



CCOF

Advancing organic agriculture through certification, education, advocacy, and promotion.

Ms. Michelle Arsenault
Advisory Committee Specialist
National Organic Standards Board, USDA-AMS-NOP
1400 Independence Ave. SW., Room 2642-S, Mail Stop 0268
Washington, DC 20250-0268

Docket: AMS-NOP-19-0095

Re: Livestock Subcommittee: 2022 Sunset Reviews

April 3, 2020

Dear Ms. Arsenault and NOSB:

Thank you for the opportunity to comment on the 2022 Sunset Review of livestock substances on the National List of Allowed and Prohibited Substances.

CCOF is a nonprofit organization governed by the people who grow and make our food. Founded in California more than 40 years ago, today our roots span the breadth of North America. We are supported by an organic family of farmers, ranchers, processors, retailers, consumers, and policymakers. Together, we work to advance organic agriculture for a healthy world.

The NOSB should carefully consider the impacts of removing a substance that has been listed on an Organic System Plan (OSP) because producers need a variety of tools available to them. Producers may routinely use all or some substances listed on their OSP, or they may only occasionally use listed substances for specific situations. Some substances are commonly used by organic producers while others are only listed by a few producers who rely on the substance for their site-specific conditions. In the attached comments, we include the number of CCOF members who list each substance on their OSP because it demonstrates the importance of the substance to organic production.

Our comments also describe how the substance is used by our members and, when possible, whether viable alternatives exist. This information is based on our experience as a certifier and on feedback from our members. Although we strongly encourage our members to comment, they do not always have the capacity to directly submit their own comments. Our goal is to relay valuable information about our members' materials and practices to help NOSB maintain a clear, consistent regulatory environment for organic producers of all scales and types.

Thank you for your review of our comments. Please do not hesitate to contact me for further information.

Sincerely,

A handwritten signature in black ink that reads "Peter Nell". The signature is written in a cursive style with a large initial "P" and "N".

Peter Nell

Special Assistant to the CEO

cc: Kelly Damewood, CEO, CCOF, Inc.
April Crittenden, Chief Certification Officer, CCOF Certification Services, LLC
Rebekah Weber, Policy Director, CCOF, Inc.

CCOF's Comments on the 2022 Sunset Review Livestock Scope Materials

The following comments are based on CCOF member input and CCOF's experience offering livestock certification for over 20 years and from certifying over 200 livestock operations. Our members produce a wide array of livestock including dairy, beef, poultry, and pork.

§ 205.603(a) – as disinfectants, sanitizer, and medical treatments as applicable

Butorphanol (CAS # 42408-82-2)

1 CCOF member lists butorphanol in their OSP. Butorphanol is a high potency pain medication that requires an order from a licensed veterinarian before its use. The use of butorphanol is rare because if an animal is in a situation that warrants its use, the animal will often require additional medications not allowed in organic production and will lose organic status due to the requirement of § 205.238(c)(7).

Flunixin (CAS # 38677-85-9)

64 CCOF members list flunixin in their OSPs. Flunixin is a pain medication that does not require an order from a licensed veterinarian and is therefore more commonly used. Flunixin is often used to minimize pain and stress when performing approved physical alterations to animals, such as castration or dehorning.

Magnesium hydroxide (CAS # 1309-42-8)

9 CCOF members list magnesium hydroxide in their OSPs. Magnesium hydroxide, an antacid and mild laxative, requires an order from a licensed veterinarian before its use.

Poloxalene (CAS # 9003-11-6)

15 CCOF members list poloxalene in their OSPs. Poloxalene is used as an emergency treatment for bloat in ruminants. Poloxalene is kept on hand by a minority of operations but is a critical tool for emergency use while allowing animals to maintain organic status.

§ 205.603(b) – as topical treatment, external parasiticide or local anesthetic as applicable

Formic acid (CAS # 64-18-6)

No CCOF members list formic acid in their OSPs. CCOF certifies very few apiary operations who do not currently require its use.

§ 205.603(c) – as synthetic inert ingredients as classified by the Environmental Protection Agency (EPA), for use with non-synthetic substances or synthetic substances listed in this section and used as an active pesticide ingredient in accordance with any limitations on the use of such substances.

EPA List 4 – Inerts of Minimal Concern

Most, if not all, commercially available pesticides approved for use in organic production include inert ingredients. Many products rely on their inert ingredients to be effective, soluble, spread, stick, etc. If inerts are delisted, they may be no commercially available pesticides for organic producers to use.

The challenge with relying on references to external documents, such as EPA List 4, is that they may change while their reference within the organic standards do not. List 4 is no longer maintained by the EPA and has not been updated since August 2004 with new additions or new information that may warrant the removal of substances currently listed. If List 4 is delisted from the National List, each inert ingredient would need to be petitioned and reviewed by NOSB before its allowance with the inerts requiring thorough technical reviews.

CCOF supports the 2015 proposed annotation by NOSB but maintains the concern that a new method of reviewing inerts must cause minimal disruption to the quantity and quality of commercially available organic pesticides. If specific materials originally classified as inert are removed, then there should be a phase-out period so that products can be reformulated. NOP should also carefully vet EPA's Safer Choice Program, which primarily evaluates industrial and household cleaning products rather than agricultural inputs, and determine if there are gaps in their evaluation criteria that may be relevant to organic production.

§ 205.603(f) – Excipients

Excipients

Most, if not all, CCOF certified livestock producers use products that include excipients. Excipients include inactive ingredients for livestock drugs, some of which are essential for organic livestock operations to function. For example, teat dips often include excipients as inactive ingredients. These excipients are critical substances to ensure the efficacy of many healthcare products.

§ 205.604 – nonsynthetic substances prohibited for use in organic livestock production

Strychnine

CCOF supports the continued prohibition of strychnine in organic livestock production because of its toxicity.