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Submitted via [Regulations.gov](https://www.regulations.gov) and USPS to Valeria Frances and to the Desk Officer for Agriculture

**RE: AMS-NOP-17-0065; NOP-17-02, and/or Regulatory Information Number (RIN) 0581-AD09  
Economic Impact Analysis for the Strengthening Organic Enforcement Proposed Rule**

Dear Dr. Tucker, Ms. Frances, and the Desk Officer for Agriculture Office of Information and Regulatory Affairs,

MOSA Certified Organic appreciates the opportunity to provide comments to the National Organic Program regarding the [Economic Impact Analysis](#) of the [proposed rule](#) for strengthening organic enforcement. MOSA strongly supports the intent of the proposed rule changes. We have often offered comments to USDA noting how strong enforcement makes for a strong, viable, and financially successful organic label.

Our comments below answer the questions requested regarding the rule on page 47584 of this issue of the Federal Register, publication date 8/5/2020. In addition to the specific responses to questions, we also have provided comments on the breakdown of the impacts.

After evaluating the full Economic Impact Analysis, we were dismayed to find that, in our analysis based on MOSA's operations and processes, it almost universally significantly underestimates the financial impact of implementation and operationalization of these measures and the impact it will have on certifiers, independent inspectors, certified operations, the NOP itself, and ultimately organic consumers. Details are below.

**Paperwork Reduction Act section questions.** Federal Register page 47584

**1. Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information would have practical utility.**

Generally, the proposed information gathering will have some practical utility. We have provided extensive comments and feedback in MOSA's comments on The Strengthening Organic Enforcement (SOE) Proposed Rule submitted (and attached).

However, our primary concern about SOE is the additional time, effort, and financial ramifications it represents, which we believe the NOP has significantly and consistently underestimated. MOSA's comments and concerns are detailed below.

**2. The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.**

As we have been given just a little more than 60 days to submit comments, we have found it challenging to read, digest, and respond to the proposed rule, much less evaluate the methodology used and assumptions made.

It is unclear to us how AMS calculated the number of hours for various new processes, because when doing our own calculations we continually find that implementation will require more effort than is being acknowledged in the Economic Impact Analysis. Since we are working with a 60-day turnaround to submit our comments we do not have the capacity to run calculations for every new process, but some examples of the more egregious underestimates we have found are underlined, **bolded**, and in **red**.

Under "Costs for Reading and Comprehension of Rule section of the Economic Impact Analysis", page 53, we note that the AMS has estimated 4.54 hours (4 hours 32 minutes) would be spent by certifying agents to read and comprehend the proposed rule. *"AMS estimated the cost associated with reading and comprehending the proposed rule. This estimated cost is based on the length of the proposed rule document, a reading rate of 250 words per minute, industry wage rates, and additional time for comprehension. 133 AMS calculated the cost for both USDA-accredited certifying agents and certified organic operations. The proposed rule is approximately 38,000 words, including preamble and regulatory text. In addition to time spent reading the proposed rule, AMS estimates certifying agents would spend an additional 2 hours to comprehend the proposed rule. AMS assigned a wage rate of \$45.91 per hour,*

*including benefits, to certifying agents for reading the proposed rule.<sup>134</sup> Therefore, AMS estimates that to read and comprehend the proposed rule, each certifying agent would need to spend approximately 4.54 hours (4 hours and 32 minutes), or \$212.66. The estimated total cost for all 46 domestic certifying agents to read and comprehend the proposed rule is \$9,782.30.”* [emphasis added]

We find this to be completely unreasonable. The AMS did not include costs for reading and comprehension because “the costs are minimal” and “would not affect the conclusion of the Regulatory Flexibility Analysis.” We strongly disagree with this approach. Whenever a rule is published, MOSA staff spends a substantial amount of time ensuring that we understand and respond to all changes appropriately. In several areas we do not feel that this proposed rule is clear, and when regulations are unclear we spend even more time trying to understand the intent along with explaining, if adopted as-is, the potentially unexpected consequences of the unclarity. Six MOSA Certification Services Managers worked on the project of analyzing the proposed rule and preparing these comments and collaborated with other organizations to ensure our understanding is correct.

We *conservatively* estimate that MOSA staff has spent at least 250 hours reading, analyzing, discussing, and preparing these comments, which translates to **\$11,478** - more than AMS estimated for all 46 domestic agents combined. That is without implementing a single thing. We will need to repeat this process if/when the final rule is published.

