inputs, such as compost. Compost that is produced from the approved feedstocks, listed above, is acceptable for use in organic production, provided that any residual pesticide levels do not contribute to the contamination of crops, soil or water.

Green waste and green waste compost that is produced from approved feedstocks, such as, non-organic crop residues or lawn clippings may contain pesticide residues. Provided that the green waste and green waste compost (i) is not subject to any direct application or use of prohibited substances (i.e. synthetic pesticides) during the composting process, and (ii) that any residual pesticide levels do not contribute to the contamination of crops, soil or water, the compost is acceptable for use in organic production.



5. References

§ 205.2 Terms Defined

Compost. The product of a managed process through which microorganisms break down plant and animal materials into more available forms suitable for application to the soil. Compost must be produced through a process that combines plant and animal materials with an initial C:N ratio of between 25:1 and 40:1. Producers using an in-vessel or static aerated pile system must maintain the composting materials at a temperature between 131 °F and 170 °F for 3 days. Producers using a windrow system must maintain the composting materials at a temperature between 131 °F and 170 °F for 15 days, during which time, the materials must be turned a minimum of five times.

Other Definitions

Green waste: Biodegradable waste that can be composed of garden or park waste, such as grass or flower cuttings and hedge trimmings, as well as domestic and commercial food waste. Green waste is often collected in municipal curbside collection schemes or through private waste management contractor businesses.

Feedstocks: Bulk raw materials that are mixed together during the composting process.

Organic Foods Productions Act (1990 as amended)

7 U.S.C. 6501, et seq.

NOP Regulations (as amended to date)

7 CFR § 205.203 Soil fertility and crop nutrient management practice standard.

(c) The producer must manage plant and animal materials to maintain or improve soil organic matter content...

(e) The producer must not use:...

7 CFR § 205.601 Synthetic substances allowed for use in organic crop production.

7 CFR § 205.602 Nonsynthetic substances prohibited for use in organic crop production.

Approved on July 22, 2011

From: [McEvoy, Miles - AMS](#)
To: ["Jean Richardson"](#)
Subject: OMRI newsletter re iodine
Date: Friday, June 26, 2015 9:00:41 AM
Attachments: [Newsletter-Summer-2015.pdf](#)

Miles McEvoy
Deputy Administrator
National Organic Program

From: [Jean Richardson](#)
To: [Chuck Ross](#)
Bcc: [McEvoy, Miles - AMS](#)
Subject: Fwd: Organic at NASDA meeting
Date: Saturday, August 30, 2014 10:13:09 AM

Hi Chuck

This is to introduce you to Betsy Rakola from AMS

I have worked with her a bit in my capacity as an inspector, and also as NOSB Chair. It would be great if we can ensure that Betsy meets all the right people at the NASDA meeting, so I thought that I would forward her message to you.

Cheers,
Jean

Begin forwarded message:

From: "Rakola, Betsy - AMS" <Betsy.Rakola@ams.usda.gov>
Date: August 27, 2014 9:34:23 AM EDT
To: Jean Richardson <[REDACTED] (b) (6)>
Subject: RE: Organic at NASDA meeting

Hi Jean,

Thanks again for chatting this morning. I'll be at the NASDA meeting all day Thursday the 11th and most of Friday the 12th, leaving around 3:30. As the new Organic Policy Advisor, my priorities are to integrate organic throughout USDA programs, ensure that USDA implements Farm Bill programs for organic, and increase education and outreach with the goal of growing the organic sector.

I'm hoping to connect with stakeholders at the NASDA meeting, both public and private, to learn about their interests. We've also had some challenges getting states re-enrolled in the organic certification cost share program, so I'll be plugging that as well.

Best,

Betsy Rakola

Organic Policy Advisor, USDA Agricultural Marketing Service
Tel 202-604-5693
www.usda.gov/organic

From: Jean Richardson [mailto:[REDACTED] (b) (6)]
Sent: Tuesday, August 26, 2014 7:22 AM
To: Rakola, Betsy - AMS
Subject: Re: Organic at NASDA meeting

Hi Betsy

happy to chat
Does Wednesday morning this week work for you?
Say 9 am?
call my home land line: (b) (6)
Jean

On Aug 25, 2014, at 1:08 PM, Rakola, Betsy - AMS wrote:

Dear Jean,

I hope you're doing well. We met briefly in April during a witness inspection of Highland Sugarworks in Websterville, and I recently shifted to a new role as the USDA Organic Policy Advisor. I'll replace Mark Lipson once his term ends in September, and we'll overlap until then.

Miles has asked me to attend the NASDA meeting in a couple of weeks to connect with you and other stakeholders, as well as to learn about the group's work. It would be great to talk with you briefly to find out what the hot topics are at the meeting. Do you have 15 minutes free sometime this week or next?

Best regards,

Betsy Rakola
Organic Policy Advisor
USDA Agricultural Marketing Service
1400 Independence Ave., SW
Washington, DC 20250-0268
Tel 202-604-5693
Fax 202-205-7808
betsy.rakola@ams.usda.gov
www.usda.gov/organic

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Fwd: Org hydro update
Date: Sunday, March 15, 2015 1:12:37 PM

FYI
Jean

Begin forwarded message:

From: Dave Chapman <(b) (6)>
Date: March 15, 2015 1:05:55 PM EDT
To: Abby Youngblood <abby@nationalorganiccoalition.org>, Bill Duesing <(b) (6)>, Adan Martinez <(b) (6)>, Adrienne Wojciechowski <adrienne_wojciechowski@judiciary-dem.senate.gov>, Amigo Bob Cantisano <(b) (6)>, Andrew Brait <andrew@fullbellyfarm.com>, "Baird, Joel" <joelbaird@burlingt.gannett.com>, Barbara Damrosch <barbara@fourseasonfarm.com>, "Brat, Ilan" <Ilan.Brat@wsj.com>, Claudia Henrion <(b) (6)>, Cornucopia <cultivate@cornucopia.org>, Dave Rogers <dave@nofavt.org>, Davey Miskell <misktome@gmavt.net>, David Parvey <(b) (6)>, Dru Rivers <dru@fullbellyfarm.com>, Eliot Coleman <eliot@fourseasonfarm.com>, Elizabeth Wolf <ewolf@cornucopia.org>, eric sideman <esideman@mofga.org>, Grant Brians <sales@heirloom-organic.com>, Jack Kittredge <jack@mhof.net>, James Brackett <(b) (6)>, Janet Wilkinson <janet.wilkinson@nofanh.org>, Jay Feldman <jfeldman@beyondpesticides.org>, Jean Richardson <(b) (6)>, Jean-Paul Courtens <jeanpaul@roxburyfarm.com>, Karl Hammer <soil@vermontcompost.com>, Liana Hoodes <liana@nationalorganiccoalition.org>, Lynn Klarich <dancing@dr.com>, Maarten Samsom <(b) (6)>, Michael Ableman <m.ableman@fieldsofplenty.com>, Nicole Dehne <nicole@nofavt.org>, Robert Karp <robert.karp@biodynamics.com>, Sam Welsch <sam@onecert.com>, Steve Gilman <(b) (6)>, Steve Sprinkler <(b) (6)>, Vern Grubinger <vernon.grubinger@uvm.edu>, Vernon Peterson <vernon@abundantharvestorganics.com>, Will Brinton <will.brinton@woodsend.org>, zea <zea@well.com>
Subject: Org hydro update

Hi all,

It has been an eventful few weeks since I sent out the last update. I have gotten a wave of response from my letter, and I am sharing just a few notes from others at the bottom of this letter.

Several of you have written Miles urging him to change the criteria for membership on the task force. You asked it to be a more honest representation of the organic community. So far he has declined. I fear that even if Miles does change the official criteria, he has shown where his true intentions lie, and he will pack the task force with hydroponic advocates. A much better way to go forward would be for Miles to send the 2010 recommendation back to the NOSB for clarification on the points that he finds too vague. The NOSB was also hand picked by Miles and his predecessor, but it certainly is a better representation of the organic community than a cherry picked task force.

I am pleased to hear that the issue is in on the agenda for the next Interstate NOFA council meeting. It is also being put forward for further action by the National Organic Coalition.

And finally, the Cornucopia Institute just issued a white paper and an article in their spring newsletter on the issue of hydroponic organic certification. Check out these links:

<http://www.cornucopia.org/HydroponicsWhitePaper.pdf>

http://www.cornucopia.org/2015/03/hydroponics-organic/?utm_source=news&utm_medium=email&utm_content=3-14-15&utm_campaign=Hydroponics.MORE

It is wonderful to see so many people springing to action on this issue.

Many thanks

Dave Chapman

Begin forwarded message:

From: Abby Youngblood <abby@nationalorganiccoalition.org>
Date: March 12, 2015 10:43:02 AM EDT
To: Steve Gilman <[REDACTED] (b) (6)>
Subject: Re: [NOC-members] Fwd: An update on "organic hydroponic"

Dear Steve,

Thank you so much for this background information - seems like an important issue for NOC to continue to take a stance on for multiple reasons. First, because having hydroponic that is not true to organic principles threatens organic integrity, but also because NOP is disregarding NOSB recommendations here (once again!). I understand Dave's frustration.

Let's add this to our list of topics for the April call....and I will touch base with Steve E. on it as well. Let me know if there are other concrete things you think we should do to support Dave's efforts.

Abby

On Wed, Mar 11, 2015 at 6:13 PM, Steve Gilman < (b) (6) > wrote:

Hello NOC members,

Please spend a few minutes reviewing today's message (at the bottom) from VT farmer Dave Chapman who objected last year to the wave of "certified organic hydroponic tomatoes" from Mexico that he has to compete with in the VT marketplace. You'll recall he's led the charge against some top-down rulings by NOP that ignored NOSB's well-vetted 2010 recommendations -- and are allowing certification of "organic hydroponic".

NOC took up the discussion and last year, after protracted discussion, on Feb 7, 2014 NOC issued a position paper "NOC Position on Hydroponic Production" affirming soil-based organic agriculture and concluded:

"Until a clear definition has been provided by the NOP, certifiers should not be allowed to certify hydroponic systems. Certifiers need to be directed as to which systems may be certified, and which do not meet the criteria and are not eligible for organic certification. NOC urges the NOP to write "NOP Instruction to Certifiers" that leads to Rulemaking. The instruction should include clear criteria that follow the NOSB 2010 recommendation, and adhere to the definition of organic production presented in the Rule. "

However, just recently AMS put out a call for nominations for a Task Force on organic hydroponics (see below). The NOFAs are interested in nominating and gaining support for Dave Chapman as he is very articulate, knowledgeable and highly committed -- and this would be a good way of re-opening the discussion and holding up such rulings to a greater transparency in the public eye.

However, when digging in deeper Dave discovered the fine print reveals that the only farmers eligible to serve on the Task Force are experienced hydroponic growers (!) -- producing a sham board that purposely negates one side of the debate and serves to further legitimize NOP's previous unilateral action to allow the certification of organic ingredient hydroponics.

You'll see in his letter Dave is clearly weary of fighting these organic integrity battles. He also has a farm to run. He is still willing to take this on, however, but needs organic community support -- and some more nominations for soil-based growers to help call the question.

It would be great to put this on the NOC discussion agenda.

Much Thanks,
Steve

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: Oral public comment
Date: Saturday, June 27, 2015 11:34:54 AM

Today?

Sent from my iPhone

On Jun 27, 2015, at 10:04 AM, McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov> wrote:

I spoke with paula. Give a call when you have some time.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

> On Jun 27, 2015, at 9:50 AM, "Jean Richardson" <(b) (6)> wrote:

>

> Hi Miles

> I just had a long conversation with Ed Maltby of NODPA. This was very helpful. He is logical and understands the nuances. He was in DC and met with Anne Alonzo separately apparently as well as with the NOC group etc.

> He had some useful suggestions, one of which will not be popular! But I am agreeing that we should do a Monday evening oral comment public session on the first Monday of the October meeting. So the Monday will be mostly Public oral comment. I explained that I could not force all NOSB volunteers to keep going after a dinner break, till 9 or 10 pm! but we will do it this once so we can get on and complete Sunset and other NOSB work. Michelle will really complain about the workload and I cannot blame her, but just this once.

> I will be drafting some language for "damage control" (so Ed calls it) for springing the Webinar idea on the world this week!!!!

> - He also suggests that we NOSB members should be getting a per diem for our actual time spent, and I agree with that!!!

> More tomorrow when it is raining and I can be at my desk and draft language for the Webinar announcement which should be a joint NOSB/NOP announcement to show that the NOSB is not being controlled by the NOP.

> Cheers

> Jean

>

>

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: Oral public comment
Date: Saturday, June 27, 2015 5:35:15 PM

Ok Paula called
Very pleasant conversation
I am taking her off all sub committees
Call if you want to chat
Jean

Sent from my iPhone

On Jun 27, 2015, at 10:04 AM, McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov> wrote:

I spoke with paula. Give a call when you have some time.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

> On Jun 27, 2015, at 9:50 AM, "Jean Richardson" <[REDACTED] (b) (6) [REDACTED]> wrote:

>

> Hi Miles

> I just had a long conversation with Ed Maltby of NODPA. This was very helpful. He is logical and understands the nuances. He was in DC and met with Anne Alonzo separately apparently as well as with the NOC group etc.

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> Cheers

> Jean

>

>

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#)
Subject: Fwd: Organic down grade question
Date: Tuesday, November 11, 2014 1:12:39 PM
Attachments: [Happy Baby Toddler Milk Ingredients List.tiff](#)
[Happy Baby Toddler Milk.tiff](#)
[A Deep Dive Into Chicken Labels.pdf](#)
[Antibiotics in Poultry Loophole Letter Dec 2013 FINAL.pdf](#)

Hi Miles and Emily
here is what Urvashi Rangan sent me in connection with my question
FYI, Jean

Begin forwarded message:

From: Urvashi Rangan <urangan@consumer.org>
Date: November 3, 2014 8:21:25 PM EST
To: Jean Richardson <[REDACTED] (b) (6)>
Subject: Re: Organic down grade question

Hi Jean,

Thanks for your email and it was also good to see you and your new role as Chair. Max really enjoyed his experience and thank you for welcoming him there. He said he was inspired by I appreciate your concern about the rating downgrade of organic. As you'll see in the detailed record, 100% organic is still highly meaningful but "organic" is now rated as meaningful. So I've given you #1-a link to the full label rating record for USDA organic, #2-an excerpt as to specifically why we downgraded the ratings and #2-a link to our label ratings for poultry production practices and how organic stacks up to other labels in very specific production practice areas. Then there are four attachments:

1. our chicken labels chart--you can see where organic nets out compared to others labels across production practices
2. happy baby toddler formula-front of package
3. happy baby toddler formula-back of package
4. our letter to usda on organic poultry loopholes. They did respond and i can scan and send the letter but it basically says that is an issue for Congress, not them. We disagree but I need more legal analysis there.

I also have some petitions into the FTC on organic personal care products potentially misleading and how USDA should include

As always, I (and Charlotte) would be happy to discuss anything in these records with you or answer questions you have.

Best,
Urvashi

1. <http://www.greenerchoices.org/eco-labels/label.cfm?LabelID=151&searchType=Label&searchValue=organic&refpage=labelSearch&refqstr=label%3Dorganic%26pagenumber%3D5>

2. Recent Inconsistencies Unresolved

Inconsistencies for poultry and eggs: The Organic Foods Production Act of 1990 and the USDA regulations explicitly prohibit continuous total confinement of organic animals, and require that year-round **ACCESS** to the outdoors be granted. However, the USDA has failed to enforce this standard for poultry, and continues to allow a number of industrial-scale producers who have built covered porches as "outdoor access," inaccessible to the majority of the birds, to label their poultry products "organic."

Inconsistencies for personal care and cosmetics: Personal care products can display the USDA Organic seal if they meet all the requirements in the federal organic regulations for food. However, unlike foods, non-food products can claim to be "organic" without being certified to the USDA organic standards, without facing enforcement action from the USDA. (Insert link to Organic personal care product label records) For non-food products, consumers should look specifically for the USDA Organic seal.

Inconsistencies for **ANTIBIOTIC use:** There is a legal allowance for use of **ANTIBIOTICS** in poultry hatcheries, where antibiotics can be administered in the egg and on the first day of the chicks' life.

Inconsistencies for artificial ingredient approval: While artificial ingredients were supposed to be approved for a five-year period and then "sunset," there have been a number of cases where these ingredients have been relisted or their use extended well beyond five years, even when human or environmental concerns have been raised. *Urvashi addition that is not on website but testified that: We have identified an organic toddler formula on the market that has 6 of the ingredients that the NOSB voted down at the Providence meeting.*

On Mon, Nov 3, 2014 at 12:31 PM, Jean Richardson

< (b) (6) > wrote:

Hi Urvashi.

Nice to see both you and Max at the NOSB meeting.

Can you send me the best information that helps me understand the scope of issues that resulted in your down grade of the Organic Seal.

I would like to work on this very serious issue

Many thanks

Jean Richardson

--

Urvashi Rangan, Ph.D.
Director, Consumer Safety and Sustainability
Consumer Reports
101 Truman Avenue
Yonkers, New York 10703
urangan@consumer.org

sign our petition to ban the "natural" label -- www.takepart.com/food-labels

This e-mail message is intended only for the designated recipient(s) named above. The information contained in this e-mail and any attachments may be confidential or legally privileged. If you are not the intended recipient, you may not review, retain, copy, redistribute or use this e-mail or any attachment for any purpose, or disclose all or any part of its contents. If you have received this e-mail in error, please immediately notify the sender by reply e-mail and permanently delete this e-mail and any attachments from your computer system.



shine organic toddler milk: milk drink

Our Happy Tot Grow & Shine Organic is formulated to support your toddler during this vital time in his or her life with organic non-GMO ingredients and specific nutrients for continued development. Our Happy Tot blend provides support for Brain & Eye, Immune System, and Growth & Development - to ensure that your toddler has what it takes to Grow & Shine!

INGREDIENTS: ORGANIC SKIM MILK POWDER, ORGANIC VEGETABLE OILS (PALM OR PALM OLEIN, SOY, COCONUT, HIGH OLEIC (SAFFLOWER OR SUNFLOWER)), ORGANIC GLUCOSE SYRUP SOLIDS, ORGANIC MALTODEXTRIN, LESS THAN 1%: MORTIERELLA ALPINA OIL*, CRYPTHECODINIUM COHNII OIL**, MIXED TOCOPHEROL CONCENTRATE, ORGANIC SOY LECITHIN, VITAMIN A PALMITATE, VITAMIN D (CHOLECALCIFEROL), VITAMIN E (d α -ALPHA TOCOPHERYL ACETATE), VITAMIN K (PHYTONADIONE), ASCORBYL PALMITATE, BETA-CAROTENE, THIAMINE HYDROCHLORIDE, RIBOFLAVIN, PYRIDOXINE HYDROCHLORIDE, CYANOCOBALAMIN, NIACINAMIDE, FOLIC ACID, CALCIUM PANTOTHENATE, BIOTIN, ASCORBIC ACID, CHOLINE CHLORIDE, INOSITOL, CALCIUM CARBONATE, CALCIUM HYDROXIDE, CALCIUM PHOSPHATE, CUPRIC SULFATE, FERROUS SULFATE, MAGNESIUM CHLORIDE, MANGANESE SULFATE, POTASSIUM BICARBONATE, POTASSIUM CHLORIDE, POTASSIUM IODIDE, POTASSIUM PHOSPHATE, SODIUM CITRATE, SODIUM SELENITE, ZINC SULFATE, TAURINE, L-CARNITINE. CONTAINS MILK, SOY, AND COCONUT INGREDIENTS.

* A SOURCE OF ARACHIDONIC ACID (ARA)

** A SOURCE OF DOCSAHEXAENOIC ACID



The Honorable Thomas Vilsack
Secretary of Agriculture
U.S. Department of Agriculture
Jamie L. Whitten Federal Building
1400 Independence Avenue S.W.
Washington D.C. 20250

December 18, 2013

Dear Secretary Vilsack:

Consumers Union, the public policy and advocacy arm of *Consumer Reports*, is writing to share our concerns about the non-therapeutic use in animal agriculture of antibiotics, especially those that are considered critical to human medicine. The U.S. Department of Agriculture (USDA) Organic label is important to consumers who share this concern and who seek meat and other food products from animals that were not treated with antibiotics. We believe, however, that there is a loophole in the standards that needs to be closed in order to protect the public health, and to meet consumer expectations about meat and poultry labeled “organic.”

As you know, the National Organic Program is a marketing program. “Organic” is widely marketed to consumers as meaning “no antibiotics.” Yet while the standards expressly prohibit any animal treated with antibiotics to be sold, labeled or represented as “organic” (*see* 7CFR205.238(c)(1)), the organic law (section 6509(e)(1)) and standards (7CFR205.236(a)(1)) exempt day-old chicks from organic management. It is currently unclear which standard takes precedence, and we urge the agency to clarify the rules that govern the treatment of chicks raised to be sold under the “organic” label.

Currently, one of the most common antibiotics administered to day-old chicks in conventional hatcheries for the prevention of disease is gentamicin. Gentamicin is classified by the World Health Organization as “critically important” for human medicine, as it is the sole therapy or one of few alternatives to treat serious human disease. Its routine use to prevent disease in day-old chicks is disconcerting in any segment of agriculture, but especially when those chicks are raised under organic management after the first day of their lives and eventually sold as “organic.”

We urge USDA to clarify the language in the organic regulations to specifically prohibit the administration of antibiotics to day-old chicks, as well as chicks still in the egg. Due to the prohibition against antibiotic use in virtually all other segments of organic agriculture and the common marketing of “organic” as “no antibiotics used,” consumers expect all organic animals -- including day-old chicks -- to be raised without antibiotics.

Specifically, we urge that the following phrase be added (see bold) as clarification to the standards, 7CFR205.238(c)(1):

(c)The producer of an organic livestock operation must not:

(1)Sell, label, or represent as organic any animal or edible product derived from any animal treated with antibiotics, **including chickens that were treated with antibiotics while in the egg or on day one of their lives**, any substance that contains a synthetic substance not allowed under §205.603, or any substance that contains a nonsynthetic substance prohibited in §205.604

The emergence of antimicrobial resistance is a serious and urgent public health concern. Earlier this year, the Centers for Disease Control and Prevention released a report that notes that 23,000 human deaths could be attributed to the development of antibiotic resistance from overuse of antibiotics, including in agricultural settings.

Organic agriculture is marketed as being part of the solution to this widely recognized public health crisis. The marketing of “organic” as “no antibiotics used” is rooted in the organic standards, which clearly prohibit any animal or animal product from being sold as “organic” if it was treated with antibiotics. Given the current lack of clarity in the standards, consumers need assurance that this prohibition against antibiotics takes precedence and applies to day-old chicks.

Thank you for your consideration of our concerns.

Sincerely,



Urvashi Rangan, Ph. D.
Executive Director
Consumer Reports Food Safety and Sustainability Center

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Fwd: progress on banning organic hydroponic
Date: Friday, January 03, 2014 9:12:01 AM

Hi Miles;

Just an FYI to keep you in the loop on the hydroponic issue. Dave also sent this to Leahy's staff in Vermont as you can see from the list of names below.

Happy New Year,
Jean

Begin forwarded message:

From: Dave Chapman <(b) (6)>
Date: January 2, 2014 12:18:27 PM EST
To: Davey Miskell <misktome@gmavt.net>, Nicole Dehne <nicole@nofavt.org>, David Parvey <(b) (6)>, (b) (6) Chuck Ross <Chuck.Ross@state.vt.us>, Tom Berry <tom_berry@leahy.senate.gov>
Subject: progress on banning organic hydroponic

Hi all,

I haven't sent out an update for quite a while, but we have been busy. I have started two petitions. One is meant for the certified organic farmers in Vermont to show support, and the second is meant for organic consumers everywhere. The petitions have been out for a week, and so far we have gotten 31 farmers, with another 5 farms who wrote me to say they will sign. In the same time we have gotten 126 consumers (mostly Vermonters, although the website shows most of us as living in Maine! It is tracking our server address) who signed. So far this has only gone out to friends, and friends of friends, and it is spreading slowly of its own accord.

Nicole is planning to take our petition to the next meeting of the NOFA Interstate Council. She is also planning to offer a resolution for a vote at the Winter Meeting of the VOF. Based on my conversations with the farmers, I expect a unanimous vote in support of the NOSB proposal. She and Dave Rogers are in touch with the National Organic Coalition, who have offered administrative help from an intern if needed. The NOC is committed to circulating the petitions widely throughout the country. They feel that the timing is perfect on this, and that it is good that the petitions have originated with a farmer, rather than some organization.

Eliot Coleman has expressed strong support, and he is working on a short essay explaining why hydroponic should not be called organic. He is reaching out to friends with powerful voices to help us. Eliot also suggested we get in touch with Ronnie Cummins at the Organic Consumers Association.

Jack Kittredge, editor of The Natural Farmer is on our side. He will run an article on this in the March issue, and he has offered to hand out information about the

petitions at the Mass Winter Conference on January 11th in Worcester, MA.

Jack and Anne Lazor are supporting us. Jack, Eliot, and Jake Guest will share our concerns at the meeting of Organic Farming Elders at Esalen later this month (while sitting in the hot tubs looking out on the Pacific). Jack suggested we also reach out to Mark Kastel at Cornucopia.

It seems to me like we should approach Ronnie Cummins and Mark Kastel soon, but not quite yet. Lets get our stuff together, and work with the more moderate voices first.

The most sobering thing I heard while calling around to Vermont farmers is that Deep Root Organic Coop (based in Johnson, VT) lost \$200,000 to \$300,000 in organic tomato sales in 2013, when Whole Foods decided to switch their New York stores from New England soil grown organic tomatoes to Mexican hydroponic "organic" tomatoes. Our farm lost about \$80,000 in sales to Whole Foods for the same reason as well. This is a clear example of how the influx of hydroponic tomatoes into the organic market has a chilling effect on the development of genuine soil based organic production. The refusal of the NOP to accept the NOSB recommendation is forcing soil grown organic producers out of the business, and taking that choice away from consumers.. These are the very reasons that the organic standards were created in the first place.

Our biggest challenge right now is getting a petition that will allow growers to easily sign their name, correct address, and farm name. The online petitions don't seem to be well set up to track business names. I am working on creating a website that will serve as a place for organic growers to sign a petition, as well as be a clearing house for related information. We are making every effort to have something online by next Wednesday, so Jack can take it to the NOFA Mass conference.

I will talk to Nicole on Friday, to catch up on all this.

Thanks to all of you for your support,

Dave Chapman

From: [McEvoy, Miles - AMS](#)
To: [Robert Mac Stone](#); [\(b\) \(6\)](#); [Zea Sonnabend \(zea@well.com\)](#); [Jennifer Taylor](#); [joe.dickson@wholefoods.com](#); [Jay Feldman](#); [JFoster@ebfarm.com](#); [Harold Austin \(harolda@zirklefruit.com\)](#); [Colehour Bondera \(colemel@kanalanifarm.org\)](#); [CALVIN WALKER](#); [Nick Maravelli](#); [Tracy Favre \(tfavre@favrehouse.com\)](#); [Jean Richardson](#); [Carmela Beck \(carmela.beck@driscolls.com\)](#); [wendy.fulwider@organicvalley.com](#); [Francis Thicke \(fthicke@iowatelecom.net\)](#)
Cc: [Arsenault, Michelle - AMS](#); [Bailey, Melissa - AMS](#); [Lipson, Mark - OSEC](#)
Subject: Production Aids proposal
Date: Thursday, September 05, 2013 6:03:35 AM

Dear NOSB,

The NOSB made a final recommendation in 2005 titled "Re-structure National List to follow OFPA categories." The 2005 NOSB recommendation included 1) a review of the National List to analyze if all substances fall within the OFPA categories; 2) a proposed clarification for the category production aids; and 3) a proposed new model for the restructuring of the National List. The current draft proposal on "definition of production aids" conflicts with the 2005 NOSB recommendation and includes some inaccurate references to OFPA. The proposal also does not provide sufficient justification for revising the previous recommendation. Therefore, the proposal on "definition of production aids" is being removed from the agenda. Thank you for your understanding.

Miles McEvoy
Deputy Administrator
National Organic Program
202-720-3252

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From: [Jean Richardson](#)
To: [Tracy Favre](#); [COLEHOUR BONDERA](#); [Mac Stone](#); [Jennifer Taylor](#)
Cc: [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#); [Arsenault, Michelle - AMS](#)
Subject: PPM edits for June 30
Date: Monday, June 29, 2015 10:14:40 AM

Hi PDS

I have reviewed the June 10 draft and Emily's notes ready for discussion on Tuesday. I would like to suggest we add a few sentences to public comment (this week's hot topic!) to make it more technologically up to date as follows:

Page 31, E

<!--[if !supportAnnotations]--> <!--[endif]-->

--[if !supportLists]-->A. <!--[endif]-->PUBLIC COMMENT

The NOP and NOSB encourage public comment and work collaboratively to increase opportunities for greater participation by a broader range of people, by more pathways, using modern technology wherever possible.

Written Comments: All members of the public are encouraged to submit public comment in writing according to the Federal Register Notice. Advance submissions allow NOSB members the opportunity to read comments in advance electronically, eliminates or decreases the need for paper copies to be distributed during the meeting and allows each NOSB member to review and analyse data and information well ahead of the Public meeting and possible voting. Written comments are provided to NOSB members on "thumb drives" and other computer based technology prior to the Public Meetings.

Oral Comments Pre-Meeting: Opportunities for oral comment may be provided in the format of Electronic meetings/Webinars. Public Notice of such Electronic meetings will be posted according to the Federal Register Notice. Such electronic pre-meetings may allow individuals more time to present their data or information, reduce the need to attend the public meeting in person, reduce our carbon footprint, and give the NOSB more time to absorb the information. Individuals may present oral comment at either a pre-meeting Electronic meeting or at the NOSB Meeting. Such Electronic meetings shall be recorded and made available to the public and to NOSB members.

Oral Comments at the NOSB meeting: All persons wishing to comment at NOSB meetings during public comment periods must, in general, sign-up in advance per the instructions in the Federal Register Notice for the meeting. Persons requesting time after the closing date in the Meeting Notice, or during last minute sign-up at the meeting, will be placed on a waiting list and will be considered at the discretion of the NOP working closely with the NOSB Chair and will depend on availability of time.

<!--[if !supportLists]-->• <!--[endif]-->Persons will be called upon to speak according to a posted schedule. However speakers should allow for some flexibility.

Persons called upon who are absent from the room could potentially miss their opportunity for public comment.

<!--[if !supportLineBreakNewLine]-->
<!--[endif]-->

<!--[if !supportLists]-->• <!--[endif]-->Time allotment for public comment at the NOSB Meeting will be four (4) minutes per person, with the options of reducing to a minimum of three (3) and extending to a maximum of five (5) minutes at the discretion of the NOP working closely with the NOSB Chair in advance of the meeting.

For all public comment sessions:• Persons must give their names and affiliations for the record at the beginning of their public comment.

<!--[if !supportLists]-->• <!--[endif]-->Proxy speakers are not permitted.
<!--[if !supportLineBreakNewLine]-->
<!--[endif]-->

<!--[if !supportLists]-->• <!--[endif]-->Public comment requests may be scheduled according to topic.
<!--[if !supportLineBreakNewLine]-->
<!--[endif]-->

<!--[if !supportLists]-->• <!--[endif]-->Individuals providing public comment shall refrain from making any personal attacks or remarks that might impugn the character of any individual.
<!--[if !supportLineBreakNewLine]-->
<!--[endif]-->

<!--[if !supportLists]-->• <!--[endif]-->Members of the public are asked to define clearly and succinctly the issues they wish to present before the Board. This will give NOSB members a comprehensible understanding of the speaker's concerns.

OK all for this e-mail,

Thank you, Jean

From: [Jean Richardson](#)
To: [Jean Richardson](#)
Cc: [Tracy Favre](#); [COLEHOUR BONDERA](#); [Mac Stone](#); [Jennifer Taylor](#); [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#); [Arsenault, Michelle - AMS](#)
Subject: Re: PPM Board member participation
Date: Monday, June 29, 2015 1:40:01 PM

Hi PDS

Thank you for phone call feed back on how to deal with members who do not participate. I understand that we just have to write the "consequences" into our PPM.

Se here is some proposed language for discussion tomorrow:

Page 13

at the end of the Professional Standards Sections

"Failure to participate: The NOSB typically has a heavy work load and thus active participation by all 15 members is essential to cary out the mandates in OFPA in a professional manner. When one or more member fails to actively participate in Board work the whole NOSB and the organic community is negatively impacted. Thus, when a Board member finds that s/he cannot consistently attend subcommittee meetings, or take on work assignments, or complete subcommittee work in a timely manner, or find that they cannot attend public comment listening sessions, or the biannual public meetings, then the NOSB Chair shall discuss the matter with the Board member, bring the concerns to the attention of the Executive subcommittee, and if necessary encourage the board member to resign."

Thank you

Jean

On Jun 29, 2015, at 11:29 AM, Jean Richardson wrote:

> HI PDS

> In reviewing the PPM in preparation for tomorrow's meeting I am once again struck by the list, page 12-13, Professional Conduct Standards, such as:

> "NOSB Members shall..

> * Participate in meetings...

> * Serve on subcommittees.... and participate in the work...

> * NOT participate in partisan political activities....

>

> So what are the consequences if they do not do as they are expected to do?

> Thank you

> jean

>

>

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: PPM
Date: Tuesday, November 18, 2014 1:13:05 PM

Hi Miles

Today I went through entire PPM with Emily so we can get a next clean copy which could go to all PDS via e-mail. Discussed taking all templates and research appendices into the (New) Member Guide which will become the research guide for members (not just when "new").

Talked to John and will also bring Mac and Tracy up to date

Cheers

Jean

From: [Jean Richardson](#)
To: [Brown Rosen, Emily - AMS](#)
Cc: mac@elmwoodstockfarm.com; [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#)
Subject: Re: PPM
Date: Thursday, January 22, 2015 12:47:55 PM
Importance: High

OK I can do Feb 17 at noon ET right before the next 3 NOSB calls.
Mac please let us know if that is OK for you.
Thank you
Jean

On Jan 22, 2015, at 12:23 PM, Brown Rosen, Emily - AMS wrote:

Hi Jean & Mac,
Miles cannot make the Feb 10 date for PDS due to the Accredited Certifiers training.
However the following week looks good, do any of these times look feasible:
Wed. Feb 18th 1 pm eastern
Wed Feb 18th 2 pm
Tues Feb 17 at 12 noon eastern. (last choice, there are 3 other NOSB calls that day)

We should have an electronic version of the document ready to share before that week.

Emily

[Emily Brown Rosen](#)
[Specialist, Standards Division](#)
[USDA-AMS-NOP](#)
www.ams.usda.gov/nop
609-737-8630 NJ office
(b) (6) cell

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: powerpoint for IOIA Meeting?
Date: Friday, February 27, 2015 8:28:17 AM

Thank you!
Jean

On Feb 26, 2015, at 5:42 PM, McEvoy, Miles - AMS wrote:

> NODPA and NOFA-VT presentations attached.

>

> -----Original Message-----

> From: Jean Richardson [<mailto:> (b) (6)]

> Sent: Thursday, February 26, 2015 10:05 AM

> To: McEvoy, Miles - AMS

> Subject: powerpoint for IOIA Meeting?

> Importance: High

>

> Hi Miles

> In March I am giving a short refresher overview about NOP/NOSB at the IOIA Training in Montana.

> I have all the NOSB New Member training power point slide on a thumb drive, but in reviewing it today there is too much detail.

> Any chance you could send me a thumb drive with your "canned" 15 minute type presentation on power point slides. ?- like the ones you did at NODPA or NOFA This would save me a lot of time.

> Thank you very much

> Jean

>

>

>

>

>

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> <nodpa 2014.pptx><vermont - feb 2015.pptx>

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#)
Subject: Automatic reply: powerpoint for IOIA Meeting?
Date: Friday, February 27, 2015 8:28:18 AM

I am out of the office. Please contact Desiree Lee at 202-720-3252, desiree.lee@ams.usda.gov if you need immediate assistance.

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Political activities
Date: Saturday, May 09, 2015 2:46:28 PM

Hi Miles

Just been editing the PPM and I was reminded that our policies do state " do not engage in partisan political activities" - just think of Paul

FYI

Jean

From: [McEvoy, Miles - AMS](#)
To: [Jean Richardson](#) (b) (6)
Subject: FW: please call...
Date: Thursday, May 24, 2012 12:20:51 AM

I do not plan to talk with him. I'd appreciate your support.
Miles

From: MAK [mailto:(b) (6)]
Sent: Wednesday, May 23, 2012 11:28 PM
To: McEvoy, Miles - AMS
Cc: Miles.McEvoy@usda.gov
Subject: please call...

Dear Miles,

Please give me a call. If you get this message tonight I'll be up for a little while longer. If not, please feel free to call in the morning (if you miss me tonight, and get my voicemail, please leave your number and let me know how early I can call you in the morning).

I started drafting an e-mail to you but didn't like the way it sounded. I think it's important that we talk before I get my next phone call from the New York Times asking me to explain the unfortunate incident that occurred between us.

A couple of the NOSB members were concerned that this could hurt your reputation. And quite frankly, I for one don't want that to happen.

Mark

(b) (6)

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From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: phone check in
Date: Tuesday, March 31, 2015 11:03:16 AM

Friday sounds good

On Mar 31, 2015, at 10:55 AM, McEvoy, Miles - AMS wrote:

- > Wasn't sure if you were traveling on Monday. Friday will work for me this week unless we need to talk sooner.
- > Warm here today.
- > Miles
- >
- > -----Original Message-----
- > From: Jean Richardson [[mailto:](#) (b) (6)]
- > Sent: Tuesday, March 31, 2015 10:22 AM
- > To: McEvoy, Miles - AMS
- > Subject: phone check in
- >
- > Hi Miles
- > Not sure if I missed your Monday call?
- > I was flying back from an excellent IOIA meeting in Montana.
- > Lars did a great job.
- > Are we doing Monday or Friday calls at present?
- > Still snowing in Vermont!
- > Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Cc: [Zea Sonnabend](#); [Mac Stone](#); [John Foster](#)
Subject: PDS Work Agenda Item request
Date: Wednesday, October 22, 2014 5:44:29 PM

Hi Miles

I have received a request from Zea, Chair of Crops Subcommittee, and Inerts Working Group, that the newly reactivated PDS develop a censure policy for its own Board members.

