122 W. Jefferson Street | P.O. Box 821 | Viroqua, WI 54665 PH 844-637-2526 | FAX 608-492-0470 | mosaorganic.org

September 30, 2024

Ms. Michelle Arsenault, Advisory Committee Specialist
National Organic Standards Board
USDA–AMS–NOP

Submitted via Regulations.gov.

RE: Docket # AMS-NOP-24-0023
Document # AMS-NOP-24-0023-0005

NOSB Livestock Subcommittee Proposal: Annotation Change - DL-methionine (pdf) and Proposal: Annotation Change - Iodine (pdf)

Dear NOSB Members:

Thank you for the opportunity to provide comments. MOSA certifies over 1,776 organic operations throughout the United States, including approximately 635 livestock operations, 1,449 crop operations, and 356 handling operations. Almost all MOSA certified operations use some National List materials. MOSA is commenting on two Livestock Subcommittee proposals:

Proposal: Annotation Change - DL-methionine (pdf)

DL-methionine, feed supplements or premixes containing DL-methionine and complete feeds containing DL-methionine are all currently in use by many MOSA clients. Additionally DL-methionine or premixes containing DL-methionine are currently in use by dozens of feed or feed supplement manufacturers that MOSA certifies. Currently any producer using one of these materials is required to document and monitor the amount of methionine fed and/or which is included in feed mixes. While the current method for measuring is more practical than the previous method for measuring, we strongly support the proposal to remove the restriction on the amount of synthetic methionine that may be fed over the life of the flock. Not only will this provide greater flexibility for our clients to manage their flock's health, but it will also reduce the amount of paperwork they are required to complete (see our Synthetic Methionine Use Record Keeping Form template) and which review staff and inspectors must collect and analyze. Finding places to reduce the burden of certification on clients and certifiers alike is especially helpful as we implement new regulations such as SOE and OLPS.

Proposal: Annotation Change - Iodine (pdf)

Hundreds of MOSA clients are currently using 136 different livestock health inputs which contain iodine. Almost one hundred are teat dips or teat wipes. Iodine is by far the active ingredient that is used most frequently in teat dips. For example, we only list 22 teat dips in use by just over one hundred clients that contain hydrogen peroxide as an active ingredient. In

addition to teat dips and wipes, iodine is also a common ingredient used for udder care and wound care among other external livestock health issues and for general sanitation.

Over the last decade MOSA has seen the industry move away from iodine products formulated with NPEs. Numerous products advertise that they are "NPE-free" and we are aware that some stakeholders whom our clients supply with organic dairy products require these to be free of NPE residue. More generally, we appreciate the environmental benefit achieved by moving away from formulations that include this class of chemicals. We have particularly referenced this 2015 technical report to understand the problematic nature of NPEs in the environment. With this in mind, we do recognize that there may be some challenges and additional workload involved with implementing the annotation as it is currently written.

The first issue that would need to be addressed in order to comply with this annotation is our current practice for reviewing iodine complexing agents. The ACA Materials Working Group Best Practices for Common Material Review Issues addresses the review of excipients in iodine products generally and NPEs specifically. With regard to the review of iodine, the best practice document notes, "ingredients that are identified as "complexing agents" in an iodine formulation are allowed as part of the 'standard of identity' of iodine." Since MOSA has operated according to this best practice we have not always received from livestock health input manufacturers a complete declaration of all ingredients comprising the iodine complex. The ACA Materials Working Group adopted this best practice in response to the confidential and proprietary nature of many of these formulations.

As this annotation would require us to reconsider iodine complexing agents we note that the prohibition on APEs is more general that the current industry standard which is focused on regulating NPEs. Specifically, we have not yet determined how impactful limiting APEs will be since the industry is currently focused on limiting NPEs. Whether or not all inputs declared NPE-free are also free of APEs could significantly impact the amount of work needed to confirm the continued compliance of products already in use by our clients. While we have reviewed a number of products which are labeled "NPE-free" since the proposed annotation prohibits APEs, these current statements that we have on product formulation do not necessarily ensure compliance. This could have a large impact on the availability of these previously allowed inputs because we would essentially have to review all of the iodine products in our database. We would need to verify that the complexing agents, which have previously been allowed without review, do not contain APEs, even in the case of products which we know are NPE-free.

Furthermore, we consulted with a stakeholder who tests organic products for NPE residue. They were able to confirm that their tests only measure the presence of NPEs, not all APEs. Therefore, we cannot say with certainty how many of the iodine products which are currently allowed may be prohibited by this annotation, but we do know that an annotation referencing APEs rather than NPEs would introduce significant complexity into the review of the numerous inputs currently in use by our clients. In our understanding the prohibition of APEs falls outside of the current industry standard concerned with limiting NPEs, and, while we are not sure of the exact impact there will likely be a significant amount of additional work to verify compliance with the proposed annotation. This could affect the availability of these inputs for our clients.

Finally adding an annotation to the listing of iodine at 603(a)(16) and 603(b)(4) doesn't necessarily prohibit APEs when they are used as excipients rather than complexing agents. 205.603(f) would need to be updated in order to clarify that these ingredients in addition to being prohibited as complexing agents of iodine are also prohibited as excipients. Though there are fewer products that fall into this category we do currently have at least ten products in use by a couple dozen clients which identify APEs as excipient ingredients.

In closing, we appreciate the work that the NOSB does through the sunset review process to ensure that all synthetic materials listed on the National List are carefully considered for their environmental impact and essentiality to organic producers. The proposed change to the DL-methionine annotation will be beneficial to our certified clients and to MOSA's certification process. As such we strongly support this proposal. With regard to the proposed annotation prohibiting alkylphenol ethoxylates to the iodine listings on 205.603 we would prefer for this to instead prohibit nonylphenol ethoxylates. This annotation would ensure the continued availability of products that our clients depend upon while bringing the organic regulations into alignment with current industry standards.

Respectfully submitted,

The MOSA Certification Team