



October 1, 2020

Ms. Michelle Arsenault, Advisory Committee Specialist
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](https://www.regulations.gov).

RE: Docket # AMS-NOP-20-0041

NOSB Subcommittee Proposal on Paper-Based Crop Planting Aids

Dear NOSB members:

Thank you for the opportunity to provide comments on the Proposal for Paper-Based Crop Planting Aids. MOSA certifies approximately 2200 organic operations throughout the United States, including about 500 vegetable and transplant growers. Many of these certified operations use paper production aids and would be negatively impacted by a requirement to discontinue paper use in organic production. We appreciate your continued effort to reach a practical recommendation for an addition to the National List.

MOSA continues to support the addition of paper pots and other paper crop production aids, and we encourage you to pass this proposal with the suggested clarifying revisions we suggest below. Our comments on specific changes follow. Suggested additions to the recommended definition of paper-based crop planting aid are in underlined blue text. Deletions appear in strikethrough.

Motion to add to 205.2 Terms Defined: Paper-based crop planting aid. A material that is comprised of at least 60% cellulose-based fiber by weight, including, but not limited to, pots, seed tape, and collars that are placed in or on the soil and later incorporated into the soil, excluding biodegradable biobased mulch film. Up to 40% of the ingredients can be nonsynthetic, other permitted synthetic ingredients at §205.601(j), or synthetic strengthening fibers, adhesives, or resins. Added nutrients must comply with §§205.105 and 205.203. Contains no less than 80% biobased content as verified by a qualified third party assessment (e.g. laboratory test using ASTM D6866 ~~or composition review by qualified personnel~~).

We appreciate the new term for “paper-based crop planting aid” and feel that it meets the intention to allow paper pots and similar planting aids. The phrase, “... including, but not limited

to, pots, seed tape, and collars...” allows for certifier discretion on which materials may fit the definition, and allows for the development of new materials. This definition makes it clear that materials are intended to be incorporated into the soil.

However, what is not clear is whether a paper-based biobased mulch film could also now fall under this definition. A situation could arise where, as a weed control product, a material is not allowed, but as a crop planting aid it could be. For example, mulch film could be used as a crop production aid, and not primarily as a herbicide or weed barrier (§205.601(b)) where it is currently listed. It is placed *on* the soil, and *later incorporated*. Since biodegradable biobased mulch films are strictly regulated, we recommend adding “*excluding biodegradable biobased mulch film*” to the first sentence of the definition to close any loophole potential.

The new definition stipulates that such materials be “*comprised of at least 60% cellulose-based fiber by weight.*” A certifier’s product composition review would address this composition requirement. However, we are not certain what is meant by “cellulose-based fiber.” Does that include Rayon or Viscose fibers? Rayon is a manufactured regenerated cellulose that comes from agricultural cellulose sources such as wood. Is there a differentiation to make between natural and manufactured cellulose fibers? We are also wondering what other ingredients this may open to the door to. As such, based on materials currently on the market, we suggest that the NOSB consider limiting the composition of the other 40% of ingredients. As it is written now, up to 40% of ingredients could be anything (including approved pesticides or nutrients according to the proposed annotation) as long as testing for the final product shows a biobased content above 80%. Our understanding is that additional ingredients could include natural materials, or other synthetics allowed through the annotation. Beyond that, we feel that the other ingredients should be limited to strengthening fibers, adhesives or resins as have been discussed in this NOSB review process. Our suggestions reflect this thinking. The current proposed definition would seem to allow for up to 40% biobased plastic use as long as the biobased plastic has a high biobased content test result.

From comments we’ve heard from both manufacturers of paper pots engaged in this discussion - the manufacturers of the pots we currently allow, the biobased content requirement would not be difficult to meet. 80% seems achievable. Paper is the main ingredient and there are limited amounts of strengthening fibers and adhesives. We encourage manufacturers to have appropriate documentation prepared for the current products in use -- composition and ASTM D6866 biobased test results.

In considering what MOSA would accept as adequate biobased content documentation “*verified by a qualified third party assessment,*” we considered our various options for determining a product’s acceptability. Qualified third parties could include certifiers, material review organizations, or other organizations that review ASTM D6866 test results and verify products. Our options would be to verify products internally or to require separate third party listing. Internal verification would include a full composition review, which we are confident and comfortable doing. We would likely require ASTM D6866 test results rather than making a biobased content decision ourselves for the products we are familiar with. ASTM D6866 testing

is a concrete measurement to make a biobased content decision and, for simplicity, we propose to strike all options except ASTM D6866 testing as verification for biobased content. A manufacturer could choose to submit to each certifier a composition breakdown and ASTM D6866 test results, or become “listed” with another reputable material review organization.