I request that this item be added to the PDS Working Agenda

(I have been following the debate on replacing the problematic word "Workplans" with "Agenda" and thought I would try Working Agenda!)

Thank you

Jean

From: [Jean Richardson](#)
To: [Jay Feldman](#)
Cc: [Mac Stone \(mac@elmwoodstockfarm.com\)](#); [John Foster](#); [Nick Maravell](#); [McEvoy, Miles - AMS](#); [Arsenault, Michelle - AMS](#); [Brown Rosen, Emily - AMS](#)
Subject: Re: PDS Tuesday at 3 pm ET
Date: Monday, October 13, 2014 9:09:00 PM

Hi Jay
Yes this meeting will be brief
Jean

Sent from my iPhone

On Oct 13, 2014, at 8:02 PM, Jay Feldman <jfeldman@beyondpesticides.org> wrote:

Jean,

I thought that we were going to get an agenda ahead of time. I was also under the impression (I may be mistaken) that we would get some basic guidelines ahead of time as to the range of the activities/issues on which the program wants to collaborate with the NOSB. As you know, the NOSB and public was told that NOP was taking over the PPM and would assemble the NOSB on an ad hoc or as needed basis --you point this out in your September email. Is that no longer the case? I would like to see something in writing that clarifies this, if there is a change. I don't know how others feel, but any time I have these days is devoted to reading public comments, so I would hope that this would be a substantive and meaningful meeting.

Below, you'll see my email in response to your September note on a possible PDS meeting, as requested by NOP. As you know, I had several questions for which I did not receive a response. (Please see below.) I was hoping for some sort of answer.

Onward,
Jay

On 10/13/2014 7:09 PM, Jean Richardson wrote:

Hi Everyone
I have not received any material from NOP but am still planning on holding the PDS call at 3 pm ET to discuss reactivation etc. No Agenda per se.

Jean

----- Original Message -----

Subject:Re: NOSB-Re-activate PDS

Date:Tue, 02 Sep 2014 10:25:06 -0400

From:Jay Feldman <jfeldman@beyondpesticides.org>

Organization:Beyond Pesticides

To: Jean Richardson <(b) (6)> Mac Stone
<(b) (6)> John Foster <jfoster@ebfarm.com>,
Nick Maravell <(b) (6)>
CC: Michelle - AMS Arsenault <Michelle.Arsenault@ams.usda.gov>,
"Emily.BrownRosen@ams.usda.gov Brown Rosen"
<emily.brownRosen@ams.usda.gov>

Hi Jean,

As you know, I've always believed in the importance of the PDS and collaboration with NOP and the broader organic community. It is my suggestion that before asking for the PDS to be reconvened, the NOSB should know the terms under which the NOP will allow it to function. What authorities will be under the jurisdiction of the NOSB (e.g. elements of the PPM)? What areas of the PPM are no longer under the jurisdiction of the NOSB? I would like to see a side-by-side comparison of what the NOSB was authorized to do previously (before the Sept 16, 2013 FR notice and the period leading up to it) and what the NOP envisions it doing now. What criteria will be applied by NOP in making determinations contrary to the NOSB recommendations? I'm all for talking, but NOSB members are extremely busy people and I would guess that there is not a lot of time for spinning wheels.

I believe that these questions and more could be easily answered before trying to reconvene the PDS. Do others have questions? Once the questions are answered (email would work), then NOSB could make a more informed judgement on whether such an effort could be productive.

Thanks for your efforts.

Jay

On 9/1/2014 1:53 PM, Jean Richardson wrote:

Hi PDS members:

As you know, the NOP, having taken over the PPM in February this year, has been working over the last few months to make some comprehensive updates, change the format, and reflect changes made to the COI policy and Sunset.

In recent conversations with Miles the NOP appears to have come to realize that a more collaborative effort, working with the PDS, might make more sense for the best long term results for the organic community as a whole. So this e-mail is to ask the PDS if you would like me to request the NOP to re-activate the PDS, and place the PPM and New Member Guide back on the PDS Workplan and call for a joint NOP /PDS conference call to clarify roles and responsibilities.

Please "reply all" and let me know how you would like me to proceed.

Thank you
Best regards,
Jean

--

Jay Feldman | jfeldman@beyondpesticides.org

Executive Director

Beyond Pesticides

701 E Street, SE

Washington DC 20003

www.beyondpesticides.org

(202) 543-5450 | fax (202) 543-4791

From: [Jean Richardson](#)
To: [Arsenault, Michelle - AMS](#)
Cc: [McEvoy, Miles - AMS](#)
Subject: PDS next meeting
Date: Thursday, October 16, 2014 4:24:41 PM

Michelle

Can you send out time of next meeting of PDS. Monday 3-4 pm.

I do note however that Miles is scheduled on the NOC agenda then, but we should be able to move that.

Check with Miles first of course.

Thank you

jean

From: [Jean Richardson](#)
To: [Brown Rosen, Emily - AMS](#)
Cc: [Tracy Favre](#); [Colehour Bondera](#); [Arsenault, Michelle - AMS](#); [Jennifer Taylor](#); [McEvoy, Miles - AMS](#); [Mac Stone \(mac@elmwoodstockfarm.com\)](#)
Subject: Re: PDS meeting cancelled
Date: Tuesday, June 09, 2015 12:54:41 PM

Hi Emily

I like the way we are working on this collaboratively between the NOP and NOSB. I think we will have a a good document and am sure we will get it all done in time for posting.

Thank you

Jean

On Jun 9, 2015, at 10:23 AM, Brown Rosen, Emily - AMS wrote:

Hi all,

Sorry I did not get to finish compiling the latest version in time, it proved to be more complex task than I thought. I agree we should postpone. I will try and finish today/tomorrow and also draw up a list of items that need discussion, based on comments so far.

Thanks,

[Emily Brown Rosen](#)
Specialist, Standards Division
USDA-AMS-NOP
www.ams.usda.gov/nop
609-737-8630 NJ office
[REDACTED] cell

-----Original Message-----

From: Tracy Favre [mailto:tfavre@favrehouse.com]
Sent: Tuesday, June 09, 2015 10:16 AM
To: Jean Richardson
Cc: Colehour Bondera; Brown Rosen, Emily - AMS; Arsenault, Michelle - AMS; Jennifer Taylor; McEvoy, Miles - AMS; Mac Stone (mac@elmwoodstockfarm.com)
Subject: Re: PDS meeting cancelled

Yes that's my understanding too. In fact on our last call we confirmed we were waiting to get the draft edits back before further discussion.

Colehour if you'd like to take a start on language for the "remote vote" (shorthand language only. Lol) please do so. Otherwise I will assume it's not a priority over the general content. Thanks!

T

Sent from my iPhone

> On Jun 9, 2015, at 8:56 AM, Jean Richardson < (b) (6) > wrote:

>

> Hi Colehour.

> My PDS notes indicate that we had agreed that instead of circulating an ever more complex PPM document with lots of track changes we would send in our edits to Emily and she would compile the next version to circulate. That way we have a version that is always clean enough to read and re-edit. That seems to be working well. I think we are making good progress on the PPM. Hopefully we can get it out for public comment for the fall meeting and complete our work right after the meeting.

> But of course Sunset takes precedence.

>

> And in regards the issues you raise on other topics you could propose some specific language for us to review and discuss.

>

> Thank you

> Jean

>

>> On Jun 8, 2015, at 8:36 PM, Colehour Bondera wrote:

>>

>> Aloha PDS,

>>

>> While I will not make a formal "objection", I am sad to see that this monthly meeting is postponed another month...

>>

>> Further, as former PDS Chair for two years, and 4.5 years on the NOSB, our role (both the PDS and the whole NOSB) is not to wait, prioritize based upon, and react to NOP at their schedule, but rather to develop our agenda (including getting it "approved") and work towards attainable goals.

>>

>> There are items on the PDS Agenda that do not require working through the changes that are to be proposed for the "existing" NOSB PPM, and it is our responsibility to ensure that these do not fall by the wayside as the NOP input to the past PPM is in process.

>>

>> There is (for example only) the subject that was brought up in terms of information being shared outside of the NOSB when being considered within a subcommittee, and then there is the concept of some unstated policy which would permit voting during a public NOSB meeting when not physically present. Those two example of "new" areas of the PPM (along with the others I have not reviewed in order to mention) could and should be getting attention so that our internal policy duties are kept up with while we all continue forth with our other duties (which we all are very busy with during this "sunset" period, I full well know!)

>>

>> That said, do consider how we might meet (if not tomorrow then at a postponed

date/time, for which we all might have a chance to prepare) during June despite delays.

>>

>> Thanks for listening,

>>

>> Colehour

>>

>>> On Jun 8, 2015, at 10:56 AM, Tracy Favre wrote:

>>>

>>> Folks,

>>> As we don't have the latest version of the PPM for discussion tomorrow, I propose that we cancel the PDS meeting. Please let me know if there are any objections to that.

>>> Tracy

>

>

From: [Jean Richardson](#)
To: [Arsenault, Michelle - AMS](#)
Cc: [McEvoy, Miles - AMS](#); [Tucker, Jennifer - AMS](#); [\(b\) \(6\)](#); [Maravell](#); [Mac Stone](#); [John Foster](#); [jfeldman@beyondpesticides.org](#); [Feldman](#); [Brown Rosen, Emily - AMS](#)
Subject: PDS conference call
Date: Monday, August 18, 2014 8:11:36 AM

Hi Michelle

It does not look like we can have all members of the PDS and NOP on the call tentatively scheduled for August 28. May I suggest that we try to see if we can find a day/time September 5 (after noon), 12, 15, 16, 17, 18, 19, 22, 23 Perhaps you could do a doodle poll this morning. That might be the fastest way given the complexities of everyone's schedules.

Thank you

Jean

From: [Jean Richardson](#)
To: [Colehour Bondera](#)
Cc: [Tracy Favre](#); [Stone, Mac \(AGR\)](#); [Jennifer Taylor](#); [Arsenault, Michelle - AMS](#); [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#)
Subject: Re: PDS Agenda and Roberts Rules
Date: Monday, May 11, 2015 7:33:14 AM

Dear Colehour

(b) (6)

Best Regards

Jean

On May 11, 2015, at 6:01 AM, Colehour Bondera wrote:

- > Thank you so much for the reply, Jean. No need to talk about this beforehand, but I wanted to put forth relevant thoughts for serious consideration before Tuesday.
- >
- > While I do not hold a law degree, it is of serious concern that in none of the mix (OFPA, FACA, NOP, PPM, Roberts' Rules or Tradition) which you cited is it clear how the conclusion reached at the meeting was so acted upon. Where in OFPA, FACA, NOP, PPM, Roberts' Rules, or Tradition does such a citation/reference exist? Since as I put in the public record it is otherwise so stated on page 423 of Roberts Rules, the reference in question must exist somewhere to over-ride Roberts Rules, right?
- >
- > If we can be called on to follow Roberts Rules during a meeting due to proper process (which was about to happen by Lisa when I attempted to request sending the petition vote back to committee for further consideration, as it was done in a manner that was not following the Roberts' Rules protocol, which is how such actions have traditionally been acted upon at the NOSB meetings), what is being used for determination with the decision made at our meeting in La Jolla regarding voting while not present, and how can that be advised for equality of the NOSB past, present and future?
- >
- > What appears as arbitrary and capricious decision making would mean that the conclusions reached are not able to stand on their own. Both the NOSB and the NOP can and should want for conclusions reached to be able to hold their own upon review by an outsider. The public is who we are representing and the public must not have fundamental questions about how conclusions were reached.
- >
- > As the NOSB Chair, it is clear and obvious that actions would never be taken by you in order to seek votes for one perspectives' conclusions, since your role is to represent all of us and to be sure that we are all treated as equally respected players. While I will bring up the question suggested on the PDS, is it to be open as a discussion, or has it actually already been decided upon, and NOSB members do not need to be treated with equality in terms of who is listened to and facilitated, and who is simply ignored?
- >
- > Votes cannot be stood behind if they were not take following a process that we all agreed upon before casting our votes. My desire is to work together as a group of equals all of whom have the same decision making power and respect, with the decisions made being ones that we all will stand behind because of due process. Discrimination is of concern since the whole must strive towards equality, or we simply cannot fairly do our work.
- >
- > Sincerely,
- >
- > Colehour
- >

>

> On May 8, 2015, at 3:07 AM, Jean Richardson wrote:

>

>> Hi Colehour

>> You may wish to bring this up on the next PDS. As I stated in public at the beginning of both the October and April NOSB Meetings, the NOSB operates with an interesting mix of OFPA, FACA, NOP, PPM, Roberts Rules and Tradition ! As Chair I must admit I find it quite fascinating!

>> Thank you

>> Jean

>>

>>

>>

>>

>> On May 6, 2015, at 6:49 PM, COLEHOUR BONDERA wrote:

>>

>>> Aloha PDS -

>>>

>>> Since there is an ES call on Friday, it is in the interest of the NOSB (and the NOP) that I request that the PDS Agenda (formerly "Workplan") be added to (and receive endorsement from the ES on the call and from the NOP) for the immediate future to review the use of Roberts Rules for the public meeting processes.

>>>

>>> That has been my understanding of the default, and we have an NOP staff member at the meetings who is to provide the parliamentary process based on Robert's Rules to ensure those basics. However at the recent meeting Roberts Rules was over-ridden by the Chair (with NOP support), and that suggests that there should be something in the PPM which, with full transparency, states the meeting procedures, so that NOSB members and the public are fully aware in advance of decisions.

>>>

>>> (As former PDS Chair it is not at all clear to me that having the NOP call the OGC is somehow the deciding factor - in the PPM or anywhere else [including FACA] - if Roberts Rules is not preferred or required for determination by those is decision-making roles at any particular moment).

>>>

>>> Please seriously consider the concept of equality and fairness in terms of ensuring that future NOSBs are consistently following the same protocol which are now in the record of a decisive voting process, set with no precedent.

>>>

>>> Sincerely,

>>>

>>> Colehour

>>

>

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Re: PDS
Date: Tuesday, February 11, 2014 9:06:44 PM

Yes spring meeting

Sent from my iPad

On Feb 11, 2014, at 7:52 PM, "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov> wrote:

- > Yes, good idea. You would do this at the NOSB spring meeting, correct?
- >
- > Miles V McEvoy
- > Deputy Administrator
- > National Organic Program
- >
- > -----Original Message-----
- > From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)
- > Sent: Tuesday, February 11, 2014 9:59 AM
- > To: McEvoy, Miles - AMS
- > Subject: PDS
- >
- > Hi Miles
- > From a public perception point of view might it be useful for me to give an informal report on the changed status of the PD Subcommittee?
- > This would allow members of the public to have an opportunity to voice their concern over checks and balances.
- > I have received a number of e-mails and phone calls on this issue, as you may imagine.
- > My primary concern is that we must ensure that we do not allow the misperception that the integrity of the organic label is endangered by the recent NOP interpretation of FACA.
- > Jean
- >
- >
- >
- >
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- >

From: [Jean Richardson](#)
To: [Brown Rosen, Emily - AMS](#)
Cc: [McEvoy, Miles - AMS](#); [Mac Stone](#); [Tracy Favre \(tfavre@holisticmanagement.org\)](#); [FAMU Register](#); [Colehour Bondera](#)
Subject: PDS
Date: Monday, March 09, 2015 6:07:08 PM

Hi Emily - in addition to updating us on the PPM tomorrow on PDS, could you give us some history on Minority Opinions as you recall - when they came in to NOSB and how they have been used.

So far I have had no luck finding any other FACAs that use them

Thanks Jean

From: [Jean Richardson](#)
To: [McEvoy, Miles - AMS](#)
Subject: Paula D
Date: Monday, June 22, 2015 4:37:42 PM

Miles,
Fyi
Jean

Sent from my iPhone

Begin forwarded message:

From: Zea Sonnabend <zea@well.com>
Date: June 22, 2015 at 12:17:02 PM EDT
To: Paula Daniels <(b) (6)>
Cc: Michelle - AMS Arsenault <Michelle.Arsenault@ams.usda.gov>, Emily - AMS Brown Rosen <Emily.BrownRosen@ams.usda.gov>, Jean Richardson <(b) (6)>
Subject: **Re: my drafts for the Crops review of Sucrose Octanate Esters and Vit D3**

Hi Paula,
I think you should send these out to the group anyway, so at least we can keep the agenda moving along.

However, you didn't use the template I sent you so I would have to transfer it, and you didn't follow the format of the ones the others use because you have to say something about the public comment; even if there was none you need to say that no new information came in.

I would still like to speak with you on the phone about your future participation, but if the rest of your time is this connected, I suggest that resigning now is a good idea so that your position can possibly be filled in the next round of appointments. We need members to not only do the assignments, but be informed voters on all the issues. A leave of absence only drags the rest of us down for that period when we are trying to work one member and one vote short.

Regards,
Zea

On Jun 21, 2015, at 6:22 PM, Paula Daniels wrote:

Hello all; I'm attaching my drafts for the committee discussion on Tuesday, with apologies in advance. I haven't been able to pay attention to the details of what is needed and I'm not sure if this is what need from us for these materials, at this juncture.

It's basically a cut and paste of my review notes from the last round. I don't recall any public comment. I opened the public record document but it is not a

searchable database and I have to confess that I simply do not have the time to search it page by page, at this point in time.

I am probably going to have to resign or at a minimum take an official leave of absence for the rest of the year as I will not be able to devote the time that this requires, for reasons I've mentioned to you separately.

I'm sending this to you as drafts now in case there are any glaring errors I should try to fix before Tuesday. Thanks for any help, and sorry about all this.