Using Table 21 on page 52 of the Economic Impact Analysis, on page 47577 of the Federal Register, the AMS stated, “*AMS estimates the costs of the proposed rule for each business type would be less than 1 percent of the annual revenue.*”

One percent of MOSA’s budget is \$40,000. Based upon our analysis, we know this is a significant underestimate of the total impact SOE will have on MOSA.

Additional analysis and comments about specific impacts of this proposed regulation on individual topic areas is detailed below, at “Question 2, continued.”

### **3. Ways to enhance the quality, utility, and clarity of the information to be collected.**

We have provided many suggestions in MOSA’s comments on the Strengthening Organic Enforcement Proposed Rule, submitted and attached.

**4. Ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.**

- We would like to see the allowance of new, appropriate technology for parts of on-site inspections, such as drones and virtual inspections. Virtual inspections may be especially worth considering for brokers or brand holders that may not require an on-site inspection and oversight is generally needed just for recordkeeping systems.
- A sound and sensible idea is for certifiers to be given authorization to implement a risk-based inspection schedule, in which not all operations receive an on-site inspection or not all parts of an updating operation would be subject to an annual on-site visit.
- Certifiers spend a significant amount of time comparing interpretations of language in the rule. It would be a welcome relief and would minimize our burden if the NOP would issue a clarification when it is pointed out to them that there is a misunderstanding. For example, it took *over a year* for the NOP to issue the simple clarification that 120 grazing days was a minimum standard to be enforced, and in the meantime certifiers had wildly varying interpretations. This happens all too frequently when our regulations are not clear, and is a weakness in our system which can lead to consumer mistrust, as we see with the creation of alternate labels (beyond organic, organic plus, etc.).
- In MOSA's comments on the Strengthening Organic Enforcement Proposed Rule, we made detailed comments about our concerns regarding issuing certificates through INTEGRITY. In summary, taxonomy within INTEGRITY is a challenge. The current data structure does not allow for accurately reporting the complexity and important nuances we see. Individual vegetables are not able to be sufficiently listed, and additional detail is not accommodated. We must perform a behind-the-scenes translation from our certified products language to the NOP taxonomy.
- A fairly minimal but impactful change in the language of the proposed rule would be to raise the amount of exempt sales from \$5,000. Adjusted for inflation, today the amount would be \$7,800, and we would recommend setting it at \$10,000. Although we certainly appreciate smaller operations' contributions to the organic movement and we support and value the small family farm, certifiers often lose money when operations are required to be certified but can't be burdened by average certification fees. MOSA's break-even point for the cost of certification is operations with at least \$60,000 in annual organic sales; we estimate that 67% of the operations we certify fall under this threshold and are "subsidized" by the larger operations which we certify.

**5. AMS estimates that the total number of certified organic operations will grow by 5.6% annually, based on the increase in operations recorded in INTEGRITY during**

**the last 12 months. Is this a reasonable and accurate projection of future growth, given the additional burdens imposed by this proposed rulemaking?**

Given that 2020 has been a year with little good news, MOSA is taking a conservative approach to growth. We are in the midst of a global pandemic, experiencing unprecedented weather events due to climate change, and the US (and world) has increasing economic uncertainties with a very real concern of impending inflation. Continued growth in the number of certified operations is an X factor. Continued and increased funding for cost share would certainly be a boon but it is impossible to know how the next twelve months are going to unfold and impact organic industry growth. Additionally, MOSA's ability to expand has been limited by the difficulty of finding qualified contract inspectors. As seasoned inspectors retire, and with proposed changes to inspector qualifications, we are concerned about our ability to meet the logistical requirements of increased oversight. We must find creative ways to bolster professional growth in our industry.

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**Question 2, continued**

**Analysis of SOE Impact to Certifiers and Inspectors:**

- **30 minutes to report data to the import certificate program.** Federal Register page 47578 #3. *“AMS estimates that exporters and certifying agents would need 30 minutes to report mandatory data, and prepare and review the NOP Import Certificate, respectively.”*

This seems to be a reasonable per certificate estimate, though MOSA does not currently work with many importers or exporters.

