



# BEYOND PESTICIDES

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November 9, 2011

National Organic Standards Board  
Fall 2011 Meeting  
Savannah, GA

## Re. Comments on Conflict of Interest Policy

Dear Board Members:

These comments are submitted on behalf of Beyond Pesticides. Beyond Pesticides, founded in 1981 as a national, grassroots, membership organization that represents community-based organizations and a range of people seeking to bridge the interests of consumers, farmers and farmworkers, advances improved protections from pesticides and alternative pest management strategies that reduce or eliminate a reliance on pesticides. Our membership and network span the 50 states and groups around the world.

**We support the recommendation of the Policy Development Committee to clarify and strengthen the NOSB's Conflict of Interest Policy.** Since the NOSB is an advisory committee composed of representatives of various segments of the diverse organic community, it is helpful to have policies that differentiate between representing a segment of the organic community and advocating for one's personal interest. Most importantly, transparency in the NOSB's decision making process requires disclosure of interests.

The recommended changes in the policy will help clarify when a conflict or potential conflict exists. It is particularly helpful to lay out steps in applying the policy. We would like to point out another clarification that could be made. The provision in the present and proposed conflict of interest policy,

That members of the Board shall refrain from promoting for consideration any material, process or practice for which the member is or would derive direct financial gain arising out of such Board action. The act of promoting such material, process or practice shall include private discussion with members of the Board advocating the value of the material, public discussion and/or written advocacy.

along with Step 3,

Step #3. Each Board member is mainly responsible for declaring his/her conflict of interest (COI) prior to any specific discussion during any committee meeting, public hearing, etc.

would appear to require the chair to provide the opportunity to declare an interest earlier than is suggested in Step 4,

Step #4: Prior to each vote, the chair will ask all Board members, if anyone has a COI in that particular matter.

Therefore, we suggest that Step 4 be rewritten,

**Step #4 *In opening the discussion of each issue and* prior to each vote, the chair will ask all Board members whether anyone has a COI in that particular matter.**

In addition, “declaring an interest” is not the same as recusing oneself. On occasion, we have seen board members “recuse” themselves without declaring an interest. We believe that transparency requires both.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Shistar". The signature is fluid and cursive, with a long horizontal stroke at the end.

Terry Shistar, Ph.D.  
Board of Directors