



# BEYOND PESTICIDES

701 E Street, SE ■ Washington DC 20003  
202-543-5450 phone ■ 202-543-4791 fax  
info@beyondpesticides.org ■ www.beyondpesticides.org

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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-20-0041**

## **Re. Whey Protein Concentrate**

These comments to the National Organic Standards Board (NOSB) on its Fall 2020 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.

**In Fall 2015, the NOSB voted unanimously to remove whey protein concentrate from the National List. After five years, it has not been removed. Meanwhile, the Organic Integrity Database lists 32 suppliers of organic whey protein concentrate. As pointed out by the Handling Subcommittee (HS), organic producers can more than meet the demand. It should be removed and taken off the NOSB agenda. Hopefully, once it is actually removed from the National List, producers will be able to sell their organic product.**

### **Below are our comments from 2015.**

No annotation restricts the use of whey powder as a source of non-organic milk protein added to organic milk products. If 80% protein whey powder is added at the rate of 4% (80% of the allowed 5% non-organic ingredients) in organic yogurt, then approximately half of the protein in the yogurt would come from conventional dairy sources. It is not compatible with organic handling to provide half of a macronutrient in an organic product from non-organic sources.

As a product of non-organic dairy production, the HS must consider the impacts of the dairy production system that is the source of the whey. Conventional dairy relies on chemical-

intensive grain production. Non-organic dairy typically results in air and water pollution from concentrated animal feeding operations.

Non-organic dairy is dependent on chemical-intensive production of corn and soybeans.

### **Corn**

Non-organic corn production is an intensive user of pesticides and synthetic fertilizers. Most of the non-organic corn is also genetically modified.

**Pesticide Tolerances—Health and Environmental Effects:** The database shows that while field corn products grown with toxic chemicals show low pesticide residues on the finished commodity, there are 140 pesticides with established tolerance for field corn products,. Of these, at least 37 are acutely toxic, creating a hazardous environment for farmworkers, 97 are linked to chronic health problems (such as cancer), 31 contaminate streams or groundwater, and 87 are poisonous to wildlife.

**Pollinator Impacts:** In addition to habitat loss due to the expansion of agricultural and urban areas, the database shows that there are 29 pesticides used on field corn products that are considered toxic to honey bees and other insect pollinators. For more information on how to protect pollinators from pesticides, see Beyond Pesticides' BEE Protective webpage, <http://bpd.org/programs/bee-protective-pollinators-and-pesticides/bee-protective>.

- This crop is foraged by pollinators.

### **Soybeans**

**California Farmworker Poisonings, 1992–2010:** 1 reported. This poisoning incident represents only the tip of the iceberg because it only reflects reported incidents in one state. It is widely recognized that pesticide incidents are underreported and often misdiagnosed.

**Pesticide Tolerances—Health and Environmental Effects:** The database shows that while soybeans grown with toxic chemicals show low pesticide residues on the finished commodity, there are 83 pesticides with established tolerance for soybeans, 37 are acutely toxic, creating a hazardous environment for farmworkers, 76 are linked to chronic health problems (such as cancer), 28 contaminate streams or groundwater, and 75 are poisonous to wildlife.

**Pollinator Impacts:** In addition to habitat loss due to the expansion of agricultural and urban areas, the database shows that there are 31 pesticides used on soybeans that are considered toxic to honey bees and other insect pollinators. For more information on how to protect pollinators from pesticides, see Beyond Pesticides' BEE Protective webpage, <http://bpd.org/programs/bee-protective-pollinators-and-pesticides/bee-protective>.

- This crop is dependent on pollinators.
- This crop is foraged by pollinators.

Thank you for your consideration of these comments.

Sincerely,

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

Terry Shistar, Ph.D.  
Board of Directors

DRAFT