



BEYOND PESTICIDES

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March 26, 2014

National Organic Standards Board
Spring 2014 Meeting
San Antonio, TX

Re. CACS: §205.206(e)

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 are unclear about why this document is called a “proposal” when it is structurally a discussion document, proposes no action, and is otherwise identical to the “discussion document” published in the fall.

Section 205.206, the practice standard for organic crops, sketches out elements of an organic system as applied to crops. Subsection 205.206(e) says that all elements of the system are not equal –there is a hierarchy in how they are to be applied in organic systems. In particular, the application of pest control products, both synthetic and nonsynthetic, should be only as a last resort.

First, this hierarchy is essential to organic production. Although it is stated here only for pest control products, the *Principles of Organic Production and Handling*, adopted by the NOSB on October 17, 2001, states it more generally:

Organic agriculture is an ecological production management system that promotes and enhances biodiversity, biological cycles, and soil biological activity. It emphasizes the use of management practices in preference to the use of off-farm inputs, taking into account that regional conditions require locally adapted systems. These goals are met, where possible, through the use of cultural, biological, and mechanical methods, as opposed to using synthetic materials to fulfill specific functions within the system.

We hope that the NOSB applies this more general statement in reviewing materials, and that certifiers apply it in their assessments of Organic Systems Plans.

One way that the NOSB could apply both §205.206(e) and the more general statement would be to carefully annotate listings in the National List, in both petition and sunset processes. It is

the NOSB's job to establish the parameters for use of materials on the National List based on research performed in reviewing them. Clarity on the part of the NOSB makes the certifier's job easier.

The certifier definitely has a challenging job in evaluating compliance with §205.206(e). We support the efforts of the subcommittee to obtain this information from certifiers and facilitate its dissemination. However, we are afraid that the questions are too general to elicit really helpful information. Compliance with §205.206(e) cannot be judged from records, but is much more easily seen in the field. A question that might be more useful is, "What evidence do you look for in practices used to prevent pest problems?" (Certifiers might be looking for bat houses, plantings to support beneficial insects, and other management practices.)

As noted above, the application of the hierarchy starts with the NOSB in its review of materials. It depends on the careful review by the NOSB of evidence for the need, as well as evidence regarding the other requirements of OFPA that go to health, environmental, essentiality and compatibility criterion, and the application of appropriate annotations during the petition process. Relative to the purposes of this proposal, it would be helpful if the subcommittee in considering the material, both during the petition and sunset review process, always had specific input along the lines requested by this proposal.

Oversight is an important part of ensuring that growers implement the hierarchy. Rather than asking certifiers general questions, the witness audit checklist should include appraisal of how a certifier ensures compliance of §205.206(e).

We would also like to raise the issue of aquaculture materials with respect to the issues raised in this document. The synthetic materials that have been petitioned for use in aquaculture have all been petitioned for routine use. Although they are not pest control materials, their routine use would be contrary to the hierarchy established in the NOSB *Principles*.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "Terry Shistar".

Terry Shistar, Ph.D.
Board of Directors