- **One hour to document fraud prevention procedures.** Federal Register page 47578 #6. *“Requires certifying agents to create fraud prevention procedures to: (1) Identify high-risk operations, supply chains, and agricultural products, (2) conduct risk-based unannounced inspections and supply chain trace-back and mass-balance audits, (3) share information with other certifying agents to verify supply chains and conduct investigations, and (4) report credible evidence of organic fraud to the USDA. AMS estimates each certifying agent would spend one hour documenting these procedures (§§ 205.403, 205.501 and 205.504).”*

Documenting procedures is a small part of the process. By our analysis, the one hour assigned by AMS has been underestimated by 1807 hours (**\$83,005**), as implementing fraud prevention procedures is more than just documentation; it also includes:

- Updating OSP forms (eight hours = **\$367**)
- Training certification review staff (one hour x 15 staff = **\$6887**)
- Communicating to and receiving information from clients (30 minutes x 2200 clients = **\$50,501**)

- Certification review for approval (15 minutes x 2200 clients = **\$25,251**)
- **5% unannounced inspections.** Federal Register page 47578 #7. NOP said: *“For the purposes of estimating paperwork impacts, AMS expects that half of the unannounced inspections (2.5% of total inspections) would meet the requirement for a full annual inspection and would not impact current paperwork burden. The remaining half of the unannounced inspections (2.5% of total inspections) would target high-risk operations and supply chains and would not count as a full annual inspection.”*

It is unclear to MOSA how this assumption was made as it does not appear to be supported by the proposed rule, or current certifier practice. About 30% of our unannounced inspections are based upon reviewer and/or inspector recommendations. It has been our understanding and practice that along with identifying high-risk operations we are expected to identify other operations to inspect based on criteria such as geography, low risk, randomized operation types, etc.

The assumption that 2.5% of unannounced inspections (55 MOSA operations) can meet the current requirements for a full annual inspection is completely unrealistic. It has been our experience that approximately 0.4% of our unannounced inspections (ten) can suffice for an annual inspection, despite our best efforts.

However, this is not an increased cost to certifiers as they have already institutionalized performing 5% unannounced inspections into their operations, but it is an example of the increased burden that has been placed on certification agencies since 2013; we budget approximately \$20,000 per year for unannounced inspections. This is a 100% increase in our budget for this activity.

- **Regarding certificates from Integrity.** Federal Register page 47579 #8. NOP said: *“The proposed amendments would require a new, one-time burden of reporting hours for certifying agents to upload remaining data pertaining to currently certified operations into INTEGRITY for the first time. It is estimated that uploading these data into INTEGRITY would require 30 minutes for each operation and would be performed by administrative support personnel who have a lower wage rate than review and compliance staff.”*

We provided significant feedback about this in MOSA’s comments on The Strengthening Organic Enforcement (SOE) Proposed Rule submitted, but to reiterate a few points:

- Taxonomy within INTEGRITY is a challenge. The current data structure does not allow for accurately reporting the complexity and important nuances we see. For example, “hay” falls into the “Other” reporting category, and “milk” falls into a handling category. Individual vegetables are not able to be sufficiently listed, and additional detail is not accommodated. We perform a behind-the-scenes translation from our certified products language to the NOP taxonomy, therefore,

MOSA administrative staff is not able to upload information, and it must be completed by higher paid IT staff.

- MOSA provides clients with an addendum with their certificate that provides additional information not supported by INTEGRITY, such as double crop systems, specific acreage and cover crop use, slaughter eligibility of livestock, milk yields, proprietary private label information, etc.
  - It is impossible to estimate our cost without more clarity on data fields that may be developed. We're asking the NOP to commit to making the changes needed to the INTEGRITY database and to work directly with MOSA and other certifiers to resolve our concerns.
  - Currently, our first-time estimate of an upload to INTEGRITY, which by necessity will be performed by IT staff is 10 minutes x 2200 files= **\$16,834**.
  - We do appreciate that we will no longer have to send the annual list of client operations or notifications of adverse actions, etc. However, this requires little effort on our part so the time savings is minimal.
- **Inspector evaluations.** Federal Register page 47579 #11:  
*“AMS estimates that each certifying agent would spend 60 minutes to draft policies and procedures for conducting inspector field evaluations. Further, certifying agents must observe an inspector performing an on-site inspection at least once every three years. AMS estimates each certifying agent would conduct an average of four inspector field evaluations per year and that this activity would require 7.5 hours per evaluation (§§ 205.2 and 205.501).”*

This underestimates the number of on-site field evaluations, who performs them for what cost, and does not include travel expenses.

