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National Organic Standards Board
USDA-AMS-NOP
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Submitted via www.regulations.gov

RE: Document #AMS-NOP-18-0029.

NOSB Crops Subcommittee Petitioned Material Discussion Document: Paper Planting Pots

Dear NOSB members:

Thank you for the opportunity to provide comments on the Petitioned Material Discussion for Paper Planting Pots. MOSA certifies approximately 2125 organic operations throughout the United States, including approximately 480 vegetable and transplant growers. Several of these certified operations currently use paper planting pots. These operations would be negatively impacted if they are required to discontinue use of paper pots in organic production.

MOSA has been heavily involved with John Hendrickson in drafting petitions and reasoning documentation, and we believe the basis is solid for allowing paper transplanting pots. We support the addition of "*Plant pot or growing container made from hemp paper or other paper, without glossy or colored inks*" to the National List as a crop production aid. We also request the NOP withdraw or extend their phase-out requirement.

We actually encourage the NOSB take a much broader look at the entire *category* of paper materials. There are many factors to consider and while we're focused on the paper chain pots, MOSA recognizes that *generally* NOT allowing paper as a production aid has implications beyond this current focus. MOSA has always approved paper as a planting pot or production aid. We see cardboard boxes used as containers, paper and newspaper plant pots, and the paper chain pots. We allow "[lasagna mulching](#)," which is similar to considering a pot being planted. The 2017 technical report also mentions casings for mushroom beds, and there are a few other applications for paper use covered in the OTA comments, such as seed strips or tapes. We would like to assume that if the paper pots become listed, other similar applications would also be acceptable. However, it has become apparent through this paper pots process that we can't make such assumptions. We suggest that the conversation be broadened to cover the generic category of paper as a crop production aid.

We approved the paper chain pots many years ago based on what we thought was solid rationale and a fair assessment. Paper is on the National List for use as a mulch and compost feedstock, so it is not a stretch to consider paper transplant pots acceptable, which many certifiers and OMRI have done since the beginning of organic time. In addition to this *general* acceptance of paper pots, we further reasoned that the additives in manufacturing of the pots would also be allowed since they're included in other paper products that would be allowed as mulch. Furthermore, any paper pots, including the specific chain pots petitioned, could be used and removed prior to planting and then tossed in the compost pile, and that would be *allowed* under the current clause for "recycled paper" as a compost feedstock. And in addition to this thinking, the additives in question are allowed as list 4B inerts in pesticide formulations, so would be allowed in pesticides applied to organic crops. We think our logic has been practical and sound.

Some new considerations have become apparent to us during this process. The paper chain pots are not made from recycled paper. With the recent National Organic Program's publication of 5034-1 Materials for Organic Crop Production, it is now clear that "virgin paper" is not generally an approved input, thus the petition does not include "recycled" as a criteria for paper approval. Paper is still paper regardless of whether it's been recycled or not. While the intention behind allowing only recycled paper is understandable, the fact is that paper in its virgin state is often a *less chemically altered substance* than recycled paper. The Technical Report details how the recycling process introduces a number of chemicals and additives to the paper being recycled. Since 5034-1 was published, now we also question if any product made with paper needs to be composed of 100% recycled paper. Can a product be made with both recycled paper and new paper materials, such as cellulose and starches or fibers which are covered as initial paper ingredients in the Technical Report? At what point do the ingredients in paper become paper requiring recycling to be allowed in organic production?

Since the NOP stated that paper pots *in general* are not an allowed application of paper, at the end of 2018 we will be required to prohibit homemade newspaper pots. Does the NOP see pots such as these demonstrated in [this video](https://www.youtube.com/watch?v=pSJaboRe2fA) (<https://www.youtube.com/watch?v=pSJaboRe2fA>) as prohibited as well? If yes, then how does it stand to reason that the newspaper pot can be removed from the plant, then placed between the rows to act as a mulch or added to the compost pile as a feedstock? Common sense has carried us through until now and we question if this approach is *sound or sensible*. We recognize the need to prove that the additives in the paper chain pots are acceptable, but to have to do the same for newspaper or other recycled paper seems impractical. All past NOSB sunset reviews conducted of paper products for use as mulch or compost feedstock have not raised any concerns with paper.

We understand that the NOP is looking to clear up misunderstanding and inconsistent regulation around the use of paper pots, which categorically have been allowed by many certifiers and by OMRI. To illustrate how far back the understanding goes in documented printed form, OMRI published an article originally for the Fall 2013 edition of their newsletter which answered the question, "*What kind of materials can be used in biodegradable, plantable pots?*" The article discussed the benefits of plantable pots, and noted that pots could be made of nonsynthetic materials such as peat moss and coco coir. The article went on to state, "*Newspaper or other recycled paper, without glossy or colored inks, are synthetics that are allowed as mulch at NOP Rule §205.601(b)(2)(i), and as compost feedstocks at NOP Rule*

§205.601(c). Because biodegradable mulch can be incorporated into the soil, and the pot will compost in the ground, compliant forms of newspaper and paper can also be used in biodegradable pots.” The understanding that paper pots were allowed has been through a lot of consideration, and the allowance has been the norm. To our knowledge, the questions only began because of the additives, which some certifiers have allowed and some have not. We would also point out that this is not the only material that certifiers do not agree on. There are areas of inconsistency in material review, though we’re all doing reviews in good faith, using our understanding of the organic standards and of the materials under consideration. While we all try to achieve the same result, there are varying degrees of documentation required for various materials and differing interpretations of what IS required for a certain material. Certifiers are working to resolve these discrepancies through working group best practice documents, and from our participation in these collaborative efforts, we can attest that it’s not easy to come to a consensus on some materials! We do not believe that allowing this inconsistency to continue *for a little while longer* is compromising organic integrity.

There are also wider environmental and systemic benefits to consider. By using the specific paper pot system, farmers eliminate the use of plastic mulch since the system is not compatible with plastic mulch, and plastic planting pots are also eliminated. Reduction of waste on these operations is apparent. Operations using the specific paper pot system petitioned tout the labor savings as well. In summary, paper pots are overall more sustainable than use of plastic transplant pots and trays.

To disallow the use of ALL paper pots as soon as next season would disrupt the organic vegetable industry. Not only will individual farmers realize an impact on their farms, we are hearing that farmers will choose the pots over organic certification, creating a gap in supply. Sources that were once relied upon for organic vegetables will no longer be available. We think paper pots in general, and the paper chain pot system in particular, should be allowed in organic production. We recognize that the petition and rulemaking processes take time, so we also ask the NOP to withdraw or extend the phase-out period. A compromise would enable all farms already using paper pots *of any kind* to continue to use them while a petition decision is made. We’re confident the NOSB will recommend listing paper as a crop production aid.

We have a final general concern regarding the very limited comment period for this meeting. There were only 16 business days to read and analyze all documents and to write our feedback. This shortchanges our best collaborative thinking. It’s a disservice to all organic stakeholders, including the NOSB, and is disrespectful of this public, democratic process. We hope that USDA will hear this ongoing concern, and will get meeting materials published for comment earlier. We’d note that the NOSB Policy Manual sets pre-meeting timeframes for posting, and requires at least 30 days for public comment. For best engagement and useful input, a reasonable comment period is closer to 60 days.

Thank you for your work on this issue.

Respectfully submitted,

The MOSA Certification Team