<CS 2017 Sunset Sucrose Octanate Esters.docx>

<CS 2017 Sunset Vit D3.docx>

Paula

~~~~~

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Parliamentarian  
**Date:** Saturday, October 04, 2014 11:05:59 AM

---

Hi Miles  
at the IOIA Advanced Training.  
Jim Pierce feels we should for sure have a Parliamentarian. It has been done in the past.  
We may need to hire one. He expects a lot of motions  
Jim will be making comments and trying to help set a positive tone

Mathew Michaels made an excellent presentation.

Thanks Jean

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Parliamentarian  
**Date:** Wednesday, October 22, 2014 12:40:29 PM

---

Hi Miles

If Jay hires his personal Parliamentarian I would like NOP legal advice on how to deal with that situation. Can you check with someone so we are prepared.

(I of course have my opinion!)

Thank you

Jean

**From:** [Jean Richardson](#)  
**To:** [Tracy Favre](#)  
**Cc:** [Calvin Walker](#); [Mac Stone](#); [ashley@arkansasegg.com](mailto:ashley@arkansasegg.com) [Swaffar](#); [Bondera Colehour](#); [Thicke Francis](#); [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#); [Arsenault, Michelle - AMS](#)  
**Subject:** Re: Parasiticides-Discussion Document  
**Date:** Monday, July 20, 2015 4:14:35 PM

---

There are some edits needed on the Parasiticides document and I am tied up right now so we can wait on that

Sent from my iPhone

On Jul 20, 2015, at 12:47 PM, Tracy Favre <tfavre@favrehouse.com> wrote:

Again, let's put this on tomorrow's call and if we get to it, great.  
thanks  
T

> On Jul 19, 2015, at 8:23 AM, Jean Richardson <(b) (6)> wrote:

>

> Hi LS

> Here is a draft of what I would suggest we send out in regards parasiticides.

> We have the new TR and all sorts of interesting new data since these materials were last reviewed.

> There is broad support amongst stakeholders that we need to look at parasiticides again.

> There was o science behind the Withholding period.

> Moxidectin is incorrectly annotated based on an error at the time of listing.

> We may of course vote to eliminate Ivermectin in Fall but it still needs to be in this document

> We have the continued request from Sheep producers over many years to be able to sell their fleece as organic. ...

> So this document is a Discussion Document to get some public input in response to questions.

> We could then have a Proposal for NOSB vote in April next year.

>

> Your perspectives and ideas would be most appreciated.

> We can put this on any day you wish Tracy.

> Thank you

> Jean

>

> <Prasiticides Annotation change.docx>

**From:** [Jean Richardson](#)  
**To:** [Bradley, Mark - AMS](#)  
**Cc:** [McEvoy, Miles - AMS](#); [Tracy Favre](#); [Mac Stone](#)  
**Subject:** Re: Organic wild harvested fish  
**Date:** Wednesday, October 08, 2014 11:53:37 AM

---

Such was the discussion!  
But they want to try to make their case!  
I suggested they talk with Jim Pierce before doing anything more.

On Oct 8, 2014, at 11:42 AM, Bradley, Mark - AMS wrote:

> The notion of certifying wild fish under 205.207 stops with the definition of wild crop. It is limited to plants.  
> While persistent effort is admirable, they need to understand that WSDA or OTCO do not have the option to certify wild caught fish as organic under our regulations.

>

> -----Original Message-----

> From: Jean Richardson [[mailto: \[REDACTED\] \(b\) \(6\)](#)]

> Sent: Wednesday, October 08, 2014 9:09 AM

> To: Bradley, Mark - AMS

> Cc: McEvoy, Miles - AMS; Tracy Favre; Mac Stone

> Subject: Re: Organic wild harvested fish

>

> Ok let's sit back and see where this goes.

> They seem pretty serious about getting it to work Jean

>

> Sent from my iPad

>

>> On Oct 8, 2014, at 8:54 AM, "Bradley, Mark - AMS" <Mark.Bradley@ams.usda.gov> wrote:

>>

>> My check-in with the AMS LPS Process Verified team was met with a less-than-enthusiastic response. While they have dealt with fish processing for school lunch programs, they consider certifying the actual fisheries to be outside their area of expertise. They would prefer to refer them to the U.S. Marine Fisheries Service to possibly develop a program.

>>

>> -----Original Message-----

>> From: Jean Richardson [[mailto: \[REDACTED\] \(b\) \(6\)](#)]

>> Sent: Tuesday, October 07, 2014 5:10 PM

>> To: Bradley, Mark - AMS; McEvoy, Miles - AMS; Tracy Favre; Mac Stone

>> Subject: Organic wild harvested fish

>>

>> Hi Everyone

>> I just spent an hour or so on the phone with Dennis Moran, Mike Szymanski and Arne Fuglov of Alaska and Seattle . They want to have USDA organic certification for wild caught deep water fish from a highly regulated part of the Bering Sea.

>>

>> I explained how USDA organic certification works, certifiers, inspectors, OSP's etc. etc I suggested they instead use the AMS LPS Process Verified Program etc. (as Mark suggested).

>> They do not want that.

>>

>> We discussed the Wild crop harvesting practice standard 205.207 as it might be applied to mushrooms, blueberries, maple sap for example. - I described wild crop OSP and an approved management plan etc. They like that idea.

>>

>> I explained that 205.207 may not apply to wild fish. But they appear to wish to talk with WSDA as a certifier to

explore this path. I also referred them to Jim Pierce.

>> They do not want to give up on this.

>>

>> So there you have it in a nutshell. Call me if you want more details

>> Jean

>>

>>

>>

>>

>>

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**From:** Jean Richardson  
**To:** Tracy Favre; Harold Austin; Zee Sonnabend; Carmela Beck; Walker Calvin; Paula Daniels; Lisa de Lima; tom chapman; Ashley swaffar; mac@elmwoodstockfarm.com (mac@elmwoodstockfarm.com); Nick Maravelli; Colehour Bondera (coleme1@kanalanifarm.org); Francis Thicke; Jennifer Taylor  
**Cc:** McEvoy, Miles - AMS; Arsenault, Michelle - AMS  
**Subject:** Fwd: Organic Stakeholders Sue USDA Over Allegedly Illegal Power Grab  
**Date:** Wednesday, April 08, 2015 9:31:51 AM

Received this morning  
click on " filed a lawsuit" and you get the actual document  
Jean

Begin forwarded message:

**From:** "The Cornucopia Institute" <cultivate@cornucopia.org>  
**Date:** April 8, 2015 8:58:25 AM EDT  
**To:** Jean.Richardson@uvm.edu  
**Subject:** Organic Stakeholders Sue USDA Over Allegedly Illegal Power Grab

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Cornucopia Institute | PRESS RELEASE

APRIL  
8,  
2015

**FOR IMMEDIATE RELEASE**

Contact Will Fantle, The Cornucopia Institute, 715-839-7731  
Abigail Seiler, Center for Food Safety, 202-547-9359

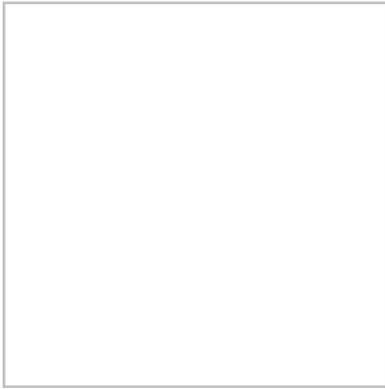
**Groups Challenge Major USDA Change to Organic Rule:  
Customary Public Comment Process Averted  
to the Chagrin of Petitioners**

<http://www.cornucopia.org/2015/04/organic-challenge-major-usda-change-to-organic-rule/>

Washington, DC, April 8, 2015 - Organic stakeholders have [filed a lawsuit](#) in federal court, maintaining that the U.S. Department of Agriculture (USDA) violated the federal rulemaking process when it changed established procedures for reviewing the potential hazards and need for allowed synthetic and prohibited natural substances used in producing organic food. A coalition of 15 organic food producers and farmer, consumer, environmental, and certification groups asked the court to require USDA to reconsider its decision on the rule change and reinstitute the agency's customary public hearing and comment process.

When it comes to organic food production, consumers and producers expect a high level of scrutiny and are willing to pay a premium with the knowledge that a third-party certifier is evaluating compliance with organic standards. The burgeoning \$35+ billion organic market relies heavily on a system of public review and input regarding decisions that affect organic production systems and the organic label. The multi-stakeholder [National Organic Standards Board](#) (NOSB)<sup>1</sup>, appointed to a 5-year term by the Secretary of Agriculture, holds semi-annual meetings to solicit public input and to write recommendations to the Secretary on organic policy matters, including the allowance of synthetic and non-organic agricultural materials and ingredients.

The unilateral agency action taken to adopt major policy change without a public process, the plaintiffs maintain, violates one of the foundational principles and practices of OFPA—public participation in organic



policy-making. In adopting the [Organic Foods Production Act of 1990](#)(OFPA), Congress created standards for organic certification and established the NOSB to oversee the allowance of synthetic materials based on a determination that they do not cause harm to human health and the environment and are necessary in organic food production and processing, given a lack of alternatives.

Under the law, a review of these materials takes place on a five year cycle, with a procedure for relisting if consistent with OFPA criteria. Plaintiffs in this case maintain that the USDA organic rule establishes a public process that creates public trust in the USDA organic label, which has resulted in exponential growth in organic sales over the last two decades.

At issue in the lawsuit is a rule that implements the organic law's "sunset provision," which since its origins has been interpreted to require all listed materials to cycle off the National List of Allowed and Prohibited Substances every five years unless the NOSB votes by a two-thirds majority to relist them. In making its decision, the NOSB is charged with considering public input, new science, and new information on available alternatives.

In September, 2013, in a complete reversal of accepted process, USDA [announced a definitive change](#) in the rule it had been operating under since the inception of the organic program without any public input. Now, materials can remain on the National List in perpetuity unless the NOSB takes initiative to vote it off the List.

In a joint statement, the plaintiffs, representing a broad cross-section of interests in organic, said:

We are filing this lawsuit today because we are deeply concerned that the organic decision making process is being undermined by USDA. The complaint challenges the unilateral agency action on the sunset procedure for synthetic materials review, which represents a dramatic departure from the organic community's commitment to an open and fair decision making process, subject to public input. Legally, the agency's decision represents a rule change and therefore must be subject to public comment. But equally important, it is a departure from the public process that we have built as a community. This process has created a unique opportunity within government for a community of stakeholders to come together, hear all points of view, and chart a course for the future of organic. It is a process that continually strengthens organic, supports its rapid growth, and builds the integrity of the USDA certified label in the marketplace.

The plaintiffs in the case, represented by counsel from Center for Food Safety, include: Beyond Pesticides, Center for Food Safety, Equal Exchange, Food and Water Watch, Frey Vineyards, La Montanita Co-op, Maine Organic Farmers and Gardeners Association, New Natives, Northeast Organic Dairy Producers Alliance, Northeast Organic Farmers Association Massachusetts, Ohio Ecological Food and Farm Association, Organic Consumers Association, Organic Seed Growers and Trade Association, PCC Natural Markets, and The Cornucopia Institute.

<sup>1</sup>The NOSB is a 15 member Board comprised of farmers, consumers, environmentalists, retailers, certifiers and food producers who advise the Secretary of Agriculture and the National Organic Program on all matters related to organic food and agriculture policy.

-30-

#### **Joint Statement of Plaintiffs on USDA Change to Organic Rule without Public Comment**

*[The following joint statement concerning the lawsuit challenging the changes to the USDA's Sunset policy is provided by Beyond Pesticides, Center for Food Safety, Equal Exchange, Food and Water Watch, Frey Vineyards, La Montanita Co-op, Maine Organic Farmers and Gardeners Association, New Natives, Northeast Organic Dairy Producers Alliance, Northeast Organic Farmers Association Massachusetts, Ohio Ecological Food and Farm Association, Organic Consumers Association, Organic Seed Growers and Trade Association, PCC Natural Markets, and The Cornucopia Institute.]*

When a USDA rule implementing a section of the Organic Foods Production Act as important as the "sunset provision" is changed, why are we concerned about process? Since its origins, the sunset provision has been interpreted under the USDA organic rule to require allowed synthetic materials to cycle off the National List of Allowed and Prohibited Substances every five years unless the NOSB decisively votes by a two-thirds majority to relist them. In making its decision, the NOSB is charged with considering public input, new science, and new information on available alternatives. In September, 2013, without public comment, and in a complete reversal of the customary public process, USDA announced a change in the rule it had been operating under since the inception of the organic program, now allowing synthetic materials to remain on the National List unless the NOSB votes it off.

The organic label is built on a history and solid foundation of holding public hearings and soliciting extensive public participation. Many of us remember when the original proposed rule – which would have allowed GMOs, sewage sludge, and irradiation – resulted in a large outpouring of public input. It was important that the public had an opportunity to be heard before the rule was adopted. This opportunity created the public belief that the process behind the organic label was something that could be trusted. Ever since then, whether there was agreement on a decision or not, we could believe in a decision-making process and the high integrity of the organic label.

We are deeply concerned that the decision-making process on allowed synthetic materials in organic production and processing is being undermined by USDA. The lawsuit we are filing challenges the unilateral agency action on the sunset procedure for synthetic materials review, which represents a dramatic departure from the organic community's commitment to an open and fair decision making process that is subject to public input. Legally, the agency's decision represents a rule change and therefore must be subject to public comment. But equally important, it is a departure from the public process that we have built as a community. This process has created a unique opportunity within government for a community of stakeholders to come together, hear all points of view, and chart a course for the future of organic. It is a process that continually strengthens organic, supports its rapid growth, and builds the integrity of the USDA certified label in the marketplace.

The failure of USDA to comply with public hearing and comment procedures on the sunset rule change serve to usurp a process and label that the organic community began building long before the agency even recognized the legitimacy of organic systems as a viable and productive form of agriculture. It is our hope that the filing of our lawsuit will help set the process straight again, as the organic sector faces important questions of practices and synthetic material use in the future. We believe in the value of the public voice in that process, as we seek to grow the organic sector through public trust in the organic label.

We must take a stand together, and hold USDA accountable to the public process that helped establish and grow organic. If we do not hold the line on public process, we fear that in decision-after-decision, organic will lose its meaning. And, USDA will cause the demise of this treasured sector built by farmers, food producers, and the public at large, with a vision that embodies the values and principles that have made the organic label trusted and strong.

Consumers and farmers working together have helped to grow organic from the beginning. We are at a critical and historic moment when the stakeholders must lead in ensuring that our government respects what we have built and remains true to the public process and the legal framework that give organic its integrity.



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P.O. Box 126 Cornucopia, Wisconsin 54827  
TEL: 608-625-2000 | FAX: 866-861-2214 | [www.cornucopia.org](http://www.cornucopia.org)



**From:** [McEvoy, Miles - AMS](#)  
**To:** "Tracy Favre"  
**Cc:** "Richardson Jean"; [Brown Rosen, Emily - AMS](#)  
**Subject:** RE: Organic Poultry Working Group  
**Date:** Thursday, June 04, 2015 12:04:46 PM

---

Sounds good,  
Miles

-----Original Message-----

From: Tracy Favre [<mailto:tfavre@favrehouse.com>]  
Sent: Thursday, June 04, 2015 11:50 AM  
To: McEvoy, Miles - AMS  
Cc: Richardson Jean; Brown Rosen, Emily - AMS  
Subject: Re: Organic Poultry Working Group

Let me put some information together and make a more formal request next week.

I'd prefer the group to be inclusive of some industry folks outside of the board. How that happens and what are the requirements is something on which I'm happy to get input. If it needs to be something formally advertised, we'll need to get some structure put together. What I'd like for the work agenda is the opportunity to have Ashley, Calvin, Mac and myself spend some time to discuss the framework of the group... objectives, structure, etc. But regardless, I'll get my ducks more officially in a row and submit it to you.

Thanks  
T

> On Jun 3, 2015, at 3:33 PM, McEvoy, Miles - AMS <[Miles.McEvoy@ams.usda.gov](mailto:Miles.McEvoy@ams.usda.gov)> wrote:

>

> Hi Tracy,

> I think there are some benefits to forming an Organic Poultry Working Group. Please clarify the purpose of objectives of this group. Do you see this as a Board ad-hoc group or something more like the Hydroponic Task Force that reports to the NOSB?

>

> Looping Emily in.

>

> Best,

> Miles

>

> -----Original Message-----

> From: Tracy Favre [<mailto:tfavre@favrehouse.com>]

> Sent: Tuesday, June 02, 2015 3:16 PM

> To: McEvoy, Miles - AMS

> Cc: Richardson Jean

> Subject: LS: Organic Poultry Working Group

>

> Hi Miles,

> This is an official request to add to the LS work agenda the creation of the Organic Poultry Working Group - as we discussed at the meeting in La Jolla. I believe that we have the 2017 Sunset materials well in hand, so I think we can safely add this task to our agenda without compromising our other work.

>

> Our initial work on this for this semester would include fleshing out the composition and intent of the working group. I've asked Calvin Walker, Ashley Swaffer and Mac Stone to lead the efforts of putting this together. I've put forth the following questions to those three:

>

>>> 1. How many in the group?

>>> 2. What is the make up of the group? (Small producers, large,  
>>> pasture based, humanely raised, geographic area, etc.) 3. How will you recruit members?  
>>> 4. What is the deadline for launching the group?

>>>

>>> I think we need solid plans for this group before our Fall meeting. In fact, I'd like for the LS to have an update report by the Fall deadline. Do you think that's possible?

>

> Calvin has responded that he thinks we could have enough work done on this to have an initial report for the Fall meeting.

>

> Please advise if we can plan to add this topic to our work.

> Thanks

> Tracy Favre

>

**From:** [McEvoy, Miles - AMS](#)  
**To:** [Dave Chapman](#)  
**Cc:** [Jean Richardson](#); [Tom Berry](#)  
**Subject:** Re: organic hydroponic update  
**Date:** Monday, January 06, 2014 8:38:40 PM

---

Hi Dave,

Thanks for keeping me in the loop. Let's try to talk soon. This week is pretty packed but I'm available early next week to discuss.

Miles V McEvoy  
Deputy Administrator  
USDA National Organic Program

> On Jan 6, 2014, at 5:41 PM, "Dave Chapman" <[\(b\) \(6\)](#)> wrote:

>

> Hi Miles,

>

> I have been working since we talked, reaching out to farmers in Vermont with a petition asking the NOP to adopt the recommendations of the NOSB banning hydroponic growing from organic certification. We have had a strong response in just the last ten days, with about 30% of those we emailed signing the petition. I think we will reach far more soon, and we are planning to send it out to farmers in other states shortly. I am asking if you will wait a while before making your decision to publicly oppose the NOSB's recommendation. I believe you will find there is a lot of concern about the hydroponic issue, and also a lot of concern about the NOP going against the NOSB recommendation. Please give me a little time to show you that you are wrong about how people feel about this. What I have found is frustration, and a sense of hopelessness, as the definition of organic is changed by the NOP beyond recognition.

>

> Thanks for talking with me about this. I realize that you have many demands on your attention. I sympathize with your support of the Veteran's Affairs program to train vets how to grow hydroponically. I also support that program. We just shouldn't call it organic, because it isn't. We shouldn't allow the Veterans Affairs folks to decide the definition of organic. I am not opposed to hydroponic growing. Some of my best friends....It is an ingenious method of growing in the greenhouse, and it has displaced all conventional soil based vegetable growing in the greenhouse. But it is NOT organic. In Europe and Canada, they are quite clear about this, and there are many organic greenhouse operations doing a fine job of growing in the soil. It is perfectly doable to grow wonderful organic crops in a greenhouse soil. It is not as cheap and easy as hydroponic production, just as growing organically in the field is not as cheap and easy as conventional growing.

>

> I hope that you can put off your public announcement until you have had a chance to see how the American organic community feels about this issue.

>

> Thanks,

>

> Dave Chapman

> Long Wind Farm

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**From:** [Jean Richardson](#)  
**To:** [Tracy Favre](#); [Mac Stone](#); [Colehour Bondera](#); [Ashley Swaffar](#); [Francis Thicke](#); [Calvin Walker](#)  
**Cc:** [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#); [Arsenault, Michelle - AMS](#)  
**Subject:** Proposal Change Annotation/Lidocaine/Procaine  
**Date:** Sunday, July 19, 2015 10:41:40 AM  
**Attachments:** [LoidcaineProcaineProposal.doc](#)

---

Hi LS

For consideration in October.

Here is a draft of the Proposal to change the annotation on Lidocaine and procaine withholding, based on science, and - as Ed Maltby of NODPA tells me- because is just plain sensible!

Tracy you can put this on any call you wish for discussion and vote.

National Organic Standards Board  
Livestock Subcommittee  
Proposal

To change Annotation for Lidocaine and Procaine Use in Livestock Production.

July 19, 2015

## I INTRODUCTION

Lidocaine and procaine are local anesthetics. They are used at times such as de-budding horns in baby calves, or general minor surgery on mature cows. They numb only the area to be worked on. Humane treatment of animals is critically important. A lengthy withholding may result in animals not being treated in a timely manner, or not at all. Based on new information received during Sunset Review of these materials the NOSB proposes to modify the annotation to reduce the Withholding period from 90 days to 5 days.

## II BACKGROUND

When added to the National List in 1995 there was no scientific rationale for the 90 day Withholding. New science and information have been provided during the recent Sunset Review which suggest a shorter withholding of 5 days may be more sensible. Public Comment appears to support such a proposal.

## III RELEVANT AREAS OF THE RULE

Lidocaine:

**Reference: §205.603(b)** As topical treatment, external parasiticide or local anesthetic as applicable

(4) Lidocaine—as a local anesthetic. Use requires a withdrawal period of 90 days after administering to livestock intended for slaughter and 7 days after administering to dairy animals

**Technical Report:** None

**Petition(s):** N/A

**Past NOSB Actions:** [10/1995 NOSB minutes and vote](#); [11/2005 sunset recommendation](#); [10/2010 sunset recommendation](#)

**Recent Regulatory Background:** Sunset renewal notice published 06/06/12 ([77 FR 33290](#))

**Sunset Date:** 6/27/2017

Procaine:

**Reference: §205.603(b)** As topical treatment, external parasiticide or local anesthetic as applicable.

(7) Procaine—as a local anesthetic, use requires a withdrawal period of 90 days after administering to livestock intended for slaughter and 7 days after administering to dairy animals

**Technical Report:** N/A

**Petition(s):** N/A

**Past NOSB Actions:** [10/1995 NOSB minutes and vote](#); [11/2005 sunset recommendation](#); [10/2010 sunset recommendation](#)

**Recent Regulatory Background:** Sunset renewal notice published 06/06/12 ([77 FR 33290](#))

**Sunset Date:** 6/27/2017

#### IV DISCUSSION

During Review of these materials the NOSB in its initial request for public comment asked:

1. Since this material was last reviewed have alternative materials emerged?
2. What is the scientific rationale for what appears to be an excessively long withdrawal period?
3. Is there research to indicate that a shorter withdrawal period would be appropriate?

Public comment did not provide any alternatives, did not provide any scientific rationale for the lengthy withholding period and recommendations were received suggesting that a very short withholding period, such as 5 days would be scientifically acceptable.

There was widespread stakeholder support for continuing to list lidocaine and procaine.

In contrast to butorphanol, which is a systemic anesthetic, lidocaine and procaine numb only the area to be worked on. Science indicates that the half life of lidocaine and procaine in all animals studied is very short- typically less than one hour. The US Food Animal Residue Avoidance Databank (FARAD) recommends a 24 hour meat and milk withholding for lidocaine and procaine in all food producing ruminant species.

There appears to be widespread support to reduce the Withholding period in order to ensure humane treatment of animals.

#### V RECOMENDATION

That Annotations at 205.603 (b) for Lidocaine and Procaine be changed as follows:

Lidocaine—as a local anesthetic. Use requires a withdrawal period of ~~90 days after administering to livestock intended for slaughter and 7 days after administering to dairy animals~~ 5 days after administering to livestock.

Procaine—as a local anesthetic, use requires a withdrawal period of ~~90 days after administering to livestock intended for slaughter and 7 days after administering to dairy animals~~ 5 days after administering to livestock.

Subcommittee Vote:

Motion: Jean Richardson

Second:

Vote: Yes No Abstain Absent Recuse

**From:** [McEvoy, Miles - AMS](#)  
**To:** [Harold Austin](#); [Zea Sonnabend \(zea@well.com\)](#); [Jean Richardson](#); (b) (6); [Tracy Favre \(tfavre@favrehouse.com\)](#); [Carmela Beck \(carmela.beck@driscolls.com\)](#); [Barry Flam](#); [Colehour Bondera \(colemel@efn.org\)](#); [Jay Feldman](#); [Jennifer Taylor@fam.u.edu](#); [JFoster@ebfarm.com](#); [joe.dickson@wholefoods.com](#); [Katrina Heinze](#); [Nicholas Maravell](#); (b) (6); [Rueben Walker](#); (b) (6); [Steve DeMuri](#); [Stone Mac \(AGR\)](#); [Tina Ellor](#); [Tracy Miedema](#); (b) (6); [wendy.fulwider@organicvalley.com](#)  
**Cc:** [Coke, Lorraine - AMS](#)  
**Subject:** Proposed rules on sunset 2012  
**Date:** Monday, January 09, 2012 11:44:20 AM  
**Attachments:** [Release AMS Organic Vitamins 01-05-12 links.docx](#)

---

The program will be publishing proposed rules on sunset 2012 and vitamins and minerals later this week. Attached is the press release. Copies of the proposals are available on the NOP website.

Miles V. McEvoy  
Deputy Administrator  
National Organic Program  
U.S. Department of Agriculture  
Room 2646-So. (Stop 0268)  
1400 Independence Ave SW  
Washington, DC 20250-0268  
202-720-1413  
[www.ams.usda.gov/nop](http://www.ams.usda.gov/nop)

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# PROGRAM ANNOUNCEMENT



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AMS No. 008-12

Michael T. Jarvis (202) 720-8998  
[Michael.Jarvis@ams.usda.gov](mailto:Michael.Jarvis@ams.usda.gov)

### **USDA Proposes Clarifying the Use of Vitamins and Minerals in Organic Foods; Affirms Advisory Board Decisions on Other Allowed and Prohibited Substances**

WASHINGTON, Jan. 9, 2012—The U.S. Department of Agriculture will publish a proposed rule later this week under the National Organic Program (NOP) addressing the use of vitamins and minerals in organic foods and infant formula. The proposed rule aligns the organic standards with Food and Drug Administration (FDA) rules and provides a clear list of vitamins and minerals that are allowed in organic products. As a result, this will increase consumer confidence that organic foods are consistent both with FDA rules and the principles of organic production.

“Consumers expect that each substance allowed in organic products has met stringent criteria and has been recommended by the independent National Organic Standards Board,” said Miles McEvoy, deputy administrator of the National Organic Program. “The changes proposed today would provide clear, enforceable standards for the use of vitamins and minerals in organic products.”

The proposed rule would correct an inaccurate reference to FDA’s fortification policy and clearly delineate that only vitamins and minerals the FDA has classified as essential are permitted in products labeled as “organic” or “made with organic (specified ingredients or food group(s)).” Additionally, since current USDA organic regulations do not cover infant formula, the proposed rule would allow essential vitamins and minerals as additives to organic infant formula.

Nutrients not covered under this proposed rule would be prohibited in organic products unless they are listed separately on the National List of Allowed and Prohibited Substances (National List). This section of the federal organic standards lists the non-organic ingredients and processing aids allowed in organic processed products. The proposed rule includes a two-year implementation period to allow companies to change their formulations to comply with the new requirements.

Additionally the National Organic Program will publish a proposed rule later this week that would renew the allowance or prohibition of the substances used in organic production and handling that are scheduled to expire later this year. The proposed rule would renew the listings

for over 200 National List substances. Additionally, the allowance for seven substances would be clarified or restricted: chlorine materials (for use in crops and livestock production); lignin sulfonate (crops); streptomycin (crops); yeast (handling); colors (handling); hops (handling); and, pectin – high-methoxy (handling). Three allowances would be removed: sulfur dioxide (crops – underground rodent control); pectin – low-methoxy (handling); and, potassium iodide (handling).

Under the sunset provisions of the Organic Foods Production Act of 1990, the National Organic Standards Board (NOSB), an independent board of organic industry stakeholders, must review all National List substances. Each substance must meet several criteria, including consistency with organic agricultural systems, impact on the environment and human health, and essentiality in organic production and handling. The advisory board also considers natural alternatives to each National List substance. This advisory board must then recommend if each specific exemption or prohibition should be renewed for another five years.

The proposed rule to be published later this week in the Federal Register will reflect the recommendations of the NOSB. Most of the substances proposed to be renewed by this action have been on the National List since its inception in 1990 and have proven to meet the criteria established by law. For example, pheromones have long been used as an effective, non-toxic way to “confuse” insects that may otherwise infest organic crops, especially fruit. Likewise, vaccines for animals are important disease prevention tools against many infectious diseases, especially since antibiotic therapy is prohibited in organic livestock. The proposed renewals also include processing aids such as baking soda, which acts to lighten (leaven) the dough for organic pancakes, baked goods, and other products. This rule also proposes to renew long-standing prohibitions on certain toxic natural substances, such as strychnine.

The allowances proposed to be removed or restricted also reflect the application of the statutory criteria and the rigor of the sunset review process. “It’s an important feature of the National List that it can be dynamic over time in response to changing conditions and new information,” said McEvoy.

Sodium nitrate, which is currently allowed under restricted conditions in organic crop production, will undergo a separate rulemaking that considers the NOSB’s recommendation to prohibit its use altogether in organic crop production. This separate action will allow the NOP to further assess the potential industry impacts of such a change.

The proposed rule to be published later this week on vitamins and minerals, along with additional background information, will be available at [www.regulations.gov](http://www.regulations.gov) (search for docket number AMS-NOP-10-0083). The proposed sunset 2012 rule, along with additional background information, will be available later this week at [www.regulations.gov](http://www.regulations.gov) (search for docket number AMS-NOP-09-0074). Information on how to submit a comment will be included on the [www.regulations.gov](http://www.regulations.gov) site along with dates for the comment period.

Interested persons should submit their comments at [www.regulations.gov](http://www.regulations.gov) or mail them to Toni Strother, Agricultural Marketing Specialist, National Organic Program, USDA-AMS-NOP, 1400 Independence Ave., SW., Room 2646-So., Ag Stop 0268, Washington, DC 20250. All comments will be posted without change to [www.regulations.gov](http://www.regulations.gov).

The National List is a subpart of the USDA's organic standards that identifies synthetic substances that may and nonsynthetic (natural) substances that may not be used in organic production. The Organic Foods Production Act of 1990 and National Organic Program regulations specifically prohibit the use of any synthetic substance in organic production and handling unless the synthetic substance is on the National List.

The National Organic Program of the U.S. Department of Agriculture facilitates trade and ensures integrity of organic agricultural products by consistently implementing the organic standards and enforcing compliance with the regulations.

For further information about the proposed rule, contact Miles McEvoy, NOP Deputy Administrator, Telephone: (202) 720-3252; Fax: (202) 205-7808.

###

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*USDA is an equal opportunity provider, employer and lender. To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Ave., S.W., Washington, DC 20250-9410, or call (800) 795-3272 (Voice) or (202) 720-6382 (TDD).*

**From:** [Jean Richardson](#)  
**To:** [Brown Rosen, Emily - AMS](#)  
**Cc:** [Bondera Colehour](#); [Arsenault, Michelle - AMS](#); [Jennifer Taylor](#); [McEvoy, Miles - AMS](#); [Mac Stone \(mac@elmwoodstockfarm.com\)](#); [Tracy Favre \(tfavre@favrehouse.com\)](#)  
**Subject:** Re: revised PPM 6-10-15 & make up meeting June 30?  
**Date:** Wednesday, June 10, 2015 4:47:41 PM

---

Ok June 30 at 3 pm ET  
Jean

Sent from my iPhone

On Jun 10, 2015, at 4:13 PM, Brown Rosen, Emily - AMS  
<[Emily.BrownRosen@ams.usda.gov](mailto:Emily.BrownRosen@ams.usda.gov)> wrote:

Hi all,

Here is the long awaited revision of the PPM, incorporating comments from the earlier meeting and those sent in by Jean and Tracy. I have left these changes in track changes mode.

I think this list below includes the significant changes that need discussion.

- <!--[if !supportLists]-->1. <!--[endif]-->Section III D3 -Role of Secretary - page 8
- <!--[if !supportLists]-->2. <!--[endif]-->Work agendas , Section III F Page 9
- <!--[if !supportLists]-->3. <!--[endif]-->Standards of Conduct, Sect III J -1-2 page 14
- <!--[if !supportLists]-->4. <!--[endif]-->Task forces – Section IV C page 19
- <!--[if !supportLists]-->5. <!--[endif]-->Minority view Section IV F 1 page 21
- <!--[if !supportLists]-->6. <!--[endif]-->Substance review – Roberts rules Section 1V G 6 page 25
- <!--[if !supportLists]-->7. <!--[endif]-->Changing annotations or classification IV G 2 page 25, also mentioned under III F examples of work agenda items page 10
- <!--[if !supportLists]-->8. <!--[endif]-->Additional considerations for TRs, IV G 3 page 26
- <!--[if !supportLists]-->9. <!--[endif]-->Sunset review process, Sect VII page 27
- <!--[if !supportLists]-->10. <!--[endif]-->Withdrawal of petitions sect IV G 6, page 28
- <!--[if !supportLists]-->11. <!--[endif]-->ref to Roberts Rules – Section V B , C page 30-31
- <!--[if !supportLists]-->12. <!--[endif]-->Remove appendix one, Procedures for Nat List petitions p.39

Do not worry about problems with numbering, bullets or indents. This seems to be a little unstable when it goes to different computers, but I assure you, it looks fine in my version.

**How about we schedule a make-up meeting for PDS in June: does June 30, 3 pm Eastern work?** It looks like there is crops and handling, but no livestock call that day.

Thanks,  
Emily

Emily Brown Rosen  
Specialist, Standards Division  
USDA-AMS-NOP  
[www.ams.usda.gov/nop](http://www.ams.usda.gov/nop)  
609-737-8630 NJ office  
(b) (6) cell

<PPM 06-10-15.docx>

**From:** [Jean Richardson](#)  
**To:** [Colehour Bondera](#)  
**Cc:** [Arsenault, Michelle - AMS](#); [Brown Rosen, Emily - AMS](#); [Jennifer Taylor](#); [McEvoy, Miles - AMS](#); [Mac Stone \(mac@elmwoodstockfarm.com\)](#); [Tracy Favre \(tfavre@favrehouse.com\)](#)  
**Subject:** Re: revised PPM 6-10-15  
**Date:** Tuesday, June 30, 2015 9:31:05 PM

---

No nothing  
We just marked where we are up to.  
Emily will send out clean version  
Good progress  
Good input from everyone  
Cheers Jean

Sent from my iPad

On Jun 30, 2015, at 9:46 PM, Colehour Bondera <[\(b\) \(6\)](#)> wrote:

Anything more happen with this meeting after the drop?

Sorry that I could not come back as I had a meeting starting at 10:00.

Colehour

On Jun 30, 2015, at 9:59 AM, Arsenault, Michelle - AMS wrote:

[I'm back on...weird. I was dropped](#)

---

**From:** Jean Richardson [[\(b\) \(6\)](mailto:(b) (6))]  
**Sent:** Tuesday, June 30, 2015 8:26 AM  
**To:** Colehour Bondera  
**Cc:** Brown Rosen, Emily - AMS; Arsenault, Michelle - AMS; Jennifer Taylor; McEvoy, Miles - AMS; Mac Stone ([mac@elmwoodstockfarm.com](mailto:mac@elmwoodstockfarm.com)); Tracy Favre ([tfavre@favrehouse.com](mailto:tfavre@favrehouse.com))  
**Subject:** Re: revised PPM 6-10-15

Hi Colehour  
Thank you for your comments.  
I agree with you that we need to get this out for public comment .  
It is really exciting to see the document coming together in such a readable format.  
Look forward to our call this afternoon  
Jean

On Jun 30, 2015, at 2:03 AM, Colehour Bondera wrote:

Aloha NOSP PDS:

Thank you for your efforts on this Emily (and Michelle!)

To begin, I need to reiterate my most significant general observation/feeling, which is that it is overwhelming, inappropriate and even untenable to include a large volume of both structural/presentation changes simultaneously with substantial content revisions in a document which was put together piece by piece and modified through a number of NOSB members over more than ten years.

In honesty, my feeling is that as an NOSB member who tries to dedicate an average of 20 hours per week to NOSB requirements, that completely and seriously reviewing this whole draft would take me more time than is possible as a member of other subcommittees. While it was read through, it was nearly impossible to make comparisons and cross references to the original document without spending 5-10 times more time than was viable. Not clear how it could be anticipated that other NOSB members or members of the public can seriously, honestly or completely review what is put forth.

That said, it is my intent to try to participate for as long as what is put forth is at minimum listened to if not incorporated or followed in terms of reaching the desired goal in a timely and functional manner. To be quite candid, however, it is unclear what the desired goal is at this time. For that reason alone it may be that each participant is working from their individual place of consideration, and not an agreed upon shared goal that we all strive to attain.

Since my understanding and desire is that it is very important for there to be NOSB - NOP collaboration, as noted on page 8 of the draft PPM, we must remember that this is significant for both NOSB members and employees of the NOP to share that the word at hand means, 'working together'. For that very reason, the implications of the word, "facilitated" in the second paragraph of that section E is somewhat divisive. Words such as, "sought" or, "encouraged" would make much more sense.

In any case below my desire is to mention at least the first read thoughts that came to me...

- p.4 - do NOT delete "supporting"
- p.8 - *see above*
- p.12 - section J. therein states, "...and COI" but the section does not go into COI, which is really a part of section K. That referral should be removed.
- p.16 (or so) - usually COI includes recusal from discussion and or from voting. The way this is presented, it is only tracked or even publicly referred to regarding the vote and that is incomplete.
- p.16 - IV. Subcommittees A. "conducting" not right. should be, "facilitating", "considering", "seeking", etc.

- p.16 - 1. PDS description. Does not match from previous PPM. Who modified and why is, "NOP request" required?!?
  - p. 17 - 2. List (as in section above), "The current ad hoc subcommittees include GMO".
  - p.19 - E. include parts that were tried and changed over time and lots of experience in terms of the appointment timings post election and for subcommittee roles.
  - p. 20 - 7. where is the 'new member mentorship' part?
  - p.21 - re: minority wording, NOT clear how it is not acceptable after a vote when it does not need to exist until a vote happens. Who has tried this strategy and when and how effective was it within the NOSB? This is academic conjecture and not what works within the system in place.
  - p.22 - petition process references disturbing since now NOSB members are listed as able to submit petitions, and it is seriously unclear how the unique role does not seriously imply COI and also how it is not perceived as discrimination since those who are not in offices with staff and finances accessible (such as any actual farmer member which is 27% of the total) could seriously be able to consider such an option.
  - p.23 - 3rd to last paragraph does not read...
  - p.25 - 2. "NOP decides" should read more collaboratively, such as, "NOP reviews"
  - p.27 - VI. Withdrawals. None should be permitted after vote. If starts should go through whole process to NOSB public vote. No exceptions or compromise as a policy!
  - p.28 - should be clarified why a comment made at the 2nd meeting stage can be called, "untimely". Otherwise unfair to those who arbitrarily receive such determination.
- p.30 - Unclear why the National List Manager would be identified in the PPM as potential parliamentary advisor to the Chair. Why instead not state, "NOP representative" so that it is open to holders of various positions and/or a consultant depending upon staff at a given moment?

My intent is to be ready for discussions on the items that were in the email list as well, though there is some overlap above and list (below).