MOSA works with over 50 independent inspectors and averages approximately 17 field evaluations per year, four times more than AMS estimates. We do not have the economic capacity or human capital to perform all of the field evaluations using MOSA staff.

Currently, approximately nine are done by MOSA staff (**\$3099**) and eight are contracted with independent inspectors, at roughly \$65/hour (**\$3900**); the annual cost for MOSA to perform inspector evaluations by staff and contractor is **\$6999 plus travel expenses** compared to the AMS' (under) estimate of \$1485, a difference of over \$5000.

The administrative time necessary to assign, coordinate, and track field evaluations can be estimated at approximately at 20 hours or **\$918**.



- **20 hours of training total for all personnel** involved in the review and inspection process. Federal Register page 47579 #12.

We recommend against a specific metric within the regulatory text, but an expected 20 hours of training seems to be appropriate for staff reviewers and staff inspectors. MOSA regularly provides ongoing training for staff, so this will not be a significant added cost to our operations.

We recognize that the pay rate used for this calculation of \$28.45 is based on Occupational Employment Statistics group 45-2011, Agricultural Inspectors. However, that is much lower than the rate for the independent inspectors with which we work; although the rate of independent contractors varies, and we are not able to pay an hourly rate due to labor laws, our calculated average is approximately \$65/hour.

We do not provide direct training for our 50 (plus) independent inspectors, due to labor law prohibitions. The cost burden of training will fall on the inspectors themselves; twenty hours of training translates to **\$1300** per year per person; for just MOSA's 50 independent inspectors, that comes to **\$65,000**, which is magnified when you include all US-based independent inspectors. Inspectors will be spending their training time without reimbursement. We believe the cost they incur will ultimately be passed along in increased inspection fees.

- **Overall costs.** Federal Register page 47580. -- *“AMS projects that the proposed changes would increase the overall reporting and recordkeeping burden for certifying agents (See Summary Table 1: Certifying Agents). AMS estimates the annual collection cost per domestic-based USDA-accredited certifying agents would be \$12,788.95.[82] This cost is based on an estimated 123.36 labor hours per certifying agent per year for staff with certification review responsibilities at \$45.91 per labor hour, including 31.7% benefits, for a total salary component of \$5,663.55 per year.[83] The estimated cost for domestic certifying agents also includes 300.24 labor hours per certifying agent per year for administrative support staff to upload data about certified operations to INTEGRITY at \$23.73 per labor hour, including 31.7% benefits, for a total salary component of \$7,125.40 per year.[84]”*

This seems to be grossly understated. As you can see from our calculations above, we have surpassed this in training estimates alone. Altogether, we estimate that, for the areas which we were able to analyze as detailed in this letter, **AMS has underestimated the cost for MOSA by over \$252,000.**

- **Summary Table 2: Inspectors.** Federal Register page 47582. *“AMS estimates the annual paperwork impact cost per domestic-based inspector to be \$948.43.”*



As stated above the pay rate used for analysis of \$28.45 is much lower than the rate for the inspectors with which we work; although the rate of independent contractors varies, and we are not able to pay an hourly rate due to labor law prohibitions, our calculated average is approximately \$65/hour.

Using the AMS estimate of 33.34 labor hours, the annual paperwork impact per independent inspector would be **\$2167** and for staff it would be **\$1530**. For MOSA's 50 independent inspectors and 12 staff inspectors, that comes to **\$126,710 annually**.

### **Additional comments from MOSA's Certification Services Managers on the impact to certifiers and inspectors**

- One of our greatest ongoing concerns is that no rule ever simplifies the processes of certifiers, inspectors, or certified operations. **We can categorically state that implementation of this rule would be a significant additional financial and time burden.** Increased regulatory burdens on certifiers lead to increased costs for organic operations and ultimately consumers.

The burden is felt throughout our entire organization; the burnout felt by reviewers as their work becomes increasingly detail-obsessed, the burden of MOSA as we stay in alignment with the NOP by constantly modifying our systems, paperwork, IT, and training, the burden felt by our inspectors who are spending an increasing amount of time on paperwork, the burden felt by certified operations who are spending more time recordkeeping, documenting, and tracking paperwork, and who are paying more for certification because the certifier as the inspector workloads' expand and they are trying to remain profitable.

