



BEYOND PESTICIDES

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September 18, 2024

Ms. Michelle Arsenault
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Ave. SW
Room 2648-S, Mail Stop 0268
Washington, DC 20250-0268

Docket ID # AMS-NOP-24-0023

Re. CACS: Consistency in Organic Seed Use

These comments to the National Organic Standards Board (NOSB) on its Fall 2024 agenda are submitted on behalf of 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, Beyond Pesticides advances improved protections from pesticides and alternative pest management strategies that eliminate a reliance on pesticides. Our membership and network span the 50 states and the world.

We thank the CACS for continuing to seek understanding about organic seed use. We support progress towards use of all organic seed and starts in organic production. To that end, we offer replies we can to the CACS's questions.

1. Is there still support for the 2018 and 2019 recommendations?

We continue to support the 2018 and 2019 recommendations.

We support the documentation requirement that “[i]mprovement in searching, sourcing, and use of organic seed/planting stock must be demonstrated every year with the goal of using only organic seed and planting stock.” We support the requirement that “the conventional replacement variety can be documented as being produced without the use of excluded methods.” We support the requirement to document on-farm trials and searches for varieties with specific characteristics.

Perennials grown as annuals should be treated as perennials in the first year of growth, which would prohibit growers from selling the products of non-organically produced plants as organic and would promote the use of organically grown plants. Regardless of whether perennials grown as annuals are treated as annual planting stock or as perennial stock, they must be subject to commercial availability standards and produced without prohibited substances. Therefore, for example, organic

strawberry growers should never be allowed to sell as organic strawberries if they are grown in soil fumigated with prohibited substances.

We agree with putting responsibility on processors who require certain varieties. Processors should not require organic growers to produce varieties if the available seeds or starts for those varieties are not organically grown. Processors who sell products with the organic seal benefit from certification and should share the responsibility for continuous improvement.

8. How could the NOP (or other entity) make information about commercial availability available publicly? What additional factors could be used to determine that a seed must be used? How could the EU's seed expert panel model inform the U.S. approach?

NOP should create and maintain a commercial availability database that is open to all users. An expert seed panel is one way of populating such a database. Nominations for partially or fully commercially available varieties should be taken from organic producers and seed companies.

9. Who could/should build/maintain a U.S. commercial availability database for seed? What attributes should be listed/made available?

NOP/USDA should provide the financial support for the database, regardless of who builds and maintains it. The attributes listed should be those that growers and processors need.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Shistar".

Terry Shistar, Ph.D.
Board of Directors

