



# CCOF

Organic Certification

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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-16-0100-0001  
Re: Crops Subcommittee Proposal: Strengthening the Organic Seed Guidance (NOP 5029)

March 30, 2017

Dear Ms. Arsenault and NOSB,

Thank you for the opportunity to comment on the Crops Subcommittee's proposal "Strengthening the organic seed guidance (NOP 5029)."

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 supports the NOSB's ongoing work to broaden the use of organic seed. As the proposal notes, seed is the foundation for organic farming systems. The proposed regulatory change and most suggested additions to the organic seed guidance are strong options for strengthening enforcement of organic seed requirements. We offer the attached comments and recommendations to ensure the proposed changes are workable for certifiers and producers. Please do not hesitate to contact me for further information.

Sincerely,

A handwritten signature in black ink that reads "Kelly Damewood".

Kelly Damewood  
Director of Policy and Government Affairs

cc: Cathy Calfo, Executive Director/CEO  
Jake Lewin, President, CCOF Certification Services, LLC

# CCOF's Comments on Crops Subcommittee's Proposal: Strengthening the Organic Seed Guidance (NOP 5029)

## I. Amendment to National Organic Regulations

CCOF supports further discussions of regulatory changes to strengthen organic seed requirements. The proposed addition to Section 205.204 is a strong and clear option. However, NOSB should adjust the proposed language to require demonstration of improvement *over time* rather than every year. Certifiers need flexibility in enforcing organic seed requirements and reasonable improvement times will vary among different types of operations.

Recommend changes to the proposed language are highlighted in bold:

- (a) The producer must use organically grown seeds, annual seedlings, and planting stock: *Except, That,*
- (1) Nonorganically produced, untreated seeds and planting stock may be used to produce an organic crop when an equivalent organically produced variety is not commercially available: *Except, that organically produced seed must be used for the product of edible sprouts;*
- (i) *Improvement in sourcing and use of organic seed and planting stock must be demonstrated ~~every year~~ over time until full compliance with (a) is achieved.*

CCOF has begun collecting information to better understand how its certified members are performing in organic seed usage and expects operations to improve their sourcing over time.

## II. Changes to NOP 5029 Guidance

### A. 5029 – 4. Policy

CCOF supports the proposed addition to the Policy section of the NOP 5029 Guidance because it is critical that producers take action to prevent contamination from excluded methods at the seed level.

### B. 4.1 Sourcing of Seeds

CCOF supports the proposed additions to 4.1.2 of the NOP 5029 Guidance. Operations should demonstrate that seeds of at-risk crop have been produced without excluded methods. It is also important to encourage growers to do their own trials or to use transitional seed because we have seen numerous producers improve their organic seed sourcing by developing their own organic seed and stock.

### C. Recordkeeping for Organic Producers

CCOF is concerned about requiring recordkeeping to justify each use of each specific variety of seed because it would have the most impact on the smallest, most diverse operations. An operation should be able to verbally explain their reason for use of a variety at inspection.

Requiring a specific number of sources (five is proposed) for at risk crops is likely over-prescriptive. In our experience, operations do not improve their organic seed sourcing solely because they have searched a specific number of sources.

Rather than require specific numbers of searches, the organic seed industry should submit their information to a single, searchable database. The NOSB should make the strongest statement possible to NOP to consider strategies to increase the use of the AOSCA Organic Seed Finder website or another platform that can bring together all available organic seed. Currently, the AOSCA Organic Seed Finder is not used by enough companies and not kept regularly populated to provide sufficient use for producers. But if organic seed was aggregated under such a platform, CCOF could potentially require some kind of search receipt to verify efforts to source organic seed.

As for the final proposed recordkeeping addition to the Guidance, CCOF supports clarifying that producers must document efforts to source organic seed when they work with a buyer of a contracted crop who sources the seed.

#### D. 4.4 Role of Certifying Agents

CCOF supports clarifying the role of certifying agents, including requiring certifying agents to review prevention measures taken to avoid contamination for seed of at-risk crops. CCOF already requires demonstration of prevention measures for seed of at-risk crops.