Strengthening organic enforcement is important, but we are asking for respite, too.

- It is unknown how many brokers, importers, private label entities, and brand holders will require organic certification under the SOE Rule. We feel it strengthens organic integrity but we will have to consider whether we will adjust our fee schedule for these operations because we currently don't have a fee structure for "lighter" operations, i.e. our current fees may be too high.
- We are finding there is currently a lack of qualified organic inspectors in several areas in which we have concentrations of certified operations. We have heard from other certifiers that they, too, are experiencing this problem. We are concerned that the prescriptive language regarding training and qualifications, the additional ongoing training being required, and the additional paperwork impact will make it even more difficult for us to recruit candidates.
- Federal Register page 47587 #4. No cost was assigned by AMS to certifiers regarding the

proposed changes to nonretail labels, but we feel this is an oversight and changes would have a significant financial impact. We anticipate this would add an additional 30 minutes of inspection and review time for clients with nonretail labels. Our clients in total have approximately 1220 nonretail labels, and if just half of those (610) have to be reconfigured, that will be **\$14,006**.

- No cost was assigned by AMS to the section on calculating the percentage of organic ingredients. Depending on the clarification that is intended, revisions could potentially impact how our clients calculate the percentage of organic ingredients they use. The organic eligibility of some products may be impacted, requiring label changes to be made. Impact to clients and certifiers may be significant if calculation methods change.
- Because of the short turn-around time to submit these comments, we have not been able to fully understand all the areas where we could expect time to be added to the inspection, increasing the cost of inspection, ultimately raising the cost of certification. We are unclear of the changes NOP is considering for fees in the organic industry as noted in MOSA's comments on The Strengthening Organic Enforcement (SOE) Proposed Rule letter (under the sections on "FEES TO AMS AND OVERSIGHT OF CERTIFYING AGENTS' FEES", Federal Register page 47576 and changes proposed to § 205.640, Federal Register page 47558.) We are not clear whether inspection fees would be impacted.

#### **Analysis on Impact to Clients:**

- **Requirement for previously exempted operations to certify.** Federal Register page 47578 #1. *"Because traders and brokers do not farm or manufacture organic products, the OSPs for traders and brokers would address fewer sections of the current rule than OSPs for operations that farm or manufacture organic products. Therefore, reporting impacts for traders and brokers are estimated at 40 hours for each uncertified handling operation to prepare its initial OSP. AMS estimates a recordkeeping burden of 10 hours annually. The estimated annual reporting burden for each entity to update its OSP in future years is 20 hours (§§ 205.2, 205.100, 205.101, and 205.103)."*

We agree that this would be the minimum impact we could expect for clients. Even the simplest of operations take at least 40 hours of record-keeping and systems documentation to become certified, and annually at least 20 hours.

- **Certified operations and new applicants requirement to update OSP for organic fraud prevention.** Federal Register page 47578 #2. *"Requires all currently certified organic operations and new applicants to describe their procedures for monitoring, verifying, and demonstrating the organic status of their suppliers and the products received to prevent organic fraud. This information would be part of the OSP. AMS estimates that each currently certified operation and applicant seeking*

*certification would need 30 minutes to describe the supply chain verification procedures and monitoring practices proposed by this regulation (§§ 205.103 and 205.201)."*

This represents significant effort; at this estimate, 2200 MOSA clients in total would spend **1100 hours** updating OSPs for organic fraud prevention.

Federal Register page 47583 Summary Table 3b

*"AMS estimates that the average annual paperwork impact for domestic certified organic producers and handlers to create a fraud prevention procedure and to comply with nonretail labeling requirements is \$78.33. This is based on an estimated 1.54 labor hours at \$50.86 per labor hour, including 31.7% benefits."* [Emphasis added]

Using this estimate of 1.54 labor hours, minus the 6 minutes designated (below) for nonretail label changes, the impact on MOSA's clients would be **\$165,600 annually**.

We are unclear why there are two different estimates for what seems to be the same thing.