After reviewing the [USDA’s BioPreferred® Program](#), we would encourage manufacturers to consider [registration in the voluntary program](#) for such products. Listing in the catalog of products is free to manufacturers, and since the program requires ASTM D6866 testing as part of the verification process, we would be able to easily verify biobased content using the search results. With the USDA program, since composition of the products is not disclosed, we would also need composition information from the manufacturer to make a complete decision. Biobased test results alone would not indicate a product’s acceptability. OMRI listing is another qualified source we’d recommend and see as perhaps the most desirable. OMRI would be qualified to evaluate composition as well as verify the ASTM D6866 biobased content test results and would provide a “one-stop-shop” for the manufacturer, and of course we are comfortable and familiar with OMRI processes and policies. There may be other organizations qualified to make biobased content decisions as well. If the proposed language carries forward, we’d appreciate guidance on how to make a decision on qualifications. We wouldn’t feel that listing by another third party would be absolutely necessary for us to make a decision on the product, but, having such a listing would make the verification process that much easier for everyone involved. Individual certifiers would not have to verify products internally, and certifiers would not run the risk of being provided differing information for the same product.

Add to 205.601 (o) Production Aids: Paper-based crop planting aids as defined in 205.2. Virgin or recycled paper without glossy paper or colored inks. ~~Added pesticides or nutrients must comply with §205.105, 205.203, and 205.206.~~

We appreciate that the cellulose-based paper source can vary. With this proposed addition, we do not see the need to verify the source other than to ensure that glossy paper and colored inks are not present in the paper; we appreciate the correction from how paper is currently listed. We would note that for recycled paper going through a recycling facility, the source of the paper would seem to become irrelevant. We think the standards’ intent is to prevent glossy paper and colored inks from being in direct contact with organic production. We would also need to verify that any added ingredients comply with the definition of paper-based crop planting aid, and also comply with the last sentence here. We think that all these composition requirements should be added to the proposed definition. 40% of the ingredients could be anything at all, including ingredients such as fertilizers or pesticides (as proposed in the annotation), so it’s wise to include this specificity. However, considering pesticides muddies the water a bit. To be allowed for use in a *restricted* manner, the entire product would need to be approved through §205.206(e), when all other measures to prevent or control the crop pests or diseases have been found to insufficiently address a target pest. For the paper pots we see, inclusion of a pesticide doesn’t apply. However if such an ingredient was included, individual client use and compliance with .206(e) would also be necessary. Nutrients are an addition that seems more plausible, and

we would intend to review any added ingredients accordingly. We suggest that references to pesticides are removed.

Up to 40% of the ingredients can be nonsynthetic, other permitted synthetic ingredients at §205.601(j), or synthetic strengthening fibers, adhesives, or resins. Added nutrients must comply with §§205.105 and 205.203.

The addition we made to the definition would restrict the other 40% ingredients to nonsynthetics, synthetic fibers, adhesives or resins, and the materials proposed to be allowed through §205.601(o). We recommend the last sentence of the proposed annotation (*as revised*) be added to the definition instead.

As a technical correction, the introductory paragraph at §205.601 needs to be revised as well, and probably should have been revised when (o) was initially added.

Substances allowed by this section, except disinfectants and sanitizers in paragraph (a) and those substances in paragraphs (c), (j), (k), ~~and~~ (l), and (o) of this section, may only be used when the provisions set forth in §205.206(a) through (d) prove insufficient to prevent or control the target pest.

In summary, we support the addition of paper-based crop planting aids to the National List. We agree with the general thinking that these materials can contain a small amount of synthetic fibers and adhesives, natural ingredients and nutrients listed on the National List. We agree that these materials can be made from either virgin or recycled paper, but should not contain glossy paper or colored inks. We can support the requirement for biobased content verification and hope the conversation on biodegradability is not over. We appreciate the clarifying definition and recommend that our suggestions are added for clarity. We also would really appreciate the [petitioned substances page](#) be kept up to date with current documents for the public's consideration. It would be easier to follow conversations spread across several NOSB meetings with a single reference point.

Thank you for your continued work on this challenging topic.

Respectfully submitted,

The MOSA Certification Team