



April 3, 2020

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National Organic Standards Board
USDA-AMS-NOP
1400 Independence Ave., SW.,
Room 2642-S., Mail Stop 0268
Washington, DC 20250-0268

Submitted via Regulations.gov.

RE: Docket # AMS-NOP-19-0095

NOSB Crops Subcommittee Discussion Document: Biodegradable Biobased Mulch Film

Dear NOSB members:

Thank you for the opportunity to provide comments on the Discussion Document on Biodegradable Biobased Mulch Film. MOSA certifies approximately 2,155 organic operations throughout the United States, including 1,890 crop operations. Approximately 365 operations have greenhouses and 480 grow vegetables. A good number of these operations use a mulch product. With recent upgrades to our materials database, we can now determine how many clients are using a given product on their operation, and we can provide quantitative data regarding the use of different mulch products. Presently, we have 38 “mulch” products reviewed, 22 of which are in use by clients. Migration of farm client data to our upgraded database is nearly finished, but the numbers below may change slightly once our database work is complete. MOSA does not allow the use of any synthetic biodegradable mulch.

- 138 clients use agricultural mulch.
- 126 clients use synthetic plastic mulch.
- 45 clients use wood chips or sawdust.
- 20 use leaf mulch.
- 13 clients use paper mulch.
- 10 clients use OMRI listed WeedGuard products.
- 6 clients use various other materials (wool, walnut shell grit, cocoa shells) as mulch.

We appreciate the evaluation of the current definition and restrictions. Biodegradable biobased mulch film is currently on the National List for crop production as a weed barrier. The listing at §205.601(b)(iii) reads,

“Biodegradable biobased mulch film as defined in §205.2. Must be produced without organisms or feedstock derived from excluded methods.”

§205.2 definition reads,

“A synthetic mulch film that meets the following criteria: (1) Meets the compostability specifications of one of the following standards: ASTM D6400, ASTM D6868, EN 13432, EN 14995, or ISO 17088 (all incorporated by reference; see §205.3); (2) Demonstrates at least 90% biodegradation absolute or relative to microcrystalline cellulose in less than two years, in soil, according to one of the following test methods: ISO 17556 or ASTM D5988 (both incorporated by reference; see §205.3); and (3) Must be biobased with content determined using ASTM D6866 (incorporated by reference; see §205.3).”

MOSA receives many requests for the use of biodegradable mulch, however, there are no products on the market that can meet the 100% biobased requirement. Prior to the publication of [Guidance 5034-1: Materials for Organic Crop Production](#) in December 2016, we allowed the use of biodegradable mulch products as long as they were removed prior to degradation. The 5034-1 listing for Mulch includes specific notation that biodegradable plastic is not allowed, so we have prohibited it since then.

Plastic Mulch: *Petroleum-based plastic mulch, other than polyvinyl chloride (PVC), is permitted. The allowance does not include biodegradable plastic. Plastic mulch must be removed from the field at the end of the growing or harvest season. For crops grown as annuals, removal must occur annually. For perennial crops, plastic mulch must be removed before the plastic decomposes or breaks down to prevent removal. [emphasis added]*

The Crops Subcommittee’s discussion questions are for industry experts, but we do have an opinion on plastic use in organic production. We agree with the NOSB that,

“An argument can be made that even though the non-biobased polymers degrading into the soil originate from petroleum (a nonrenewable fossil fuel), the use of this product could be considered environmentally friendly since it replaces plastic mulches that are currently removed at the end of the harvest season and end up in landfills that do not breakdown for decades if not centuries. The biodegradable mulches from petroleum-based polymers save labor and time, since the mulch does not have to be removed from the field and transported for disposal.”

The troublesome amount of plastic in use on organic operations would obviously decrease if an efficacious mulch film were allowed. It would be nice to see a National List annotation that aligned with biodegradable products that clients could actually use, whether such products exist today or *could be* manufactured, and without concern for organic integrity. If the annotation is

not changed on the current listing, then we'd suggest that this listing be allowed to sunset from the National List. Suggesting that biodegradable biobased mulch film is a material that is allowed in organic production has created issues since the original listing. The 100% biobased content requirement has proven impossible to meet. Assigning a percentage to the biobased content is proposed for paper planting aids like paper pots, and we could look to that number as setting precedent, however, it does not sound like any biodegradable biobased mulch film products could even meet the 85% biobased requirement being proposed. As reported, only about 20% of mulch film content can be considered biobased. To date, we've likened the prohibition on mulch films to bioplastic prohibition. We ensure that compost products do not contain compostable plates and silverware. It would seem in line with organic principles to encourage the use of more environmentally friendly materials such as bioplastics and mulch film over single use products. While we don't begin to have the answers, we know that clients would like to use biodegradable mulch film products.

Thank you for your work on this challenging and precedent-setting issue.

Respectfully submitted,

The MOSA Certification Team