- **Changing nonretail labels to include "organic" and a "certified organic by" statement.** Federal Register page 47583 Summary Table 3b  
*"AMS estimates that the average annual paperwork impact for domestic certified organic producers and handlers to create a fraud prevention procedure and to comply with nonretail labeling requirements is \$78.33. This is based on an estimated 1.54 labor hours at \$50.86 per labor hour, including 31.7% benefits."* [emphasis added]  
Federal Register 47578 #4 . *"AMS estimates that producers and/or processors would need one-tenth (0.1) of an hour, or 6 minutes, to add the word "organic" and the name of the certifying agent to the labels that are displayed on nonretail containers (§ 205.307)."*

Not included in this calculation is the cost of changing and printing new nonretail labels and the sunk cost of the stock of old labels. We recommend allowing a longer implementation period to use up old labels so they don't need to be destroyed.

Additionally, as noted above, we are unclear on the rationale for these estimates as discussed in different areas of the Federal Register.

- **Major cost impact is previously excluded operations needing to now certify.** Federal Register page 47582. *"AMS estimates that 961 domestic,[87] and an equal number of foreign-based, operations would need to become certified as a result of this rule. As stated previously, the OSPs for these handling operations would address fewer sections of the current rule than OSPs for operations that farm or manufacture organic products. Traders and brokers do not farm or manufacture organic products so the*

*OSPs for traders and brokers would address fewer sections of the current rule than OSPs for operations that produce or manufacture organic products. Certifying agents customize the format of the OSP to cover standards applicable to the operations seeking certification. Therefore, AMS estimates that preparation of an initial OSP would require 40 reporting hours, plus 10 hours of annual recordkeeping. The estimated annual reporting burden for each entity to update its OSP in future years is 20 hours (See Summary Table 3a: Uncertified Handlers).*

And further down on the same page of the Federal Register - *“AMS estimates the annual paperwork impact for each domestic handler to prepare their initial organic system plan and to verify that imported shipments match their respective NOP Import Certificates is \$2,897.71.”*

AMS calculations that fewer than a thousand operations that were previously uncertified seems like a fairly large underestimate, especially when you include the impact to operations on both sides of the private label relationship which are not included in the numbers. As with many of the numbers that have been used, we believe the true cost is being greatly underestimated. Additionally, as noted in MOSA’s comments on the Strengthening Organic Enforcement rule in question #5 of the general comments section, we are not making the assumption that brokers, importers or exporters would have a simpler certification review process, and we would not expect the paperwork impact to be significantly less than that of operations we currently certify.

**Analysis of Impact to NOP:**

*Federal Register page 47579 #13 --International arrangement audits: 60 hours to foreign governments*

The NOP reported minimal impact to the NOP; the only area identified is regarding international arrangements. We disagree that this is the only impact the NOP should expect, and additionally, we encourage the NOP to take a more active role in facilitating implementation of the SOE rule in the following areas:

- Advancing data structure in the INTEGRITY
- Active participation /recruitment in building capacity
- Increased/updated Audit system and check lists instead of regulations
- Increased training for NOP staff

**Analysis of Areas with No Impact:**

*Federal Register page 47578 #5. “AMS expects that these requirements would not add to current paperwork impacts for grower group operations to prepare an OSP and maintain their certification, or for certifying agents and inspectors auditing and inspecting these operations for compliance with organic standards (§§ 204.400 and 204.403).”*

While the NOP commentary indicates that the additions of grower group regulations will

simply codify existing practices, we are not sure that this is the case. Whether or not grower groups will have an impact on the current state of organic certification practices depends largely on the clarification regarding whether grower group production can occur in the US. Additionally, we recommend that this scheme be associated with a scope of accreditation for certifiers; this would have a significant impact to the NOP and to certifiers currently certifying grower groups, as well as the potential for the pass-down of fees to the individual operations. We've requested clarification on grower group certification.

In closing, we would like to express our appreciation for the opportunity to provide comments. MOSA supports the intent to strengthen organic integrity and we encourage collaborative and creative solutions to rise to the top as comments are evaluated. However, we found that just a little more than sixty days to review, collaborate with other organizations, and frame our comments was not sufficient for a proposed rule of this magnitude. We request that in the future more time be given for review of significant regulations and that the timeframe not overlap with other important requests for comments (i.e., NOSB meeting documents).

We have a concern that the SOE Rule will land with the same result as the Organic Livestock and Poultry Practices (OLPP) rule - after much time and effort among certifiers to align our thinking and prepare for the rule, it was decided that the financial impact was too great and it was withdrawn. In our opinion, the financial impact of SOE is magnitudes larger.

Thank you for the consideration of our feedback.

Sincerely,

The Certification Services Managers of  
MOSA Certified Organic