



**ORGANIC FARMERS
ASSOCIATION**

April 5, 2023

Ms. Michelle Arsenault
Advisory Committee Specialist
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Avenue SW
Room 2642-S, STOP 0268
Washington, DC 20250-0268

Docket # AMS-NOP-22-0071

Dear National Organic Standards Board Members,

The Organic Farmers Association is led and controlled by domestic certified organic farmers and only certified organic farmers determine our policies using a grassroots process. OFA appreciates the opportunity to provide comments to the Board and the National Organic Program on several specific items on the agenda for your spring meeting.

Compliance, Accreditation, & Certification Subcommittee

Proposal: Organic and Climate-Smart Agriculture - Organic IS Climate Smart

OFA appreciates the effort by the NOSB to articulate why, if an agriculture producer is certified organic, they should be automatically considered climate-smart and made eligible for all climate-smart funding, procurement, and other programmatic opportunities administered by the USDA. OFA members agree that certified organic production should be automatically considered “climate-smart” and therefore eligible for any and all funding opportunities and support through relevant USDA programs.

Organic agriculture has tremendous potential to address climate change while making sure that family farms flourish. But for organic agriculture to meet its full potential, the USDA must take several steps to protect the integrity of the USDA certified organic label. This is necessary to maintain the standing and preference of the organic label with consumers, ensure a level playing field for organic farmers, and to make sure that organic methods provide the maximum benefit in addressing the climate crisis.

There are several critical areas of NOP enforcement necessary to ensure that organic agriculture is truly climate-smart:

Livestock Standards

The NOP must finalize, quickly implement and prioritize enforcement of the long-overdue Organic Livestock and Poultry Standards Rule to strengthen the standards for livestock and ensure outdoor access and other welfare standards that prioritize pasture-based systems.

The NOP must also prioritize enforcement of the existing pasture standard to guarantee that organic animals are raised in climate-friendly pasture-based systems.

Ensuring that Organic Farming is Soil-Based

Soil health is a foundational principle of organic agriculture. The NOP's decision to allow hydroponic (soil-less) operations to be certified organic, as well as inconsistent interpretation of the NOP's guidance for how container operations transition to organic, has undermined consumer confidence in the organic label overall and has caused farmers to question organic as a regenerative agricultural system leading the production model for long term carbon sequestration. . The NOP must clarify that organic farming occurs in the soil and ensure that all organic certifiers are consistently applying this requirement. For organic agriculture to maximize its potential as climate-friendly agriculture, soil must be recognized as the cornerstone of organic production. The NOP should return this topic to the NOSB agenda so that organic as a climate-smart leader is clear and consistent.

Discussion Document: Organic and Climate-Smart Agriculture - Climate Induced Farming Risk and Crop Insurance

OFA appreciates the board's work on this important topic. OFA farmer-members have a wide range of experiences with crop insurance. Frustration with difficulties trying to get organic to fit into existing crop insurance is widespread.

1. What has been your experience (or your members' experience) with crop insurance, including the type purchased?

Whole Farm Revenue

- Some OFA members report giving up on using WFR because it is onerous to do the paperwork – it's especially difficult for new farms to provide the historic production records required, but even established farmers struggle with this program. Many farmers expressed that new farmers need an entirely different program because WFR is too daunting.

- The “history” for organic (as a sector) is shorter. Agronomic research is still catching up to what best practices and best yields can be for organic.
- OFA farmer-members were interested in making WFR respond more to historic sales than yield, or programs to insure against loss to what was invested that year (instead of just focusing on annual yield).
- And of course, people were interested in getting options for organic prices.

Row Crops

- OFA has members with different experiences using crop insurance for organic row crops. Those that do use it still do not express a lot of confidence in the program and report that it feels like a gamble.
- Those who use insurance for grains point out that it is manageable to find coverage for corn and soy, but difficult to get coverage for organic small grains that are important to an organic rotation, and they have had to petition to try to get a policy for small grains.
- The struggle to get coverage for new and diverse small grains has limited farmer-innovation in experimenting with different rotational crops that could greatly benefit a diverse agricultural system and impact soil health.
- Prevent plant has been useful and usually pays out enough to make it worthwhile.
- In some regions it is difficult to even find an agent who would consider organic. In general, the lack of crop insurance agents with a knowledge of organic systems and understanding of how to use the existing crop insurance programs so that they work for organic farmers is a great limiting factor of the program’s effectiveness.
- The limitations of what insurance will allow as “good practice” is still an issue for organic growers. Growers have to do a lot of education for their crop insurance agents to explain the different production practices and why organic good practices differ, it is challenging for agents to account for these changes. Farmers report difficulty getting coverage for fallow fields, companion planting, no-till (roller crimper) and wider rows for weed suppression. More education of insurance agents on the body of agronomic evidence on organic practices is necessary to convince insurance that organic best practices and innovation is insurable.

- OFA members report bad experiences with NAP and report that it is not a good enough substitute for an insurance policy that is designed for your crop(s).

2. What do you see as the most significant obstacle to organic farmer adoption of crop insurance?

Many obstacles are mentioned above in our answer to question #1. Also, there is a dire need for increased education of insurance agents on organics. It is rare that farmers can find an agent who understands organic systems and methods.

4. What problems have farmers experienced with their crop insurance policies?

See answers to question #1.

