

health effects associated with carrageenan which make the substance incompatible with organic systems of production.

Moreover, the TR for carrageenan acknowledges a range of environmental impacts associated with carrageenan production, the most severe of which is the over-harvesting of seaweed from which the substance is derived. Overharvesting of a material or substance from its natural environment, with the potential to disrupt the ecosystem where it is found, is clearly not a practice that organic food production systems should encourage or support.

### **Crops Committee—Inerts**

CFS supports the Committee's recommendation to review individual chemicals on the former List 3 inerts by 2015. Nonetheless, we are surprised to see the Crops Committee delay the vote on these chemicals for another two years rather than present a recommendation at this meeting, especially since there are only three or four chemicals on the list. Ten years of continued delays make no sense, particularly since there is complete Board agreement to review the individual chemicals on the list.

It is now clear that many substances formerly listed as "inerts" are far from it and, in fact, they are quite the opposite – toxic and active. That is why we support the National Organic Coalition's recommendation to change the referent category of chemicals from "inerts" to "formerly known as inerts." This would clarify the NOSB's understanding of those chemicals as the Board proceeds with its review.

We are disappointed to see the Crops Committee recommendation fall short of addressing former List 4a and 4b inerts. Based upon the NOSB's 2007 and 2008 Board acknowledgement of the need to review *all* inerts, it would seem logical that the Committee would have submitted a draft plan to review *all* inerts over a several year period at this meeting. Given the fact that some inerts are harmful to human health and the environment, it is absolutely necessary, and legally required, for the NOSB to commence its review at the earliest opportunity (7 USC 6517(c)(1)(C)). We urge the Committee to review former List 4b chemicals first, due to the acute toxic hazards they pose and because some chemicals on the list are considered endocrine disrupters that should not be permitted in organic systems. Continuing to delay this review compromises organic integrity and the organic label.

### **Policy Development Committee—Conflict of Interest**

CFS fully supports the Conflict of Interest proposed policy revision as presented by the Committee, with one recommended addition. As it stands, the proposed policy is noticeably silent on the conflict of interest among NOSB contractors and consultants who conduct technical reviews of materials for the National List. As such, CFS urges the NOSB to

add a provision to require full disclosure of any conflicts of interest on the part of NOSB contractors and consultants by adding the following paragraph to end of the policy:<sup>8</sup>

*Consistent with its COI policy, the NOSB seeks to ensure that contractors and consultants who provide research services to the NOSB do not stand to financially gain from any recommendations it makes with respect to the addition or removal of substances from the National List. Therefore, purveyors of such services will be requested to sign a conflict of interest statement, prior to the commencement of their work, which explicitly states that there is no actual or perceived direct financial interest to be gained from the outcome of their research that could prejudice the tone, scope or conclusion of the report in question or impair the individual or agency's objectivity. If a given contractor or consultant is unable or unwilling to sign the statement, then another individual or agency will be sought out to do the work.*

### **Policy Development Committee—Public Communication**

CFS fully supports the Policy Development Committee's recommendations on public communication. As we have stated in our previous comments<sup>9</sup> to the NOSB, we believe that the NOSB not only has the statutory authority<sup>10</sup> but also the responsibility to directly communicate issues of critical concern from the greater organic community directly to the Secretary of Agriculture. These issues include those on the NOSB's bi-annual agenda and those outside of the Board's agenda which members of the public are compelled to raise in their written and/or verbal comments.

We also strongly believe that the NOSB's work is greatly improved when experienced stakeholders are consulted during a Committee's development of a discussion document, proposed guidance, and/or recommendation. This helps the Board to fully understand the various positions of the affected stakeholders and to more fully grasp the complexity of the issues at hand. It can also further serve to minimize disagreements and deep conflicts at its bi-annual public meetings and has the potential positive effect of facilitating Board decisions that meet the needs of diverse stakeholders and the NOP.

One idea for facilitating communication between NOSB Committees and the public would be to open up an ongoing public docket to receive comments. This would be a valuable mechanism for stakeholders to engage individual Committees on critical issues of concern to their constituents. Also, once the NOP is able to post Committee meeting notes in a timely manner, it will be much easier for stakeholders to substantively contribute to the deliberations that go into preparing Committee documents and for the Committee to clarify and resolve points of disagreement, whenever possible.

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<sup>8</sup> National Organic Standards Board. (2011). "Conflict of Interest," *Policies and Procedures Manual*, 2 Dec. Revised Edition, 9.

<sup>9</sup> Center for Food Safety. (2011). "November 2011 CFS Comments to the National Organic Standard Board." Available at: <http://www.centerforfoodsafety.org/wp-content/uploads/2011/11/FINAL-CFS-NOSB-Comments-13-Nov.-2011.pdf>

<sup>10</sup> Organic Foods Production Act of 1990. Sec. 2119. [7 U.S.C. 6518] National Organic Standards Board.