CCOF
Organic Certification Trade Association Education & Outreach Political Advocacy

March 19, 2013

Ms. Ann Michelle Arsenault
National Organic Standards Board
USDA–AMS–NOP
1400 Independence Ave., SW.
Room 2646–So., Ag Stop 0268
Washington, DC 20250–0268

Docket: AMS–NOP–12–0070; NOP–12–17

RE: NOSB Crops Subcommittee Proposal regarding the Petitioned Material Oxytetracycline

Dear Ms. Arsenault and NOSB,

CCOF thanks the National Organic Standards Board (NOSB) for the opportunity to comment on the Crops Subcommittee proposal to extend the expiration date of oxytetracycline. CCOF is committed to ending the use of antibiotics in organic fruit production. However, we feel that a longer period is necessary to phase out use of oxytetracycline than the current 2014 expiration date.

This issue affects CCOF-certified growers and handlers. We certify 142 apple growers, 69 pear growers, and 25 asian pear growers (with some overlap), representing about 2,280 acres of pome fruit. While our clients do not all use this material, and those that have it on their OSPs use it in conjunction with other cultural and biological practices only when conditions favoring fire blight are present, the infrequent times when the material is needed have not yet been replaced with alternative measures. It takes five to seven years to bring an organic orchard to maturity, making it economically devastating for farmers to lose an orchard to disease. We strongly support removal of oxytetracycline from organic agriculture, but want to see it done in a way that causes minimal disruption to the fruit industry.

We support the majority position to extend the expiration date for the use of oxytetracycline to October 21, 2016. However, given the lengthy process of continuing research in varying locations and seasons that may provide alternate approaches to fire blight control, allowing for registration of new materials, and conducting grower education and outreach, we think an extension in the range of 2017 to 2020 for phase-out would have been more appropriate.

Consumer expectations play a critical role in regulating organic products. Growers are caught between competing consumer expectations for fruit produced without the use of antibiotics and the ability to purchase variety-specific, plentiful, cosmetically beautiful, and reasonably priced fruit from the USA.

Particularly, CCOF wants to express support for the subcommittee resolution that calls for growers and certifiers to prepare for the expiration by increasing alternate practices. We also support the subcommittee's call for more research on alternatives. Our summary of the current status of such alternatives follows. CCOF is committed to communicating information to our members on the phase-out of ocytetracycline and alternative choices for prevention control.

Status of Current "Alternatives"

We fully agree with the statement from the Minority Opinion: *"...with fire blight there is no one material and no one practice that will eliminate the problem. Fire blight must be met with a truly organic systems approach."* However, even with a systems approach, fire blight can still be devastating in seasons when weather conditions are favorable to the disease.

Some of the suggestions outlined in the minority opinion as alternative measures are not yet commercially viable. Resistant varieties with the modern taste and appearance characteristics consumers demand do not exist at all in apples and are not well known in the marketplace for pears. Other suggestions are outside of a certifier's ability to enforce, such as site selection for orchards or tree spacing.

Other practices listed in this section are not applicable in all regions. For instance, bloom thinning with lime sulfur is not used in California where the warmer climate extends bloom periods because applications late in the bloom cycle could cause fruit blemishes on early fruit. Other identified cultural practices can be complicated, such as the *"avoidance of over-pruning in the dormant season"* since potential benefits may be counterbalanced by the fact that more pruning allows better air circulation in the tree canopy and thus makes it less favorable to fire blight.

The general concept of cleaning the buds and blossoms of potential disease spores with a copper or sulfur compound and then re-populating them with biological organisms that out-compete or are antagonistic to *Erwinia* (such as Blossom Protect) is a sound organic concept. However, the research on the timing, number of applications, dosage, and combination with other materials is not yet completed.

<u>Reasons for Extension</u>

A. Research is Important

Researchers and orchardists have committed years of research into developing alternatives to antibiotics for fire blight control. These developments have been supported by over $600,000 in grower-funded research for non-antibiotic, organic compliant controls and practices, along with over $5 million in research support from USDA's Agricultural Research Service.

However, regionally specific weather conditions and strains of the fire blight organism make it impossible for one research project in one location to provide enough information to be confident in an alternative material in other areas, other weather conditions, and over time. Pome fruits are grown throughout most of the United States and the fire blight disease has reached most commercial areas. From our vantage point it seems like many of the proposed alternative practices are not well tested in California.

Research is necessary on timing of various treatments and will need fine-tuning over several seasons in multiple locations. We do not feel that enough research will be completed by 2014 to make expiration feasible without major problems.

B. Dissemination and Extension Efforts are Important

We expect that by 2017, current research and field testing will provide organic growers new tools, allowing them to end the use of antibiotics. New orchards cost $12,000-20,000 to establish per acre. 2014 expiration is premature and will not allow for a successful process throughout the grower community. The most sensible course is to extend, for a limited amount of time, the ability for growers to use these materials as restricted under NOP standards while alternate methods or materials are researched, tested, and implemented. The reasonable range of expiration dates that will support the research and testing currently underway, primarily the USDA OREI-funded research project, is 2017 to 2020.

C. the Certifier's Role is Important

During any extension, the use of these materials will continue to be highly regulated. Current NOP standards prohibit producers from relying solely on the use of any materials for disease control, and fire blight management is no different. Producers may only apply synthetic materials when physical, biological, and cultural practices are not effective, provided conditions are documented and approved in their Organic System Plan. National List materials, such as antibiotics for fire blight in apples and pears, are allowed as a component of a multi-level preventive plan. The certification process effectively verifies that growers are following their plan and operating in compliance with organic requirements. As a certifier who realizes that this is going to be removed from the list at any finite time, we respect the spirit of the subcommittee's resolution and will do our best to encourage our clients to try as many alternative practices and materials as possible.

Conclusion

We are committed to phasing out the use of antibiotics in apple and pear production. Retaining the 2014 date would potentially cause many producers to go out of business or switch to conventional management of their orchards so they don't lose their trees. This organic fruit would be replaced with organic fruit from Chile, China, and other countries where there is no fire blight. Consumers will then have to choose conventionally grown fruit containing a full array of chemicals or organic fruit from other countries.

The proposed extension will benefit many organic stakeholders, such as consumers, producers, handlers, and retailers. Giving producers a chance to have good access to and experiences with new alternative control methods will make sure consumers have the plentiful supply of organic fruit in the marketplace that they have grown accustom to having.

Again, CCOF thanks you for the opportunity to provide our comments, and the Crops Subcommittee for their time and effort on this complex subject. We are available to answer any questions you might have about our comments.

Sincerely,

Cathy Calfo, Executive Director/CEO

Jake Lewin, Chief Certification Officer

CCOF is a nonprofit organization founded in 1973. It is one of the oldest and largest organic certification agencies in North America. CCOF serves as a trade association for more than 2,600 certified organic producers and 300 supporting members in 38 states and 3 countries.