5. What recommendations would you make to improve the functioning of crop insurance for organic producers?

Crop insurance needs to be fair and functional for all farmers. OFA supports the following improvements to crop insurance programs

- Recognition by the USDA Risk Management Agency (RMA) that any practice approved in a farmer's Organic System Plan by a USDA-accredited certifying agent as compliant with organic production standards must be recognized and approved as a "Good Farming Practice" as defined by the RMA.
- Creation of new crop insurance tools that serve the needs of diversified organic growers serving all types of markets, including direct sales, that has a more streamlined application process and prioritizes low paperwork burden.
- Allowing organic farmers to use organic prices for all federal farmer support programs.
- Development of additional organic price elections for crop insurance coverage, and review of policies that cap Contract Price Addendums at two-times the conventional price election for any specific crop.
- Allowing organic transition producers to calculate the Actual Production History Yield (APH) for acres under organic transition using the APH of other organic acres on their farm, rather than the county T-Yield for the acres under transition.
- Continuation of Whole-Farm Revenue Protection established in the 2014 Farm Bill and recognize the change in farm revenue after a farm has transitioned to organic. Raise the cap to 50% on increased production value under the expansion provision.

- Development of organic price elections for storage loans offered by Farm Service Agency so that producers can access working capital based on the actual value of their crops to cash flow their operations. Utilize existing organic price data developed by RMA to establish storage loan prices.

Finally, OFA points to the comments submitted by the Ohio Ecological Food and Farming Association. Their crop insurance work group has provided a list of suggested solutions developed by farmers struggling to make these programs support the needs of their farms.

6. In your view, are there other, perhaps better, mechanisms for organic farmer risk mitigation?

In addition to the improvements to crop insurance outlined above, OFA supports the creation of a safety-net program specifically for organic dairy, based on organic - specific milk and input cost data. USDA's National Organic Program (NOP) should also increase enforcement of the organic standards (including access to pasture requirements and the updated Origin of Livestock rule) to ensure that all organic dairy farmers are following the same rules so that farmers are operating on an equal playing field.

Discussion Document: Oversight improvements to deter fraud: Consistent Location Identification

OFA appreciates the Board's work on this important topic. Dealing with fraud has been a top priority for OFA members since the organization's founding, and our farmer members are generally willing to take steps that aid in the prevention of fraud.

Currently most fields are tracked using an address or the nearest address or road intersections to describe individual field locations. Farmers and inspectors can use several methods to get GIS data. The farmers or organic inspector can use a phone app for GPS coordinates when standing in the field. Google Maps can be used (U.S. and possibly other areas of the world) or the NRCS (free to the public, only U.S.) website WebSoilSurvey, where the user can enter an address and access an aerial photo of that location. The user can then outline one or more fields in that aerial photo, and the GPS coordinates come up. These GPS coordinates would be an additional tracking to what is currently being done on most farms.

However, we have concerns about how the proposal could be implemented. Not all farmers have the technological expertise to provide this information to certifiers, or in some cases, as in the Plain Community, they may be opposed to using the technology. Assistance for farmers with limited access to and experience with technology must be a part of the recommendations. Additionally, farmers would need assurance that the data provided would not create privacy concerns, since privacy controls programs like Google Maps are limited.

Livestock Subcommittee (LS)

2025 Livestock Sunset Reviews: §205.603

Phosphoric Acid

205.603(a) As disinfectants, sanitizer, and medical treatments as applicable. (25) Phosphoric acid - allowed as an equipment cleaner, *Provided*, That, no direct contact with organically managed livestock or land occurs.

OFA supports the relisting of phosphoric acid as a synthetic sanitizer/disinfectant. It is used to remove deposits on equipment such as milk lines and bulk tanks that cannot be removed with other detergents and acids. This buildup creates conditions where bacteria can rapidly multiply and degrades the safety and quality of the milk. OFA dairy farmer members report that more compatible substances are not available, and that without the use of phosphoric acid they would need to leave organic production.

In 2018, the National Organic Coalition (NOC) raised concerns about consistency as to whether certifiers were or were not requiring a rinse after use. It is OFA's understanding that this issue is still present. This should be clarified in the annotation or in guidance so that all certifiers are operating under the same procedures.

Additionally, the listings for use in handling and livestock are different. The handling annotation should be changed to come into alignment with the livestock listing.

OFA urges NOSB to consider a comprehensive review of sanitizers, disinfectants and cleaners to inform decision making when a new material is petitioned or a material is reviewed at sunset.

NOSB Agenda Items:

Organic Swine Management

OFA eagerly awaits publication of the final Organic Livestock and Poultry Standards. However, we have reviewed the OLPS and find it lacks enough detail to address the many areas of swine management typically covered in humane standards and other national organic standards. Third-party certifications that address animal welfare and humane treatment have details that include a variety of issues such as: lighting, housing ventilation, restricted feeding, weaning, wallowing, farrowing, outdoor area requirements, housing temperatures, reduction of heat stress strategies, ear notching, nose rings, and both indoor and outdoor stocking rates. Since these issues have not been fully discussed with all stakeholders able to participate in the

development of these standards for organic swine, *we ask the NOP and NOSB to place this issue on the NOSB work agenda.* To expand the organic pork industry and better serve consumers and producers of organic pork, more clarity is needed to promote high quality animal welfare for swine on organic farms and clearly communicate to consumers how organic pork is differentiated from other labels.

Greenhouse and Container Production Standards

OFA supports organic certification of crop production where typical terrestrial plants are grown to maturity in the ground with no barriers between the topsoil, subsoil, and bedrock. The plants must obtain the majority of their nutrients from that soil rather than from highly soluble fertilizers. OFA opposes organic certification of hydroponic production and other production systems which do not meet the preceding requirement and URGES the NOP to revoke the organic certification of such operations.

Current standards for the organic production of crops in containers in and outside of greenhouses are very limited, which has led to widespread certifier inconsistency in this area. As these production methods proliferate, strong standards are urgently needed to create a level playing field for organic producers and ensure that all certified organic production is climate-smart. OFA urges the NOSB to resume work on the agenda item “Field and Greenhouse Container Production.”

Thank you for your consideration of these comments.

Sincerely,



Kate Mendenhall
Executive Director