As has been my understanding since growing up with 10 siblings, it is hard/impossible/dysfunctional to be following rules or procedures that are being created on the fly, so my opinion is that NOSB can and should have internal policies well in place BEFORE ever taking any action, even if being put forth as trial. Time and experience mean that things can get adjusted and improved. Starting anew and coming up with policies based on an end point reaction and not agreed upon goals can never hold over time and the role of the NOSB is to advise, with our input to be considered and as stated above, it is my hope that these thoughts are helpful for the shared goal of improving things (for which we all have differing views of

best choices).

As an advisor of the public opinion or organic matters, there must be adequate time and involvement of the public to ensure that our internal policies and procedures are well understood and will be followed by all members. Transparency means we must allow enough consideration and review at both the NOSB level and the timing for public considerations. As stated at the beginning of this message, it is my observation and experience that it will be insufficient time for serious and complete public reviews within the present system of available time with all of the other items needing attention. It should therefore be recognized that if put forth that said process will need to happen again at the next public meeting after preliminary changes, and if this is agreed upon then it should be so put forth to the public with the anticipated process shared.

Until the morrow,

Colehour

On Jun 10, 2015, at 10:13 AM, Brown Rosen, Emily - AMS wrote:

Hi all,

Here is the long awaited revision of the PPM, incorporating comments from the earlier meeting and those sent in by Jean and Tracy. I have left these changes in track changes mode.

I think this list below includes the significant changes that need discussion.

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assure you, it looks fine in my version.

**How about we schedule a make-up meeting for PDS in June: does June 30, 3 pm Eastern work?** It looks like there is crops and handling, but no livestock call that day.

Thanks,  
Emily

Emily Brown Rosen  
Specialist, Standards Division  
USDA-AMS-NOP  
[www.ams.usda.gov/nop](http://www.ams.usda.gov/nop)  
609-737-8630 NJ office  
(b) (6) cell

<PPM 06-10-15.docx>

**From:** [McEvoy, Miles - AMS](#)  
**To:** [David Miskell](#); ["Dave Chapman"](#)  
**Cc:** ["Jean Richardson"](#)  
**Subject:** RE: response to our meeting on 1/30/14  
**Date:** Sunday, February 02, 2014 8:55:59 AM

---

Mark Lipson is USDA's Organic Policy Coordinator. Melissa Bailey is NOP Standards Division Director. Jenny Tucker is NOP Associate Deputy Administrator.

Miles V McEvoy  
Deputy Administrator  
National Organic Program

---

**From:** David Miskell [mailto:misktome@gmavt.net]  
**Sent:** Saturday, February 01, 2014 7:23 PM  
**To:** McEvoy, Miles - AMS; 'Dave Chapman'  
**Cc:** 'Jean Richardson'  
**Subject:** RE: response to our meeting on 1/30/14

Who are the usda persons that miles is ccing? Are they his bosses? Should we be ccing ann?  
david

---

**From:** McEvoy, Miles - AMS [<mailto:Miles.McEvoy@ams.usda.gov>]  
**Sent:** Saturday, February 01, 2014 8:15 AM  
**To:** Dave Chapman  
**Cc:** Jean Richardson; Davey Miskell; Nicole Dehne; Eliot Coleman; Tom Berry; Lipson, Mark - OSEC; Bailey, Melissa - AMS; Tucker, Jennifer - AMS  
**Subject:** Re: response to our meeting on 1/30/14

Hi Dave,  
I've been thinking a lot about hydroponics as well. I appreciate your perspective. Rather than posting your summary of NOP's perspective I would ask that you allow NOP to provide you with our position. That should help clarify things and provide ideas for moving forward.

Thanks and have a great day,

Miles V McEvoy  
Deputy Administrator  
USDA National Organic Program

On Jan 31, 2014, at 2:40 PM, "Dave Chapman" <[\(b\) \(6\)](#)> wrote:

Hi Miles,

I have been thinking a lot about our talk yesterday. You are very generous with your time, and I appreciate your effort to listen to all sides. Having said that, we must still agree to disagree. From my perspective, the NOP is in the process of redefining the term Organic. I know that it is the NOP's mission to define and protect organic farming in America, but I think that when you decide to include hydroponic growing under that definition, you are departing from the commonly agreed upon meaning of the term. For the past 70 years, organic farming has meant farming based on managing the organic matter and life in the soil. Thus the name "Organic". That is what the term means to the vast majority of organic

farmers in America, and that is what it means to the vast majority of the countries in the world that have organic certification. That is what it means to the NOSB by an overwhelming majority, and it is what is stated in the organic standards. What I am saying is that the NOP that is taking a radical position here, not us. We farmers are only only agreeing with the definition that has always existed for organic farming. And I would suggest that it is NOT the task of the NOP to redefine organic farming, but rather to protect organic farming.

When I asked you why you supported the inclusion of hydroponic growing in organic, despite such strong opposition from American organic farmers, the NOSB, and the world community, you said that wanted to embrace innovation for organic farming. I support innovation too. Organic farmers are innovating every day. In fact ALL farmers are innovating every day. You can barely avoid getting dizzy seeing the prodigious rate of change. But hydroponic growing is hardly a new idea, as it has already completely supplanted soil growing in the world of conventional greenhouse vegetable production. Virtually all conventional greenhouse vegetables in Europe and North America are grown hydroponically. Organic farmers are about the only ones left in the soil. It seems that hydroponic growing is doing very well without any support from the NOSB. It is authentic soil grown organic farming that needs your support. It is more difficult and more expensive in the soil, but it is not impossible. Organic growing DOES work in greenhouses as well as in the fields. I invite you to visit some of the organic greenhouses in Vermont, and see for yourself. We have twenty acres of soil grown organic vegetable production in Vermont greenhouses.

You and I also discussed whether there is a possibility of some sort of compromise on these issues, and the question of a "hydroponic organic" label came up. I have thought all evening, and asked myself whether I could support this. I have also discussed this today with others working on this petition drive. We all agreed that we cannot support that compromise. It still implies that hydroponic growing is just a variation of organic farming. And we just don't think that is correct.

I WOULD support a new label that certified "unsprayed hydroponic". It was suggested that many consumers don't care about whether produce is grown in the soil, and all they are really concerned about is the use of pesticides. I would happily support a different label that said just that. I know that it is not the job of the NOP to develop such a certification program, but certainly the hydroponic growers could do that for themselves with your encouragement, just as we early organic growers did before the government got involved. We promoted our food as organically grown. We developed standards that we could all agree on (often with long meetings to resolve the minor differences), and we developed labels that earned the trust of the people who bought the food. Certainly that is a choice for the unsprayed hydroponic growers now. If consumers really don't care about whether the produce is grown in the soil, then they should readily accept the new label. Everybody wins.

I don't think that it is the job of the NOP to certify hydroponic produce as organic just because it is unsprayed. You said that it is being certified now because it isn't in violation of any standards. That is only because the NOP has failed to set standards that close the loophole by acting on the NOSB recommendation. It is time to move to rejoin the international community standards for organic farming. As we discussed, food grown with GMO seed could conceivably be grown in accordance with organically approved fertilizers, insecticides, and practices, and still not be able to be certified organic. That is because the NOP took a stand, and banned GMO from organic growing. Certainly GMOs are innovative, but they are still not organic. It is time for the NOP to take a stand once again. I hope that you will act to restore the organic community's trust in the NOP process and standards.

Many thanks for your time,

Dave Chapman

PS. I am attaching others to this response, and I will probably post it on our website. Please let me know if I have misrepresented your position in any way.

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**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Re: response to our meeting on 1/30/14  
**Date:** Friday, February 21, 2014 8:30:28 PM

---

Thank you for sending links  
Mac said I was quoted in the Post on hydroponic but I saw just our dear colleague Jay

Sent from my iPad

On Feb 21, 2014, at 6:34 PM, "McEvoy, Miles - AMS" <[Miles.McEvoy@ams.usda.gov](mailto:Miles.McEvoy@ams.usda.gov)> wrote:

Hi Dave and others,

Here is a link to a brief statement about organic hydroponics within the USDA organic regulations - [Agricultural Marketing Service - Home](#). Thanks.

Miles V McEvoy  
Deputy Administrator  
National Organic Program

**From:** Dave Chapman [<mailto:> (b) (6)]  
**Sent:** Friday, January 31, 2014 2:40 PM  
**To:** McEvoy, Miles - AMS; Jean Richardson; Davey Miskell; Nicole Dehne; Eliot Coleman; Tom Berry  
**Subject:** response to our meeting on 1/30/14

Hi Miles,

I have been thinking a lot about our talk yesterday. You are very generous with your time, and I appreciate your effort to listen to all sides. Having said that, we must still agree to disagree. From my perspective, the NOP is in the process of redefining the term Organic. I know that it is the NOP's mission to define and protect organic farming in America, but I think that when you decide to include hydroponic growing under that definition, you are departing from the commonly agreed upon meaning of the term. For the past 70 years, organic farming has meant farming based on managing the organic matter and life in the soil. Thus the name "Organic". That is what the term means to the vast majority of organic farmers in America, and that is what it means to the vast majority of the countries in the world that have organic certification. That is what it means to the NOSB by an overwhelming majority, and it is what is stated in the organic standards. What I am saying is that the NOP that is taking a radical position here, not us. We farmers are only only agreeing with the definition that has always existed for organic farming. And I would suggest that it is NOT the task of the NOP to redefine organic farming, but rather to protect organic farming.

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Many thanks for your time,

Dave Chapman

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message in error, please notify the sender and delete the email immediately.

**From:** [McEvoy, Miles - AMS](#)  
**To:** [Jean Richardson](#)  
**Cc:** [John Foster \(jfoster@ebfarm.com\)](#); [Mac Stone \(mac@elmwoodstockfarm.com\)](#); [Nick Maravell](#); [Jay Feldman](#); [Tracy Favre](#); [Tucker, Jennifer - AMS](#); [Harold Austin](#); [Carmela Beck](#); [Calvin Walker](#); [COLEHOUR BONDERA](#); [Arsenault, Michelle - AMS](#); [Brown Rosen, Emily - AMS](#)  
**Subject:** RE: request to reactivate the PDS  
**Date:** Thursday, September 18, 2014 7:20:26 AM

---

Hi Jean,

We agree that the NOSB PPM needs revision and we look forward to supporting the work of the NOSB Policy Development Subcommittee in updating/revising the PPM. We look forward to discussing in more detail on October 14. We will provide some additional background material prior to the meeting on the 14th.

Miles V McEvoy  
Deputy Administrator  
National Organic Program

-----Original Message-----

From: Jean Richardson [[mailto: \[REDACTED\] \(b\) \(6\)](#)]  
Sent: Friday, September 12, 2014 4:39 PM  
To: McEvoy, Miles - AMS  
Cc: John Foster (jfoster@ebfarm.com); Mac Stone (mac@elmwoodstockfarm.com); Nick Maravell; Jay Feldman; Tracy Favre; Harold Austin; Carmela Beck; Calvin Walker; COLEHOUR BONDERA; Arsenault, Michelle - AMS; Brown Rosen, Emily - AMS  
Subject: request to reactivate the PDS

Hi Miles: attached please find a request from the PDS to re-activate the Policy Development subcommittee, meet by teleconference call on October 14, and place on the Workplan the PPM.

Thank you  
Jean

**From:** [McEvoy, Miles - AMS](#)  
**To:** [Harold Austin](#)  
**Cc:** [Brown Rosen, Emily - AMS](#); [Arsenault, Michelle - AMS](#); [Carmela Beck](#); [John Foster](#); (b) (6)  
**Subject:** RE: Request to add item to the CACS workplan  
**Date:** Monday, July 14, 2014 3:55:31 PM

---

Thanks Harold.

Is there a memo that comes along with the email?

Miles V. McEvoy  
Deputy Administrator  
National Organic Program  
1400 Independence Ave. SW  
Washington, DC 20250-0268  
202-720-3252  
[www.ams.usda.gov/nop](http://www.ams.usda.gov/nop)

*Organic Integrity from Farm to Table, Consumers Trust the Organic Label*

---

**From:** Harold Austin [mailto:HaroldA@Zirklefruit.com]  
**Sent:** Tuesday, July 08, 2014 3:42 PM  
**To:** McEvoy, Miles - AMS  
**Cc:** Brown Rosen, Emily - AMS; Arsenault, Michelle - AMS; Carmela Beck; John Foster; (b) (6)  
**Subject:** Request to add item to the CACS workplan

Miles,

Per our discussion during the last NOSB Executive Committee call I have moved forward with a draft discussion document on " Best Practices and Use of Annotations in Proposals and Final NOSB Recommendations". We briefly went over it on our CACS sub-committee call today.

On behalf of the Compliance, Accreditation and Certification Sub-committee we would like to  
1st request the NOP's approval to add this to our CACS Work Plan ?  
2ndly to request how you would prefer that we title this document for future reference?

While Carmela is the sub-committee chair I was asked to send you this memo. We shall await your response and your valued input.

Warmest Regards,  
Harold V. Austin IV  
Member of the CACS

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Fwd: Request for an interview  
**Date:** Thursday, May 16, 2013 10:30:03 AM

---

FYI

Begin forwarded message:

**From:** Jean Richardson <[REDACTED] (b) (6)>  
**Date:** May 16, 2013 10:26:03 AM EDT  
**To:** Mark Keating <[tenorganicfarms@earthlink.net](mailto:tenorganicfarms@earthlink.net)>  
**Subject:** Re: Request for an interview

Hi Mark:

Thank you for your e-mail request of May 15th to interview me about how the NOSB arrived at its decision on antibiotic spraying for Fireblight control. Because the tetracycline vote had received so much prior national publicity in the press, TV, and radio, and overwhelming public comment, the NOSB Chair asked each NOSB member to state their position regards this complex issue. In making their decision members had read extensively on the subject, analyzed the issue relative to the materials checklist and former Board actions, and attended site visits to a diversity of orchards. Every member spoke clearly prior to voting. That transcript is public record.

As a person with a background in the sciences, law and policy, and considerable practical experience in agriculture, I work hard to see both sides of an issue before making a decision on the NOSB. I read with interest your previously published Acres article on use of antibiotics for apple and pear production ( attached to your e-mail) and I am not sure that I can add any more to your discussion on this issue, especially given your characterization of the NOSB as back seat drivers and the NOP/NOSB as "arm chair standard setters". It is my experience that the NOSB works very hard every week of the year to provide a diversity of perspectives which will advance organic agriculture for both national and international markets.

I look forward to reading further articles which you write on organic certification, and would be happy to talk with you about general NOSB work, or up coming issues.

Sincerely  
Jean Richardson Ph.D.

On May 15, 2013, at 11:08 AM, Mark Keating wrote:

<Transitions49.docx>

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Fwd: Remind me again: Who wants GMO labeling?  
**Date:** Sunday, September 14, 2014 7:52:37 PM

---

Hi Miles  
Who is this guy?  
Jean

Sent from my iPad

Begin forwarded message:

**From:** Organic Authentication <[authentication@isitorganic.ca](mailto:authentication@isitorganic.ca)>  
**Date:** September 11, 2014 at 7:14:40 PM EDT  
**To:** (b) (6)  
**Subject: Remind me again: Who wants GMO labeling?**

Dear Jean:

Remind me again: Who wants GMO labeling?

Let's see... not consumers, not farmers. And no... not even organic consumers and certainly not organic farmers.

The only people who want genetically-modified foods labelled are urban organic activists and... wait for it... GMO executives.

Why would executives at the helm of corporations like Monsanto, Bayer and Syngenta, along with executives from every farm bureau, commodity and industry group across the land, seek to "engage" with anti-GMO organic activists in the hope of finding -- wait for it -- a "consensus" on GMO labelling, when there's been nothing but consensus between GMO and organic farmers for well over 20 years now?

Please read the latest article I wrote with the help of Dr. Jay Lehr and Dr. Klaus Amman:  
<http://www.consumeraffairs.com/news/remind-me-again-who-wants-gmo-labeling-082514.html>

Mischa Popoff, B.A. (Hons.) U. of S.  
Former USDA contract organic inspector  
Author of *[Is it Organic?](#) The inside story of the organic industry*  
Some people won't like this book, but you will  
Policy Advisor for *[The Heartland Institute](#)*  
Research Associate for *[The Frontier Centre for Public Policy](#)*  
Greenville TX USA  
903-456-1368  
For consulting and expert testimony, visit [polyphase.us](http://polyphase.us)

For public speaking engagements, please contact the [National Speakers Bureau](#)  
If you do not want to receive any more emails on this subject, reply to this email with REMOVE in the subject line.

**From:** [Jean Richardson](#)  
**To:** [COLEHOUR BONDERA](#)  
**Cc:** [Ashely Swaffar](#); [CALVIN WALKER](#); [Carmela Beck](#); [Francis Thicke](#); [Harold Austin](#); [Jennifer Taylor](#); [Lisa de Lima](#); [Mac Stone \(mac@elmwoodstockfarm.com\)](#); [Nick Maravell](#); [Arsenault, Michelle - AMS](#); [Paula Daniels](#); [Tom Chapman](#); [Tracy Favre](#); [Zea Sonnabend](#); [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#); [Tucker, Jennifer - AMS](#); [Brines, Lisa - AMS](#); [Pattillo, Devon - AMS](#); [Walden, Jessica - AMS](#)  
**Subject:** Re: Recommendation procedure  
**Date:** Monday, June 01, 2015 9:06:22 AM

---

Hi Colehour -

1. As I am sure you know, the motion to remove is a construct which we developed in order to ensure that, under the revised Sunset process, a subcommittee vote to remove gets posted in the Federal Register, and moved to the full NOSB for discussion and vote after public comment.
2. The subcommittee vote also serves to provide some indication to the stakeholders/ public of the potential for actual Vote to Remove passing at the full board meeting.
3. This subcommittee vote, which appears in our Federal Register posting, provides legal "Notice" to the public, with enough detailed analysis to promote discussion, garner public input, and leave a clear historical record of the Board's analysis and concerns.
4. Such Notice in advance encourages public comment to address our concerns.
5. Listening to public comment in San Diego indicates that the public understands this process. And reading the detailed written comment which many stakeholders provided in April indicates that this Sunset Review process is working.
6. As we all know, the purpose of the Motion and Second is simply to get the subject on to the table in order to be discussed.  
A subcommittee cannot make a final decision.  
If you personally do not want to make a Motion to Remove then some one else can do so on the subcommittee.  
If you wish to vote to retain a material on the list then please vote that way at subcommittee level.

7. Clear Intent:

I agree with you that this is a cumbersome process. I agree that our Policy and Procedure Manual needs updating. In October 2014 we all clearly presented for the historical record our perspectives and concerns about the new Sunset Review. But despite those misgivings I am sure we can all agree that we want to make sure that substances that do not meet the OFPA criteria, based on new data, and/or are no longer necessary, are removed from the National List in a timely manner. We have been provided with many new TR's. Our subcommittee members are working incredibly hard, submitting their work, meeting every week, to ensure excellent, accurate analysis and recommendations. I am confident we can remove many substances. And I am confident that our work in cleaning up the National List and proposing annotations is the right thing to do for the organic community. I am sure that no NOSB Board has ever done such a good job at Sunset Review. We are being consistent with our approach to analysis of each substance. Our intent is clear.

So, even though we may not love the process, we are indeed upholding the integrity of organics.

It would be easy to get lost in the minutia of process. We could spend the entire four days of the Board meeting in October debating and get nowhere. We could block all votes. But I know that you will be as happy as I will be when we look back at the end of the October meeting and see how many substances we have been able to remove from the List.

I know that this is hard for you, but I do hope you can work with me and the Board to keep working with this process, and remove as many substances as data and analysis justifies.

Very Best Regards,  
Jean

On Jun 1, 2015, at 12:13 AM, COLEHOUR BONDERA wrote:

> Aloha Jean -

>

> My apologies in advance for any redundancy to this observation/question(s), however after our recent call (May 26, 2015) on the Livestock Subcommittee it is unclear to me what procedure is being followed to make Sunset material Recommendations.

>

> Specifically, my inquiry is how a member of any subcommittee is permitted to make a Recommendation for which they then vote in opposition. According to all procedures that I have ever followed or understood, the maker of the motion can and should and does support the motion they make.

>

> In terms of the Sunset process now being used, where does it appear in either NOSB or NOP by-laws or some other clear and accessible rule-book that an item can be moved to be removed or de-listed from the Nation List and then voted against by the maker?

>

> If there is no such procedure in documented reviewed and accepted policy form, the votes taken are out of order I believe, and I ask that of both yourself and the NOP members receiving this email.

>

> What is truly unclear is why the motion made is simply instead not to re-list said materials for the Sunset consideration? That approach would mean that a "Yes" vote would permit re-listing and would typically (the vast majority of times) be what is supported. Only in the rare cases (I estimate about 10% of the time or less) of Sunset items sought to be de-listed by all involved would there be an issue with the maker of the motion wanting to vote one way but needing to otherwise consider.

>

> Again, while it may be clear as a slow running brook to you all, it is cumbersome and bothersome to me as an active member to be making and considering votes on things that are blatant false-hoods and have nothing to do with the intent at hand.

>

> If no one wants to remove an item from the list and to so move, the Chair in question at the moment could and should serve as the back-up (according to an updated PPM) and make a motion to so engage and vote that way for the item to move ahead to the full NOSB. Said vice-Chair can be the way that a second is certain to happen.

>

> Again, my concern is both public and historical, and more-so NOSB member clarity in terms of what these motions and votes mean, as well as why they are happening in the way they are which is so inconsistent with both NOSB history, but also Roberts Rules and all other internal organizational procedures I have followed. Unless there is something which states this as a by-law procedure, it is full out of order in terms of how votes can be managed and I again (as I stated I apologize for redundancy) request that this detail of how the votes are managed be pointed out to us all where it occurs in what written procedure that we are following (not policy directive or email of explanation, but an approved and established procedure).

>

> Truly and based on how a procedure inquiry was handled at the meeting in La Jolla, it is unclear to me if policy is being fabricated based on no precedent and no functional logic that can be built upon, and that is the basis of this question. As was stated in La Jolla, procedure can be followed if so chosen, but shouldn't we all know about in advance and be following the same decisions instead of being at the whim of what will get the results desired?

>

> There are several items that I am the lead person on which need to stay as listed during Tuesday, June 2, 2015 Crops call. It will NOT be possible for me to make motion(s) to remove said items as listed knowing that my subsequent vote will be to not remove. If the Chair or others want to so engage it is their choice, but it seems that it is expected that the lead person make said motions, and I am not willing to make motions that are not honest.

>

> Thanks in advance, and sorry if I am some kind of lone wolf crying out my concerns to an audience who feels that everything is going smoothly, since for me it is not only about change, but really feel very uncomfortable about the process that we are following to uphold and protect the purity and integrity of organics!

>  
> Cordially,  
>  
> Colehour

**From:** [Jean Richardson](#)  
**To:** [Francis Thicke](#)  
**Cc:** [Arsenault, Michelle - AMS](#); ["Ashely Swaffar"](#); ["Calvin Walker"](#); ["Colehour Bondera"](#); ["Mac Stone"](#); ["Paula Daniels"](#); ["Tracy Favre"](#); [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#); [Brines, Lisa - AMS](#); [Updike, Scott - AMS](#)  
**Subject:** Re: Question on synthetics in homeopathic remedies  
**Date:** Friday, July 24, 2015 8:29:32 AM

---

Interesting question:

What may actually happening is that a lot of people are confusing the word homeopathy with other types of medicines. It is important to find out exactly what med is being discussed and see if it is actually a herbal mixture or a salve of some sort in a synthetic base. I have not yet heard of a certifier actually prohibiting the use of a real homeopathic medicine in its pure pill or liquid form. It would be good to know if that is indeed happening... but so far it is all turning out to be mis use of terminology.

Jean

On Jul 24, 2015, at 7:59 AM, Francis Thicke wrote:

I received the email below from a veterinarian who works with organic livestock producers. She was inquiring about how apparently some certifiers are restricting the use of some homeopathic remedies. I am wondering if the NOSB or NOP has addressed this issue before.

The homeopathic remedies being rejected are those made with synthetic ingredients. Of course, it makes sense to not allow homeopathic remedies made from synthetic ingredients that are not on the National List. On the other hand, it can be argued that some homeopathic remedies are so dilute that there is a low probability that there is even a single molecule of the original ingredients left in the homeopathic remedy.

Has the NOSB/NOP ever looked at this issue?

Thanks,

Francis

This is an excerpt from the veterinarian's email introducing me to a veterinarian from New Zealand who is wondering how the NOP policy on homeopathic remedies will affect New Zealand organic producers:

These introductions stem from the email Hue sent to the O Dairy list a few days ago, where he was asking about homeopathy and certified farms. Apparently the certifying agency is attempting to put some limits on the types of homeopathic medicines they will allow on organic farms - and they want to eliminate medicines whose ingredients are interpreted as chemical or synthetic.

(So, for example, medicines like Ammonium tart and Hepar sulph would be eliminated..... because they are made from compound ingredients....)

In New Zealand, all homeopathic medicines are approved for use by veterinarians in practice.

Since the New Zealand certifying agency looks to the NOP for their direction and directives, Susanna would like to see if there is any paper trail or documentation in the states that indicates that homeopathic medicines are allowing in certified organic production. She'd also like to get a sense of what's happening at the NOSB level around this.

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#); [Mac Stone](#); [John Foster](#); [Bailey, Melissa - AMS](#)  
**Subject:** Putting Sunset to bed?  
**Date:** Wednesday, May 14, 2014 3:22:38 PM

---

With the old "Sunset" a substance would drop off the list or be re-listed following review.

There is no "Sunset" like that now, and the word creates angst.

How about replacing it with "Five Year Review". I know that we use the term "Sunset 2015", 2016 etc . and one word is simple, but does it make sense to change the language a bit to reflect the new procedure? Move on with life?

Jean

**From:** [Jean Richardson](#)  
**To:** [Tracy Favre](#); [Tom Chapman](#); [Harold Austin](#); [Zea Sonnabend](#); [Carmela Beck](#); [Walker Calvin](#)  
**Cc:** [Arsenault, Michelle - AMS](#); [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#); [Tucker, Jennifer - AMS](#)  
**Subject:** Public Comments pre-meeting  
**Date:** Friday, May 22, 2015 3:01:47 PM

---

Hi Executive & NOP

Following up from our last Exec, I have been thinking about dates to have a public comment session, after Federal Register Posting (Sept 8) and before close of public comment period (October 5), in order to potentially improve access for the public while reducing hours of public comment at the October meeting:

Could we we look at using two Tuesdays, September 22 and 29, from 1 pm until 4 pm ET.?

These are times when we normally would have subcommittee meetings so all NOSB Members should be able to listen in to the Sessions- which would be recorded of course-, and we can be sure that West Coast participants could attend.

Could you let me know if these seem like good dates. Things move slowly in DC so we should plan dates soon so as to be sure we have all the right approvals and systems in place

Thank you  
jean

**From:** [Jean Richardson](#)  
**To:** [Abby Youngblood](#)  
**Cc:** [McEvoy, Miles - AMS](#); [Arsenault, Michelle - AMS](#); [Brown Rosen, Emily - AMS](#); [Tracy Favre](#)  
**Subject:** Public Comment via Webinar  
**Date:** Friday, June 26, 2015 1:25:48 PM

---

Hi Abby

Just to follow up from your call to me last night:

I shared with Miles this morning some of your general concerns over the proposed September Public Comment sessions via Webinar and he agrees that we should all get on a phone call.

As you could tell I was a bit surprised and frustrated by NOC's negative perception of the proposed Webinars for oral public comment. The NOP and NOSB have been working collaboratively to find ways to increase opportunities for greater participation by a broader range of people over a longer period of time, by more pathways! The Oral Public Comment by Webinar seems to be a great, modern idea. And yes we keep on working to see if we can get a functioning public docket as well. Here's where we need patience!

We are also working to determine how to spread the Review of Sunset materials over more years, and not review essentially all of them in one large group every five years as we are right now. This should make the next few years much easier for us all.

As we all know, OFPA and the PPM do not lay out highly prescriptive mechanisms for public input. As the organic community has grown over the years, the number of individuals wishing to make oral comment at public NOSB meetings has grown and somehow we have been able to accommodate everyone while other FACA's hold entirely virtual meetings, and limit number of hours for oral comment.

In April in La Jolla we blocked out time for 130 oral commenters which took up almost 2 days ( 11-12 hours) of our 4 day meeting. To be honest this is really mind numbing. None of us can respectfully listen to all persons and absorb and use the information in our decision making the next day. This is not fair to oral presenters or to the volunteer Board. We could doubtless sit and listen to public comment for 4 days and get no decisions made.

My goal as Chair for the next 4 months is to continue to work to expand opportunities for a broader cross section of public comment in a diversity of ways, using modern technology where possible, reduce our carbon footprint where possible, and complete this cycle of Sunset Review. I believe that working together we can do this.

We have doubled up our subcommittee conference calls as needed to work on Sunset Materials in Crops, Handling and Livestock, and should have all our Sunset Templates ready for Michelle on August 26, with a September 8 Federal Register Posting date. We selected the dates of Tuesday September 22 and 29 from 1-4 pm as being days when the volunteer Board already has its time blocked out for NOSB work, and thus they can attend both Public Comment Webinars. These webinars will, of course, be part of the Public Record and available to listen to again before the meeting. Many of us will find this aspect very useful. And we encourage written comments as being the best way to inform our decision making and recommendations. As you heard during our Meeting 1 presentations in April, the organic community already has a pretty good idea of where we are headed with our materials review so public comment can be being developed now.

We hope that the 6 hours of early public comment in September, as a pilot project, will encourage a broader cross section of commenters. Presently I am assuming we will allow more time per speaker on the Webinars, perhaps 5 minutes, instead of the 3 minutes per person in October. Individuals can chose to give oral comment on either a September day OR on October 26. We will still have 6 hours of public comment in October, and hopefully we can start our public deliberations on Sunset materials on Tuesday morning October 27 and be able to get through them all in 3 days.

I would be most appreciative if NOC would reply to this e-mail with a clear list of concerns, and some realistic solutions to the wonderful challenge of having so many people who want to speak to a volunteer Board which is trying to complete the Five Year Sunset Review of a large number of materials.

Please help make this October meeting a time for celebrating 25 years of organic agriculture.  
Thank you very much, and I look forward to our continued conversation on this in the next week or so.  
Very Best Regards, Jean

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** protests at meeting  
**Date:** Tuesday, September 16, 2014 8:25:38 AM

---

Hi Miles

I just had an interesting discussion with the Louisville Police (Metro) department about handling protesters, city ordinances, and permits.

From the protester perspective they need a permit to protest if there are 25 or more.

From the NOP/NOSB perspective, NOP could request a permit "for safety" to put up ropes or other markers to constrain where protesters could be located - Your idea of typical meeting room cloth hanging across the square to close it off seems like a good one.

All for now

Jean

**From:** [Jean Richardson](#)  
**To:** [Tucker, Jennifer - AMS](#)  
**Cc:** [McEvoy, Miles - AMS](#)  
**Subject:** Re: Sharing documents and e-mails  
**Date:** Thursday, February 13, 2014 6:50:11 PM

---

Yup  
I agree  
Jean

Sent from my iPad

On Feb 13, 2014, at 1:56 PM, "Tucker, Jennifer - AMS" <Jennifer.Tucker@ams.usda.gov> wrote:

> Hi Jean - Thanks for the note. There were some good questions about subcommittee information sharing during the training, and we have written to OGC to get some further guidelines.

>

> I am GUESSING that FACA openness rules were not intended to encourage subcommittee members to feel free to bcc others on emails (or that anyone may ask to be added to real-time communications), but rather, to establish a formal process by which an interested member of the public could request records from the government to better understand the Board's decision-making process. That said, as we all know, email is a very malleable tool, and there really is no legal or practical way to prevent people from forwarding and bcc:ing people on things if they choose to do so.

>

> In my experience, culture generally trumps policy - so my thinking would be that the best thing in this case would be for Board members who were upset by Jay's bcc activity to let him know that directly, and ask him, out of courtesy to other members, to stop. NOP will certainly send guidelines on sharing requirements, scope, and boundaries from OGC when we get them.

>

> Thanks much -  
> Jenny

>

> -----

> Jennifer Tucker, Ph.D.  
> Associate Deputy Administrator  
> USDA National Organic Program  
> 1400 Independence Ave SW; Room 2642 (Stop 0268)  
> Washington, DC 20250-0268  
> Phone: (202) 720-3252  
> Jennifer.Tucker@ams.usda.gov

>

> -----Original Message-----

> From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)  
> Sent: Wednesday, February 12, 2014 9:05 AM  
> To: Tucker, Jennifer - AMS; McEvoy, Miles - AMS  
> Subject: Sharing documents and e-mails

>

> Hi Jenny, Miles

> As Chair of the PDS / ad hoc committee let me know if you want to consult on how best to smooth out / clarify this sharing information situation. We could jointly send out an e-mail to all Board?

> I did chat with Jay about the possible problems that could arise from his all inclusive request, but this was before the error of the Terry Shistar copy on an e-mail exchange.

> I am trying to help the Board be more of a "team"! Romantic Jean!

> Cheers

> Jean

>

>

>

>

>

>

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>

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Sen. Leahy & organic hydroponic  
**Date:** Wednesday, October 30, 2013 7:13:25 PM  
**Importance:** High

---

Hi Miles

Call me on organic hydroponics any time and I will up date you on this issue following a meeting called by org. producers at the VT Sec of Ag, and VOF Nicole Dehne and me. There are quite a few concerns on the table but few facts.

Jean

(b) (6) (mobile)  
(b) (6) (home office)

Begin forwarded message:

**From:** "Berry, Tom (Leahy)" <[Tom\\_Berry@leahy.senate.gov](mailto:Tom_Berry@leahy.senate.gov)>  
**Date:** October 30, 2013 5:22:03 PM EDT  
**To:** "Ross, Chuck" <[Chuck.Ross@state.vt.us](mailto:Chuck.Ross@state.vt.us)>, Jean Richardson <(b) (6)>  
**Cc:** Dave Chapman <(b) (6)>, James Brackett <[james@longwindfarm.com](mailto:james@longwindfarm.com)>, David Parvey <(b) (6)>, Davey Miskell <[misktome@gmavt.net](mailto:misktome@gmavt.net)>, Nicole Dehne <[nicole@nofavt.org](mailto:nicole@nofavt.org)>, "Bothfeld, Diane" <[Diane.Bothfeld@state.vt.us](mailto:Diane.Bothfeld@state.vt.us)>  
**Subject:** RE: Action list for organic hydroponic

Add to the action list that our office will flag an interest in this issue to the NOP; let them know that the Senator is interested in more specific information on their posture regarding certification. Sooner than later. Then follow up when more of these questions have been fleshed out.

**From:** [Jean Richardson](#)  
**To:** [Zea Sonnabend](#)  
**Cc:** [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#); [Calvin Walker](#); [Francis Thicke](#); [Jay Feldman](#); [Jennifer Taylor](#); [Nick Maravell](#); [Wendy Fulwider](#); [Harold Austin](#); [Colehour Bondera](#)  
**Subject:** Re: Seed Expert Panel Purpose and some bios  
**Date:** Tuesday, December 16, 2014 7:36:44 AM

---

Hi Zea

This panel seems like a good and timely idea and you have a good group of people to have as experts.

I can also suggest as an expert Tom Stearns, High Mowing Seeds, Wolcott, Vermont. He sources seeds from many locations nationally and internationally. But you have plenty on your list.

Given the various programs which now test and third party certify "gmo-free" can the panel address the "process" based verification system used in NOP standards against the testing used by these other programs.? This may seem too much, and I have not been on your recent calls and you may have already discussed this, but we do have to work within a changing non-gmo certification context. Many of the organic processors I inspect have been pushed by consumer demand to pay for expensive "gmo-free" certification in addition to organic.

Thank you

Jean

On Dec 15, 2014, at 2:45 PM, Zea Sonnabend wrote:

<GMO Prevention Seed Expert Panel.docx>

**From:** [McEvoy, Miles - AMS](#)  
**To:** "[Zea Sonnabend](#)"; [Arsenault, Michelle - AMS](#); "[Jean Richardson](#)"  
**Cc:** "[Calvin Walker](#)"; "[Francis Thicke](#)"; "[Jay Feldman](#)"; "[Jennifer Taylor](#)"; "[Nick Maravell](#)"; "[Wendy Fulwider](#)"; "[Harold Austin](#)"; "[Colehour Bondera](#)"; [Rakola, Betsy - OSEC](#); [Brown Rosen, Emily - AMS](#)  
**Subject:** RE: Seed Expert Panel Purpose and some bios  
**Date:** Thursday, December 18, 2014 3:37:55 PM

---

Thanks Zea and others that contributed to this. Important topic.

The NOP needs to review budget implications of this expert panel along with other NOSB related expenses. It appears that we will have longer meetings this fiscal year, additional technical reports, and other NOSB expenses. As Jean requested we will be providing additional information about the NOP budget at the spring meeting (now that we have a full year budget).

I'll get back to you in January on whether we can support an expert panel at the San Diego meeting. Again, thanks for your work on this topic.

Happy Holidays,  
Miles

Miles V. McEvoy  
Deputy Administrator  
National Organic Program  
1400 Independence Ave. SW  
Washington, DC 20250-0268  
202-720-3252  
[www.ams.usda.gov/nop](http://www.ams.usda.gov/nop)

*Organic Integrity from Farm to Table, Consumers Trust the Organic Label*

---

**From:** Zea Sonnabend [mailto:[zea@well.com](mailto:zea@well.com)]  
**Sent:** Monday, December 15, 2014 2:45 PM  
**To:** Arsenault, Michelle - AMS; McEvoy, Miles - AMS; Jean Richardson  
**Cc:** Calvin Walker; Francis Thicke; Jay Feldman; Jennifer Taylor; Nick Maravell; Wendy Fulwider; Harold Austin; Colehour Bondera  
**Subject:** Seed Expert Panel Purpose and some bios

Hi MS and Miles and Jean,

Here is the request for a seed expert panel at the next NOSB meeting, with a purpose articulated and the bios of some prospective panelists that I and other subcommittee members suggested.

We will be discussing this again on our next call, which is Jan. 13 and so we are hoping for a green light to go ahead by then.

Regards,  
Zea

On Dec 10, 2014, at 9:12 AM, Arsenault, Michelle - AMS wrote:

Hello Materials,

Attached, please find the notes from the December 9 call for your review. Our next call is scheduled for January 13! 2015!! Thanks again for your patience while we had a competing conference call try to use our line. Hopefully we have addressed the problem and that won't happen again!

Thanks,  
Michelle

Michelle Arsenault  
Advisory Committee Specialist  
USDA National Organic Program  
1400 Independence Ave SW; Room 2638S  
Washington, DC 20250-0268  
Office voicemail only: (202) 720-0081  
Mobile: (b) (6)  
[michelle.arsenault@ams.usda.gov](mailto:michelle.arsenault@ams.usda.gov)

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**From:** [McEvoy, Miles - AMS](#)  
