



ORGANIC FARMERS ASSOCIATION

To: Jared Clark, Assistant Director, Standards Division
National Organic Program
USDA-AMS-NOP
1400 Independence Ave. SW
Room 2642-South, Stop 0268
Washington, DC 20250-0268

Docket number: AMS-NOP-22-0029

Regulatory Information Number (RIN): 0581-AE25

Submitted electronically on May 22, 2026

Dear Mr. Clark,

Thank you for the opportunity to provide public comment on the proposed rule, *National Organic Program: National List of Allowed and Prohibited Substances, per the October 2021, October 2022, and October 2024 Recommendations (Crops and Livestock)*. The Organic Farmers Association (OFA) is led and controlled by domestic certified organic farmers, and only certified organic farmers determine our policies using a grassroots process. We provide a strong, authentic voice for certified organic farmers.

A. Carbon Dioxide (Crops)

OFA opposes the addition of carbon dioxide to the National List at 7 CFR 205.601(a) and 205.601(j) as a synthetic substance allowed for use in organic crop production to adjust the pH of irrigation water and for atmospheric adjustment in indoor crop production environments.

The inclusion of carbon dioxide (CO₂) as a plant amendment, though briefly mentioned in the petition to the NOSB, was not shown to be essential or even necessary in organic production. There are a variety of issues with this material, both from liquefied CO₂ (which is not proposed to be allowed) and from exhaust sourced as a byproduct of fossil fuel heating.

1. There are concerns with fossil fuel heaters when they do not burn cleanly. In these instances, the heaters produce carbon monoxide, sulfur dioxide, and ethylene. These gases in a greenhouse environment can be detrimental to human and plant health,

resulting in worker illness, plant damage, and, in some cases, complete production loss and human death. Even with the operator's best efforts, venting exhaust gases into a greenhouse is risky and should not be allowed by organic standards. The Organic Food Production Act (OFPA) requires that new materials placed on the National List of approved substances be reviewed and not approved if there are negative human health impacts. Please refer to the Organic Farmers Association - [NOSB Written Comments Fall 2024](#).

2. Encouragement to use fossil fuels in organic production is not regenerative and does not uphold the organic principles of health, ecology, or care. The release of carbon dioxide has been proven to negatively affect agriculture and our planet. The OFPA requires that materials with a negative environmental impact not be allowed unless found to be essential, which this material is not.

3. In a greenhouse, heat is typically used more in the evenings, when the plants do not need supplemental CO₂. On a sunny or even partly cloudy day, much less fuel is burned to heat the greenhouse during the day than at night. Since the plants do not need extra CO₂ at night, there is no significant boost in yields, and it is not essential. During public comments at the National Organic Standards Board (NOSB) meeting, no one claimed this material was essential, only that it might be a way to use a waste product to gain a small boost in production. The negative impacts far outweigh any potential yield improvements, and no strong case has been made for essentiality.

4. While it is admirable to want to lessen the CO₂ released into the atmosphere and instead use it for CO₂ production for plant growth, a better solution would be to use a renewable energy source for the heating of the greenhouse, which is becoming more of the norm on many farms

5. The approval of this material will mostly benefit hydroponic operations. OFA farmers have voted to prohibit the organic certification of hydroponic operations, and OFA disagrees with allowing materials specifically for this controversial production system under the organic label.

For these reasons, OFA does not believe that numerous OFPA requirements have been met to include carbon dioxide on the approved National List. The OFPA states that these materials must be compatible with an organic and sustainable agricultural system; carbon dioxide should be excluded from the allowed list of synthetic materials in organic agriculture.

B. Sodium Nitrate (Crops)

OFA opposes renewing the listing for sodium nitrate on the National List at [7 CFR 205.602](#) as a natural substance allowed for limited use in organic crop production.

OFA strongly advocates feeding the soil, not the plant, and thus, we support restricting the use of highly soluble nutrients in organic production, as their use conflicts with both the OFPA and sustainable soil health practices. Organic farmers know the short- and long-term benefits of building soil health and soil nutrient density through a systems-based approach that uses slow-release fertility strategies to build organic matter and reduce soil nutrient leaching. Sodium nitrate does not build soil health overall, and its high solubility does not align with regenerative, sustainable, or foundational organic management practices. Reflecting this principle, OFA farmers have voted to prohibit the use of Ammonia Extract and Sodium Nitrate.¹

According to a 2002 Technical Advisory Panel (TAP) report, sodium nitrate leaches into groundwater as a regulated contaminant and contributes to declining earthworm populations. Furthermore, relying on it allows producers to bypass the essential and mandated soil-building practices of §205.203 because it functions much like a conventional synthetic nitrogen fertilizer.

Today, organic producers seeking highly soluble inputs have viable alternatives in agricultural byproducts and food-processing derivatives, which are far more abundant and effective and perform comparably to sodium nitrate when it was originally placed on the National List. While OFPA allows producers to use mined substances under §205.203(d)(3), producers are ultimately required by §205.203(b) to manage crop nutrients and soil fertility through active crop rotations, cover crops, and the application of plant and animal materials.

OFA is concerned that, as with Carbon Dioxide, the approval of this material will primarily benefit hydroponic operations. OFA farmers have voted to prohibit the organic certification of hydroponic operations, and OFA disagrees with allowing materials specifically for this controversial production system under the organic label.

This material does not meet the OFPA criteria for promoting environmental health due to high salt levels that can accumulate in the soil with continual use.

C. Meloxicam (Livestock)

¹ OFA POSITION: Consistent with NOSB's April 2011 recommendation, the Organic Farmers Association SUPPORTS re-listing Sodium Nitrate on 7 CFR 205.602 [Nonsynthetic (Natural) Substances Prohibited for Use in Organic Crop Production] without annotation. This rulemaking action would make sodium nitrate prohibited in organic farming and eliminate the use of this soluble, plant-available fertilizer, which circumvents natural nutrient cycling in organic soil management. (Adopted by the farmer membership 2019.)

OFA is in strong support of adding meloxicam to the National List at 7 CFR 205.603(a) as a synthetic substance allowed for use in organic livestock production.

We urge the timely progression of the rulemaking process concerning the addition of Meloxicam to the National Approved Materials List. We respectfully request that the NOP maintain clear communication with the organic community regarding the status of this rulemaking and subsequent steps, as it will assist organic farmers in upholding the highest standards of animal care.

Farmers face increasing requirements for various animal welfare certifications, often imposed by buyers and brokers. Specifically in dairy production, many organic milk handlers now expect farmers to secure animal welfare certificates in addition to organic certification. Animal welfare has always been a high priority for organic livestock producers, as seen by NOP's clarification of the 2010 Access to Pasture Rule.

Consumers recognize the high standards organic certification requires, and surveys show they value independent third-party certification. Surveys also have shown that animal welfare is an additional priority for consumers. The NOSB's support for Meloxicam in organic livestock aligns with both of these consumer trends and farmers' desire for animal welfare. Organic dairy producers welcome the addition of Meloxicam to their healthcare toolbox. Organic farmers are especially interested in using Meloxicam due to its reputation for providing longer-lasting pain relief for livestock during times of stress and its ease of application.

Meloxicam will help producers reach and maintain the high standards required for organic certification and provide additional tools for herd health and comfort. Organic livestock producers in the OFA urge the USDA NOP to move this petition forward promptly and officially add Meloxicam to the Approved Materials List so producers can start using this pain-relief medication on organic farms.

Thank you for the opportunity to comment on these issues that are of critical importance to U.S. certified organic farmers.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kate Mendenhall', written in a cursive style.

Kate Mendenhall
Executive Director
Organic Farmers Association