



# 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-18-0029-0001

Re: Crops Subcommittee: Strengthening the organic seed guidance October 2018 proposal

October 4, 2018

Dear Ms. Arsenault and NOSB,

Thank you for the opportunity to comment on the Crops Subcommittee's proposal "Strengthening the organic seed guidance October 2018."

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.

CCOF provides the attached comments in support of the regulatory changes made to the seeds and planting stock practice standards. CCOF supports the changes to the responsibilities of certifiers and of handlers that supply seed to contract growers in National Organic Program (NOP) Guidance 5029. CCOF recommends the removal of § 4.1.3 (d) in NOP Guidance 5029 because it disincentives the use of organic seed.

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".

Peter Nell  
Policy Specialist

cc: Cathy Calfo, Executive Director/CEO  
Kelly Damewood, Director of Policy and Government Affairs  
Jake Lewin, President, CCOF Certification Services, LLC

# CCOF's Comments on Strengthening the Organic Seed Guidance October 2018 Proposal

The following comments are based on CCOF's member input, our experience offering organic certification for more than 40 years, and our certification of over 2,300 organic farms throughout North America.

## **1. CCOF supports updates to § 205.204 – Seeds and planting stock practice standard.**

CCOF supports the proposed rule change to § 205.204 that requires producers demonstrate an improvement in sourcing and use of organic seed and planting stock each year until full compliance is achieved. The update provides producers with strong standards to demonstrate compliance and clear language for certifiers to enforce.

## **2. CCOF supports changes to NOP Guidance 5029 in § 4.2.1(b)(3) and § 4.4.4.**

CCOF supports strengthening the responsibility of handlers who supply seed to contract growers in § 4.2.1(b)(3). Contracted crop growers and their seed suppliers should be required to provide the same documentation regarding their seed sourcing as other organic producers. Currently, contracted buyers are not required to provide as complete documentation on their seeds.

CCOF also supports the proposed updates to NOP 5029 § 4.4.4. The proposal updates the certifier responsibility regarding the review of an operation's progress in obtaining organic seeds, planting stock, and transplants by comparing information to previous years. The updates to § 4.4.4 allows for certifiers to require additional seed sources be researched, encourage variety trials, or require additional steps to procure organic seed. It also allows certifiers to issue noncompliances to operations that show repeated lack of progress in sourcing and using commercially available organic seed and planting stock over time. The updates allow for certifiers to ensure that operations are demonstrating compliance with the regulations and guidance.

## **3. NOSB should remove GMO contamination as a consideration to use nonorganic seed in NOP Guidance 5029.**

NOSB should remove GMO contamination as a consideration to justify the use of nonorganic seeds in NOP Guidance 5029 § 4.1.3 (d). The proposal disincentivizes the requirement to use organic seed because it allows the use of nonorganic seed if there is no organic seed available with "the desired level of purity from GMO contamination." Compliance with the proposed section will be difficult for producers because there is no seed purity standard. Additionally, use of GMOs is prohibited in organic production and handling. Therefore, NOSB should remove § 4.1.3 (d) from the proposal because organic seeds should not have GMO contamination.