**To:** [Zea Sonnabend](#); [Arsenault, Michelle - AMS](#); [Jean Richardson](#)  
**Cc:** [Calvin Walker](#); [Francis Thicke](#); [Jay Feldman](#); [Jennifer Taylor](#); [Nick Maravell](#); [Wendy Fulwider](#); [Harold Austin](#); [Colehour Bondera](#)  
**Subject:** RE: Seed Expert Panel Purpose and some bios  
**Date:** Friday, January 30, 2015 5:52:20 AM

---

Hi Zea,

Thanks again for this proposal. I need to gather some additional information before we can finalize plans for the panel. Thanks for your patience.

Miles

Miles V McEvoy

Deputy Administrator

Agricultural Marketing Service

National Organic Program

---

**From:** Zea Sonnabend [mailto:[zea@well.com](mailto:zea@well.com)]  
**Sent:** Monday, December 15, 2014 2:45 PM  
**To:** Arsenault, Michelle - AMS; McEvoy, Miles - AMS; Jean Richardson  
**Cc:** Calvin Walker; Francis Thicke; Jay Feldman; Jennifer Taylor; Nick Maravell; Wendy Fulwider; Harold Austin; Colehour Bondera  
**Subject:** Seed Expert Panel Purpose and some bios

Hi MS and Miles and Jean,

Here is the request for a seed expert panel at the next NOSB meeting, with a purpose articulated and the bios of some prospective panelists that I and other subcommittee members suggested.

We will be discussing this again on our next call, which is Jan. 13 and so we are hoping for a green light to go ahead by then.

Regards,  
Zea

On Dec 10, 2014, at 9:12 AM, Arsenault, Michelle - AMS wrote:

Hello Materials,

Attached, please find the notes from the December 9 call for your review. Our next call is scheduled for January 13! 2015!! Thanks again for your patience while we had a competing conference call try to use our line. Hopefully we have addressed the problem and that won't happen again!

Thanks,  
Michelle

Michelle Arsenault  
Advisory Committee Specialist  
USDA National Organic Program  
1400 Independence Ave SW; Room 2638S  
Washington, DC 20250-0268  
Office voicemail only: (202) 720-0081  
Mobile: (b) (6)  
[michelle.arsenault@ams.usda.gov](mailto:michelle.arsenault@ams.usda.gov)

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**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Re: Scope of work? Strategic plan? Action plan?  
**Date:** Friday, October 31, 2014 4:24:22 PM

---

OK  
Spring and Fall Agendas it is!  
Jean

Sent from my iPhone

> On Oct 31, 2014, at 3:14 PM, "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov> wrote:

>

> I like agenda - like Spring Agenda.

>

> -----Original Message-----

> From: Paula Daniels [<mailto:pdaniels@goodfoodla.org>]

> Sent: Thursday, October 30, 2014 1:25 PM

> To: McEvoy, Miles - AMS

> Subject: Scope of work? Strategic plan? Action plan?

>

> Some suggestions.

>

> I don't think "Syllabus" makes sense.

>

> I favor "Action Plan"

>

> \_\_\_\_\_  
> (Sent from my iPad)

>

>

>

>

> This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

**From:** [Jean Richardson](#)  
**To:** [John Foster](#); [joe.dickson@wholefoods.com](mailto:joe.dickson@wholefoods.com); [Jay Feldman](#); [Harold Austin](#); [Wendy Fulwider](#); [Zea Sonnabend](#); [tfavre@favrehouse.com](mailto:tfavre@favrehouse.com) Favre; [Francis Thicke](#); [Carmela Beck](#); [Colehour Bondera](#); [Jennifer Taylor](#); [Nick Maravell](#); [Mac Stone](#); [Calvin Walker](#)  
**Bcc:** [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#)  
**Subject:** saying good things about you!  
**Date:** Tuesday, September 30, 2014 5:54:39 PM

---

Hi Everyone:

At the public meeting we introduce ourselves with a brief statement. In addition to doing that I would like to have a few "bullet points" on a slide to be sure the public clearly understands what a great bunch you are! So can you let me know if you have any awards, job changes etc you would like me to highlight rather than you not being sure if you should "blow your own trumpet!" (except for Francis who does blow his own trumpet!). And what about being inspected and doing inspections. ? Can you tell me roughly how many inspections you have done, or shadowed, and/or roughly how many times you have been inspected.

I am looking forward to the meeting and working with you all as a group.  
Cheers from Vermont, where the Fall colors are amazing this year. Leaf peepers here by the thousands taking pictures of all those organic red leaves!

Jean

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#); [Mac Stone](#); [Brown Rosen, Emily - AMS](#); [Jones, Samuel - AMS](#)  
**Subject:** Sarah Flack's mother is new NOSB chair!!  
**Date:** Tuesday, May 20, 2014 9:25:21 AM

---

Hi

Thought you might enjoy yesterday's excited announcement to North East Organic Dairy folks about the NOSB Chair!

Jean

**From:** Edward Maltby [REDACTED] (b) (6)  
**Subject:** [NODPA-ODAIRY] FW: New NOSB Chair (Sarah Flack's mother)+ Sunset Fact Sheet  
**Date:** May 19, 2014 6:48:21 PM EDT  
**To:** [ODAIRY@LISTSERV.NODPA.COM](mailto:ODAIRY@LISTSERV.NODPA.COM)  
**Reply-To:** Organic Dairy Producers  
<[ODAIRY@LISTSERV.NODPA.COM](mailto:ODAIRY@LISTSERV.NODPA.COM)>

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#); [Nicole Dehne](#)  
**Cc:** [Sarah Flack](#)  
**Subject:** Roundtable Saturday Feb 14  
**Date:** Saturday, January 17, 2015 8:32:13 AM

---

Hi Miles and Nicole

The NOP Discussion Roundtable, open forum discussion, is Saturday Feb 14 from 1-2 in the Davis Center, 4th Floor.

I will moderate and encourage folks to come.

Thank you

Jean

**From:** [Jean Richardson](#)  
**To:** [Brown Rosen, Emily - AMS](#)  
**Cc:** [Tracy Favre](#); [Colehour Bondera](#); [Arsenault, Michelle - AMS](#); [Jennifer Taylor](#); [Mac Stone \(mac@elmwoodstockfarm.com\)](#); [McEvoy, Miles - AMS](#)  
**Subject:** Re: revised PPM 7-11-15  
**Date:** Sunday, July 12, 2015 9:06:36 AM

---

Hi Emily et al

I have reviewed the July 11 PPM and it is looking good.

I think that the Appendix 2 section on FACA probably does not belong in the PPM, but should simply be referenced.

On Tuesday I shall be on the road in Pennsylvania earning some income! ..., but I plan on being on the call from my mobile.

Thank you

Jean

On Jul 11, 2015, at 11:58 AM, Brown Rosen, Emily - AMS wrote:

<PPM 07-11-15.docx>

**From:** [Jean Richardson](#)  
**To:** [Brown Rosen, Emily - AMS](#)  
**Cc:** [Tracy Favre](#); [Colehour Bondera](#); [Arsenault, Michelle - AMS](#); [Jennifer Taylor](#); [McEvoy, Miles - AMS](#)  
**Subject:** Re: revised PPM 7-11-15  
**Date:** Friday, July 17, 2015 1:54:23 PM

---

Hi Emily

Would it be possible for you to generate the next clean version before our next meeting on August 11.?

Thank you

Jean

On Jul 11, 2015, at 11:58 AM, Brown Rosen, Emily - AMS wrote:

Hi all,

Here is the revised PPM draft based on changes made during 6-30 meeting. We stopped on page 21. I have inserted additional comments from Jean and Colehour in track changes mode also, hopefully I got them all,

Regards,

Emily

---

**From:** Tracy Favre [mailto:[tfavre@favrehouse.com](mailto:tfavre@favrehouse.com)]  
**Sent:** Wednesday, July 01, 2015 3:01 PM  
**To:** Colehour Bondera  
**Cc:** Arsenault, Michelle - AMS; Jean Richardson; Brown Rosen, Emily - AMS; Jennifer Taylor; McEvoy, Miles - AMS; Mac Stone ([mac@elmwoodstockfarm.com](mailto:mac@elmwoodstockfarm.com))  
**Subject:** Re: revised PPM 6-10-15

Emily is going to mark up the ppm thru where we left a off and send the newest out.

Sent from my iPad

On Jun 30, 2015, at 8:46 PM, Colehour Bondera <[\(b\) \(6\)](#)> wrote:

Anything more happen with this meeting after the drop?

Sorry that I could not come back as I had a meeting starting at 10:00.

COlehour

On Jun 30, 2015, at 9:59 AM, Arsenault, Michelle - AMS wrote:

I'm back on...weird. I was dropped

---

**From:** Jean Richardson [mailto:[\(b\) \(6\)](#)]

**Sent:** Tuesday, June 30, 2015 8:26 AM

**To:** Colehour Bondera

**Cc:** Brown Rosen, Emily - AMS; Arsenault, Michelle - AMS; Jennifer Taylor; McEvoy, Miles - AMS; Mac Stone ([mac@elmwoodstockfarm.com](mailto:mac@elmwoodstockfarm.com)); Tracy Favre ([tfavre@favrehouse.com](mailto:tfavre@favrehouse.com))

**Subject:** Re: revised PPM 6-10-15

Hi Colehour

Thank you for your comments.

I agree with you that we need to get this out for public comment .  
It is really exciting to see the document coming together in such a readable format.

Look forward to our call this afternoon

Jean

On Jun 30, 2015, at 2:03 AM, Colehour Bondera wrote:

Aloha NOSP PDS:

Thank you for your efforts on this Emily (and Michelle!)

To begin, I need to reiterate my most significant general observation/feeling, which is that it is overwhelming, inappropriate and even untenable to include a large volume of both structural/presentation changes simultaneously with substantial content revisions in a document which was put together piece by piece and modified through a number of NOSB members over more than ten years.

In honesty, my feeling is that as an NOSB member who tries to dedicate an average of 20 hours per week to NOSB requirements, that completely and seriously reviewing this whole draft would take me more time than is possible as a member of other subcommittees. While it was read through, it was nearly impossible to make comparisons and cross references to the original document without spending 5-10 times more time than was viable. Not clear how it could be anticipated that other NOSB members or members of the public can seriously, honestly or completely review what is put forth.

That said, it is my intent to try to participate for as long as what is put forth is at minimum listened to if not incorporated or followed in terms of reaching the desired goal in a timely and functional manner.

To be quite candid, however, it is unclear what the desired goal is at this time. For that reason alone it may be that each participant is working from their individual place of consideration, and not an agreed upon shared goal that we all strive to attain.

Since my understanding and desire is that it is very important for there to be NOSB - NOP collaboration, as noted on page 8 of the

draft PPM, we must remember that this is significant for both NOSB members and employees of the NOP to share that the word at hand means, 'working together'. For that very reason, the implications of the word, "facilitated" in the second paragraph of that section E is somewhat divisive. Words such as, "sought" or, "encouraged" would make much more sense.

In any case below my desire is to mention at least the first read thoughts that came to me...

- p.4 - do NOT delete "supporting"
- p.8 - *see above*
- p.12 - section J. therein states, "...and COI" but the section does not go into COI, which is really a part of section K. That referral should be removed.
- p.16 (or so) - usually COI includes recusal from discussion and or from voting. The way this is presented, it is only tracked or even publicly referred to regarding the vote and that is incomplete.
- p.16 - IV. Subcommittees A. "conducting" not right. should be, "facilitating", "considering", "seeking", etc.
- p.16 - 1. PDS description. Does not match from previous PPM. Who modified and why is, "NOP request" required?!?
- p. 17 - 2. List (as in section above), "The current ad hoc subcommittees include GMO".
- p.19 - E. include parts that were tried and changed over time and lots of experience in terms of the appointment timings post election and for subcommittee roles.
- p. 20 - 7. where is the 'new member mentorship' part?
- p.21 - re: minority wording, NOT clear how it is not acceptable after a vote when it does not need to exist until a vote happens. Who has tried this strategy and when and how effective was it within the NOSB? This is academic conjecture and not what works within the system in place.
- p.22 - petition process references disturbing since now NOSB members are listed as able to submit petitions, and it is seriously unclear how the unique role does not seriously imply COI and also how it is not perceived as discrimination since those who are not in offices with staff and finances accessible (such as any actual farmer member which is 27% of the total) could seriously be able to consider such an option.
- p.23 - 3rd to last paragraph does not read...
- p.25 - 2. "NOP decides" should read more collaboratively, such as, "NOP reviews"
- p.27 - VI. Withdrawals. None should be permitted after vote. If starts should go through whole process to NOSB public vote. No exceptions or compromise as a policy!
- p.28 - should be clarified why a comment made at the 2nd meeting stage can be called, "untimely". Otherwise unfair to those who arbitrarily receive such determination.
- p.30 - Unclear why the National List Manager would be identified in

the PPM as potential parliamentary advisor to the Chair. Why instead not state, "NOP representative" so that it is open to holders of various positions and/or a consultant depending upon staff at a given moment?

My intent is to be ready for discussions on the items that were in the email list as well, though there is some overlap above and list (below).

As has been my understanding since growing up with 10 siblings, it is hard/impossible/dysfunctional to be following rules or procedures that are being created on the fly, so my opinion is that NOSB can and should have internal policies well in place BEFORE ever taking any action, even if being put forth as trial. Time and experience mean that things can get adjusted and improved. Starting anew and coming up with policies based on an end point reaction and not agreed upon goals can never hold over time and the role of the NOSB is to advise, with our input to be considered and as stated above, it is my hope that these thoughts are helpful for the shared goal of improving things (for which we all have differing views of best choices).

As an advisor of the public opinion or organic matters, there must be adequate time and involvement of the public to ensure that our internal policies and procedures are well understood and will be followed by all members. Transparency means we must allow enough consideration and review at both the NOSB level and the timing for public considerations. As stated at the beginning of this message, it is my observation and experience that it will be insufficient time for serious and complete public reviews within the present system of available time with all of the other items needing attention. It should therefore be recognized that if put forth that said process will need to happen again at the next public meeting after preliminary changes, and if this is agreed upon then it should be so put forth to the public with the anticipated process shared.

Until the morrow,

Colehour

On Jun 10, 2015, at 10:13 AM, Brown Rosen, Emily - AMS wrote:

Hi all,

Here is the long awaited revision of the PPM, incorporating comments from the earlier meeting and those sent in by Jean and Tracy. I have left these changes in track changes mode.

I think this list below includes the significant changes that need

discussion.

1. Section III D3 -Role of Secretary - page 8
2. Work agendas , Section III F Page 9
3. Standards of Conduct, Sect III J -1-2 page 14
4. Task forces – Section IV C page 19
5. Minority view Section IV F 1 page 21
6. Substance review – Roberts rules Section 1V G 6 page 25
7. Changing annotations or classification IV G 2 page 25, also mentioned under III F examples of work agenda items page 10
8. Additional considerations for TRs, IV G 3 page 26
9. Sunset review process, Sect VII page 27
10. Withdrawal of petitions sect IV G 6, page 28
11. ref to Roberts Rules – Section V B , C page 30-31
12. Remove appendix one, Procedures for Nat List petitions p.39

Do not worry about problems with numbering, bullets or indents. This seems to be a little unstable when it goes to different computers, but I assure you, it looks fine in my version.

**How about we schedule a make-up meeting for PDS in June: does June 30, 3 pm Eastern work?** It looks like there is crops and handling, but no livestock call that day.

Thanks,  
Emily

Emily Brown Rosen  
Specialist, Standards Division  
USDA-AMS-NOP  
[www.ams.usda.gov/nop](http://www.ams.usda.gov/nop)  
609-737-8630 NJ office  
(b) (6) cell

<PPM 06-10-15.docx>

<PPM 07-11-15.docx>

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Skiing in Vermont  
**Date:** Saturday, March 07, 2015 6:21:23 PM  
**Attachments:** [ATT00001.txt](#)

---

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Re: Skiing in Vermont  
**Date:** Sunday, March 08, 2015 1:32:53 PM

---

5.30 tomorrow is fine.  
Good luck with animal welfare  
Jean

On Mar 8, 2015, at 1:22 PM, McEvoy, Miles - AMS wrote:

> I look stunned by the cold.  
>  
> I'd like to postpone our weekly chat. I need to meet on animal welfare in the morning. We could talk late Monday afternoon - say 5:30 pm?  
>  
> -----Original Message-----  
> From: Jean Richardson [[mailto:](#) (b) (6)]  
> Sent: Saturday, March 07, 2015 6:21 PM  
> To: McEvoy, Miles - AMS  
> Subject: Skiing in Vermont  
>  
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>  
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**From:** [Jean Richardson](#)  
**To:** [Tracy Favre](#); [Harold Austin](#); [Carmela Beck](#); [Zea Sonnabend](#); [Tom Chapman](#); [Calvin Walker](#)  
**Cc:** [Brown Rosen, Emily - AMS](#); [McEvoy, Miles - AMS](#); [Arsenault, Michelle - AMS](#)  
**Subject:** Sunset annotation proposals  
**Date:** Friday, June 26, 2015 7:10:43 AM

---

Hi Exec. Subcommittee

Sunset Review indicates that some materials should be annotated. Such annotations must be proposals separate from Sunset Review. Some of the subcommittees have been discussing the desire to prepare proposals to annotate materials, and some proposals could be ready for consideration at the October meeting.

In order to be sure the record is clear, could each SC Chair please present to the Exec on the July 12 call, which proposals they would like to be able to develop, so the Exec and NOP can discuss and determine if these should be added to the SC Work Agendas.

Thank you

Jean

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Sunset and rule making  
**Date:** Friday, January 30, 2015 7:24:22 AM

---

Hi Miles

Do I have this right?

If the motion to Remove a Sunset material fails then the material stays on the List and no Rule making is needed.

If the motion to Remove passes - such as iodine - then that recommendation to remove must go through Rule making.

If we then at the same meeting make a motion to add iodine to the NL with the following annotation xxxx then that Proposal must go through Rule making.

So that would be 2 Rule making procedures for one material.

Would it not be better to have one Rule making in such a circumstance?

Jean

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Cc:** [Brown Rosen, Emily - AMS](#)  
**Subject:** Sunset  
**Date:** Saturday, October 04, 2014 11:23:15 AM

---

Hi Miles

Jim Pierce also thinks that an NOP memo on how the votes to re-list should be interpreted under the new Sunset procedure should go out to public before the meeting.

Maybe on Tuesday we can finalize wording so you and I say the same thing

Jean

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Starry night cafe tonight at 7  
**Date:** Wednesday, July 11, 2012 5:47:10 PM

---

Hi Miles:

You have directions OK for tonight?. Dinner at 7 pm

Starry Night cafe, North Ferrisburgh, Rt 7

home phone; (b) (6) if you need to reach me before 6.45,

thereafter cell phone will work, (b) (6)

Starry night phone: 802-877- 6316

Jean

**From:** [Jean Richardson](#)  
**To:** [Mac Stone](#)  
**Cc:** [Arsenault, Michelle - AMS](#); [Calvin Walker](#); [Carmela Beck](#); [Colehour Bondera](#); [Francis Thicke](#); [Harold Austin](#); [Jay Feldman](#); [Jennifer Taylor](#); [joe.dickson@wholefoods.com](mailto:joe.dickson@wholefoods.com); [John Foster](#); [Nick Maravell](#); [Tracy Favre](#); [Wendy Fulwider](#); [Zea Sonnabend](#); [McEvoy, Miles - AMS](#)  
**Subject:** Re: Spring 2013 Draft agenda  
**Date:** Friday, February 08, 2013 11:29:40 AM

---

Hi Mac  
thank you for your comprehensive response  
sounds OK to me  
Jean

Sent from my iPad

On Feb 8, 2013, at 11:20 AM, "Mac Stone" <(b) (6)> wrote:

A few of you expressed interest in have balance in the aquaculture (AQ) presentation at the Portland meeting. George Lockwood is Chairman of the 12 member AQ Working Group (AWG). The AWG members were appointed by NOP to fulfill a federal register notice to provide draft organic production and handling standards for Aquatic animals and plants. The wild fisheries working group was never seated. Members of the AWG are volunteer "contractors" for the NOP on our behalf. There were no term limits placed on these appointments so they can continue to provide input until the standards are codified. His presentation should not be viewed as one side of the interest. Dr. Becky Goldberg (former NOSB member) is the Environmental Scientist on the AWG and her concerns were incorporated into their recommendations. Members of the AWG worked very closely with the livestock committee and full board for several years during the deliberation of the final recommendation.

The intent is for George to describe who the members are, how the AWG worked to develop their recommendation to the NOSB, and their role in helping the NOSB make its recommendation to the NOP. His role is not to sell us on AQ but get this board up to speed on past conversations of the board that dealt with this subject.

Two aspects he has been asked to address is how is organic AQ distinguished from commercial AQ and how does organic AQ address environmental concerns. This will make for a very full hour, I want to have time for some questions as well.

At the fall meeting we plan to have a diverse panel of participants, that represents varying viewpoints on organic AQ, not only for presentations, but as technical resources as well. Becky and others are being lined up as we speak.

The LS has scheduled a series of presenters for their upcoming calls for additional back ground information. We plan to begin with the environmental concerns. Becky is unavailable for the February 19 call, so we may re-arrange the order a bit. March 5, George will give the LS info similar to the presentation to full board, but also hear what the concerns are and what info the LS needs to help with their decisions on materials. March 19 has Jim Pierce from Oregon Tilth to lay out what OSP's must address and what certifiers will be looking for (Jim raised aquatic animals for several years). Future calls will address fish meal and fish oil which means wild fisheries. All this is for background so individual materials will have more context.

Thanks for your understanding on the process to regain knowledge lost thru board rotation. There will be plenty of time for debate, and there will be plenty.

Thanks, Mac

---

**From:** Arsenault, Michelle - AMS [mailto:Michelle.Arsenault@ams.usda.gov]  
**Sent:** Thursday, February 07, 2013 10:57 AM  
**To:** Calvin Walker; Carmela Beck; Colehour Bondera; Francis Thicke; Harold Austin; Jay Feldman; Jean Richardson; Jennifer Taylor; [joe.dickson@wholefoods.com](mailto:joe.dickson@wholefoods.com); John Foster; Mac Stone; Nick Maravell; Tracy Favre; Wendy Fulwider; Zea Sonnabend  
**Subject:** Spring 2013 Draft agenda

Hello NOSB!

Attached, please find the latest iteration of the agenda (note the revision date of Feb 7 at the top). I removed some items that will not be ready for the spring meeting, and moved the Inerts WG update from Wednesday afternoon to Tuesday morning as was suggested, and I think the schedule feels very comfortable. There's still some flexibility built in to accommodate public comments.

Let me know if you have any comments or changes, and if I don't hear from you by Tuesday February 12<sup>th</sup>, this is the version (edited for external eyes of course) that I will post.

I will also place this in Dropbox.

Thanks for all of your input and suggestions!

Michelle

Michelle Arsenault

Advisory Board Specialist  
USDA National Organic Program  
1400 Independence Ave SW; Room 2640S

Washington, DC 20250-0268  
Office phone: (202) 720-0081

Mobile: (b) (6)

[michelle.arsenault@ams.usda.gov](mailto:michelle.arsenault@ams.usda.gov)

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**From:** [McEvoy, Miles - AMS](#)  
**To:** ["Angela Jagiello"](#)  
**Cc:** [Rakola, Betsy - OSEC](#); ["Jean Richardson"](#)  
**Subject:** RE: Speaking Invitation: All Things Organic (Sept. 17, 2015)  
**Date:** Wednesday, July 22, 2015 8:13:03 AM

---

Hi Angela –  
I look forward to the session.  
Miles

Miles McEvoy  
Deputy Administrator  
National Organic Program

---

**From:** Angela Jagiello [mailto:AJagiello@ota.com]  
**Sent:** Tuesday, July 21, 2015 1:02 PM  
**To:** McEvoy, Miles - AMS  
**Subject:** Speaking Invitation: All Things Organic (Sept. 17, 2015)  
**Importance:** High

Good afternoon,

I am writing to invite you to participate in a panel discussion at the upcoming [All Things Organic Conference](#) in Baltimore September 17-18, 2015. The conference is co-located with [Natural Products Expo East](#) – the largest natural products industry gathering on the East Coast.

The session, entitled **“Organic Regulatory Update”** will offer attendees updates on the activities of the USDA, including the National Organic Program, the National Organic Standards Board, and other regulatory and policy developments affecting organic. This session is perennially among our most informative and well attended. I hope you will consider participating!

**Organic Regulatory Update**  
**Thursday, September 17, 2015**  
**12:00 - 1:15 PM**

Organic is the most highly regulated food system in the worlds. Come hear the latest from the agencies and individuals at the center of regulatory affairs for this \$39 billion sector.

Invited Speakers:

- Moderator: Gwendolyn Wyard, Senior Director, Regulatory and Technical Affairs, Organic Trade Association
- Miles McEvoy, Deputy Administrator, USDA – National Organic Program
- Betsy Rakola, Organic Policy Advisor, USDA – Office of the Secretary
- Jean Richardson, Chairperson, National Organic Standards Board

I look forward to hearing from you with any questions, and hope that you are able to join us!

Kindly,  
--Angela Jagiello

---

**Angela Jagiello**

Associate Director, Conference and Product Development

Organic Trade Association (OTA)

Direct: (802) 275-3831

28 Vernon St, Suite 413

Brattleboro, VT 05301

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Speaking in PA?  
**Date:** Tuesday, September 23, 2014 10:28:04 AM

---

Hi Miles

I have been asked to speak about the NOSB and organic agriculture standards in Pennsylvania - April 12-14, 2015- This will be on Ursinus College campus I think, in partnership with the Pennsylvania Association of Sustainable Agriculture .

Would you be interested in having me suggest that you also come to that?

cheers

Jean

**From:** [McEvoy, Miles - AMS](#)  
**To:** [Jean Richardson](#)  
**Subject:** Automatic reply: small scale organic certification  
**Date:** Monday, November 17, 2014 8:29:57 AM

---

I am out of the office. Please contact Desiree Lee at 202-720-3252, [desiree.lee@ams.usda.gov](mailto:desiree.lee@ams.usda.gov) if you need immediate assistance.

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**From:** [Jean Richardson](#)  
**To:** [COLEHOUR BONDERA](#)  
**Cc:** [Calvin Walker](#); [Carmela Beck](#); [Francis Thicke](#); [Harold Austin](#); [Jay Feldman](#); [Jennifer Taylor](#); [joe.dickson@wholefoods.com](#); [John Foster](#); [Mac Stone](#); [Nick Maravell](#); [Tracy Favre](#); [Wendy Fulwider](#); [\(b\) \(6\)](#); [Zea Sonnabend](#); [Michelle Arsenault](#); [McEvoy, Miles - AMS](#); [Tucker, Jennifer - AMS](#); [Tom Chapman](#); [Lisa](#); [Paula Daniels \(pdaniels@goodfoodla.org\)](#); [Ashley Swaffar](#); [Rakola, Betsy - AMS](#); [Brown Rosen, Emily - AMS](#)  
**Subject:** Re: small scale organic certification  
**Date:** Monday, November 17, 2014 8:29:59 AM

---

Thank you Colehour. Let's put this on the next Executive Agenda for discussion. Jean

On Nov 17, 2014, at 2:52 AM, COLEHOUR BONDERA wrote:

Aloha NOSB members,

As a recipient of the ATTRA e-mail list, I found this note/discussion to be very "right on", from my perspective:

<http://ofcfbc.wordpress.com/2014/10/30/to-certify-or-not-to-certify-the-perspective-of-small-scale-organic-farmers/>

Such a large number of small-scale certified (or could be certified, but are not) farm(ers) exist that I simply wonder how and if we (the NOSB) can and should be formally recommending to the NOP that coordinated actions take place with others, such as Canada, to ensure that the "largest common denominator" not end up resulting in that organic by definition is by scale of operation, with standards that shut out participation by those too small, who in many places make up a vast majority of the number of farmers, if not the number of total organic acres.

We must maintain and encourage the complete integrity of organics, and I think that this is a very important component which deserves more attention than it is presently receiving. Should the US system perhaps have a Working Group advising on this subject area is one of the first questions that comes to my mind at this moment (since materials are often needed differentially by small-scale and large-scale operations even in the same geographical regions). Based on my experience within the NOSB and as I perceive future actions and growth, I would like to request that such a Working Group formation be one of the components of a recommendation coming in some format (TBD at this time) from the NOSB to the NOP (this is not simple since it does not fit within any of the prescribed "sub-committee" purviews, which is part of the reason that I send this to all of you as a group for further reflection or comments back...

Yours,

Colehour Bondera  
KANALANI OHANA FARM  
[www.kalanifarm.org](http://www.kalanifarm.org)  
PO Box 861

Honaunau, HI 96726

(b) (6) cell/text

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Skyping in Harold  
**Date:** Saturday, June 27, 2015 5:42:43 PM

---

I chatted with Paula about a number of things and asked her opinion about skyping in Harold in October.- Paula is sort of like an outside observer.

She said to state medical necessity and just do it.

So should we raise this concept on the July Exec call too?

I am feeling so despondent about the NOC attitude towards oral public comment.

We work so hard to be treated with so much disrespect

Sorry!

Jean

Sent from my iPhone

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Fwd: Sunset changes protest FYI  
**Date:** Saturday, August 30, 2014 10:07:20 AM  
**Attachments:** [Dear Organic Caucus FINAL SIGN ON 081814.docx](#)

---

Miles

I assume you saw this?

I replied to her only, to thank her for keeping us informed, and assure her that we are working to resolve perceived problems and confusion

Jean

Begin forwarded message:

**From:** Trudy Bialic <[trudy.bialic@pccsea.com](mailto:trudy.bialic@pccsea.com)>  
**Date:** August 19, 2014 2:14:04 PM EDT  
**To:** "[HaroldA@zirklefruit.com](mailto:HaroldA@zirklefruit.com)" <[HaroldA@zirklefruit.com](mailto:HaroldA@zirklefruit.com)>, "[carmela.beck@driscolls.com](mailto:carmela.beck@driscolls.com)" <[carmela.beck@driscolls.com](mailto:carmela.beck@driscolls.com)>, "[colemel@efn.org](mailto:colemel@efn.org)" <[colemel@efn.org](mailto:colemel@efn.org)>, "[joe.dickson@wholefoods.com](mailto:joe.dickson@wholefoods.com)" <[joe.dickson@wholefoods.com](mailto:joe.dickson@wholefoods.com)>, "[tfavre@holisticmanagement.org](mailto:tfavre@holisticmanagement.org)" <[tfavre@holisticmanagement.org](mailto:tfavre@holisticmanagement.org)>, "[jfeldman@beyondpesticides.org](mailto:jfeldman@beyondpesticides.org)" <[jfeldman@beyondpesticides.org](mailto:jfeldman@beyondpesticides.org)>, "[jfoster@ebfarm.com](mailto:jfoster@ebfarm.com)" <[jfoster@ebfarm.com](mailto:jfoster@ebfarm.com)>, "[wendy.fulwider@organicvalley.coop](mailto:wendy.fulwider@organicvalley.coop)" <[wendy.fulwider@organicvalley.coop](mailto:wendy.fulwider@organicvalley.coop)>, "(b) (6)" <(b) (6)>, "(b) (6)" <(b) (6)>, "(b) (6)" <(b) (6)>, "[mac.stone@ky.gov](mailto:mac.stone@ky.gov)" <[mac.stone@ky.gov](mailto:mac.stone@ky.gov)>, "[jennifer.taylor@famu.edu](mailto:jennifer.taylor@famu.edu)" <[jennifer.taylor@famu.edu](mailto:jennifer.taylor@famu.edu)>, "(b) (6)" <(b) (6)>, "(b) (6)" <(b) (6)>, "[fthicke@iowatelecom.net](mailto:fthicke@iowatelecom.net)" <[fthicke@iowatelecom.net](mailto:fthicke@iowatelecom.net)>  
**Subject: Sunset changes protest**

Hello NOSB members,

For your continuing deliberations on behalf of the organic industry, I'm attaching here a letter signed by 23 retail grocers and businesses.

I'm confident many more retailers would sign on, if I reached out to them. But in the interest of timeliness, I am submitting this letter to you with current signatories only.

We are asking the Congressional Organic Caucus to help reverse USDA's unilateral changes to the National Organic Program.

On behalf of the retailers who joined us, and our hundreds of thousands of customers, we thank you for your consideration and action,

Respectfully,

Trudy

*Trudy Bialic / Director, Public Affairs / PCC Natural Markets / Seattle, WA / 206-547-1222*

On behalf of:

PCC Natural Markets, Seattle, Washington

Central Co-op, Seattle, Washington

Marlene's Markets, Tacoma and Federal Way, Washington

The Markets, Bellingham, Washington

Skagit Valley Food Co-op, Mt. Vernon, Washington

Tonasket Food Coop, Tonasket, Washington

Sacramento Natural Foods Co-op, Sacramento, California

Ocean Beach People's Organic Food Coop, San Diego, California

Ashland Food Co-op, Ashland, Oregon

Outpost Natural Food Cooperative, Milwaukee, Wisconsin

One Degree Organic Foods, B.C., Canada

Dill Pickle Food Co-op, Chicago, Illinois

Wheatsville Food Co-op, Austin, Texas

La Montanita Food Co-op, Albuquerque, New Mexico

People's Food Co-op of Kalamazoo, Michigan

Whole Foods Co-op, Duluth, Minnesota

Mississippi Market Natural Foods Co-op, St. Paul, Minnesota

The Merc Community Market & Deli, Lawrence, Kansas

New Leaf Market Co-op, Tallahassee, Florida

Los Alamos Cooperative Market, Los Alamos, New Mexico

Hanover Consumer Co-op, Hanover, New Hampshire

Wild Oats Market, Williamstown, Massachusetts

Eastside Food Cooperative, Minneapolis, Minnesota

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August 18, 2014

To the Congressional Organic Caucus,

We the undersigned organizations are writing to ask you to advocate reversal of USDA's unilateral changes to the organic program's Sunset Provision. We believe these changes violate the intent and the letter of the Organic Foods Production Act (OFPA).

#### A high bar to allow and renew synthetics

We have re-read OFPA and the letters from Sen. Leahy and Rep. DeFazio to Sec. Vilsack, as well as the letter from three former chairs of the National Organic Standards Board, and we respectfully disagree with the Deputy Administrator's statement that the changes "shouldn't make it harder" to remove items from the National List.

NOP staff has admitted in various settings that materials up for Sunset from the National List of Allowed and Prohibited Substances were subject to being removed by a minority vote, and that materials some interests wanted to renew [leave on the list] weren't getting enough votes, so USDA changed the voting process. In other words, NOP staff has admitted publicly it changed the rules *to make it easier* to keep synthetics on the National List.

OFPA established the two-thirds supermajority requirement for "Decisive Votes" [Sec. 2119 (i)] intentionally to establish a very high hurdle for prohibited synthetics to be allowed, even temporarily, in organics. Within the context of the overarching principle in Sec. 2105 [7 USC 6504], that foods labeled organic must be "produced and handled without the use of synthetic chemicals ...," Congress certainly intended the Sunset Provision to emphasize the *temporary* nature of exemptions.

USDA's policy change makes relisting and renewal of synthetics much easier. Now, only six votes are needed for a synthetic to be allowed continued use, not the 10-vote supermajority mandated by OFPA. This assumes the full board even gets to vote on the relisting, since the murky nature of how these materials would be handled in subcommittees seems to preclude a full board vote if the subcommittee approves continued use.

Now, even if *nine* NOSB members *oppose* relisting, a six-vote minority favoring continued use would determine the "Decisive Vote" to enable continued use. This is contrary to Congressional intent for consensus in requiring a supermajority for Decisive Votes, through any plain reading of the law.

OFPA's framers meant clearly to establish a very high hurdle to add an exemption and to renew any exemptions — not a high hurdle to allow, and a low hurdle to renew.

#### Policy change without public comment

USDA's unilateral changes have been labeled a "power grab" with cause, since they were announced without the benefit of full notice and opportunity for public comment.

When asked where the changes originated, NOP staff has stated that “USDA did recently adjust how it works with the National Organic Standards Board to be more consistent with how other federal advisory boards are managed [under the Federal Advisory Committee Act (FACA)].”

The unique powers and authority granted to NOSB by OFPA have rubbed some USDA officials the wrong way from inception. But attempting to redefine the NOSB “to be more consistent with how other federal advisory boards are managed” contravenes what Congress enacted into law. (Note that FACA Sec. 9 says: (b) *Unless otherwise specifically provided by statute or Presidential directive, advisory committees shall be utilized solely for advisory functions.*)

Congress knowingly and intentionally granted exceptional and unique powers and authority to the National Organic Standards Board — unlike most other federal advisory committees. In passing OFPA in 1990, Congress knowingly and intentionally superseded the provisions established by FACA in 1972. In other words, OFPA overrides FACA.

#### Subcommittee eliminated

We are very concerned by the NOP’s elimination of the Board’s Policy Development Subcommittee and control of the NOSB work plan and agenda. This unilateral, top-down action suggests that NOSB under the new rules would no longer be allowed to create a subcommittee to work on topics of its choosing, such as the GMO subcommittee or a subcommittee to study nanotechnology.

OFPA established the NOSB to advise the Secretary of Agriculture on the organic program. NOSB cannot advise the Secretary well if its authority to develop a work plan and agenda, or create committees and procedures, is diminished or denied.

#### Mandates ignored

There are two other OFPA provisions that appear to be contravened by USDA’s management of the organic program.

Sec. 2119 (j) “Other Terms and Conditions” states “The Secretary shall authorize the Board [NOSB] to hire a staff director ...” To date, staff directors have been hired not by the Board as the law stipulates, but rather by the USDA. This must be rectified.

Also, Sec. 2119 (j) (3) “Technical Advisory Panels” says, “The Board [NOSB] shall convene technical advisory panels to provide scientific evaluation of the materials considered for inclusion in the National List ...” To date, TAPs have been convened by USDA unilaterally, not the Board, as stipulated by the law. Selection of TAP reviewers by USDA has become so shrouded in secrecy that NOSB members do not even know who the TAP reviewers are. This must be rectified.

We realize the pressure USDA, and you in particular, must be facing from industry. Manufacturers and processors barely mustered the votes to allow carrageenan (even with flawed TAP reviews). They nearly lost DHA, and larger orchards did lose antibiotics for growing apples and pears.

Yet changing the rules and admitting they were intended to reverse the course of Sunset — to enable renewal of synthetics with just six of 15 votes — and to refashion NOSB under FACA, violates the intent of Congress and the letter of the law in OFPA. The drafters of OFPA required a two-thirds supermajority

for Decisive Votes, requiring a higher level of consensus across the full range of organic stakeholders, to ensure both credibility of the organic label and public support for organic products.

As significant stakeholders in the National Organic Program, we ask you to reverse these policies. We ask you, respectfully, to utilize the full notice and comment rulemaking procedures when there are changes NOP considers important.

Sincerely,

PCC Natural Markets, Seattle, Washington  
Central Co-op, Seattle, Washington  
Marlene's Markets, Tacoma and Federal Way, Washington  
The Markets, Bellingham, Washington  
Skagit Valley Food Co-op, Mt. Vernon, Washington  
Tonasket Food Coop, Tonasket, Washington  
Sacramento Natural Foods Co-op, Sacramento, California  
Ocean Beach People's Organic Food Coop, San Diego, California  
Ashland Food Co-op, Ashland, Oregon  
Outpost Natural Food Cooperative, Milwaukee, Wisconsin  
One Degree Organic Foods, B.C., Canada  
Dill Pickle Food Co-op, Chicago, Illinois  
Wheatsville Food Co-op, Austin, Texas  
La Montanita Food Co-op, Albuquerque, New Mexico  
People's Food Co-op of Kalamazoo, Michigan  
Whole Foods Co-op, Duluth, Minnesota  
Mississippi Market Natural Foods Co-op, St. Paul, Minnesota  
The Merc Community Market & Deli, Lawrence, Kansas  
New Leaf Market Co-op, Tallahassee, Florida  
Los Alamos Cooperative Market, Los Alamos, New Mexico  
Hanover Consumer Co-op, Hanover, New Hampshire  
Wild Oats Market, Williamstown, Massachusetts  
Eastside Food Cooperative, Minneapolis, Minnesota

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Cc:** [Robert Mac Stone](#) (b) (6) [John Foster](#) (b) (6)  
**Subject:** Re: Tomorrow  
**Date:** Sunday, February 02, 2014 1:55:20 PM

---

Ok with me.

Jean

On Feb 2, 2014, at 1:45 PM, McEvoy, Miles - AMS wrote:

Could we meet at Zaytinya, 701 9<sup>th</sup> St. NW at 5:30 pm? It is close to Gallery Place Metro.  
Miles

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**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Re: Today  
**Date:** Friday, November 14, 2014 9:14:25 PM

---

No problem  
Monday is good.  
I leave for India on Wednesday

Sent from my iPhone

> On Nov 14, 2014, at 6:24 PM, "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov> wrote:

>

> Sorry. The day ran away from me. Early Monday?

>

> Miles V McEvoy

> Deputy Administrator

> USDA National Organic Program

>

>> On Nov 14, 2014, at 9:09 AM, "Jean Richardson" <(b) (6)> wrote:

>>

>> Yes.. I have to watch my granddaughter at ballet class 3.pm - 4.15.

>> Can you call me at 5 pm on my cell phone? (b) (6)

>> Have a happy retreat!

>> Jean

>>

>>> On Nov 14, 2014, at 8:25 AM, McEvoy, Miles - AMS wrote:

>>>

>>> I'm in an AMS retreat today. Can we check in late afternoon?

>>>

>>> Miles V McEvoy

>>> Deputy Administrator

>>> USDA National Organic Program

>>>

>>>

>>>

>>>

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>>

**From:** [Jean Richardson](#)  
**To:** [John Foster](#)  
**Cc:** [McEvoy, Miles - AMS](#); [Mac Stone \(Personal\)](#)  
**Subject:** Re: Title of that book: Thinking, Fast & Slow  
**Date:** Wednesday, April 16, 2014 11:33:20 AM

---

Hi John

Thank you

I will check it out on Amazon.

Yes the lack of balance in public comments written and oral is frustrating.!

Jean

On Apr 16, 2014, at 11:26 AM, John Foster wrote:

Daniel Kahneman is the author. Brilliant discussion and articulation on how humans make decisions, thereby exposing the methods that lead to inappropriate manipulation of those less inclined to think independently.

For example, WSIATI-What you see is all there is. Unless you work hard intellectually, the only information used to inform a decision is what's in front of you. Public Comment, anyone?

Cheers,

-John

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**From:** [Jean Richardson](#)  
**To:** [Mac Stone](#)  
**Cc:** [McEvoy, Miles - AMS](#); [Zea Sonnabend](#); [Carmela Beck](#); [Harold Austin](#); [Tracy Favre](#); [Wendy Fulwider](#); [joe.dickson@wholefoods.com](#); [John Foster](#); [Arsenault, Michelle - AMS](#)  
**Subject:** Re: Thursday morning  
**Date:** Thursday, May 01, 2014 7:32:44 AM

---

It is aggravating not to be able to just get on with our work, but public meetings are open and the First Amendment is pretty clear on rights  
