



### **Organic Produce Association Farm Bill Recommendations**

As the only association solely representing the organic fruit and vegetable industry, the Organic Produce Association is pleased to submit the following recommendations for consideration and inclusion in the upcoming Farm Bill. Developed over several months, these recommendations focus on issues impacting all organic produce growers, and include the following:

#### **Preserve the Advisory Intent of the National Organic Standards Board (NOSB)**

The NOSB represents a diverse constituency of organic stakeholders – from producers to consumers to scientists and more. The NOSB’s advisory role in the National Organic Program is a critical part of the success of organics. However, with only 15 members, the board is not a perfectly representative sample of the diverse and growing organics industry. OPA strongly objects to elevating the status of NOSB above that of other federal advisory committees. Proposals that would mandate that USDA publish all approved NOSB recommendations in the Federal Register and undergo a formal rulemaking process within a specific timeframe would effectively grant the board decision-making authority above and beyond that of other federal advisory committees. The Federal Advisory Committee Act (FACA) requires that all advisory committees “be advisory only” and that issues on which they offer recommendations are to be “determined, in accordance with law, by the official, agency, or officer involved.”<sup>1</sup> NOSB’s authority should remain as is – in an advisory capacity only.

#### **Ensure Representation of Diverse Types of Operations on the National Organic Standards Board (NOSB)**

According to USDA’s National Agricultural Statistics Service, consumer demand for organically produced goods has shown strong growth over the past 20 years. Since 2011, certified organic cropland acres increased by 79 percent and certified organic operations increased by more than 90 percent. U.S. sales of organic food have doubled in the past decade, led by fresh fruits and vegetables. However, despite significant industry growth, the National Organic Standards Board has remained a 15-person panel since its inception in 1990. To adequately reflect the growth in number, size, and types of organic operations, OPA supports expanding the number of NOSB seats.

Additionally, to ensure diverse production models are represented, OPA recommends that additional seats should be set aside for “individuals who own or operate an organic farming operation or are employees of such individuals”, and at least one of those seats be designated for someone with experience in controlled environment agriculture. OPA strongly supports both

<sup>1</sup> <https://sgp.fas.org/crs/secrecy/R44253.pdf>



soil-based and controlled environment agriculture (CEA, e.g., greenhouse) operations. The NOSB should reflect both models, particularly as CEA is increasingly considered for its potential benefits for sustainability and year-round availability.

### **Funding/Authorizations**

OPA supports increased funding for the National Organic Program. As the organic industry continues to grow and become more technologically advanced, the NOP must be appropriately funded and staffed to ensure appropriate response times to NOSB recommendations as well as to maintain technical expertise.

OPA supports continued/increased funding for the Organic Agriculture Research and Extension Initiative ([OREI](#)) and asks that innovations in organic farming be a focus area for the program.

OPA supports continued/increased funding for the Organic Production and Market Data Initiatives, which facilitates the collection and distribution of organic market information, including data on production, handling, distribution, retail, and consumer purchasing patterns.

OPA supports increased funding for the Organic Certification Cost Share Program administered by the Farm Service Agency to the 2014 Farm Bill level of \$11.5 million annually.

### **Protect the Integrity of the USDA Organic Seal**

OPA applauds the NOP's recent publication of the Strengthening Organic Enforcement (SOE) final rule. As the first major overhaul to organic regulations, this rule provides clarity and further secures the organic supply chain. In addition to these measures, OPA supports ongoing resources and attention to efforts that preserve the integrity of the seal. As calls for additional labels, such as "climate smart" or "regenerative" increase, OPA remains committed to protecting the integrity of the organic seal that is known and trusted by consumers. Any new USDA marketing labels should consider the inherent benefits in products already certified as USDA organic and potentially allow for the organic certification to qualify for automatic inclusion in new labels.

### **Three-Year Transition to Organic Period**

Organic regulations stipulate that produce operations wishing to transition from conventional to organic production must undergo a three-year transition period in order to ensure the absence of prohibited substances. This three-year transition period is not reflective of all production

<sup>1</sup> <https://sgp.fas.org/crs/secretary/R44253.pdf>



methods, some of which inherently have never introduced prohibited substances. To meet growing consumer demand for organic produce, growers should be provided an option to test out of the three-year transition requirement, provided that all otherwise applicable requirements have been met. To that end, OPA supports legislation that would provide the option for all growers to be allowed to apply for and receive an organic certificate with no waiting period if the growers can provide adequate organic soil health certification via an approved soil testing standard, carried out by a USDA Accredited Certifying Agent, that shows no substances prohibited by USDA's National List of Allowed and Prohibited Substances.

As part of this, the Farm Bill should include language directing that the NOP work with Accredited Certifying Agents to provide guidance on soil testing procedures to certify that no substances banned on the National List are present in the soil.

<sup>1</sup> <https://sgp.fas.org/crs/secretcy/R44253.pdf>