



# CCOF

Organic Certification

Education & Outreach

Political Advocacy

Promotion

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

**Docket: AMS-NOP-15-0037; NOP-15-11**

**Re: 2015 Materials Subcommittee Proposal: Prevention Strategy Guidance for Excluded Methods**

October 7, 2015

Dear Ms. Arsenault and NOSB:

CCOF thanks the National Organic Standards Board (NOSB) for the opportunity to comment on the prevention strategy guidance. CCOF advances organic agriculture for a healthy world through organic certification, education, advocacy, and promotion. Founded in 1973, CCOF certifies more than 3,000 certified operations in 41 states and three countries, covering 2.1 million acres of productive farmland.

Overall, the prevention strategy guidance is helpful because it clarifies best management practices to prevent contamination from genetically modified organisms (GMOs). However, the prevention strategy guidance does not adequately address prevention strategies for seed.

Additionally, NOSB should further clarify that many organic producers already implement prevention strategies and consistent verification of these practices among certifying agents would improve overall trust in the integrity of the organic label. Organic standards prohibit intentional use of GMO inputs and require producers to prevent unintentional contamination. As the USDA continues to approve GMOs and the market for GMO crop expands, clear and consistent requirements to prevent contamination will ensure ongoing trust in the organic label. Thus, NOP should ensure that certifiers and producers document and implement practices to prevent contamination from GMOs used in agricultural production.

**I. The overall risk and consequences of GM contamination is still uncertain.**

Reported GMO contamination of organic crops and economic loss by organic farmers has increased over the past 4 years. The 2014 Organic Survey recently released by the National Agricultural Statistics Service shows that, despite the fact that 66% of organic farmers utilize buffer strips to isolate their organic crops from pesticide and/or genetic drift and 29% of them choose a planting date to avoid presence of unintended materials, incidence of economic loss from presence of GMOs increased by 86% since 2010, with an average loss per farm of over \$66,000. Notably, actual GMO contamination of



organic crops is likely underreported because producers are either unaware of contamination or unwilling to report contamination. Furthermore, additional economic losses have resulted from the use of chemical inputs, such as Roundup, drifting onto organic crops rather than from transgenic drift, seed contamination, or post-harvest commingling.

## **II. NOP should establish a seed purity requirement for non-organic seed used to produce crops that are at risk for contamination.**

The most important prevention strategy for organic producers is to use uncontaminated seed. If producers cannot source uncontaminated seed, then management practices to prevent transgenic drift and post-harvest commingling are futile. The most at-risk seed for contamination is non-organic seed for crops that have a GMO equivalent. Thus, the top priority in the prevention strategy document should be addressing potential seed contamination.

To address seed contamination, NOP should establish a seed purity requirement. The seed purity requirement would require producers to document that non-organic seed used to produce crops with GMO equivalents are not contaminated. This documentation is feasible for producers because it is analogous to documentation of untreated seed. The primary source of verification would at the lot level by seed suppliers, and growers could have their own testing done if necessary.

To ensure a clear, consistent seed purity requirement, NOP must establish a threshold for seed purity. The threshold must be low enough to ensure that by the time a crop reaches maturity, it tests below 0.9% in GMO content because 0.9% is the most commonly accepted, international tolerance level.

## **III. NOP should clarify that certifiers must evaluate and verify prevention strategies.**

Many organic producers already implement practices to prevent contamination, and the list of best management practices outlined in the discussion document is a useful tool for producers to better understand and improve prevention practices.

NOP should clarify that certifying agents are required to evaluate and verify preventive practices. Certifying agents should establish processes to require and verify best management practices to prevent GM contamination. Possible processes could include describing prevention strategies in organic system plans or verifying through on-site inspections and residue testing. Notably, demonstration of prevention strategies should be risk based. Therefore, not every producer in all circumstances should be required to demonstrate implementation of every best management practice outlined in the discussion document. For example, producers who grow crops that have no GMO equivalent should have minimal demonstration requirements.

For reference, attached is the comment on prevention strategies that CCOF submitted for the spring 2015 NOSB meeting.

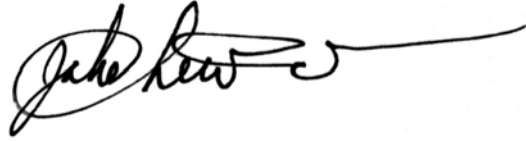


Thank you for taking the time to review this material. Please contact us for further information or clarifications.

