



BEYOND PESTICIDES

701 E Street, SE ■ Washington DC 20003
202-543-5450 phone ■ 202-543-4791 fax
info@beyondpesticides.org ■ www.beyondpesticides.org

October 3, 2014

Ms. Michelle Arsenault
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Ave. SW
Room 2648-S, Mail Stop 0268
Washington, DC 20250-0268

Re. LS: Livestock Vaccines Made With Excluded Methods Proposal

These comments to the National Organic Standards Board (NOSB) on its Fall 2014 agenda are submitted on behalf of Beyond Pesticides. Founded in 1981 as a national, grassroots, membership organization that represents community-based organizations and a range of people seeking to bridge the interests of consumers, farmers and farmworkers, Beyond Pesticides advances improved protections from pesticides and alternative pest management strategies that reduce or eliminate a reliance on pesticides. Our membership and network span the 50 states and groups around the world.

We appreciate the thorough recounting of the attempts of the National Organic Standards Board (NOSB), Livestock Subcommittee (LS), and the Vaccines Made With Excluded Methods (MWEM) Working Group to come to a satisfactory resolution of the problem of determining which vaccines are MWEM. We agree that the NOSB does not yet have the information available to solve this problem. However, we disagree with the proposal of the LS to turn the problem over to the National Organic Program (NOP) to solve by providing guidance to the NOSB, certifiers, and MRO's on the use of Vaccines MWEM in organic Livestock production.

It is the job of the NOSB to “assist in the development of standards for substances to be used in organic production and to advise the Secretary on any other aspects of the implementation of this chapter.”¹ It appears that the NOSB may be powerless to solve the problem, but it is not clear that the NOP can solve it either. However, the role of the NOSB is to advise the Secretary, and the Secretary clearly has more authority over the production and sale of vaccines than does the NOP.

Moreover, part of the problem is the more precise definition of “excluded methods,” and that is certainly a job for the NOSB –one that it is, in fact, in the midst of addressing. It does not solve the problem to ask the NOP to create guidance based on a definition of “excluded methods” that is evolving.

¹ 7 USC 6518(a)

Therefore, we suggest that the NOSB adopt a two-stage process. First, the definition of “excluded methods” must be clear enough to form the basis for regulatory action. The investigations of the LS and Vaccines MWEM Working Group will certainly be valuable input into the ongoing efforts of the Materials/GMO Subcommittee in that regard. Second, the NOSB should recommend to the Secretary that he establish a registry, labeling system, or some other mechanism for identifying vaccines that meet that definition. It does no good to make this kind of recommendation to the NOP because it does not have the authority to implement it.

We understand that this leaves the situation in limbo for now. Therefore, the definition of “excluded methods” needs to be a clear priority for the NOSB.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "Terry Shistar".

Terry Shistar, Ph.D.
Board of Directors