



# BEYOND PESTICIDES

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September 30, 2025

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-25-0034**

## **Re. PDS: PPM Updates**

These comments to the National Organic Standards Board (NOSB) on its Fall 2025 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 eliminate a reliance on pesticides. Our membership and network span the 50 states and the world.

Thank you for addressing public comments with these suggested changes to the NOSB Policy and Procedures Manual (PPM).

## **Failure to participate**

The NOSB performs important functions in guiding the National Organic Program (NOP). Its 15 members represent the organic community—producers, processors and handlers, retailers, public and consumer interest organizations, environmentalists, scientists, and certifiers. The NOSB has a full agenda ranging from materials review to policy recommendations, and full participation is needed to ensure that the wide range of viewpoints is heard on all issues. Beyond Pesticides supports the suggested addition to the PPM at III.J.3 to address this issue.

## **Technical Reviews**

Unbiased up-to-date technical information about petitioned materials and those under sunset review is critical for NOSB decision-making. In recent years, this information has been supplied by technical reviews (TRs) performed by independent contractors. When informed by TRs, NOSB debate is more substantive and transparent, and less antagonistic than when the NOSB relies on petitioners or internal reviews. Beyond Pesticides supports the additions to the

PPM at IV.H, Step 3, to give guidance to subcommittees and support informed, transparent decisions by the board.

## Annotation Changes During Sunset Review

Attention of the NOSB is focused on specific substances during consideration of a petition and during sunset review. Over the years, Beyond Pesticides and other organizations have requested clarifying annotations to items on the National List. Since our attention is also drawn to these listings during sunset review, our requests for annotations are generally included in comments on sunsets. However, since the ability of the NOSB to introduce annotations during the sunset process was removed by NOP in 2013, the NOSB's attention moves on to the next set of materials, causing requests for annotations to be ignored.

The PDS is now proposing a flexible approach to considering annotations and sunset review simultaneously. While the proposal does not require annotation proposals to follow the same timeline as sunset reviews, it does allow them to be considered at the same board meeting. It also facilitates considering an annotation while the subcommittee's attention is focused on the material, including the possibility of requesting a new TR, during sunset review.

Beyond Pesticides supports most of the proposed additions to the PPM at VII.B, but we cannot support relinquishing authority to NOP as proposed in the last sentence: "Should an annotation change proposal pass the full board, NOP may consider the proposal in its decision to renew substance listings and/or engage in rulemaking for changes to the National List."

When the NOSB changed its sunset procedure in 2010, it provided for a backup vote to give NOP time to make the regulatory change (and hence avoid inadvertently dropping the material from the National List completely). The first such vote added an expiration date to streptomycin, which was added to the regulations. Subsequently, NOP used the backup motion to avoid changing the annotations to List 3 "inerts," carrageenan, and cellulose, saying, "These second recommendations authorize the Secretary to renew these three listings 'as is' considering the expiration date of November 3, 2013."<sup>1</sup> This NOP action ran contrary to the NOSB's recommendation.

In view of the history cited above, we believe that the final sentence quoted above must be revised to state, "Should an annotation change proposal pass the full board, **the NOSB must clarify that the change applies to the material that has been relisted.**" The NOSB must not relinquish its authority over the National List.

It should be noted that without the allowance of annotations at sunset or a process that ensures the codification of an NOSB-passed annotation immediately following a sunset vote, the process incentivizes the delisting of substances on the National List. The annotation, like any product label that establishes legal use, enables the restricted use of a material that would otherwise be unacceptable in an organic system.

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<sup>1</sup> USDA, 2013. <https://www.regulations.gov/document/AMS-NOP-11-0003-0029>.

## Miscellaneous Edits

The proposed edits are fine. We wish to add the following edits:

- P. 26, 1.3. "If" should be "whether."
- P. 27, Step 2. "If" should be "whether."
- P. 31, Step 9.2, third bullet. "If" should be "whether."
- P. 34, B, Step 1. "If" should be "whether."
- P. 37.1. "If" should be "whether."
- P. 41, IX, first bullet. "If" should be "whether."
- P. 44, 2, second paragraph. "If" should be "whether."
- P. 4. "SUSNET" should be "SUNSET."
- P. 34, B. "SUSNET" should be "SUNSET."

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Shistar", with a stylized, cursive script.

Terry Shistar, Ph.D.  
Board of Directors