Sincerely,



Cathy Calfo, Executive Director/CEO



Jake Lewin, President, CCOF Certification Services LLC





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**Docket: AMS-NOP-15-0002**

**Re: NOSB Materials Subcommittee, Prevention Strategy Guidance for Excluded Methods**

April 7, 2015

Dear Ms. Arsenault and NOSB:

CCOF thanks the National Organic Standards Board (NOSB) for the opportunity to comment on the Discussion Document: Prevention Strategy Guidance for Excluded Methods (the Discussion Document) from the Materials Subcommittee.

The Discussion Document is extremely valuable to the organic community because it compiles best management practices for keeping genetically modified organisms (GMOs) out of organic crops, livestock, and handling. Organic producers go to great lengths to maintain the organic integrity of their farms and products through a variety of best management practices. This Discussion Document gives producers and ACA's the opportunity to consult a single, accessible document when working on prevention strategies.

Recently, CCOF introduced a new seal that states "Organic is Non-GMO & More." We introduced this seal to address marketplace confusion and highlight that GMOs are not allowed in certified organic production. This Discussion Document, which highlights the many prevention strategies used in organic production, reinforces our seal. The more we clarify our standards and best practices, the more we can communicate the value of organic to the marketplace and to consumers.

We agree that seed purity testing should be required for non-organic seed of at-risk crops. At-risk crops are crops that have genetically modified equivalents and are therefore at risk of contamination. We support NOSB's conclusion that analytical limits could be used to test seed purity in the context of the process-based approach in the regulations. Testing non-organic seed of at-risk crops is a top priority for this method because it will increase confidence in the process-based standards that keep the organic label strong. Additionally, testing non-organic seed of at-risk crops will incentivize the use of more organic seed.



## Answers to Questions Posed

**1, 2, 3. Do you agree with the preventive management strategies described in this document or have suggestions for improvement? If not, why? Please be specific. Do you have suggestions for improvement,.... Are there other preventive management strategies....**

The document could better address how to stay informed of new developments and products that are GMO. For example, the handler bullet points state: "Know which ingredients pose a GMO-contamination risk and what, if any, contamination levels are present in them." How do handlers and ACA's know which ingredients post a GMO-contamination risk? How do farmers and ACAs stay informed of deregulated crops and new ways GMOs are entering trade via manufacture of processing ingredients?

In short, organic producers, handlers, and ACA's need accessible resources to stay informed of complicated, continually evolving information on GMOs.

**4. Do you agree that a seed purity standard should be established for non-organic seed when used under the commercial availability clause of the regulations (organic seed is not available)? If yes, do you think there should be a threshold level established? Why or why not? What should the threshold level be?**

Yes, we support a seed purity standard and testing for non-organic seed. The organic community has discussed three different seed purity standards. An action threshold of 0.9% is used by the EU and commonly in trade, with the same standard applied to seed as to harvested crop. Zero detect in a 3,000-seed sample was suggested in the previous NOSB Seed Purity documents and is also suggested by the Organic Trade Association (OTA). A level of 0.1% has been put forth by those who believe a more stringent threshold should be used for seed than for crops.

CCOF does not have a firm position on which method to use and encourages NOSB to investigate the pros and cons of each through the Expert Seed Panel, through public comment, and by any other means at their disposal. CCOF welcomes a seed purity standard proposal for the Fall 2015 meeting.

Additionally, CCOF has two recommendations for a seed purity standard:

1. The most important consideration for a seed purity standard is that it ultimately supports a crop GMO content below 0.9%. CCOF sees 0.9% as a threshold of concern, and it is an important guidepost for compliance.



2. Documentation of testing in sales or on the seed bag are the preferred methods, with testing by growers or their certifiers as a secondary step or only as part of the residue testing requirement under the NOP. In other words, testing should be at the lot level by seed suppliers, not by organic farmers.

***5. Are there existing resources that are not listed here that NOSB should review and/or include in the proposal?***

The NOSB and the NOP should maintain a list of resources for producers and ACAs that identify new developments in GMOs. A well maintained list will help organic stakeholders document, track, and take proactive prevention steps.

The issues raised in this Discussion Document should be at the forefront of the annual NOSB research priorities process because organic stakeholders need more research on fundamental prevention strategies. For example, we need more research to determine how much buffer is sufficient to protect each at-risk crop from GMO contamination.

CCOF thanks you for the opportunity to comment on this complex issue. We are available to answer any questions or provide further clarification.

Sincerely,



Cathy Calfo, Executive Director/CEO



Jake Lewin, President, Certification Services LLC

*CCOF is a nonprofit organization founded in 1973. CCOF serves as a trade association for more than 2,900 certified organic producers in 42 of the United States and three countries.*

