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October 11, 2016

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

Re. MS: Excluded Methods Terminology Proposal and Discussion Document

These comments to the National Organic Standards Board (NOSB) on its Fall 2016 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 reduce or eliminate a reliance on pesticides. Our membership and network span the 50 states and the world.

Beyond Pesticides supports the approach of separating the proposal and discussion document on excluded methods terminology. This is an area urgently requiring NOSB action, especially in view of the enactment of recent federal law, the National Bioengineered Food Disclosure Law, which could make genetic engineering or genetically modified terminology unclear. Given this situation, it is extremely important that the Materials Subcommittee (MS) has identified those items on which there appears to be consensus for immediate action. We also thank the subcommittee and those who assisted the subcommittee for their efforts to bring consensus in the organic community on a difficult technical issue.

We support the excluded methods terminology proposal. In particular, we support the approach taken by the MS to start with a few critical definitions and principles from the NOSB and IFOAM to develop criteria to determine whether processes are excluded methods. This approach is sound and flexible, allowing application to new methods. However, we believe that "transduction" requires a definition and an explanation for its classification as not an excluded method. As stated in the spring 2016 comments from the Center for Food Safety, "Transduction is a naturally occurring process of DNA transfer in microbes involving viruses. It can be harnessed by genetic engineers in some applications, but is not a GE method in and of itself, and thus should only be excluded when it involves *in vitro* nucleic acids." This explanation

would be satisfactory. Otherwise, we support the basic definitions, principles and criteria, and terminology chart in the proposal.

We submitted comments on the discussion document for the spring 2016 meeting. With regard to technical details, we support the comments of the Center for Food Safety.

Thank you for your consideration of these comments.

Sincerely,

Terry Shistar, Ph.D.
Board of Directors