Let's try to keep cool and carry on  
Jean

Sent from my iPad

On May 1, 2014, at 5:28 AM, "Mac Stone" <[\(b\) \(6\)](#)> wrote:

She made her statement and will not cause further problems in my opinion. She was there late in the day yesterday without issue. We should not honor the behavior by boycotting our own meeting. More antics from others will be handled as necessary if necessary. For the process to work we must be at work. I will be downstairs early if we need to make decisions. My number 859-621-0756

---

**From:** McEvoy, Miles - AMS [<mailto:Miles.McEvoy@ams.usda.gov>]  
**Sent:** Wednesday, April 30, 2014 11:45 PM  
**To:** Zea Sonnabend  
**Cc:** Carmela Beck; Harold Austin; Mac Stone; Tracy Favre; Wendy Fulwider; [joe.dickson@wholefoods.com](#); Jean Richardson; John Foster; Arsenault, Michelle - AMS  
**Subject:** Re: Thursday morning

I would request that you do not do this. The NOSB meetings are open public meetings. I do not have the authority to keep her from attending the meeting. We can meet at 8 to discuss.

Miles V McEvoy  
Deputy Administrator  
USDA National Organic Program

On Apr 30, 2014, at 9:55 PM, "Zea Sonnabend" <[zea@well.com](mailto:zea@well.com)> wrote:

Hello fellow meeting participants,  
Several of us were talking over dinner and found we were all not happy that Alexis from OCA was allowed to be back in the meeting room after being arrested for disrupting the meeting. We feel that if she is allowed in tomorrow, we do not want to participate either. We want our meetings to be civil and law-abiding. Therefore we plan to not be in the room if she is in there. We will stand outside and hopefully enough of you will join with us that a quorum cannot be achieved until she is gone.

This attitude is exacerbated by it being out in the media that some other antics are being planned for tomorrow.

Miles, we ask you to give an assurance to us that such people and their tactics are not condoned by the department and make sure she is not there tomorrow or Friday.

Thanks,  
Zea et. al.

---

**From:** "Michelle Arsenault - AMS"  
<[Michelle.Arsenault@ams.usda.gov](mailto:Michelle.Arsenault@ams.usda.gov)>  
**To:** "Calvin Walker" <(b) (6)> "Carmela Beck"  
<[carmela.beck@driscolls.com](mailto:carmela.beck@driscolls.com)>, "Colehour Bondera"  
<[colemel@kanalanifarm.org](mailto:colemel@kanalanifarm.org)>, "Francis Thicke"  
<[fthicke@iowatelecom.net](mailto:fthicke@iowatelecom.net)>, "Harold Austin"  
<[harolda@zirklefruit.com](mailto:harolda@zirklefruit.com)>, "Jay Feldman"  
<[jfeldman@beyondpesticides.org](mailto:jfeldman@beyondpesticides.org)>, "Jean Richardson"  
<(b) (6)> "Jennifer Taylor"  
<(b) (6)> "joe dickson"  
<[joe.dickson@wholefoods.com](mailto:joe.dickson@wholefoods.com)>, "John Foster"  
<[jfoster@ebfarm.com](mailto:jfoster@ebfarm.com)>, "Mac Stone" <(b) (6)>  
"Nick Maravell" <(b) (6)> "Tracy Favre"  
<[tfavre@favrehouse.com](mailto:tfavre@favrehouse.com)>, "Wendy Fulwider"  
<(b) (6)> "Zea Sonnabend" <[zea@well.com](mailto:zea@well.com)>  
**Sent:** Wednesday, April 30, 2014 9:54:12 AM  
**Subject:** FW: Made with Organic Guidance

FYI

... here is the link through which the Made with Organic Guidance notice will be available tomorrow when it publishes:

<https://www.federalregister.gov/articles/2014/05/01/2014-09963/final-guidance-on-products-in-the-made-with-organic--labeling-category-national-organic-program> .

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delete the email immediately.

**From:** [McEvoy, Miles - AMS](#)  
**To:** [Jean Richardson](#)  
**Subject:** Re: Thursday at 4  
**Date:** Wednesday, January 28, 2015 5:18:45 PM

---

Sounds fun. Hi to sara. Ami and I are going to an event at the building museum.

Miles V McEvoy  
Deputy Administrator  
USDA National Organic Program

> On Jan 28, 2015, at 5:11 PM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:

>

> Yes 5 is good tomorrow

> And yes for meetings

>

> I'm out having oysters and suchlike with Sarah!

> She says hi

>

> Sent from my iPhone

>

>> On Jan 28, 2015, at 4:37 PM, McEvoy, Miles - AMS <[Miles.McEvoy@ams.usda.gov](mailto:Miles.McEvoy@ams.usda.gov)> wrote:

>>

>> I need to reschedule - can you do 5 pm?

>> Setting up meetings for you and Tracy - 11am Thursday with Deputy Chief of Staff Dan Christianson is scheduled. Others with NIFA, NRCS and EPA so far.

>>

>> -----Original Message-----

>> From: Jean Richardson [<mailto:>[\(b\) \(6\)](#)]

>> Sent: Wednesday, January 28, 2015 4:12 PM

>> To: McEvoy, Miles - AMS

>> Subject: Re: Thursday at 4

>>

>> Thursday at 4 perfect

>>

>> Sent from my iPhone

>>

>>> On Jan 28, 2015, at 10:00 AM, McEvoy, Miles - AMS <[Miles.McEvoy@ams.usda.gov](mailto:Miles.McEvoy@ams.usda.gov)> wrote:

>>>

>>> Yes, that will work. 4 pm?

>>>

>>> -----Original Message-----

>>> From: Jean Richardson [<mailto:>[\(b\) \(6\)](#)]

>>> Sent: Wednesday, January 28, 2015 8:10 AM

>>> To: McEvoy, Miles - AMS

>>> Subject: Friday at 8.30?

>>>

>>> Hi Miles

>>> Looks like I will be in the truck Friday morning headed out for a processing inspection - assuming snow is reasonable. So any chance we can chat Thursday late afternoon early evening like last week?

>>> Thanks

>>> Jean

>>>

>>>

>>>

>>>

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**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Things to chat about?  
**Date:** Sunday, November 16, 2014 10:28:55 AM

---

Hi Miles

Just going through some of my notes from the last NOSB meeting and I note three items for us to think about:

- \* Getting organic representation on all USDA committees
- \* The GAO looking at GMO's from perspective of food safety?
- \* Do we need a Working Group on Organic certification standards for Hydroponic/aquaponic food production?
  
- \* Should we be setting up an Aquaculture subcommittee in 2015? Wait till Rule is out?
  
- \* I could chat with you about the PPM draft. - looks reasonable

Talk with you Monday - any time after 7. am is good.

Cheers

Jean

**From:** [McEvoy, Miles - AMS](#)  
**To:** [Jean Richardson](#)  
**Subject:** Automatic reply: Thanksgiving thoughts  
**Date:** Tuesday, November 26, 2013 3:57:26 PM

---

I am out of the office. Please contact Joan Avila at 202-720-3252, [joan.avila@ams.usda.gov](mailto:joan.avila@ams.usda.gov) if you need immediate assistance.

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**From:** [McEvoy, Miles - AMS](#)  
**To:** [Mac Stone](#)  
**Cc:** [Jay Feldman](#); [Jean Richardson](#); [John Foster](#); [joe.dickson@wholefoods.com](mailto:joe.dickson@wholefoods.com); [Jennifer Taylor](#); [Harold Austin](#); [Nick Maravell](#); [Francis Thicke](#); [Tracy Favre](#); [Carmela Beck](#); [Colehour Bondera](#); [Calvin Walker](#); [Wendy](#); [Zea Sonnabend](#); [Arsenault, Michelle - AMS](#); [mac@elmwoodstockfarm.com](mailto:mac@elmwoodstockfarm.com)  
**Subject:** Re: Thanksgiving thoughts  
**Date:** Tuesday, November 26, 2013 6:45:04 PM

---

Thanks for such a sweet note. Couldn't have been said better.

(b) (6)

Hope everyone has a wonderful time with your families and your feasting.

Organically yours,  
Miles

On Nov 26, 2013, at 10:51 AM, "Mac Stone" <(b) (6)> wrote:

Just a note to all of you as I finally get a breather after our big push at the farm to be sure our CSA and market customers got all the organic veggies, turkeys, and other items they need for their gastronomic feasting this week. Hope each of you have the opportunity to spend some quiet and/or noisy time with family and friends as well.

I was very dis-appointed to not have the opportunity to host the fall meeting and show you how we treat our guests in the south. However it did give us an opportunity to step back and further evaluate our work. The tension in the air over the change in sunset procedures has morphed into a calmer more deliberate conversation about what this means and how it affects our work in the future. The training session in February will be an outstanding opportunity to further evaluate our role as a board and maintain our identity as an independent sounding board for the OG community. Seems if we are blasted from all sides, we must be in the middle and therefore have the responsibility to reach consensus for the greater good to benefit those with limited perspective.

Without the fall meeting, there was no election of officers for the coming year. After much consideration, it became apparent the only good way to conduct the elections was to wait until the next open meeting, that being in San Antonio in April. The plan is to hold elections of officers at the spring meeting for a half term, until the annual election cycle will resume in the fall (hopefully back in Looneyville). Just because the elections were postponed it did not feel right to delay the sub-committee shuffle. Based on the carry-over workload and new topics at hand, combined with the interest to give everyone an opportunity to experience new SC's or be in leadership roles, we implemented the annual SC shuffle. It is not easy to shift gears with complex issues, especially when those issues are so important to you. I am extremely proud of how well the transition is going, which is a sign of mutual respect for one another. I'm sorry

if your assignment is not exactly as you might have wished, but all calls are open to all members.

We also have the unique opportunity to have the same 15 members hold court for two full years. Hopefully we can work in a climate of mutual respect and set the tone on how best the NOSB should conduct its business, and the training will help us to understand how to make that happen. We owe it to the entire OG community to demonstrate how to revel in our differences, yet arrive at a conclusion of consensus on the best path forward. Just like family at Thanksgiving Dinner, we argue around the margins, but we all want the same thing.

We celebrated Thanksgiving this past Sunday with:

Kentucky Single Barrel Bourbon (locally produced 10 years ago)

Smoked salmon (OG not an option....yet?)

Elmwood Stock Farm OG romaine/red leaf salad with ESF onions, radish, and local blue cheese dressing

Elmwood Stock Farm OG pasture raised heritage turkey thighs (sold all the breasts)

Elmwood Stock Farm OG mashed Yukon gold potatoes ( actually "Made with" 'cause the raw milk is not certified, nor is our kitchen)

Elmwood Stock Farm OG lacinato Kale in turkey stock with OG cranberries

Grandma's dressing (nobody questioned OG status since it is sooo good)

Red wine (made with OG grapes)

OG (mostly) chocolate mud pie and/or Elmwood Stock Farm OG pumpkin pie

OG ice cream

Mommie Ruth's yeast rolls (again no questions)

Lots of laughing and teaching the little ones bad words.

So eat, drink, and be merry this week. By all means, it best be organic to be the best.

Thanks for all you give to benefit others, Mac

Mac Stone

Elmwood Stock Farm

859.621.0756

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**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Fwd: Thanks for listening  
**Date:** Tuesday, April 14, 2015 10:48:45 PM

---

Hi Miles

John Baker was at my public lecture Monday night and although I did not discuss hydroponics or aquaponics he chatted briefly with me about a whole different set of reasons for organic hydroponics and aquaponics and he may contact you about this and ask to be considered for the task force.

Cheers Jean

Sent from my iPad

Begin forwarded message:

**From:** JOHN BAKER <[givingnature@me.com](mailto:givingnature@me.com)>  
**Date:** April 14, 2015 at 9:57:01 PM EDT  
**To:** "(b) (6)" <(b) (6)>  
**Subject:** Thanks for listening

Hi Dr. Richardson,

It was a great pleasure to meet you this Monday evening. Thank you again for listening. You practice what you teach!

I'll follow up on seeking a place on the task force you mentioned and let you know how I made out. I really hope Hydroponics keeps a place in the universe of USDA Certified Organic agriculture. Our Chesapeake Bay will much appreciate it!

John Baker

Giving Nature

Sent from my iPhone

**From:** [Jean Richardson](#)  
**To:** [B. Flamm](#)  
**Cc:** [Calvin Walker](#); [Carmela Beck](#); [Colehour Bondera](#); [Harold Austin](#); [Jay Feldman](#); [Jennifer Taylor](#); [joe.dickson@wholefoods.com](#); [John Foster](#); [Nicholas Maravell](#); [Robert Stone](#); [Tracy Favre](#); [Wendy Fulwider](#); [Zea Sonnabend](#); [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#)  
**Subject:** Re: Thanks  
**Date:** Tuesday, May 29, 2012 6:13:13 PM

---

Hi Barry and everyone:

It was great to meet you all at last.

Thank you Barry for a job well done, and Michelle is incredible the way she kept everyone working so well.

I am out of state until June 11.

Jean

On May 29, 2012, at 2:37 PM, B. Flamm wrote:

Dear Members,

I wish to thank each of you for your very hard work, cooperation, team work and friendly spirit during our challenging week and I really appreciate the help given me in my first meeting as Board Chair.

Michelle, I also want to thank you for doing a great job, and no matter what a smile on your face!

Before we forget, I would like for you to jot down what worked and what didn't and your thoughts for improvement for our next Board meeting. Please share this with all Board members by June 8, our next EC call.

Thanks,

Barry

**From:** [McEvoy, Miles - AMS](#)  
**To:** [Jean Richardson](#)  
**Subject:** Re: talk this week?  
**Date:** Sunday, August 10, 2014 8:22:35 PM

---

8 am Friday is fine. Talk to you then.

Miles V McEvoy  
Deputy Administrator  
USDA National Organic Program

> On Aug 10, 2014, at 9:56 AM, "Jean Richardson" <[\(b\) \(6\)](#)> wrote:  
>  
> Hi Miles  
> Do we still have Friday at 8.30 for our call?  
> Could it be 8 am instead.?  
> quick updates:  
> Sunset forms modified  
> Voting in sub committees -strategies for reduced problems at October meeting  
> October meeting agenda - I am trying to keep it short and sweet!  
> NASDA, NODPA, Cornucopia  
> PPM status?  
> Annotation request of Harold's/CACS  
> All for now  
> Jean  
>  
>

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**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Re: Talk Friday?  
**Date:** Thursday, January 15, 2015 3:49:41 PM

---

OK good  
Jean

On Jan 15, 2015, at 2:59 PM, McEvoy, Miles - AMS wrote:

> 5 pm?

>

> -----Original Message-----

> From: Jean Richardson [[mailto:](#) (b) (6)]

> Sent: Thursday, January 15, 2015 2:24 PM

> To: McEvoy, Miles - AMS

> Subject: Re: Talk Friday?

>

> Hi Miles

> Ok let's do after 4.30 today

> I should be home by then. So call my home phone (b) (6) Thanks Jean

>

> Sent from my iPhone

>

>> On Jan 15, 2015, at 8:20 AM, McEvoy, Miles - AMS <[Miles.McEvoy@ams.usda.gov](mailto:Miles.McEvoy@ams.usda.gov)> wrote:

>>

>> Hi Jean and Happy New Year,

>> It's cold here too after Puerto Rico but not minus 10. Brrrr!

>> I'm fairly caught up with things now and would love to chat. I'm fairly flexible late today (after 4:30) and tomorrow before 10 am or afternoon if that works better for you.

>> Best,

>> Miles

>>

>> -----Original Message-----

>> From: Jean Richardson [[mailto:](#) (b) (6)]

>> Sent: Thursday, January 15, 2015 7:49 AM

>> To: McEvoy, Miles - AMS

>> Subject: Talk Friday?

>>

>> Hi Miles

>> I was not thinking when I scheduled my work for tomorrow Friday, but I will be on the road, leaving the house by 7.30 am (Feed Mill inspection). However, I can stop the truck at 8.30, pull over and chat with you on my cell phone if you want to call. ? What do you think? Have you had time to catch up with the office since you got back?

>> Cell Phone (b) (6)

>> Hope you had a great holiday break and are ready for work!

>> It is minus 10 F again this morning. I am headed out for a drive into the mountains for an inspection of a place that makes tempheh products. But we are promised some sun.

>> Cheers

>> Jean

>>

>>

>>

>>

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and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

**From:** [Jean Richardson](#)  
**To:** [Zea Sonnabend](#)  
**Cc:** [Tracy Favre](#); [Tom Chapman](#); [McEvoy, Miles - AMS](#)  
**Subject:** Re: Sunset templates  
**Date:** Sunday, July 26, 2015 3:03:06 PM

---

I am really sorry Zea

We had talked a while ago about the chairs doing this and I understood that we were all happy with this plan . I will contact Emily and Lisa B and get this off your list of tasks. Tom and Tracy would you prefer NOP staff to take this over?

If so I will work on the issue on Monday first thing

Jean

Sent from my iPhone

On Jul 26, 2015, at 2:27 PM, Zea Sonnabend <[zea@well.com](mailto:zea@well.com)> wrote:

Hello Jean, Tracy, Tom, Miles,

I have found myself being resentful about this email since I recieved it a few days ago, and so I have chosen to just reply to fellow chairs and Miles rather than other NOP staff.

We volunteer subcommitte chairpeople are being asked to do a lot of extra work since the change in the sunset policy last year. It totally rankles me that NOP staff with high paying secure full time jobs to do this stuff are pressuring us to be a month earlier than our regular deadline to do something that they could be doing instead of us. Michelle has all the documents, and just plopping them into the template is easily something the NOP could do if they want it early and then we can just check it over for last minute inaccuracies.

I'm sorry to be grumpy about this, but I'm trying to use my time to work on quality subcommittee proposals that are not finished yet, and keep other members on task, so that we can make the real August deadline instead of housekeeping work that we should not have to do.

Pressuring me about this is likely to make it happen slower rather than faster. I am planning to finish my sunset workload for this term before I touch this other issue.

Regards,  
Zea

> On Jul 24, 2015, at 1:28 PM, Jean Richardson wrote:

>

> Perfect, thank you, Jean

>

>> On Jul 24, 2015, at 1:44 PM, Zea Sonnabend wrote:

>>

>> Sorry, but such short notice doesn't work for me. I am busy this weekend. I should be able to get to it next week though.

>>

>> Regards,

>> Zea

>>

>>

>>> On Jul 24, 2015, at 6:04 AM, Jean Richardson wrote:

>>>

>>> Hi Sunset Team leaders!

>>> It is really Really important to get the Sunset templates "populated" now, preferably this weekend.....

>>> Lisa is getting anxious about being able to get through them all to clarify/edit as necessary, and tidy them up for posting. Only a few weeks for her to get through each one carefully.

>>> So I am sorry to be pushing more work on you, but we must get this done.

>>> If I can help let me know.

>>> Cheers

>>> Jean

**From:** [Jean Richardson](#)  
**To:** [Brines, Lisa - AMS](#); [Brown Rosen, Emily - AMS](#); [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#)  
**Subject:** Fwd: Sunset templates  
**Date:** Tuesday, July 28, 2015 8:53:00 AM

---

Hi NOP colleagues.

I know that Subcommittee Chairs had hoped to get time to drop all the sunset material into templates but we are all getting pretty overwhelmed with the scope and depth of our NOSB analysis of materials under the new Sunset and everything else. So here are the replies from the 3 Sunset Chairs who are doing an amazing job keeping us on track, but asking for help please. So it would seem much more efficient for NOP to take over putting templates together for posting.

Thank you  
Jean

I have made zero progress on this but realize I agreed to it so I will get it done, obviously I'd prefer not to do it if we had support from NOP.

On my end, two people from my department are on "sabbatical" so I have extra work on both fronts and have been struggling to keep up with both my NOSB work as well as my work work.

Tom

I have a good portion of mine already in template so I can submit those but I see Zea's point. I'll do whatever the group agrees to.  
Tracy

On Jul 26, 2015, at 2:05 PM, Zea Sonnabend <[zea@well.com](mailto:zea@well.com)> wrote:

I know I agreed at the time, but the workload has just recently gotten really burdensome. I can easily do it by the August 26 deadline though. It is the advance of the deadline concept I object to.

Zea

**From:** [McEvoy, Miles - AMS](#)  
**To:** [Jean Richardson](#)  
**Subject:** RE: sunset comments re-wording  
**Date:** Tuesday, October 21, 2014 3:24:38 PM

---

Ok, I understand.

---

**From:** Jean Richardson [mailto: (b) (6)]  
**Sent:** Tuesday, October 21, 2014 10:37 AM  
**To:** McEvoy, Miles - AMS  
**Subject:** sunset comments re-wording

Hi Miles

Here is how I changed the last section. (see below)

If I add all the technically correct language you suggest it will be too much at that point in the day's work.

I expect you will use the more "proper" wording when you give your comments. Or I can at some other stage or if asked a question of clarification.

Also please note that there is also some confusion over the phrase of "untimely" public comment as it appears in the FR.

\*\*\*\*\*

".....Thus, in order for the public to clearly understand that a substance could potentially be removed from the National List, and be given the opportunity to provide comment which could be considered at this meeting, each substance comes to the full Board, from their respective subcommittee, with a motion to remove the substance from the National List.

The NOSB acknowledges that this is a somewhat artificial construct, but that it meets the intent of the new Sunset process.

Therefore, if a member votes YES on a motion to remove, that substance will be recommended to be removed from the National List.

If a member votes NO on a motion to remove that substance will remain on the National List. "

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**From:** [Jean Richardson](#)  
**To:** [Arsenault, Michelle - AMS](#); [Bailey, Melissa - AMS](#); [Brown Rosen, Emily - AMS](#); [Brines, Lisa - AMS](#); [McEvoy, Miles - AMS](#); [Tucker, Jennifer - AMS](#); [Mac Stone](#); [John Foster](#)  
**Subject:** Training Evaluation and suggestions  
**Date:** Sunday, February 16, 2014 5:02:13 PM  
**Attachments:** [NOSB Training Feb 2014.docx](#)

---

Hi Michelle

here is my evaluation and suggestions from the training.

Please do not circulate beyond those above listed on the attached document.

Cheers, Jean

To: Michelle Arsenault, Miles McEvoy, Jenny Tucker, Melissa Bailey, Lisa Brines, Emily Brown Rosen, Mac Stone and John Foster.  
From: Jean Richardson  
RE: NOSB Training, Feb 2013

#### GENERAL COMMENTS:

This was an excellent two day refresher course, and well worth our tax dollars! The range of materials, both written and verbal, and scope of subjects covered was very appropriate for this moment in time when the NOP was asserting its authority under FACA, reviewing the new Sunset procedures face to face, and outlining future policies and procedures which differ considerably from the traditional way in which the NOSB has operated from its inception to present.

Listening to Board members it was clear that many board members had not read the materials in the New Member Guide, with all of its links to rule making etc.. Some had never read the PPM, and most had never read the Charter. So such training is vital for ongoing and new Board members alike.

#### HIGHLIGHTS: Melissa and Lisa's and Emily's presentations.

The graphic presentation of Rule Making, using the lengthy scroll down the table was an excellent way to highlight the complexities of Rulemaking and the exercises to show how to write better checklists was great, and could have used more time.

Melissa and Lisa and Emily have superb presentation skills and excellence in answering questions. They are sensitive to individual board member's knowledge base and experience, and are professional at all times. Their presentations should be primary at future trainings.

#### LOW LIGHTS:

1. The FACA presentation by Karen Carrington in which we had a finger shaken at us and were told to "Stay in Lane" and not to do things which could lead to NOP/USDA being sued. This was over the top, unprofessional, and inappropriate. It was as though the attorney failed to understand that we are not USDA employees, but dedicated, hardworking volunteers with a diversity of experience, expertise and opinion. Just because the NOSB had been operating under a set of traditional, discretionary procedures for many years, procedures which were now recognized as being beyond the scope of a FACA Board, does not justify her behavior or the manner in which she answered questions.

2. The NOP failed to *effectively* involve NOSB leaders in developing the content and presentation of the training. (see suggestions below)

3. Not having any organic milk in the USDA Cafeteria and actually not even being able to get Whole conventional milk!!!! (Did they have an organic section? If not – now is the time!)

SUGGESTIONS for future trainings:

1. There should be a training before every public meeting. I suggest 3 morning hours in length.
2. Training should cover how to write Checklist Proposals and Discussion Documents with examples of good ones. This is now our primary function and it would be good to do it better. In line with this it is important that both the NOP and NOSB members understand that the NOSB is not a technical review board.
3. Training can include a very brief reminder of FACA and OFPA and Charter and other documents – looking at them on line at training would be good, thus there is no excuse that everything is too hard to find. Do this *after* the ‘how to write good proposals’ and “how to make the Public meeting and comments work best”
4. Training must include a member of the NOSB in tandem with staff so that the nuances and practical aspects of drafting documents can be fleshed out and shared at the training. This should increase efficiency and effectiveness of NOSB.
5. I know that it is sometimes difficult for NOP to deal with the NOSB and individual members, but please do keep on trying to guide us with patience. NOP and AMS staff are public servants and the NOSB members are volunteers who deserve respect and even kindness as they struggle to do their very best with complex and often nuanced data in an increasingly competitive organic market place.
6. Representative: You have already noted that this is an important word to me in how it should, shall, may, be used in various contexts. Learning Law you start with understanding definitions, and the definition varies depending on the statute you are working from. In this case we have the OFPA statute AND FACA. The word Representative should be discussed at trainings. Under FACA we are “Representatives” for COI and must speak in “we” language for our stakeholders. That is one legal definition. HOWEVER, I believe that when working under OFPA, if that is taken literally by all Board members we would have solid voting blocks of 3 consumer reps with 3 environmental reps and maybe some of the smaller farmers, voting against the 2 handlers, 1 retail and wherever the rest scatter. Thus getting two thirds to approve materials would be difficult. The legislative intent was for the NOSB to reflect broad national stakeholder groups, but for individual members to use their education, experience, and expertise in making decisions which benefit the organic community as a whole. We need to be able to discuss and clarify this at our trainings each year.
7. Sharing files, e-mails and information. This has come up regularly over the last 2 years. ( reaching a messy pinnacle this last week!!!) . Most of us follow Zea’s discipline of not sharing any physical work product or e-mail outside NOSB and NOP. (we certainly talk with people). I find sharing e-mails, e-mail threads and draft written materials outside the NOP and NOSB unethical, and potentially

damaging to the integrity of the organic label . The NOSB and NOP must jointly provide a clear statement on this. This is not simply a legal statement.

8. Public Meetings and use of public comment: It is clear that structure and function and use of these evolve over the years . Thus each training should clearly lay out what the present understanding is for who does what and when, including chairing meetings, what constitutes substantive change of a document or amendment etc...

OK all for now

Thank you for asking for this feed back and for suggestions.

Jean

PS I like the Sparkly Sprinkles exercise which you sent us home with! Maybe you could assign an exercise BEFORE the Training so we can come prepared?

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Cc:** [Arsenault, Michelle - AMS](#); [Calvin Walker](#); [Carmela Beck](#); [Colehour Bondera](#); [Francis Thicke](#); [Harold Austin](#); [Jay Feldman](#); [Jennifer Taylor](#); [joe.dickson@wholefoods.com](mailto:joe.dickson@wholefoods.com); [John Foster](#); [Mac Stone](#); [Nick Maravell](#); [Tracy Favre](#); [Wendy Fulwider](#); [Zea Sonnabend](#); [Brines, Lisa - AMS](#); [Brown Rosen, Emily - AMS](#)  
**Subject:** Re: Updated NOSB "syllabus"  
**Date:** Monday, November 03, 2014 3:30:05 PM

---

Sounds fine to me  
Jean

Sent from my iPhone

On Nov 3, 2014, at 3:21 PM, "McEvoy, Miles - AMS" <[Miles.McEvoy@ams.usda.gov](mailto:Miles.McEvoy@ams.usda.gov)> wrote:

I'd like to use the term '2015 agenda' (including Spring agenda and Fall agenda) rather than "syllabus" if there are no objections.

Thanks,

Miles McEvoy  
Deputy Administrator  
National Organic Program

---

**From:** Arsenault, Michelle - AMS  
**Sent:** Thursday, October 30, 2014 11:42 AM  
**To:** Calvin Walker; Carmela Beck; Colehour Bondera; Francis Thicke; Harold Austin; Jay Feldman; Jean Richardson; Jennifer Taylor; [joe.dickson@wholefoods.com](mailto:joe.dickson@wholefoods.com); John Foster; Mac Stone; Nick Maravell; Tracy Favre; Wendy Fulwider; Zea Sonnabend  
**Cc:** Brines, Lisa - AMS; Brown Rosen, Emily - AMS; McEvoy, Miles - AMS  
**Subject:** Updated NOSB "syllabus"

Hello folks,  
Attached and in Dropbox, please find the most updated syllabus for Spring 2015.

This is the version I will be projecting this afternoon

Thanks,  
Michelle

Michelle Arsenault  
Advisory Committee Specialist  
USDA National Organic Program  
1400 Independence Ave SW; Room 2641S  
Washington, DC 20250-0268

Temporary office phone: (202) 260-8209

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**From:** [Jean Richardson](#)  
**To:** [Arsenault, Michelle - AMS](#)  
**Cc:** [Harold Austin](#); ["Tracy Favre"](#); [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#)  
**Subject:** Re: Updated agenda  
**Date:** Monday, April 13, 2015 9:03:24 AM

---

Hi Michelle  
Yes looks Ok.  
(I forgot that the second crops material was withdrawn immediately before posting)  
Good job  
Jean

On Apr 12, 2015, at 8:26 PM, Arsenault, Michelle - AMS wrote:

Hi Jean,  
Here is the latest iteration with several changes you noted below. For everyone's benefit:  
EPA requested to speak Monday morning as they have a conflict later in the week. There are only 2 materials that were withdrawn. I have removed the strike out. I think that makes sense since you will still mention them at the meeting.  
I moved the seed panel to within the MS block.

If this looks good let me know so I can make the external version and get it posted.

Thanks,  
Michelle

---

**From:** Jean Richardson [mailto:██████████ (b) (6)]  
**Sent:** Saturday, April 11, 2015 9:55 AM  
**To:** Arsenault, Michelle - AMS  
**Cc:** Harold Austin; 'Tracy Favre'; McEvoy, Miles - AMS; Brown Rosen, Emily - AMS  
**Subject:** Re: Updated agenda

Hi Michelle  
Why have we moved the EPA presentation to Monday? It works much better on Wednesday afternoon to break up Sunset agenda, and we can fit more Public comment in on Monday which was our plan on the Exec call I thought. Can we not start public comment at 10.30 on Monday?.  
And if we put EPA on Wednesday and we went to 6 pm, Crops would still have 3 hours - And Thursday still looks flexible, which is good.

Petitions withdrawn - I think the NOSB would prefer to not have the 3 substances deleted from agenda, ie do not have line through agenda item for these 3 materials. NOSB will talk about these materials at the meeting. But yes, have the notation that they were withdrawn.

Should the Seed Purity Panel be part of Materials SC? - MS organized it and I am sure they will have questions.

Thank you  
Jean

On Apr 10, 2015, at 6:59 PM, Arsenault, Michelle - AMS wrote:

Hello folks,

Attached, please find the updated internal tentative agenda. I could use some eyes on this to make sure I didn't miss anything in the reshuffle. Notice the minor tweaks to timing on Monday. Shorter break, longer day. Longer day Tuesday. Dinner Wednesday (still waiting to confirm that with the restaurant - no private room that night so we will have to be outside on the balcony in a private space).

Let me know by Monday if there are any typos or errors!

Michelle

Michelle Arsenault  
Advisory Committee Specialist  
USDA National Organic Program  
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<2015 Tentative Agenda\_Internal.docx>

<2015 Tentative Agenda\_Internal.docx>

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Fwd: Update on Organic Hydroponic  
**Date:** Thursday, April 09, 2015 5:20:59 PM

---

Assume you saw this, but FYI  
Jean

Begin forwarded message:

**From:** Dave Chapman <[REDACTED] (b) (6)>  
**Date:** April 9, 2015 10:33:55 AM EDT  
**To:** undisclosed-recipients;;  
**Bcc:** [REDACTED] (b) (6)  
**Subject:** Update on Organic Hydroponic

Hi All.

Since my last letter I have heard back from two more folks planning to volunteer for the organic hydroponic task force. First is Jack Algieri, Four Season Farm Director at Stone Barns Center, the amazing farm and school in the NY Hudson Valley. The second is Sam Welsch, organic inspector and CEO of OneCert Inc in Lincoln Nebraska. He is also the former executive director of OCIA International.

Sam also wrote that he "just attended the IOIA (Independent Organic Inspectors Association) annual meeting and most inspectors also support the NOSB recommendation. The only ones that I spoke with who support organic certification for hydroponics are also consulting with hydroponic growers. I have been contacted by several hydroponic operators this month asking about certification. It is a good sign that some are concerned that the ability to certify hydroponics as organic may be close to ending."

It is great to get people signing up for the task force from other parts of the country! Please keep coming. We need you. The only way that we can stop this takeover of the organic standards is by speaking up.

Davey Miskell and I met last week with Tom Berry, Senator Leahy's chief of staff in Vermont. We had a very productive meeting. Senator Leahy sent Miles a letter last year urging the NOP to act in support of the NOSB recommendation. Clearly this hasn't happened yet, so Tom said that he will talk with the Senator about how they might go forward to urge a positive action in maintaining the integrity of the standards. One idea that came up in the meeting was for the NOP to create a

moratorium on certifying new organic hydroponic acreage until a clear resolution is reached on this question. It is clear that endless delays in resolving this challenge to the NOSB only ensures that there is a vested interest group of hydroponic growers who are already certified organic. This delaying makes it harder and harder to set the strong standards that the NOSB wants to see in place.

Perhaps NOFA, MOFGA, the NOC, and Cornucopia could support this idea in public letters to Miles.

We also talked with Tom Berry about the slow erosion of the NOSB's authority. Senator Leahy and the other NOP sponsors clearly went to great lengths to protect the rulemaking process from the kind of special interest politics that we are seeing right now, by creating the NOSB to serve as the citizen's watchdog. Unfortunately the watchdog is being muzzled these days. We need to act to protect our protectors.

Steve Gilman let me know that he is at the NOFA Interstate Council 3 day retreat right now, and the issue of hydroponic organic is on the agenda. He will give us a report on what happens next week.

That's all for now.

Thanks

Dave



**From:** [Jean Richardson](#)  
**To:** [Harold Austin](#)  
**Cc:** [Tracy Favre](#); [Mac Stone](#); [Brown Rosen, Emily - AMS](#); [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#); [Calvin Walker](#); [Jay Feldman](#); [Nick Maravell](#); [Carmela Beck](#); [John Foster](#); [Jennifer Taylor](#); [Wendy Fulwider](#); [Francis Thicke](#); [COLEHOUR BONDERA](#); [Zea Sonnabend](#); [joe.dickson@wholefoods.com](mailto:joe.dickson@wholefoods.com)  
**Subject:** Re: Update about Mac  
**Date:** Sunday, July 13, 2014 3:51:37 PM

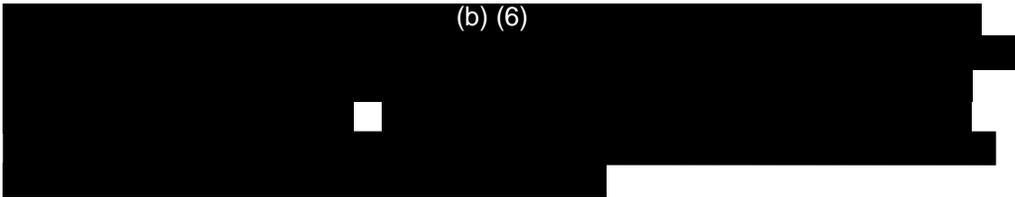
---

Harold - Well said indeed.- Jean

On Jul 13, 2014, at 3:27 PM, Harold Austin wrote:

*Mac,*  
*While you served as our Board Chair these past 18 months, you did so in a manner that demanded respect from all of us! Not once did I ever hear you complain, nor were there very many sub-committee calls (even those you were not on) that you actually did you miss during this time.* You went way above and beyond the call of duty for the position you served and we are all very much aware of that.

(b) (6)



Your friend and fellow NOSB family member,  
Harold

>>> Tracy Favre <[tfavre@favrehouse.com](mailto:tfavre@favrehouse.com)> 7/13/2014 8:20 AM >>>  
That's what friends are for.

(b) (6)

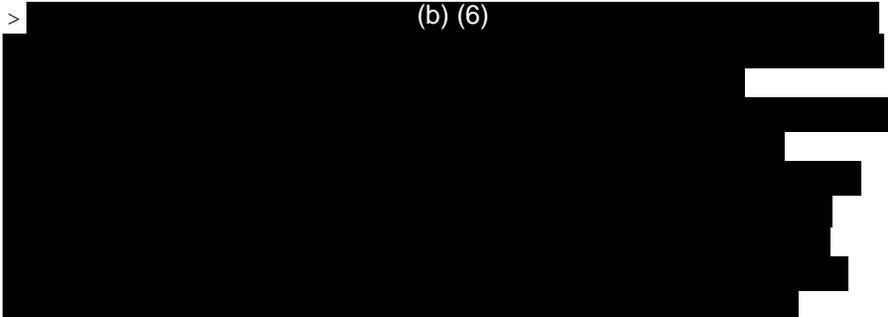


T

Sent from my iPhone

> On Jul 11, 2014, at 2:29 AM, "Mac Stone" <(b) (6)> wrote:

>  
> (b) (6)



(b) (6)

>

> Mac

>

> -----Original Message-----

> From: Jean Richardson [mailto:[\(b\) \(6\)](#)]

> Sent: Thursday, July 10, 2014 7:44 AM

> To: Arsenault, Michelle - AMS

> Cc: Calvin Walker; Carmela Beck; COLEHOUR BONDERA; Francis Thicke; Harold

> Austin; Jay Feldman; Jennifer Taylor; [joe.dickson@wholefoods.com](mailto:joe.dickson@wholefoods.com) Dickson;

> John Foster; Mac Stone; Nick Maravell; Tracy Favre; Wendy Fulwider; Zea

> Sonnabend; Brown Rosen, Emily - AMS; Miles - AMS McEvoy

> Subject: Update about Mac

>

> Hi Michelle and everyone

> [\(b\) \(6\)](#)

>

> Thank you everyone for all the work on Sunset especially Cheers from Vermont

> Jean

>

>

>

**From:** [McEvoy, Miles - AMS](#)  
**To:** [Jean Richardson](#)  
**Cc:** [Eckhouse, Sara - AMS](#); [Alonzo, Anne - AMS](#)  
**Subject:** Tuesday morning  
**Date:** Friday, January 30, 2015 3:35:33 PM  
**Attachments:** [Jean Richardson.vcf](#)

---

Administrator Alonzo would like to meet with you on Tuesday morning. She will be in touch. See you next week.

Miles



Jean's contact information -

Miles McEvoy  
Deputy Administrator  
National Organic Program

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**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Re: Tuesday morning  
**Date:** Friday, January 30, 2015 4:18:18 PM

---

OK

I have my meeting with Senator Leahy and staff on Friday morning

Jean

On Jan 30, 2015, at 3:35 PM, McEvoy, Miles - AMS wrote:

Administrator Alonzo would like to meet with you on Tuesday morning. She will be in touch. See you next week.

Miles

Jean's contact information - <image001.jpg>

Miles McEvoy  
Deputy Administrator  
National Organic Program

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**From:** [Jean Richardson](#)  
**To:** [Eckhouse, Sara - AMS](#)  
**Cc:** [McEvoy, Miles - AMS](#); [Alonzo, Anne - AMS](#)  
**Subject:** Re: Tuesday morning  
**Date:** Saturday, January 31, 2015 12:00:19 PM

---

Hi Sara

My first meeting on Tuesday Feb 3 is with Miles at 12.30pm  
So late morning would be best - or breakfast at hotel?  
Depending on the weather, I get to DC late Monday night  
I will be staying at the Hotel Lombardy, 2019 Pennsylvania  
Thank you  
Jean

On Jan 30, 2015, at 5:23 PM, Eckhouse, Sara - AMS wrote:

Thanks, Miles!

Jean,

We're looking forward to seeing you next week. Depending on your schedule on Tuesday and where you are staying, it may be possible for Anne to meet you that morning. Do you have meetings planned for the morning, or is your schedule open? If the morning doesn't work, we will find another time. Please let me know when you are available.

Thank you, and have a great weekend.

All the best,  
Sara

---

**From:** McEvoy, Miles - AMS  
**Sent:** Friday, January 30, 2015 3:36 PM  
**To:** Jean Richardson  
**Cc:** Eckhouse, Sara - AMS; Alonzo, Anne - AMS  
**Subject:** Tuesday morning

Administrator Alonzo would like to meet with you on Tuesday morning. She will be in touch. See you next week.

Miles

Jean's contact information - <image001.jpg>

Miles McEvoy  
Deputy Administrator  
National Organic Program

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**From:** [McEvoy, Miles - AMS](#)  
**To:** [Jean Richardson](#)  
**Subject:** Automatic reply: updating New Member guide  
**Date:** Tuesday, May 22, 2012 11:49:43 AM

---

I am currently out on vacation. Please contact Rita Meade ([rita.meade@ams.usda.gov](mailto:rita.meade@ams.usda.gov)) at 202-720-3252 if you need immediate assistance.

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**From:** [McEvoy, Miles - AMS](#)  
**To:** [Tucker, Jennifer - AMS](#)  
**Cc:** [Jean Richardson](#) (b) (6)  
**Subject:** FW: updating New Member guide  
**Date:** Tuesday, May 22, 2012 12:49:07 PM

---

Please provide to Jean. Thanks.

-----Original Message-----

**From:** Jean Richardson [[mailto:](#)] (b) (6)  
**Sent:** Tuesday, May 22, 2012 11:49 AM  
**To:** McEvoy, Miles - AMS  
**Subject:** updating New Member guide

Miles:

Listening to your presentation this morning it seems that much of your slide material could be very useful to incorporate into the up dating of the New NOSB Member guide.

I am taking the lead role in this editing up date.

Can you e-mail some of this mornings material to me?

Thank you, Jean

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**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#); [Sarah Flack](#); [Gwyneth Flack](#)  
**Subject:** Fwd: WaPo: How the government allows chemicals in "organic" food  
**Date:** Tuesday, April 28, 2015 1:48:48 PM

---

jean in Post

Begin forwarded message:

**From:** "Jones, Samuel - AMS" <[Samuel.Jones@ams.usda.gov](mailto:Samuel.Jones@ams.usda.gov)>  
**Subject:** **WaPo: How the government allows chemicals in "organic" food**  
**Date:** April 28, 2015 1:44:41 PM EDT  
**To:** "Jean Richardson (b) (6)" <(b) (6)>

Loved your quote. ☺ Hope meeting is going well.

Thanks,  
*Sam Jones-Ellard*  
Public Affairs Specialist  
USDA | Agricultural Marketing Service  
202.660.2268

FYI

## [How the government allows chemicals in "organic" food](#)

By [Peter Whoriskey](#) April 28 at 11:09 AM

You might think the USDA "organic" label is reserved for foods produced without any man-made chemicals. But under government rules, "organic" food may be grown or processed with the aid of scores of synthetic substances, as long as those chemicals have been deemed essential.

Exactly which chemicals should be allowed?

This week, in a process that is largely invisible to consumers but

that has become a semi-annual ritual of controversy within the world of organic politics, a committee called the National Organic Standards Board is selecting those synthetic substances that organic farmers and processors may use.

For a movement largely built around skepticism toward synthetic pesticides and additives, the task of choosing the exceptions can be particularly delicate.

The 15-member board, composed of farmers, processors and other organic experts selected by the USDA, often finds itself balancing the ideal of chemical-free food against the practical requirements of farming.

For while many would prefer to exclude the use of any synthetic chemicals, there are some substances - including herbicides, fungicides, emulsifiers and other additives - that some organic farmers say they cannot do without.

At its meeting this week, for example, [the NOSB](#) is weighing the merits of more than 200 substances that at least some farmers say are necessary to produce organic food. Others, including consumer groups, meanwhile urge caution.

