



BEYOND PESTICIDES

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March 11, 2013

National Organic Standards Board
Spring 2013 Meeting
Portland, OR

Re. MS: Limited Scope Technical Reviews

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 agree with the Materials Subcommittee that there are circumstances when the materials review process could be shortened by a truncated review considering certain “gateway” issues. However, the process as described in the proposal may be interpreted to be incomplete. If the material “passes” the review on the gateway issues, it would then progress to a full review by the subcommittee. We can only assume that if it fails in the subcommittee to pass the threshold issues under review and the subcommittee decides not to proceed with a full review, then it must still move to the full Board for a vote on the same threshold issue. We assume that it is the full Board, not the subcommittee whose vote decides that the material should not be listed.

In the case of a substance in which the issue is classification (synthetic/nonsynthetic), a subcommittee decision on eligibility for use as a nonsynthetic would proceed to the full Board for a final recommendation. If, however, the subcommittee determined the material to be synthetic, we assume a full TR would be requested and the review would follow its normal course.

As an example, we would like to point out that in recent history, the Crops Subcommittee decided that corn steep liquor is synthetic, and withdrew the motion at the full board meeting. It then came back to the next board meeting with a recommendation stating that CSL is nonsynthetic. Although the first vote was a “decisive” vote (4-2), the NOSB does not really have rules for what constitutes a decisive vote by a subcommittee because subcommittees do not generally make decisions on behalf of the Board.

It would be helpful to clarify that this proposal does not alter in any way the authority of the full Board to make final determinations and recommendations on issues for which a subcommittee feels a limited scope TR is sufficient and makes its decision on that basis.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Shistar". The signature is written in a cursive style with a prominent flourish at the end.

Terry Shistar, Ph.D.
Board member