



# BEYOND PESTICIDES

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September 17, 2019

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-19-0038**

## **Re. MS: Genetic engineering issues**

These comments to the National Organic Standards Board (NOSB) on its Fall 2019 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.

These comments cover the Excluded Methods Determinations and Genetic Integrity Transparency of Seed Grown on Organic Land proposals. In addition, in view of recent statements by USDA Under Secretary for Marketing and Regulatory Programs Greg Ibach, we believe it is important to stress that gene editing, like other forms of genetic engineering, is unacceptable in organic production.

## **Excluded Methods Determinations Fall 2019**

### **Induced Mutagenesis**

We distinguish mutagenesis arising from environmental stress, such as heat, drought, cold, or radiation, from directed mutagenesis or gene editing. Mutation arising from environmental stress is a whole-organism response to stress, and is a natural part of evolution. Directed mutagenesis or gene editing ignore pleiotropic effects. We agree with the MS that directed mutagenesis—developed via use of in vitro nucleic acid techniques—should be considered an excluded method.

### **Embryo Transfer in Livestock**

Offspring resulting from embryo transfer that involves treatment of either the donor or recipient with hormones or other prohibited substances should not be permitted to be certified organic. A difficulty arises because of the lack of Origin of Livestock regulations that would

clarify compatibility with organic practices. In addition, NOP has failed to implement the 2007 NOSB recommendation that excludes cloned animals and their progeny from organic certification.

Organic producers should be aware of the dangers of genetic homogeneity, regardless of the source—particularly in livestock, where population sizes are smaller than in plants. Genetic diversity is important in organic production because it helps produce more resilience to stress, including climate change.

### **Genetic Integrity Transparency of Seed Grown on Organic Land**

We agree with the Materials Subcommittee (MS) that it is important to protect the genetic integrity of organic crops. In this context, it is important that producers know what they can do to reach the goal of no genetic contamination of organic seed and crops. This proposal will require certifiers to provide general information about the permissibility and availability of seed testing. It would be more helpful if, in addition to this general information, the certifiers would also provide specific information such as which laboratories do the testing, and what they charge. We support the MS proposal as a small first step.

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