



March 19, 2013

Ms. Michelle Arsenault
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Avenue, SW
Room 2648-So, Ag Stop 0268
Washington, DC 20250-0268

Docket: AMS-NOP-12-0070

RE: Handling Subcommittee Proposal– Other Ingredients

Dear Ms. Arsenault:

Thank you very much for this opportunity to provide comment on the Proposal on Other Ingredients.

I serve as the Senior International Trade Advisor to the Organic Trade Association (OTA¹) and to the USDA Foreign Agricultural Service (FAS), as well as the Office of the United States Trade Representative (USTR). In this capacity, the Sustainable Strategies, LLC and OTA team develops comprehensive “Negotiator Only” GAP Analyzes comparing the communalities and differences of Foreign Organic Standards to the USDA National Organic Standards, as Assessments of international trade issues striving to mitigate and resolve regulatory, technical and non-tariff barriers to U.S. organic exports trade. The OTA/Sustainable team also develops and delivers strategic briefings and advice to U.S. negotiation teams on behalf of the U.S. organic industry. We gather organic industry insights and counsel through the OTA International Forum List Serve, International Forum meetings at national and international industry events and through region and/or country specific International Trade Task Forces.

Other Ingredients - International Trade Consideration

OTA supports the development of a policy addressing NOSB review of “other ingredients.” The uniformity and integrity of material review decisions are of paramount importance to the entire organic supply chain. We advocate for a policy that will facilitate efficient review, and allow consistent compliance decisions at both the NOSB level (Generic Material review), as well as at the Accredited Certifying Agent (ACA) and Material Review Organization (MRO) level for brand name materials.

OTA understands that NOP has its own unique legislative and regulatory system for organic

¹ Organic Trade Association (OTA) is the membership-based business association for organic agriculture and products in North America. Its members include growers, shippers, processors, certifiers, farmers’ associations, distributors, importers, exporters, consultants, retailers and others. OTA’s Board of Directors is democratically elected by its members, and its mission is to promote and protect the growth of organic trade to benefit the environment, farmers, the public and the economy (<http://www.ota.com/>).

production and labeling. However, OTA urges NOSB to consider international norms, such as the Codex Committee on Food Labeling Guidelines for the Production, Processing, Labeling and Marketing of Organically Produced Foods (CAC/GL 32-1999), and the approach of organic trading partners such as the European Union and Canada in their recommendations on the review of “other ingredients.” These international guidelines and regulations include the review of “other ingredients” when a material is under initial and subsequent review.

Internationally, “other ingredients” are not reviewed or listed individually, and when addressed, it is done so through an annotation. Prevailing national laws regarding incidental additives and carriers are generally the reference for additives and technical aids approved for use in organic production without any additional considerations specific to organic. It is important to not put U.S. organic products at an unfair disadvantage to products produced and processed by those countries with which the U.S. has equivalency agreements.

OTA emphasizes that the review of materials for use in organic production and handling is extremely rigorous. In fact, material evaluation under NOP is the most rigorous and in-depth review process of any standard in the world. The NOSB material process has evolved over time, and it will continue to do so as the organic sector continues to grow. The ultimate goal of the organic sector is continuous improvement, and this situation presents an opportunity to develop a policy that will articulate a clear review protocol that does not hinder U.S. organic producers’ access to international markets.

Again, on behalf of our members across the supply chain, particularly exporting producers, OTA and Sustainable Strategies thank the National Organic Standards Board for the opportunity to comment and for carefully considering our comments.

Respectfully submitted,



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CC:

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