The pleadings unfold in a blur of chemistry and agronomy. Among the dozens of public commenters on Monday were a potato grower from Oregon is asking for the board to approve a chemical to keep his stored spuds from sprouting; a maker of organic lecithin - lecithin is an emulsifier common in many foods - who wants the board to close the loophole that allows synthetic lecithin; and an organic advocate from Vermont who, speaking for some strawberry farms, wants the board to preserve the exception for ferric phosphate, a chemical used as a slug and snail bait.

The potato grower, Derin Jones, from Chin Family Farms, acknowledged that a natural substance, clove oil, can be used to keep potatoes from sprouting. But a chemical known as "3-decene-2-one" or "3D2," works much better, and he showed pictures to prove his point.

"Clove oil has been a wonderful product," he said. But "we don't feel it is effective enough. It's hurting our business."

At stake, however, is the value of the organic label, a word whose value to consumers is the foundation of a growing \$32 billion industry.

Organic farms use only a small fraction of the synthetic chemicals allowed on conventional farms. But watchdog groups argue that the board should more forcefully move minimize the exceptions or risk degrading the meaning of the label.

The USDA organic label "may have been in the lead 10 or 15 years ago, but they're not anymore," said Urvashi Rangan, executive director of food safety and sustainability at Consumer Reports. "This is something they need to focus on."

Mark Kastel, co-founder of the Cornucopia Institute, a watchdog group devoted to organics, blamed the rapid pace of the deliberations for preventing the public from weighing in. He called the meetings this week "organic regulatory theater."

Others, however, defended the process. Jean Richardson, a maple syrup producer and professor emerita from the University of Vermont, is the chairperson of the panel. She notes that the decisions they make must balance the livelihoods of farmers

against the consumer demand for purity.

"We're romantic realists," Richardson said. "Our values are really strong - we want the world to be a better place in every way. But we're realistic...We recognize that there is not a perfect answer."

The board findings are sent to the USDA, and serve as the basis for the final rules regulating what is and what isn't organic.

**From:** [McEvoy, Miles - AMS](#)  
**To:** [Jean Richardson](#)  
**Subject:** FW: WaPo Article on Hydroponics/Organic  
**Date:** Sunday, February 23, 2014 7:15:17 AM

---

See Burlington free press article.

Miles V McEvoy  
Deputy Administrator  
National Organic Program

---

**From:** Jones, Samuel - AMS  
**Sent:** Thursday, February 20, 2014 9:49 AM  
**To:** McEvoy, Miles - AMS; Tucker, Jennifer - AMS; Morris, Erin - AMS; Bailey, Melissa - AMS  
**Subject:** WaPo Article on Hydroponics/Organic

[http://www.washingtonpost.com/lifestyle/home/hydroponics-organic-label-is-all-wet/2014/02/18/e5d174f6-91f2-11e3-b3f7-f5107432ca45\\_story.html](http://www.washingtonpost.com/lifestyle/home/hydroponics-organic-label-is-all-wet/2014/02/18/e5d174f6-91f2-11e3-b3f7-f5107432ca45_story.html)

Here is the Burlington Free Press Article as well:  
<http://www.burlingtonfreepress.com/article/20140216/GREEN01/302160013/How-organic-are-vegetables-when-they-re-grown-in-hydroponic-greenhouses->

Thanks,  
*Sam Jones-Ellard*  
Public Affairs Specialist  
USDA | Agricultural Marketing Service  
202.660.2268

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**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Re: WaPo Article on Hydroponics/Organic  
**Date:** Sunday, February 23, 2014 8:40:07 AM

---

OK saw inaccurate quote of mine in Burlington paper -always disappointing when I spent an hour with him!! But that is the way it goes.

On Feb 23, 2014, at 7:15 AM, McEvoy, Miles - AMS wrote:

See Burlington free press article.

Miles V McEvoy  
Deputy Administrator  
National Organic Program

---

**From:** Jones, Samuel - AMS  
**Sent:** Thursday, February 20, 2014 9:49 AM  
**To:** McEvoy, Miles - AMS; Tucker, Jennifer - AMS; Morris, Erin - AMS; Bailey, Melissa - AMS  
**Subject:** WaPo Article on Hydroponics/Organic

[http://www.washingtonpost.com/lifestyle/home/hydroponics-organic-label-is-all-wet/2014/02/18/e5d174f6-91f2-11e3-b3f7-f5107432ca45\\_story.html](http://www.washingtonpost.com/lifestyle/home/hydroponics-organic-label-is-all-wet/2014/02/18/e5d174f6-91f2-11e3-b3f7-f5107432ca45_story.html)

Here is the Burlington Free Press Article as well:

<http://www.burlingtonfreepress.com/article/20140216/GREEN01/302160013/Ho-w-organic-are-vegetables-when-they-re-grown-in-hydroponic-greenhouses->

Thanks,  
*Sam Jones-Ellard*  
Public Affairs Specialist  
USDA | Agricultural Marketing Service  
202.660.2268

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**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Re: Virtual presence at NOSB meeting  
**Date:** Tuesday, July 21, 2015 10:47:11 AM

---

OK - new date?  
Jean

On Jul 21, 2015, at 10:27 AM, McEvoy, Miles - AMS wrote:

> Yes, though the NOC meeting has been postponed.

>

> -----Original Message-----

> From: Jean Richardson [[mailto:](#) (b) (6)]

> Sent: Tuesday, July 21, 2015 10:09 AM

> To: McEvoy, Miles - AMS

> Subject: Virtual presence at NOSB meeting

>

> Hi Miles

> How about adding Harold's situation to our discussion with Abby tomorrow. Lets get NOC buy in to reduce fussing with Colehour at meeting Jean

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Re: Vermont visit  
**Date:** Thursday, July 05, 2012 2:21:54 PM

---

Sounds good. I will book a table. Jean

On Jul 5, 2012, at 2:00 PM, McEvoy, Miles - AMS wrote:

Thanks for the invite. It would be nice to stay with you but I need to stay with the audit team up in Burlington. Let's do Wednesday night and go to Starry Night. 6 pm?

Miles

---

**From:** Jean Richardson [<mailto:> (b) (6)]  
**Sent:** Tuesday, July 03, 2012 6:04 PM  
**To:** McEvoy, Miles - AMS  
**Subject:** Re: Vermont visit

Hi Miles, It would be great to see you.  
And of course you would be most welcome to stay at my house. 3 spare bedrooms.  
I can give you a spare key so you can come and go.  
I have inspections and NOSB phone calls of course....  
My place is 30 minutes drive south from airport/Burlington.  
And I am free any of those nights. If we have dinner on Wednesday I could take you to my favorite restaurant, Starry Night cafe (closed Monday and Tuesday)  
Jean

On Jul 3, 2012, at 5:04 PM, McEvoy, Miles - AMS wrote:

Jean –  
I will be in Burlington next week. Are you around? Could we meet for dinner? I'll be flying in Monday afternoon and leaving Thursday afternoon. It would be great to see you.

Miles McEvoy  
Deputy Administrator  
National Organic Program  
202-720-3252

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**From:** [McEvoy, Miles - AMS](#)  
**To:** "[Jean Richardson](#)"  
**Subject:** RE: Vermont schedule  
**Date:** Tuesday, January 20, 2015 2:39:48 PM

---

I'm scheduled to arrive at 4:17 in Burlington and leave at noon on Sunday. We may not be able to fit skiing in.

-----Original Message-----

From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)  
Sent: Tuesday, January 20, 2015 12:48 PM  
To: McEvoy, Miles - AMS  
Subject: Vermont schedule

Hi Miles

Just planning dinner on Friday 13 with Nate. Enid, Nicole and wonder what time you get in Friday the 13th./ Dinner is at 7 pm And also if we ski Sunday ... do you depart Sunday evening? Monday morning?  
thanks Jean

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**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Re: Vermont logistics  
**Date:** Wednesday, February 11, 2015 10:17:38 AM

---

Ok

Sent from my iPhone

> On Feb 11, 2015, at 8:15 AM, McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov> wrote:

>

> Sounds like a great plan. I just wrote to Sara that I don't think I have the clothes for the ski trip - also it will provide more time to hang out at NOFA.

> I have one checked bag so that will take a few minutes to pick up through baggage claim. I'll text you when I land and let you know if there are any delays to my flight.

>

> Best, Miles

>

> -----Original Message-----

> From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)

> Sent: Wednesday, February 11, 2015 7:59 AM

> To: McEvoy, Miles - AMS

> Subject: Vermont logistics

>

> Hi Miles

> Your plane gets in at 1.10 pm Friday. Text me when it lands so I can cruise by the exit doors and pick you up.

> I will be driving a black Honda Truck

> Will you just carry one a bag or check one? We cannot park by doors so this will help me estimate time.

>

> I will probably be on the Exec Call on headset and phone in Truck and you can join if you want as we drive home (25 mins). Then you can do the Materials call.

> Dinner is in Burlington at Hen of the Woods at 7 pm with Nate, Enid, Nicole and me.

>

> Saturday we will go in to University. We will be walking between buildings at zero and below zero before any wind. So it will be horribly cold. Snow on ground. Really warm jacket, down vest, and really warm boots, (dress shoes not needed). I probably don't need to say these things but would not like you to be cold.

> Workshop 10.45 am - noon, (Terrill) check in at Registration at 10.15 (Davis) Leahy and speakers 12 .30 ? (Davis )

>

> 1-2 Round Table (Davis)

> Then Sarah will ski with you at Bolton (not far west of Burlington) and there is a NOFA Social if you want from 5.15-7.30, then dinner with Sarah, Johanna from PCO and Nate again at Hen of Woods! Nate's favorite place!

> Unless you want to eat at home (valentines night, no tables anywhere)

>

> Sunday you can snow shoe here at home out back, or ski, before getting noon plane

>

> Off to do a slaughter facility inspection. Not my favorite type of inspection.

> Jean

>

>

>

>

>

>

>

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and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

**From:** [Jean Richardson](#)  
**To:** [Tracy Favre](#)  
**Cc:** [McEvoy, Miles - AMS](#); [Arsenault, Michelle - AMS](#)  
**Subject:** Re: vehicle emissions  
**Date:** Saturday, October 18, 2014 1:17:57 PM

---

Hi all

I do not remember this poor chap in San Antonio.

can someone please reassure him that although this is an issue for human health over time on all farm lands next to major highways, it will not impact his organic certification, ...but that yes, he has no rights regarding public highways !!!

And also help him know that it is beyond NOSB and NOP control

Jean

On Oct 17, 2014, at 8:02 PM, Tracy Favre wrote:

Any resource I can point him to?

Tracy

Sent from my iPhone

Begin forwarded message:

**From:** "Tim P. Miller" <[millbergfarm@austin.rr.com](mailto:millbergfarm@austin.rr.com)>  
**Date:** October 17, 2014 at 1:53:57 PM CDT  
**To:** <[tfavre@favrehouse.com](mailto:tfavre@favrehouse.com)>  
**Subject:** vehicle emissions

I have been trying to reach out to someone who would listen to my very damaging problem on my 25 year Certified Organic farm in Kyle Texas. A major new highway is being planned within 100 feet of my operation(5 acres). From what I can find out vehicle emissions are totally unhealthy and the vehicle emissions and vehicle dust will be impacting me negatively. My rainwater collection system will now be polluted with no way to remove it with any economical filtering system. I have told the group and County Commissioners this with no response back. Can the city, county and state legally pollute me out of business with vehicle emissions? My TDA certifier has not been of any help only saying they don't test for vehicle emission..but they do test for heavy metals. My only source of water is my rainwater collection system but TDA said they are not responsible for testing water..Health Dept is. which leads me to believe they will get me for out of compliance with vehicle emissions in my water source after the highway is built.

What does the EPA say about this matter on allowable limits of vehicle emissions in water, in soil, on crops inside crops on Certified Organic farms? What standards exist surely the NOP has something I can't find it. I spoke about this briefly in San Antonio and would have thought I would get a response back from the NOSB but nothing. The highway project is pushing forward and I am concerned with my rights. Tim P. Miller Millberg farm

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#); [Tracy Favre](#)  
**Subject:** Vaccines comment-Hue Karreman  
**Date:** Saturday, April 11, 2015 12:20:26 PM

---

Interesting vaccine comment from Hue Karreman -Allow all types.

**Biologics, Vaccines:** No alternatives have emerged since the last review and I doubt if there ever will be. The only thing which is close are the homeopathic class of compounds called nosodes. However, a true nosode is to be made from actual disease materials and used in the face of an outbreak, much like it was in the human epidemic of yellow fever.

Vaccine help to *prevent* disease. And yes, all types of vaccines should be allowed. In fact, most of the newest ones, such as the recently tested new Ebola vaccine is derived from utant bovine cells through genetic engineering. This is also the case with the newest Foot and Mouth vaccines as they can be generated rapidly instead of waiting the 6 months orr so the typical conventionally produced vaccines take to come to market.

Jean

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Re: vaccines  
**Date:** Tuesday, April 07, 2015 10:45:13 AM

---

Yes, That avoids the fact that most certifiers do not track vaccines, that there is no APHIS or other list that is perfect, that the definition of excluded methods needs a re-write, and is not the same definition as the one APHIS uses; Further if certifiers did track vaccines, which change in formulations, they would find that 99% of them are non-gmo, and by not throwing it back to NOSB you are not alerting consumers that there is any issue.

Obviously the salmonella vaccine should be petitioned!

I was out teaching a university class on organics this morning.

Jean

On Apr 7, 2015, at 8:18 AM, McEvoy, Miles - AMS wrote:

> How about this -

>

> The NOP has received the NOSB's recommendation on livestock vaccines made with excluded methods. The NOP appreciates the complexity of this issue and the great amount of work that NOSB has invested in this review. The NOP suggests that vaccines produced from excluded methods be considered on a case by case basis, using the petition process. The NOSB can then evaluate the need, benefits and any risks from the specific types of vaccines in question.

>

> Miles

>

> -----Original Message-----

> From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)

> Sent: Monday, April 06, 2015 6:10 PM

> To: McEvoy, Miles - AMS

> Subject: Re: vaccines

>

> Let me think about this.

> The logical thing is to continue doing what we are doing which is mostly to allow all the vaccines.

> What do the Canadians do?

> You want to talk it through ?

>

> On Apr 6, 2015, at 5:51 PM, McEvoy, Miles - AMS wrote:

>

>> Can you suggest a different response?

>>

>> -----Original Message-----

>> From: Jean Richardson [[mailto: \[REDACTED\]](#)] (b) (6)

>> Sent: Monday, April 06, 2015 5:42 PM

>> To: McEvoy, Miles - AMS

>> Subject: Re: vaccines

>>

>> So the impossibility is that this goes to the very heart of the issue, namely that we cannot say, and neither can APHIS, which vaccines for sure meet or do not meet the Excluded Methods standard. We can fudge it and say use the "R". But the NOSB does not have the capacity to weigh risks and benefits.... We could put it on our Research agenda? the petition process is a good idea.

>> you want to chat about this? ACA hopes we all ignore this for now

>>

>> On Apr 6, 2015, at 5:27 PM, McEvoy, Miles - AMS wrote:

>>

>>> How's this?

>>>

>>> NOP Response:

>>>

>>> The NOP has received the NOSB's recommendation on livestock vaccines made with excluded methods. The NOP appreciates the complexity of this issue and the great amount of work that NOSB has invested in this review. The NOP will not be able to provide guidance regarding identification of vaccines produced from excluded methods, unless the NOSB can provide additional information by recommending the types of methods used in vaccine production that should be considered excluded. In the meantime, NOP suggests that vaccines produced from excluded methods be considered on a case by case basis, using the petition process. The NOSB can then evaluate the need, benefits and any risks from the specific types of vaccines in question.

>>>

>>> -----Original Message-----

>>> From: Jean Richardson [<mailto:jean.richardson@aphis.usda.gov>] (b) (6)

>>> Sent: Saturday, April 04, 2015 7:50 AM

>>> To: McEvoy, Miles - AMS

>>> Subject: vaccines

>>>

>>> Hi Miles

>>> You mentioned yesterday that NOSB will get vaccines back again and suggested we work with the R on the APHIS List.

>>> I am not sure who at NOP has written the NOP response, but all stakeholders, including APHIS agreed that we do not have a functional List that would allow us to do that. So hopefully you are providing some detailed direction?

>>> I am going to look at the Canadian language.

>>> Jean

>>>

>>

>

**From:** Jean Richardson  
**To:** McEvoy, Miles - AMS  
**Subject:** Fwd: USDA Organic Program Divisive/In Crisis: Obama/Vilsack asked for New Leadership  
**Date:** Friday, April 24, 2015 11:15:20 AM  
**Importance:** High

Hi Miles  
Did you see this yet?  
I will alter my comments and address governance in my comments and express sadness at the letter call if you wish  
Jean

Begin forwarded message:

**From:** "The Cornucopia Institute" <[cultivate@comucopia.org](mailto:cultivate@comucopia.org)>  
**Date:** April 24, 2015 10:25:24 AM EDT  
**To:** [Jean.Richardson@uvm.edu](mailto:Jean.Richardson@uvm.edu)  
**Subject:** USDA Organic Program Divisive/In Crisis: Obama/Vilsack asked for New Leadership

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Cornucopia Institute | PRESS RELEASE

APRIL  
24,  
2015

FOR IMMEDIATE RELEASE  
Contact Mark Kastel, 608-625-2042

### Prominent Government Watchdog Asks Obama Administration to Remove Organic Leadership at USDA National Organic Program Divisive and in Crisis

<http://www.comucopia.org/2015/04/prominent-government-watchdog-asks-obama-administration-to-remove-organic-leadership-at-usda/>

CORNUCOPIA, WIS The nation's preeminent organic industry watchdog, [The Cornucopia Institute](#), sent a [letter](#) today to the White House, and to USDA Secretary Thomas J. Vilsack, requesting a change in leadership at the regulator's National Organic Program (NOP). A radical shift in the unique public-private governance in the organic sector, established by Congress in 1990, has created deep fissures within the organic community and, more recently, resulted in 15 organic stakeholders, including Cornucopia, [suing the USDA](#).

Previous administrations faced plenty of criticism from organic advocates. However, during the Clinton and Bush years, USDA officials were universally viewed as respecting the purview of the National Organic Standards Board (NOSB). [This 15-member multi-stakeholder body](#) was established by Congress to review all synthetic/non-organic ingredients and materials used in organic farming and food production. Congress also mandated that the USDA Secretary seek the counsel of the NOSB on all aspects of implementing the [Organic Foods Production Act \(OFFPA\)](#).

"Although the USDA ignored some of the NOSB recommendations in the past, until recently they never went 180 degrees in the opposite direction in deference to the preferences of powerful corporate interests," said Kevin Engelbert, a former NOSB member from Nichols, New York. "And they never reversed the 23-year



tradition of allowing the NOSB the autonomy to create their own procedure manual, set their own agenda and create their own workplan."

The Cornucopia Institute, established in 2004, with 10,000 members, is thought to represent more certified organic farmers than any other organization in the nation. Mr. Engelbert and his family were the first certified organic dairy farmers in the United States.

In 2009, President Obama and Mr. Vilsack were universally praised for their choice of appointing Miles McEvoy, a former organic official with the state of Washington, to lead the NOP. Yet, after an extended honeymoon, public sentiment has taken a decisive turn toward disappointment and controversy in recent years, brought to a head by several unilateral decisions made by the USDA without collaborating, as had been the custom, with the NOSB.



Although many organic industry observers were already becoming disillusioned with the approach during the Obama/Vilsack administration, Mr. McEvoy threw gasoline on the fire, in the fall of 2013, when he unilaterally [reversed](#) the "Sunset" procedure. Mandated by Congress, this procedure required the NOSB to review every synthetic material/ingredient approved for use in organics every five years.

Dr. Barry Flamm, a conservation expert and former chairman of the NOSB later lamented, "I thought we had improved the Sunset process during my tenure on the Board. Besides taking the teeth out of the Sunset provisions, the reversal is a real affront to all of us who believed in the public governance process that Congress built into the organic law."

Under the old procedure, synthetics were reviewed every five years and then sunsetted off the National List unless voted to be relisted if appropriate. Under the new USDA procedures, these materials will instead stay on the list in perpetuity unless the NOSB takes action to remove them (and in a complete reversal, the removal of a material will require a two-thirds super-majority to remove a material).

Although the change in the Sunset provisions, bypassing the NOSB, was supported by many of the corporate agribusinesses that have invested in organics, by a number of the major certifiers who oversee their operations, and by industry lobbyists, it was universally viewed as a *stick in the eye* by farmers, consumers and public interest groups that have been able to collaborate on the process in the past.

In addition to "gutting the Sunset procedure," as The Cornucopia Institute referred to it, a diverse subset of organic stakeholders have also expressed grave concern about several other positions the USDA has taken in direct conflict with the direction of the NOSB. These include:

#### **Nanotechnology**

In 2010, the NOSB made clear, in a resolution, that inadequate science currently existed enabling it to conclude that food, or food packaging, manufactured through nanotechnology, was safe for human consumption or appropriate for inclusion in certified organic food products. They recommended a more thorough examination and asked the USDA for technical assistance to conduct a more thorough examination, including convening a symposium on the subject. Instead, five years later the NOP unilaterally decided against any moratorium on organic food containing nanoparticles and instead ruled to allow them to be petitioned for use on a case-by-case basis, like any other synthetic or non-organic substance.

#### **Hydroponics**

Also in 2010, the NOSB clearly stated that U.S. organic law required organic plants to be grown in soil with federal regulations focusing on enhancing soil fertility, thus positively impacting the nutritional content of organic food. Growing plants in water, or air, using a narrow mixture of natural and synthetic nutrients, in the opinion of the Board, does not meet the letter or spirit of OFPA. However, the NOP, and some major U.S. certifiers, are allowing giant, multimillion-dollar installations to grow plants indoors, under artificial lighting, and labeling the products *organic* without even identifying their origin as hydroponic.

#### **Aquaculture**

At the bequest of economically powerful agribusiness lobbyists, the USDA has charged ahead pushing the NOSB to approve a myriad of synthetic inputs, without even having in place a regulatory framework for how organic aquaculture would be managed. Many advocacy groups have challenged whether or not open net fish farming in the oceans could be done without environmental degradation.

#### **Organic Regulatory Theater**

At the next NOSB meeting, beginning April 27, the volunteer panel faces the unrealistic task of carefully reviewing approximately 200 synthetics and materials that will Sunset in 2016 and 2017, in addition to a number of broader policy issues. In the past when the workload has exceeded the NOSB's capacity, the USDA has scheduled a third meeting during the year and/or added extra days to NOSB gatherings. This has not happened despite this year's workload grossly exceeding what the NOSB, and oversight groups like The Cornucopia Institute, can realistically examine.

#### **Enforcement**

When Miles McEvoy took over as staff director of the NOP, the new Deputy Administrator publicly stated that the organic industry was now entering "the age of enforcement." Yet major fraud investigations have languished and some perpetrators have even received favorable treatment and anonymity during his tenure. "We have giant factory farms, like Shamrock Dairy in Arizona, which the USDA has found to have violated the law, still operating more than six years after legal complaints were originally filed," said Mark A. Kastel, the Institute's Codirector. "If it weren't for the work of The Cornucopia Institute, this 'pending' enforcement action would still be secret."

Despite the potential deterrent effect, the USDA has systematically refused to publicize the full background, nature of violations, and names of any companies or farms under investigation – even after these entities were found to have broken the law and were fined or otherwise penalized.

In what appears to be a serious ethical lapse, at a recent USDA training for accredited organic certifiers, Mr. McEvoy appeared to coach attendees on damage control tactics concerning organic livestock factory farms that have been the target of recent outside investigations and accused of violating organic law. The take-away message by certification officials from what Mr. McEvoy said was that industry watchdogs were "bashing your operations." [emphasis added]

"Since the NOP is responsible for not only investigating the alleged improprieties at these factory farms, but also overseeing the performance of the certifiers that inspect those operations, the apparent bias is extremely troubling," added Kastel.

This is not the first time The Cornucopia Institute has called upon the USDA Secretary to change management at the NOP for what appears to be inappropriate

favoritism and collaboration with the corporate sector.

Cornucopia, in 2009, collaborated with a *Washington Post* investigation exposing a sweetheart deal between a powerful industry lobbyist and Dr. Barbara Robinson, then head of the USDA's organic program. She allegedly illegally approved materials for use in organics, overruling her staff and bypassing the NOSB. Cornucopia subsequently called upon both President Obama and USDA Secretary Vilsack to remove Dr. Robinson, which ultimately occurred later that year.

"For those of us who were practicing organic agriculture prior to Congress authorizing the USDA to oversee this industry, the behavior of current management at the NOP is a big disappointment," said Helen Kees, Cornucopia's Board President and an organic beef and vegetable producer from Wisconsin. "The authority of the NOSB has been undermined, and it doesn't really matter whether Miles McEvoy is the chief architect or just willingly carrying out orders. The organic community needs an independent voice that can be universally respected to head this important regulatory body," Kees asserted.

-30-

#### **MORE**

In the past, the process by which the NOSB operated was developed by the Board itself, in collaboration with organic stakeholders, after being officially noticed in the Federal Register.

"The Policy Procedure Manual (PPM) was developed by the Board, after extensive public input, and approved by the USDA during the Bush administration," according to former NOSB Chairman Dr. Flamm.

During his five years on the NOSB, Dr. Flamm also served for four years as the chairman of the Policy Subcommittee, which developed the NOSB's PPM.

"You don't need to take The Cornucopia Institute's word alone in supporting the thesis that the USDA has overstepped their legal authority and undermined the unique process Congress set up to assure organic stakeholders that corporations would not wield undue influence in promulgating organic law," Cornucopia's Kastel added.

Last year, in a blunt letter, the two primary authors of the enabling legislation, the Organic Foods Production Act of 1990, Representative Peter DeFazio and the Senate's longest-serving member, Patrick Leahy, both clearly expressed that, in their unique position to judge, the edict reversing the Sunset procedures clearly violated the will of Congress.

The two congressional leaders were echoed in another letter to Secretary Vilsack, by three prominent past chairmen of the NOSB: James Riddle, founder of [Independent Organic Inspectors Association](#); Jeff Moyer, a longtime organic farming educator/leader with the Rodale Institute; and Dr. Barry Flamm, a natural resource and environmental consultant, the first certified organic cherry producer in Montana, and board secretary of The Cornucopia Institute.

#### **More Organic Regulatory Theater**

Since the NOSB was designed to have broad industry representation, and is not a scientific panel, Congress gave the body the authority to engage scientific experts to do Technical Reviews of synthetics and other materials up for consideration. This part of the law has never been respected. Instead, the USDA has hand-picked the contractors. In the earlier history of the organic program, they chose agribusiness executives and consultants to review materials petitioned by corporate agribusiness. This was a clear conflict of interest, thoroughly outlined in Cornucopia's white paper, [The Organic Watergate](#).

Currently, the USDA is contracting nonprofit organizations funded by corporate agribusiness to conduct the materials reviews. In one case, the nonprofit wing of the powerful industry lobby group, the Organic Trade Association, is preparing Technical Reviews for the NOSB.

"This is a clear conflict of interest and the proverbial fox watching the organic chicken coop," stated Cornucopia's Kastel. "A further cloak of secrecy the USDA has donned, regarding the conflicts exposed in *The Organic Watergate report*, is that the agency is now refusing to disclose the names of the scientists writing the Technical Reviews for this public body—this makes critiquing potential conflicts of interest impossible."

Along with the nearly insurmountable workload imposed on the NOSB by the USDA, the agency has refused to spend adequate dollars to pay for Technical Reviews the NOSB has requested. Instead, NOP officials are touring the country in what some have charged is an expensive public relations campaign selling organics. "This leaves the NOSB ill-equipped to rigorously review many of the synthetic and non-organic materials that are up for review and that were not properly scrutinized when they were added to the National List in the first place," stated Kastel.



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## **The Cornucopia Institute**

is a nonprofit organization engaged in research and educational activities supporting the ecological principles and economic wisdom underlying sustainable and organic agriculture. Through research and investigations on agricultural and food issues, The Cornucopia Institute provides needed information to family farmers, consumers, stakeholders involved in the good food movement, and the media.

P.O. Box 126 Cornucopia, Wisconsin 54827  
TEL: [608-625-2000](tel:608-625-2000) | FAX: [866-861-2214](tel:866-861-2214) | [www.cornucopia.org](http://www.cornucopia.org)



**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#); [Brown Rosen, Emily - AMS](#)  
**Subject:** Fwd: USDA Listening Session  
**Date:** Monday, October 20, 2014 1:52:17 PM

---

FYI,

I answered him and thanked him for his comments

No need to circulate this I think.

I will make some opening comments on the Tuesday morning, very short, asking us all to work together etc.

Jean

Begin forwarded message:

**From:** <[Zareb.Herman@hain.com](mailto:Zareb.Herman@hain.com)>  
**Date:** October 20, 2014 10:40:56 AM EDT  
**To:** <[REDACTED] (b) (6)>  
**Subject:** **USDA Listening Session**

Hello Dr. Richardson, we exchanged emails following the Portland meeting. I feel compelled to email you concerning the USDA listening session on Thursday. If you listened, you may have noticed that only one organic food company commented on the new sunset policy. While the NOP was heavy-handed in the way they announced the new policy, the vast majority of organic handlers support the policy because we cannot make our products without ingredients from the national list. Under the old policy a minority of Board members could vote most substances off the list, and they were planning to do just that. If we support the new policy, why don't we speak up?

In San Antonio, my colleague, Allyson Kelly, made a strong statement in support of the new policy. While she was speaking, Mark Kastel of Cornucopia took a photo of her and put it up on their web site. They attacked our company on their web site and on Facebook and twitter. They called for a boycott of our products. After the meeting, another leader of Cornucopia came up to me and threatened to harm our company. This type of thing has been happening for the past 5 years. Any company that speaks up gets attacked. We have lost a lot of sales. These groups say that we are using toxic chemicals in our foods, which is not true.

This is why so few companies say anything at NOSB meetings. It's a form of extortion. Members of the Organic Consumers Association have even gone into stores and put horrible stickers on companies' products. Whole Foods hasn't done anything because they are afraid of these groups too.

I just wanted to let you know this, in case you are unaware. You are a fair and objective person, and you will be an excellent Board Chair. I request that you not say anything publicly that would identify my company. This would increase the attacks on us.

Sincerely,  
Zareb

Zareb Herman  
Regulatory Affairs Director  
Azusa, CA Office  
The Hain Celestial Group  
16007 Camino de la Cantera  
Azusa, CA 91702  
phone: 626-385-0639  
fax: 626-969-9821  
[zareb.herman@hain.com](mailto:zareb.herman@hain.com)

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**From:** [Jean Richardson](#)  
**To:** [Bradley, Mark - AMS](#)  
**Cc:** [mac.stone@kysu.edu](mailto:mac.stone@kysu.edu); [tfavre@favrehouse.com](mailto:tfavre@favrehouse.com); [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#)  
**Subject:** Re: USDA certification of wild Alaska fish as organic  
**Date:** Tuesday, September 30, 2014 8:33:29 AM

---

Great Mark. I will wait till I get that additional piece and put it all together for them so I can chat about it with them next Tuesday. Hopefully this will work!

Best  
Jean

On Sep 30, 2014, at 8:11 AM, Bradley, Mark - AMS wrote:

Hi Jean,

When we met with Mike and Dennis, I also mentioned that there are other options to provide verified marketing claims. Specifically, we have the USDA Process Verified Program for 3<sup>rd</sup> party claims verification. I described the marketing logos that are available through that program. I also gave him the link to the Process Verified Program and explained that it may be a good interim step:

**Link to USDA Process Verified Program**

<http://www.ams.usda.gov/AMSV1.0/ams.fetchTemplateData.do?template=TemplateN&navID=GradingCertificationandVerification&leftNav=GradingCertificationandVerification&page=ProcessVerified.usda.govHomePage>

The former program manager for PVP, Jim Riva, just retired. I'll find out who the best functional person would be and cc you guys with the info.

Thanks,  
Mark

---

**From:** Jean Richardson [mailto:██████████ (b) (6)]  
**Sent:** Monday, September 29, 2014 7:29 PM  
**To:** Bradley, Mark - AMS  
**Cc:** [mac.stone@kysu.edu](mailto:mac.stone@kysu.edu); [tfavre@favrehouse.com](mailto:tfavre@favrehouse.com); Arsenault, Michelle - AMS; McEvoy, Miles - AMS  
**Subject:** Re: USDA certification of wild Alaska fish as organic

Hi Mark

Thank you for discussing this with me. As you suggested I chatted with Mike Szymanski in Alaska. He talked at length about a desire to be able to label as organic deep water wild fish which grow in a managed sector of the Bering Sea. I described the annual organic certification process for wild crop harvesting in terrestrial ecosystems, and necessary level of management verification. He

already has considerable management oversight. I described the new AMS 100% grass fed certification program and suggested an analogous certification for wild caught fish may be an alternative to spending time trying to seek organic certification. He is keen to continue our conversation and wants to include Dennis Moran in Seattle to join us in a call on Tuesday October 4. I offered to find out who they should talk with at AMS about possible certification like the 100% grass fed.

Any suggestions?

They are keen to have some sort of a seal in order to compete with the organic farmed fish.

Seems like a nice guy.

What can we do to help him?

Thank you

Jean

On Sep 23, 2014, at 1:16 PM, Jean Richardson wrote:

Very helpful

Thank you

Jean

On Sep 23, 2014, at 12:48 PM, Bradley, Mark - AMS wrote:

Hi Jean,

As I mentioned, there is a bit of history in the discussion regarding organic certification of wild caught fish. The discussion goes back to the earliest days of the NOP rule. I've pasted in some links and summary discussion to the earlier documents here.

### **2001 Task Force Report on Aquatic Animals**

<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELDEV3104580>

The Task Force concludes that operations that capture wild aquatic animals do not reflect the degree of producer management, continuous oversight, and discretionary decision-making that

are characteristic of an organic system. The regulated capture of aquatic animals from wild populations is unquestionably a managed system, but it does not afford producers the opportunities to exercise the specific production responsibilities that are required by the OFPA.

Producing aquatic animals without violating the livestock origin, feed ration, health care, and living

conditions requirements in the OFPA does not make for an organic production system. The inclusion of those requirements in the OFPA necessitates that they be pro-actively managed and

that in doing so a producer intentionally choose materials and practices that are consistent with

the standards. Since wild capture aquatic animal operations do not allow producers to make these essential decisions, the Task Force recommends that the NOSB not develop standards for the certification of aquatic animals captured in the wild.

### **2001 NOSB recommendation on aquaculture**

<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELDEV3104581>

Aquatic Animal Task Force Recommendations - The NOSB accepted the report of the

aquatic animal task force and approved the following recommend:

1. No standards be developed for wild caught aquatic animals;
2. Standards be developed for the production of farmed aquatic animals that reflect an innovative approach to organic certification while remaining fully consistent with the statutory requirements of the Organic Foods Production Act; and
3. If standards are developed for farmed aquatic animals, we recommend that the National Organic Program and the National Organic Standards Board use the aquatic animal task force report as guidance.

Eric Sideman moved to approve and Willie Lockeretz seconded the motion. (14 in favor, 0 opposed, 0 abstaining)

More recently, the NOSB and supporting Aquaculture Working Group also opted to not include wild caught seafood in the pending regulations for organic seafood.

### **Interim Final Report of the Aquaculture Working Group**

<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5062436>

### **Item for public comment -**

<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELDEV3025623>

Members for the wild-caught working group have not yet been named, because of a low response to the call for nominations.

---

Thanks,  
Mark

<image001.jpg>

**Mark A. Bradley** | Assistant to the Deputy Administrator | 202.690.0725 | FAX 202.205.7808 | Cell (b) (6)

**USDA – AMS – NATIONAL ORGANIC PROGRAM** | 1400 Independence Ave. SW | Washington, DC 20250

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**From:** Jean Richardson [<mailto:> (b) (6)]  
**Sent:** Tuesday, September 23, 2014 9:02 AM  
**To:** Bradley, Mark - AMS  
**Cc:** [mac.stone@kysu.edu](mailto:mac.stone@kysu.edu); [tfavre@favrehouse.com](mailto:tfavre@favrehouse.com); Arsenault, Michelle - AMS; McEvoy, Miles - AMS  
**Subject:** Re: USDA certification of wild Alaska fish as organic

## Mark

Apart from the OFPA citation below from 7 USC Section 6506, you comment below that you briefed them on the status of wild caught sea food. Can you direct Tracy, Mac and I to any additional written documents on this subject which would be helpful to us as we work together to determine possible next steps. We would like to have the maximum amount of detail on the history of this discussion before opening up a conversation on the potential for organic certification of wild caught seafood.

I am very familiar, as a producer and inspector, with the "Wild-crop harvesting practice standard" at 205.207 which is used for mushrooms and maple sap production. - pasted below

We could set up a conference call between the 5 of us, and Betsy once we have more detailed information.  
Thank you  
Jean

7 USC ch 94 S 6506

## (c) Wild seafood

### (1) In general

Notwithstanding the requirement of subsection (a)(1)(A) of this section requiring products be produced only on certified organic farms, the Secretary shall allow, through regulations promulgated after public notice and opportunity for comment, wild seafood to be certified or labeled as organic.

### (2) Consultation and accommodation

In carrying out paragraph (1), the Secretary shall—

(A) consult with—

- (i) the Secretary of Commerce;
- (ii) the National Organic Standards Board established under section 6518 of this title;
- (iii) producers, processors, and sellers; and
- (iv) other interested members of the public; and

(B) to the maximum extent practicable, accommodate the unique characteristics of the industries in the United States that harvest and process wild seafood.

**§205.207 Wild-crop harvesting practice standard.**

(a) A wild crop that is intended to be sold, labeled, or represented as organic must be harvested from a designated area that has had no prohibited substance, as set forth in §205.105, applied to it for a period of 3 years immediately preceding the harvest of the wild crop.

(b) A wild crop must be harvested in a manner that ensures that such harvesting or gathering will not be destructive to the environment and will sustain the growth and production of the wild crop.

On Sep 22, 2014, at 11:28 AM, Bradley, Mark - AMS wrote:

Good morning,

Last week Miles and I met with two representatives of an Alaskan seafood company called Fisherman's Finest. They were interested in finding out how wild caught seafood could be certified as organic. They were aware of the provisions in OFPA for wild caught seafood, but were not aware of the discussion since the regs came into effect. We briefed them on the status of wild caught seafood and organic certification; We did not give them any impression that certification of wild caught seafood would be likely to happen soon. Miles and I explained that new initiatives such as this would normally be presented by a board member for possible inclusion on the NOSB's workplan. As such, it would most likely come through a committee chair or the Board chair. Mr. Szymanski asked for appropriate contact information for each of you and, as you can see below, we have opted to allow you the opportunity to protect your email if you so choose.

If you like, you may contact Mr. Szymanski at his email below. It may be that you would prefer to decide amongst yourselves who would be the best point of contact for him and let one person do the communicating. Your call.

Please let me know if you choose to pass on this conversation and I can advise Mr. Szymanski to send a generic letter to the Board to present his case.

Thanks for all you do for the organic community...

Mark

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SW | Washington, DC 20250

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**From:** Bradley, Mark - AMS  
**Sent:** Monday, September 22, 2014 10:26 AM  
**To:** 'Mike Szymanski'  
**Subject:** RE: USDA certification of wild Alaska fish as organic

Hi Mike,

I met with our NOSB advisory board specialist late last week to discuss providing contact information for NOSB members. She said the Program had agreed to not provide private email addresses for board members unless their information is published somewhere already. This is to avoid situations where interest groups direct mass mailings to their private accounts.

Jean Richardson is the current NOSB Chair. Tracy Favre is the Livestock Sub-committee Chair. Mac Stone is the most recent past Chair and has a background in aquaculture.

I'll contact them to let them know that you are interested in discussing next steps toward making wild caught Alaskan seafood eligible for the USDA organic seal.

Thanks,

Mark

---

**From:** Mike Szymanski [<mailto:> (b) (6)]  
**Sent:** Friday, September 19, 2014 9:15 PM  
**To:** Bradley, Mark - AMS  
**Cc:** Dennis Moran  
**Subject:** Re: USDA certification of wild Alaska fish as organic

Hello Mark,

First let me thank you again for meeting with Dennis Moran and I on Tuesday.

I was looking over my notes from our meeting and noted a few names you suggest we contact concerning our project of obtaining Organic Standards for harvest Alaska wild fish.

Do you have phone and email contact information on these NOSB members? I understand that Mac Stone was a proponent of the Aquatic Standards but don't remember what Jean Richardson and Tracy Favre did in this process?

- Former Chairman, Robert (MAC) Stone
- Jean Richardson, NOSB Member
- and I think a Tracy Favre, NOSB Member.....

We have a lot to learn about this process and do appreciate your guidance. By the

way, (b) (6)

Have a good weekend....

Mike Szymanski

(b) (6)

Cell: (b) (6)

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**From:** [Jean Richardson](#)  
**To:** [Jones, Samuel - AMS](#); [McEvoy, Miles - AMS](#)  
**Subject:** Washington post article  
**Date:** Friday, June 27, 2014 11:29:01 AM

---

Hi Sam

I read the article in the Washington Post by Peter Laufer and sent him a short response - his email was in the article- his responses to me were astoundingly rude and very defensive!!!! - so if you were to draft a reply to the Post I would be happy to be the person sending it in over my signature- it would look less self serving (government response) so to speak - in fact I am happy to have my signature used on other articles you may long to get out there!. It would be good to get some reasonable press for a change! One thing to emphasize is the tiny percentage of organic in the context of US agriculture.

I have contacted PR people for each of the retiring board members this year, but it is slow progress so far! My goal with these would be to get in house (places of work of board members) articles written which NOP could then capture and distribute etc.

I did a TV interview type video here in Vermont on Organics 101. It may be distributed by utube. I have not yet seen the edited version! My dachshund sits on my knee throughout!! People love dogs!

Best Regards,

Jean

**From:** [McEvoy, Miles - AMS](#)  
**To:** [Jean Richardson](#)  
**Subject:** Automatic reply: Washington post article  
**Date:** Friday, June 27, 2014 11:29:01 AM

---

I am out of the office through June 27. Please contact Joan Avila at 202-720-3252, [joan.avila@ams.usda.gov](mailto:joan.avila@ams.usda.gov) if you need immediate assistance.

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

**From:** [Jean Richardson](#)  
**To:** [Jones, Samuel - AMS](#)  
**Cc:** [McEvoy, Miles - AMS](#)  
**Subject:** Re: Washington post article  
**Date:** Sunday, June 29, 2014 1:09:46 PM

---

Hi Sam

Thank you for the OTA response. well done.

Jean

On Jun 27, 2014, at 2:00 PM, Jones, Samuel - AMS wrote:

> Hi Jean,

>

> Thanks for reaching out. Not sure if you saw this response from OTA: [http://organic-center.org/news/response-to-op-ed-five-myths-about-organic-food/?utm\\_source=OTA+Members&utm\\_campaign=ca29d27416-OTA\\_News\\_Flash\\_June\\_24\\_20146\\_24\\_2014&utm\\_medium=email&utm\\_term=0\\_03666ec055-ca29d27416-414393125](http://organic-center.org/news/response-to-op-ed-five-myths-about-organic-food/?utm_source=OTA+Members&utm_campaign=ca29d27416-OTA_News_Flash_June_24_20146_24_2014&utm_medium=email&utm_term=0_03666ec055-ca29d27416-414393125).

>

> I will touch base with Miles on Monday about the op-ed piece and we will get back to you. And, thanks for offer up your signature.

>

> Can't wait to check out your video! We will touch base next week, and you have a great weekend!

>

> All the best,

> Sam Jones-Ellard

> Public Affairs Specialist

> USDA | Agricultural Marketing Service

> 202.660.2268

>

>

> -----Original Message-----

> From: Jean Richardson [<mailto:> (b) (6)]

> Sent: Friday, June 27, 2014 11:29 AM

> To: Jones, Samuel - AMS; McEvoy, Miles - AMS

> Subject: Washington post article

>

> Hi Sam

> I read the article in the Washington Post by Peter Laufer and sent him a short response - his email was in the article- his responses to me were astoundingly rude and very defensive!!!! - so if you were to draft a reply to the Post I would be happy to be the person sending it in over my signature- it would look less self serving (government response) so to speak - in fact I am happy to have my signature used on other articles you may long to get out there!. It would be good to get some reasonable press for a change! One thing to emphasize is the tiny percentage of organic in the context of US agriculture.

>

> I have contacted PR people for each of the retiring board members this year, but it is slow progress so far! My goal with these would be to get in house (places of work of board members) articles written which NOP could then capture and distribute etc.

>

> I did a TV interview type video here in Vermont on Organics 101. It may be distributed by utube. I have not yet seen the edited version! My dachshund sits on my knee throughout!! People love dogs!

> Best Regards,

> Jean

>

>

>  
>  
>

> This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Webinars article for NODPA  
**Date:** Sunday, June 28, 2015 9:15:32 AM  
**Attachments:** [NODPA News July 2015 Jean Richardson.docx](#)

---

Hi Miles

Please could you give this a quick look over.?

Ed Maltby asked for this to put in the NODPA Notes to do "damage control" for our Webinars.

Thank you

Jean

**From:** [Jean Richardson](#)  
**To:** [Arsenault, Michelle - AMS](#)  
**Cc:** [Brown Rosen, Emily - AMS](#); ["Tracy Favre"](#); [McEvoy, Miles - AMS](#)  
**Subject:** Re: Webinars and NOC  
**Date:** Monday, June 29, 2015 5:32:04 PM

---

Hi Michelle

Yes I explained this to Ed as well. I have not written a detailed answer but rather addressed individual items for clarification. But it does give us a sense of where they are coming from.

Thank you

Jean

On Jun 29, 2015, at 5:26 PM, Arsenault, Michelle - AMS wrote:

Hi Jean,

A few notes I'm sure you have addressed already:

How does one schedule a webinar based on occupation or culture? I would argue that these two webinars are more convenient than planning a week-long trip to fly to VT, to deliver comment during a very specific block of time. That seems to me to be more exclusive. And we aren't eliminating that possibility. We could consider moving one of the webinars to a different day of the week, but I would be inclined to prioritize the time commitment and schedules of the Board members.

I think we need to advertise this in advance of the FR Notice publishing on ~September 8. It doesn't give folks enough time to prepare, considering the webinars are scheduled for Sept 22 and 29. Perhaps an Insider notice in addition to the outlets you are pursuing Jean?

- As for the PPM language, all references to Electronic Bulletin Boards was removed (by me and John two + years ago!), as it was clearly outdated. As I'm sure you are well aware. Unfortunately the updated version never made it out of PDS!

Regarding the line in the PPM that says "At this time, full Board conference calls or full Board assembly via electronic bulletin board is not allowed". This refers only to full Board meetings that are deliberative and are intended to result in a recommendation to the Secretary. FACA, on which this was based, does not prohibit full Board meetings in which "The intent is to obtain information or viewpoints from individual attendees as opposed to advice, opinions or recommendations from the group acting in a collective mode." Again, it's just a case of a poorly written paragraph which is why we embarked on an update of the PPM.

<http://www.gsa.gov/portal/content/100794> Here is the link to GSA FACA management

Thanks,  
Michelle

---

**From:** Brown Rosen, Emily - AMS

**Sent:** Monday, June 29, 2015 10:41 AM  
**To:** Jean Richardson; McEvoy, Miles - AMS  
**Cc:** Tracy Favre; Arsenault, Michelle - AMS  
**Subject:** RE: Webinars and NOC

Jean,

I believe it would be good for you to respond on the 'no substantive comments' statement. Comments in time for the second meeting could have great impact on whether you vote to remove or keep a sunset substance up for review. It was only if you were not recommending removal (no motion to remove on the table) that it would be hard to address the comments. This voting meeting is a key time to have public comments on sunset.

Emily

---

**From:** Jean Richardson [<mailto:> (b) (6)]  
**Sent:** Sunday, June 28, 2015 1:27 PM  
**To:** McEvoy, Miles - AMS; Brown Rosen, Emily - AMS  
**Cc:** Tracy Favre; Arsenault, Michelle - AMS  
**Subject:** Webinars and NOC

Hi Miles and Emily

FYI one of the e-mails of this weekend from Ed Maltby (NODPA, part of NOC) regarding the need to do "damage control" on our Webinar idea which NOC perceives negatively because we have "changed the procedures"...

Emily note his reference to the PPM on no use of "Electronic bulletin boards". Miles and Emily please note the ongoing concern over "no new substantive comments" which appears to continue to need clarification.

When do we need to post notice of the webinar dates and how to access?  
Do we want to try for a different time slot?

Thank you  
Jean

The public comment period has always been geared to what suits the NOSB members and the NOP. I'm thinking that any change that are made should shift that emphasis to accommodating the commenters that are not on a salary. The NOSB may be a volunteer Board but usually 2/3 are on a good salary.

Having three webinars that recognize different time zones, different occupations and cultures is making it more convenient for commenters and recognizes that they have respect for those that take the time to

comment.

My assumption is that the NOP sunset process does not allow new substantive comments on the many 2017 sunset materials to be taken into account by the NOSB. So, there is little reason for lengthy comments at this meeting if the NOP makes that clear. Time is needed for NOSB discussion and debate. I believe that the most effective comments will be (in most cases) those that summarize evidence (TRs, public comment) that has already been presented and draw conclusions from it. This form of comment will probably be more effective in written form. So it is possible that the fear that the public comment will be more extensive than at the spring meeting is exaggerated. Any thoughts on that?

There should probably to a change made to the NOSB By Laws to accommodate this change. The Policy and Procedures Manual says: *All Board meetings, conference calls, and bulletin board assembled for the purpose of making recommendations to the NOP are subject to FACA (see appendix B for FACA facts), In particular, these must be open to the public and must meet public notification requirements. Not all meetings are subject to FACA and do not require public notification. Examples are: assemblies for completing work, planning retreats, training and sharing information. At this time, full Board conference calls or full Board assembly via electronic bulletin board are not permitted. The date and location of periodic full in person Board Meetings (normally twice a year), will to the extent possible, be set by consensus of the Board in consultation with the NOP.*

Clearly, the webinar format was not even considered in writing this. But it appears that electronic meetings of the full board are not allowed by the PPM.

## **NOSB is expanding the opportunity for public comment with a pilot project of two, 3 hour, Webinars to listen to oral public comment as well as in person comment**

Jean Richardson – National Organic Standards Board Chair

The NOP and NOSB have been working collaboratively to find ways to increase opportunities for greater participation by a broader range of people over a longer period of time, and by more pathways! A couple of ideas we want to run as a trial this fall is to have ‘Oral Public Comment by Webinar’ and concentrating public comment on the first day of the NOSB while members are still fresh even if we have to run a couple of hours longer on that day.

In April in La Jolla we blocked out time for 130 oral commenters, and 124 spoke. This took up almost 2 days (11 hours) of our 4 day meeting. The idea of the webinars is for those unable to travel to have an opportunity to voice their comments on the record within a five minute slot, two minutes more than the current allowance of 3 minutes in person. As you heard during our meeting presentations in April, the organic community already has a pretty good idea of where we are headed with our materials review so you can be writing your comment now and either send it in in writing when the public comment period opens, or sign up to make oral comment.

We hope as many members of the organic community will use this electronic meeting to share their thoughts, but especially hope that this makes it easier for farmers to participate as we value their perspective on the practicality of NOSB decisions on organic production. The comments made in the webinars will be placed on the record, recorded and available for NOSB members to play back at their leisure if they are unable to listen to the full six hours. Individuals can choose to give oral comment on either the webinars or sign up for an in-person slot as part of the 6 hours of in-person comment time on October 26.

As NOSB Chair I hope that you will use this opportunity to try out new ways of participation and give us feedback if it doesn’t work. While many FACA boards hold entirely virtual meetings and limit oral comment we realize the importance of involving the whole organic community in decisions about the future of organic and institutionalize public participation at all levels of NOP and NOSB.

My goal as Chair for the next 4 months is to continue to work to expand opportunities for a broader cross section of public comment in a diversity of ways, using modern technology where possible, reduce our carbon footprint where possible, and complete this cycle of Sunset Review. I believe that working together we can do this.

Meanwhile, we keep on working to see if we can get a public docket in place so that the public can send in public comment all year round as well. Here's where we need patience!

We are also working to determine how to spread the Review of Sunset materials over more years, and not review essentially all of them in one large group every five years as we are right now. This should make the next few years much easier for us all.

NOSB members are working hard to make the in-person meeting as productive as possible. We have doubled up our subcommittee conference calls as needed to work on Sunset Materials in

Crops, Handling and Livestock, to make sure that we have all our Sunset Templates ready for NOP staff on August 26, so they can meet their September 8 Federal Register Posting date.

In terms of numbers to be voted on at the October meeting in Vermont: Livestock will be presenting 42 substances for Sunset 2017 Review; Crops 43; and Handling 105. There will be substances of interest to NODPA members in all of these subcommittees. Based on public comment submitted so far, it does not appear that any of the livestock materials will be recommended for removal from the List in October, with the exception of one or two parasiticides. There are 3 parasiticides to be voted on in October: Fenbenzadole, Ivermectin and Moxidectin. Ivermectin, and perhaps moxidectin may be removed. We hope to propose reduction in the withholding period of fenbenzadole, but keep it on the List. We hope to also be voting to reduce the withholding period for Lidocaine and Procaine. We have received public comment regarding the use of Nonylphenyl Ethoxylates (NPE's) used in formulations of teat dips containing iodine. NPE's act as surfactants in complexing iodine. NPE's, even at very low levels, have a toxic effect on aquatic systems. Iodine (205.603(a) and (b)) comes up for Sunset Review and vote in October. We expect iodine will be kept on the list, but OMRI has recently prohibited the use of NPE's's in teat dips so we may not need to propose an annotation. So, we would appreciate your comments on all these materials plus any comments of priorities for organic research related to livestock.

We all hope to make this October meeting a time for celebrating 25 years of organic agriculture. Thank you very much, and I look forward to hearing from you.

Jean

**From:** [Jean Richardson](#)  
**To:** [Tracy Favre](#)  
**Cc:** [Brown Rosen, Emily - AMS](#); [Daniels Paula](#); [Calvin Walker](#); [Thicke Francis](#); [Arsenault, Michelle - AMS](#); [Stone Mac](#); [Bondera Colehour](#); [Swaffar Ashley](#); [McEvoy, Miles - AMS](#); [Brines, Lisa - AMS](#)  
**Subject:** Re: zinc sulfate  
**Date:** Tuesday, April 28, 2015 12:36:03 PM

---

yes I agree jean

On Apr 28, 2015, at 12:33 PM, Tracy Favre wrote:

If we can change the annotation now, that's my preference.

On Apr 28, 2015, at 11:17 AM, Brown Rosen, Emily - AMS  
<[Emily.BrownRosen@ams.usda.gov](mailto:Emily.BrownRosen@ams.usda.gov)> wrote:

Let me talk to Miles a bit. It seems like the less restrictive annotation would allow for use in a less enviro impactful way (individual animals) not sure if this is substantive. Copper sulfate has no similar restriction.  
Emily

---

**From:** Paula Daniels [<mailto:pdaniels@goodfoodla.org>]  
**Sent:** Tuesday, April 28, 2015 9:15 AM  
**To:** Tracy Favre  
**Cc:** Walker Calvin; Thicke Francis; Arsenault, Michelle - AMS; Stone Mac; Richardson Jean; Bondera Colehour; Brown Rosen, Emily - AMS; Swaffar Ashley  
**Subject:** Re: zinc sulfate

Fine by me

\*\*\*\*\*

Sent from my iPhone  
(tip-typing away)

On Apr 28, 2015, at 9:12 AM, Tracy Favre  
<[tfavre@favrehouse.com](mailto:tfavre@favrehouse.com)> wrote:

Folks,  
I think we may want to take this back to committee to amend the annotation. It seems to me we might be inadvertently forcing folks to use a foot bath when applying topically could get the job done. How would you guys feel about taking it back? I'd like to consider offering a listing for 205.603(b) without annotation at all.

Thoughts?

T

Begin forwarded message:

**From:** "Brown Rosen, Emily - AMS"  
<[Emily.BrownRosen@ams.usda.gov](mailto:Emily.BrownRosen@ams.usda.gov)>  
**To:** "Tracy Favre ([tfavre@favrehouse.com](mailto:tfavre@favrehouse.com))"  
<[tfavre@favrehouse.com](mailto:tfavre@favrehouse.com)>  
**Subject:** FW: zinc sulfate  
**Date:** April 28, 2015 at 10:48:25 AM CDT

fyi

**From:** Mary Yurlina [<mailto:yurlina@mofga.org>]  
**Sent:** Tuesday, April 28, 2015 6:37 AM  
**To:** Diane Schivera; Katie Webb  
**Cc:** Brown Rosen, Emily - AMS  
**Subject:** Re: zinc sulfate

Yes, hello Emily. Katie Webb and I noticed that the petition text appeared delimited to foot-baths, which we thought was too bad, since most of our producers would likely use it as a topical. Thanks for inquiring; we hope ZnSO<sub>4</sub> is recommended. All the best, Mary

---

Mary Yurlina, Ph.D.  
Director, MOFGA Certification Services LLC  
Unity, Maine USA  
p. 207-568-4142 f. 866-344-0991  
[www.mofgacertification.org](http://www.mofgacertification.org)

This message (attachments included) is intended for addressees only. Treat as confidential. Unauthorized use and forwarding is prohibited.

On Tue, Apr 28, 2015 at 8:37 AM, Diane Schivera  
<[dianes@mofga.org](mailto:dianes@mofga.org)> wrote:  
Hi Emily,

Thanks so much for asking! This is such an important point! Enough emphasis?

One product example is Dr. Naylor's hoof and heal.  
<http://drnaylor.com/product/hoof-n-heel/>  
Works well for sheep and goats where they have the facility(milking stand) or ability to treat individuals. Setting up a foot bath for the animals to walk through or have to stand and hold them is more difficult for the farmers to do. I'm guessing there will be more products too if this goes through.

The Zn sulfate is also used directly packed in bandages hoof warts in cattle sheep and goats too.

Hope that helps. Call if you have other questions, [207-701-8794](tel:207-701-8794). I want to do all I can to help this get allowed!

I'm glad you are hanging in working for the farmers.

go happy,  
Diane

Diane Schivera  
Organic Livestock Specialist  
Maine Organic Farmers and Gardeners Association,  
MOFGA  
294 Crosby Brook Rd., PO Box 170 Unity, ME 04988  
[207-568-4142](tel:207-568-4142) FAX: 568-4141  
[dianes@mofga.org](mailto:dianes@mofga.org) [www.mofga.org](http://www.mofga.org)

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| |-----w| \~  
| | | |  
Drink Organic Milk!!

On Apr 27, 2015, at 7:34 PM, Brown Rosen, Emily -  
AMS <[Emily.BrownRosen@ams.usda.gov](mailto:Emily.BrownRosen@ams.usda.gov)> wrote:

Hi Diane,  
I am here at the NOSB meeting, and the  
NOSB is considering zinc sulfate, and a  
couple of commenters have talked about the  
type of product. In addition to foot baths,  
they suggest it should be allowed as a  
topical spray or ointment , which may be  
easier for small farmers that just have a few  
animals (goats or sheep). Have you heard of  
this type of use or seen products that are  
geared to this use? Any labels on hand?  
Thanks  
Emily

Emily Brown Rosen  
Specialist, Standards Division  
USDA-AMS-NOP  
[www.ams.usda.gov/nop](http://www.ams.usda.gov/nop)  
609-737-8630 NJ office  
(b) (6) NEW cell

**From:** [Jean Richardson](#)  
**To:** [Francis Thicke](#)  
**Cc:** [Brown Rosen, Emily - AMS; "Tracy Favre"; McEvoy, Miles - AMS; Brines, Lisa - AMS; mac@elmwoodstockfarm.com; \(b\) \(6\) Ashley.swaffar@vitalfarms.com; "Colehour Bondera"; "Daniels Paula"](#)  
**Subject:** Re: Zinc sulfate  
**Date:** Wednesday, April 29, 2015 8:20:37 PM

---

yes good suggestion jean

On Apr 29, 2015, at 8:18 PM, Francis Thicke wrote:

That would be great if we could change the annotation to "for use in hoof and foot treatments."

Francis

---

**From:** Brown Rosen, Emily - AMS [mailto:Emily.BrownRosen@ams.usda.gov]  
**Sent:** Wednesday, April 29, 2015 6:56 PM  
**To:** Tracy Favre ([tfavre@favrehouse.com](mailto:tfavre@favrehouse.com)); McEvoy, Miles - AMS; Brines, Lisa - AMS  
**Cc:** Francis Thicke ([fthicke@iowatelecom.net](mailto:fthicke@iowatelecom.net)); [mac@elmwoodstockfarm.com](mailto:mac@elmwoodstockfarm.com); (b) (6) Jean Richardson (b) (6) [Ashley.swaffar@vitalfarms.com](mailto:Ashley.swaffar@vitalfarms.com); Colehour Bondera ([colemel@kanalanifarm.org](mailto:colemel@kanalanifarm.org)); Daniels Paula ([pdaniels@goodfoodla.org](mailto:pdaniels@goodfoodla.org))  
**Subject:** FW: Zinc sulfate

Tracy,

We looked a little further at the possibility of dropping the annotation limiting use to foot baths only.

Devon has found an unintended impact this would have, to sanction use as teat dip, for which apparently they might be used..

Since the NOSB review did not consider this use in your review, that would be a substantive change.

However, if you were to propose to change the annotation to something like : zinc sulfate, for use in hoof and foot treatments – that would not be substantive and I think would do what you want.

Note that 6 commenters (predominantly producers) made comments requesting that its use not be limited to foot baths. Other treatment application methods mentioned were wraps, soaking pads, and aerosol products. All of the application methods still target hoof issues.

Emily

---

**From:** Brown Rosen, Emily - AMS

**Sent:** Wednesday, April 29, 2015 4:30 PM  
**To:** Pattillo, Devon - AMS  
**Cc:** Brines, Lisa - AMS  
**Subject:** RE: Zinc sulfate

Very good catch , Devon, thanks. So this would be an unintended substantive change. What if we suggested they change annotation to 603 (b) zinc sulfate, for use in hoof or foot treatments – does that sound correct?  
Emily

---

**From:** Pattillo, Devon - AMS  
**Sent:** Wednesday, April 29, 2015 4:12 PM  
**To:** Brown Rosen, Emily - AMS  
**Subject:** RE: Zinc sulfate

One other thing to be aware of when considering a change to “topical” applications is that there are potentially teat dips that include zinc sulfate. I would assume that such use would be outside the petitioned use.

Devon Pattillo  
Materials Specialist, Standards Division  
National Organic Program  
Agricultural Marketing Services  
United States Department of Agriculture  
Tel: (202) 720-3252  
Direct: (202) 740-5061  
[Devon.Pattillo@ams.usda.gov](mailto:Devon.Pattillo@ams.usda.gov)  
[www.ams.usda.gov/nop](http://www.ams.usda.gov/nop)

---

**From:** Pattillo, Devon - AMS  
**Sent:** Wednesday, April 29, 2015 4:08 PM  
**To:** Brown Rosen, Emily - AMS  
**Subject:** RE: Zinc sulfate

Hi Emily,

I did not see any comments that advocated for limiting its use to foot baths. In fact, most comments are to the contrary and advocate for allowing use on hooves via alternate methods. These commenters want to ensure that the substance can be applied to hooves topically, on a case by case basis using wraps, treated pads, aerosols, etc.. These commenters argued that these application methods (products currently on the market) would limit environmental release of zinc compared to foot baths.

Devon Pattillo  
Materials Specialist, Standards Division  
National Organic Program

Agricultural Marketing Services  
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[www.ams.usda.gov/nop](http://www.ams.usda.gov/nop)

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**From:** Brown Rosen, Emily - AMS  
**Sent:** Wednesday, April 29, 2015 3:31 PM  
**To:** Pattillo, Devon - AMS  
**Subject:** RE: Zinc sulfate

Devon , did you notice any comments that were specifically in favor of limiting to foot baths? Or sounded like they might be against other uses? Were there any comments against it overall?

Thanks  
Emily

---

**From:** Pattillo, Devon - AMS  
**Sent:** Tuesday, April 28, 2015 9:26 AM  
**To:** Brines, Lisa - AMS  
**Cc:** Brown Rosen, Emily - AMS; Perry, Andrew - AMS  
**Subject:** RE: Zinc sulfate

After reviewing public comments on zinc sulfate, it's clear that about six commenters (predominantly producers) made comments requesting that its use not be limited to foot baths. Other treatment application methods mentioned were wraps, soaking pads, and aerosol products. All of the application methods still target hoof issues.

As far as FDA status and oversight, there are no zinc sulfate products (any type of application) approved as drugs by the FDA. An email from FDA to NOP in June 2014 states:

Zinc sulfate products marketed as foot baths to treat or prevent foot rot in cattle are unapproved new animal drugs. At this time, we do not have an ongoing enforcement action against a hoof bath product containing zinc sulfate intended to treat or prevent foot rot in cattle...

In regards to CVM's position on the petition regarding zinc sulfate as a hoof bath additive and its use in the National Organic Program, FDA does not evaluate the requirements or support the standards set by USDA in order for a product to be considered organic. We just state current FDA position regarding the product's status.

Hope this is helpful.

Devon Pattillo  
Materials Specialist, Standards Division  
National Organic Program  
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United States Department of Agriculture  
Tel: (202) 720-3252  
Direct: (202) 740-5061  
[Devon.Pattillo@ams.usda.gov](mailto:Devon.Pattillo@ams.usda.gov)  
[www.ams.usda.gov/nop](http://www.ams.usda.gov/nop)

---

**From:** Brines, Lisa - AMS  
**Sent:** Monday, April 27, 2015 3:01 PM  
**To:** Pattillo, Devon - AMS  
**Cc:** Brown Rosen, Emily - AMS; Perry, Andrew - AMS  
**Subject:** Zinc sulfate

Hi Devon,

There are some questions coming up in public comment about the Livestock proposal for zinc sulfate. Some comments are in support of expanding the use (the proposal states "for use as a footbath only").

Can you see what you can find in the written comments about these other uses and whether they would be allowed under applicable federal regulations (FDA or APHIS, etc.)?

The NOSB is awaiting our feedback on whether this would be considered a substantive change to the proposal.

Thanks,

Lisa B.

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Zea's request  
**Date:** Wednesday, May 06, 2015 4:48:55 PM

---

Hi Miles

Zea has written a letter to Cornucopia, specifically NOSB members on Cornucopia Board, and wishes me to send her your personal e-mail so she can send you a copy.

Please advise

I have contacted both Barry Flamm and Francis about the letter attacking you. Heard a good response from Francis, - he was never consulted and strongly disagrees with letter. Silence from Barry so far.

I have a letter drafted to Cornucopia as well about attacks on you personally. I will run it by you before sending.

Jean

**From:** Jean Richardson  
**To:** McEvoy, Miles - AMS  
**Subject:** Fwd: WHITE HOUSE PETITION: President Obama, Please Reverse USDA Coup Undermining Organics  
**Date:** Friday, July 18, 2014 8:17:05 AM

FYI- Jean

Begin forwarded message:

**From:** "The Cornucopia Institute" <[cultivate@cornucopia.org](mailto:cultivate@cornucopia.org)>  
**Date:** July 16, 2014 3:53:27 PM EDT  
**To:** [Jean.Richardson@uvm.edu](mailto:Jean.Richardson@uvm.edu)  
**Subject:** WHITE HOUSE PETITION: President Obama, Please Reverse USDA Coup Undermining Organics

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Cornucopia Institute | ACTION ALERT

JULY  
16,  
2014

## WHITE HOUSE PETITION: Ask President Obama to Reverse USDA Coup Undermining Organic Governing Board and Shifting Power to Agribusiness Lobbyists

**Stop allowing corporations to add gimmicky and risky synthetic chemicals to organics**

<http://www.cornucopia.org/2014/07/white-house-petition-president-obama-please-reverse-usda-coup-undermining-organics>

When Congress passed the [Organic Foods Production Act of 1990](#) (OFPA), they created a unique and powerful citizen advisory panel, with statutory authority, to assist the Secretary of Agriculture in implementing the act. The independent National Organic Standards Board (NOSB) was a key component of OFPA when it passed Congress. Without its creation as a buffer between corporate lobbyists and an industry-friendly USDA (the agency testified *against* the organic legislation before its passage), it is unlikely that OFPA would have received the requisite support in the organic farming community.

Now the independence and power of the 15-member NOSB – composed of farmers, environmentalists, public interest groups, food processors, a scientist, a retailer and a certifier – is being seriously undermined. Last fall the USDA, in its most unapologetic and undemocratic [power grab to date](#), broke with 15 years of precedent in stripping the NOSB of much of its authority and power.

Please help roll back these changes by [signing this petition](#) to President Obama and USDA Secretary Vilsack.

The USDA's power grab includes a critical change to the legally mandated *sunset review process* for synthetic and non-organic materials approved for use in organic production. These materials receive temporary (five-year) approval for use until organic alternatives are developed, hence the term "sunset." The USDA's revision makes removal of the synthetics highly improbable (even if they are found to be a threat to human health or the environment), and dulls incentives for developing

organic alternatives. Key congressional sponsors of the original organic legislation (Senator Patrick Leahy of Vermont and representative Peter DeFazio of Oregon) [have expressed their strong objection](#) to the new policies as have several highly respected [former chairs of the NOSB](#).

The USDA has also removed the ability of the NOSB to set their own work plan and agenda as well as effectively conducting their own meetings. The USDA now even claims the power to co-chair NOSB meetings. Additionally, the Ag Secretary has made legally questionable appointments stacking the NOSB with corporate agribusiness employees who do not meet the criteria established by Congress.

All of these crass and possibly illegal acts by the USDA have the potential to undermine consumer confidence in the certified organic label. Indeed, over the past two presidential administrations, the board has adopted a number of policies favorable towards powerful agribusiness interests and failed to address practices that threaten organic integrity.

[Previous research](#) from The Cornucopia Institute has documented how powerful corporate interests, including the industry lobby group the Organic Trade Association (OTA), have been *gaming the system* for years with the help of a friendly USDA.

But in the past few years, farmers, consumers and groups like Cornucopia have stood up and begun challenging industry proposals pushing increased use of gimmicky synthetics and suspect nutraceuticals in organic food. **We have been successful in blocking a number of the industry-backed schemes.** In fact, we have been so successful that **corporate interests and their minions at the USDA have now decided they need to change the rules in the middle of the game.**

*The future of organic food and agriculture is at a crossroads.* Consumers are increasingly hungry for healthy, nutrient-dense food produced in a sustainable manner and believe that the farmers growing the food should be able to earn a real living wage. Farmers and consumers must again stand together and forcefully request that President Obama step in and force the USDA to back off their power grab and return to the NOSB its rightful powers and authority.

Join with us and [sign the petition](#) to President Obama and USDA Secretary Vilsack. Help save the bright future of organic food and agriculture.



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### The Cornucopia Institute

is a nonprofit organization engaged in research and educational activities supporting the ecological principles and economic wisdom underlying sustainable and organic agriculture. Through research and investigations on agricultural and food issues, The Cornucopia Institute provides needed information to family farmers, consumers, stakeholders involved in the good food movement, and the media.

P.O. Box 126 Cornucopia, Wisconsin 54827  
TEL: [608-625-2000](tel:608-625-2000) | FAX: [866-861-2214](tel:866-861-2214) | [www.cornucopia.org](http://www.cornucopia.org)

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**From:** [Jean Richardson](#)  
**To:** [Randall George](#)  
**Cc:** [Nicole Dehne](#); [McEvoy, Miles - AMS](#)  
**Subject:** White House Award  
**Date:** Thursday, April 16, 2015 6:19:27 PM

---

Hi Randy

Saw you on TV getting an Award from President Obama for your Red Hen Bakery - VOF/USDA Organic Certified.  
Your approach to caring for your employees was especially highlighted.

Red Hen demonstrates high values in so many ways

Well deserved. Well done.

Congratulations

Jean

Jean Richardson  
Chair, National Organic Standards Board  
Professor Emerita University of Vermont

**From:** [Jean Richardson](#)  
**To:** [McEvoy, Miles - AMS](#)  
**Subject:** Fwd: What does "certified organic" mean? Watch our video and find out!  
**Date:** Friday, July 18, 2014 8:15:35 AM

---

Hi Miles

It is intended to be a "kitchen table" conversation

Just out and it had 100 hits on utube in a few hours! Hilarious!

Trying to make Regulations sort of interesting to the average person.

Note my dog William on my knee. People love dogs!

Cheers

Jean

Begin forwarded message:

**From:** NOFA Vermont <[info@nofavt.org](mailto:info@nofavt.org)>  
**Date:** July 16, 2014 1:43:36 PM EDT  
**To:** [REDACTED] (b) (6)  
**Subject:** What does "certified organic" mean? Watch our video and find out!  
**Reply-To:** [info@nofavt.org](mailto:info@nofavt.org)

Having trouble viewing this email? [Click here for webpage version.](#)

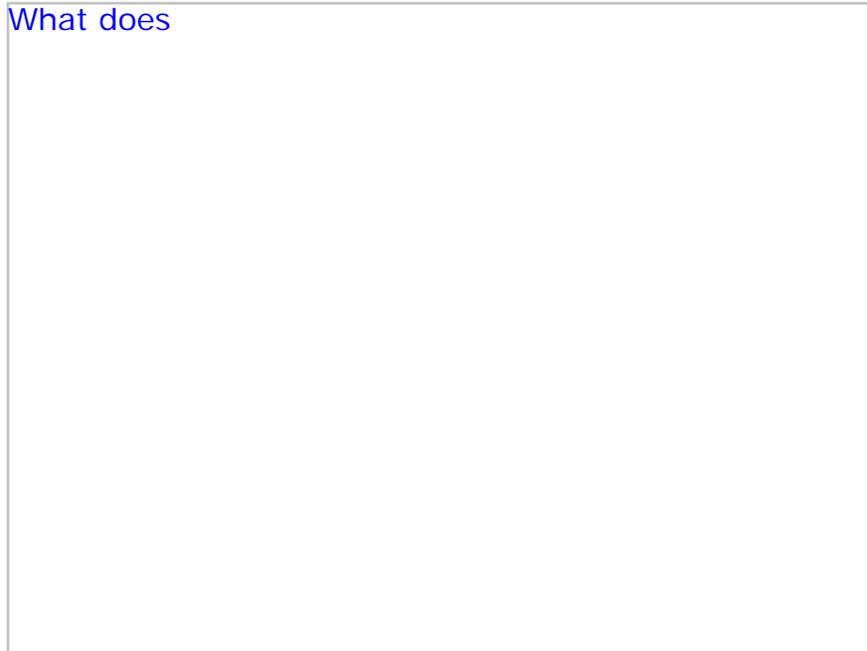


Dear Jean,

What DOES certified organic mean? Who determines that definition, and how is it enforced?

Get the answers to these questions and more in our exclusive interview with Jean Richardson, National Organic Standards Board member and organic inspector for VOF.

What does



*What does "certified organic" mean?*

Use the navigation menu at the beginning of the video to jump to the topic you're interested in - organic standards, international regulations, the three organic categories for processed products, the NOSB, enforcement, and more - or watch the full 30-minute interview for a comprehensive overview of what, exactly, organic certification means.

**Subscribe** to our **YouTube channel** to get the latest [Policy Updates](#), [Farmer Quick Tips](#), [Farmers Talk](#) interviews, and videos that feature our members and programs.

Best wishes,

Caitlin Gildrien  
NOFA-VT Outreach Coordinator

*PS - Spread the word! Like, share, and comment on the video, and ask your local public access TV station to play it, too. They'll find it on the Vermont Media Exchange by the name [PolicyUpdateOrganicCertification.mpg](#). Thanks!*

[Forward email](#)



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NOFA-VT | PO Box 697 | Richmond | VT | 05401

**From:** [Jean Richardson](#)  
**To:** [Tracy Favre](#); [Harold Austin](#); [Tom Chapman](#); [Carmela Beck](#); [CALVIN WALKER](#); [Zea Sonnabend](#)  
**Cc:** [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#); [Tucker, Jennifer - AMS](#)  
**Subject:** Webinars for Public comment  
**Date:** Tuesday, June 09, 2015 10:12:05 AM

---

Hi Everyone

I will not be on the Exec call on Friday but wanted be sure that the Webinars for public comment are getting organized.

We are looking at BOTH Tuesday September 22 and Tuesday September 29 from 1 pm -4 pm ET. Speakers allowed 4 minutes. This will provide us with 6 hours of public comment and thus save us 6 hours at the October meeting.

In April we had 11.5 hours of public comment time.

In October I suggest we have 5 or 6 hours of public comment on the Monday so that the Tuesday through Thursday can be our NOSB work.

Michelle will need to get this into the Federal Register by end of June with a clear statement that speakers can do oral comment only once. And also that time allotted in October is for 3 minutes each, and that we will only be taking public comment on Monday for 5 hours (or 6 hours).

Let me know what you think

Thank you

Jean

**From:** [Jean Richardson](#)  
**To:** (b) (6)  
**Cc:** [tfavre@favrehouse.com](mailto:tfavre@favrehouse.com); [harolda@zirklefruit.com](mailto:harolda@zirklefruit.com); [tchapman@clifbar.com](mailto:tchapman@clifbar.com); [carmela.beck@driscolls.com](mailto:carmela.beck@driscolls.com); [zea@well.com](mailto:zea@well.com); [Arsenault, Michelle - AMS](#); [McEvoy, Miles - AMS](#); [Tucker, Jennifer - AMS](#)  
**Subject:** Re: Webinars for Public comment  
**Date:** Tuesday, June 09, 2015 11:57:34 AM

---

Hi Calvin, thank you for your quick response.

This is a trial run for sure and is intended to get maximum public comment.

I could not understand all your comments below and hope you will clarify on the Exec call.

The goal here is two fold as I see it:

1 To INCREASE ability for a broader array of public input, using a webinar, on two different days, so that a person can reduce his/her carbon footprint and not disrupt work by flying to a distant location, and

2. To allow us to have time to get our NOSB work done this Fall with appropriate amount of discussion. This will be especially important as we will have quite a few materials up for actual Removal, and not every NOSB member is on Crops, Livestock or Handling, and so we will need time for discussion and ability to answer fellow board member questions. We will need three days to get through all the Sunset materials and proposals, so we will only have time for 5 or 6 hours of Public comment in October this year, as opposed to 11.5 hours last April.

Next April things may be more quiet and we can go back to more public comment time at our actual in person meeting. But Webinars for public comment may prove very helpful and increase our efficiency.

As you know many FACA's do all their work by Virtual meetings, but we are not suggesting that.

NOP is also working really hard on the Public Docket aspect too.

Give me a call if you want to chat more about all this

Cheers

Jean

On Jun 9, 2015, at 11:36 AM, (b) (6) wrote:

Hello All,

I am for public comment ( written and oral) in various forms. Then, NOSB should characterize the public comments in a fair and balance way ( NOSB and the public). The power point provided Emily Rosen should be utilized in characterizing the public comment.

I would like to know more on the process proposed. A trial run at 1-2 meetings might be best. The prevention of one group from participating in a webinar and not at the biannual meeting is not something I support. Does this means that someone from Organic Trade Association, CCOF, National Organic Coalition, and Center for Food Safety, etc, calls in at a webinar then can not speak at a biannual meeting? If so, I am opposed.

If once and done is the process and every person is consider separate from her/his organization, then this process could work. It will allow potentially a broader and more individuals from various sectors to comment on a matter.

A trial ballon on might be best. You could have the same individuals or groups commenting on all days of the webnair. It will be on the written transcript, it could create incidents where the presider would have to denied a person to speak, if the caller call more than once.

I am a consumer/public interest representative. I do not want to reduce public comment or participation. Somehow, ways need to be implemented to get more sectors stakeholders to participate.

Thanks for the opportunity to comment on this issue.

Best and High regards,

Calvin

-----Original Message-----

From: Tracy Favre <[tfavre@favrehouse.com](mailto:tfavre@favrehouse.com)>

To: Jean Richardson <(b) (6)>

Cc: Harold Austin <[harolda@zirklefruit.com](mailto:harolda@zirklefruit.com)>; Tom Chapman <[tchapman@clifbar.com](mailto:tchapman@clifbar.com)>;

Carmela Beck <[carmela.beck@driscolls.com](mailto:carmela.beck@driscolls.com)>; CALVIN WALKER <(b) (6)>

Zea Sonnabend <[zea@well.com](mailto:zea@well.com)>; Michelle - AMS Arsenault

<[Michelle.Arsenault@ams.usda.gov](mailto:Michelle.Arsenault@ams.usda.gov)>; Miles - AMS McEvoy

<[Miles.McEvoy@ams.usda.gov](mailto:Miles.McEvoy@ams.usda.gov)>; Jennifer - AMS Tucker

<[Jennifer.Tucker@ams.usda.gov](mailto:Jennifer.Tucker@ams.usda.gov)>

Sent: Tue, Jun 9, 2015 9:17 am

Subject: Re: Webinars for Public comment

I think this is a great compromise. We need to be sure to find a way to publicize this to the greater organic community not just the usual suspects. We may really enjoy hearing from a different demographic.

T

Sent from my  
iPhone

> On Jun 9, 2015, at 9:11 AM, Jean Richardson <(b) (6)>  
wrote:

>

> Hi Everyone

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>  
> Let me know  
what you think  
> Thank you  
> Jean  
>  
>  
>