October 26, 2016

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
Docket: AMS-NOP-16-0049

Re: Notice of Meeting of the National Organic Standards Board

Dear Ms. Michelle Arsenault and members of the National Organic Standards Board:

The American Seed Trade Association has carefully followed and actively engaged in the seed usage discussion within the National Organic Program for over two decades. Once again, ASTA welcomes the opportunity to submit comments to the National Organic Standards Board on this topic that is fundamental to the seed industry.

ASTA has over 700 members, representing every aspect of the U.S. seed industry. Different seed sectors within the seed industry have different business models, environmental challenges, and production restrictions. Through this diverse lens ASTA has reviewed the discussion document put forth by the NOSB. This unique lens shapes our final recommendations. Some sectors of the organic seed industry are severely hampered by the allowable exceptions, while others would be damaged by a stricter interpretation of the rule, potentially causing seed shortages for organic producers and a lack of organic produce for consumers. Finding this balance of increasing the adoption of organic seed, while preventing shortages should be the goal the NOSB wishes to achieve at the conclusion of this discussion.

ASTA supports the NOSB's effort to review organic seed adoption on a crop-by-crop basis. In the seed usage discussion document, the NOSB identifies high-risk, large-acre crops as a target. For these crops ASTA feels there is enough organic seed available and the exemption should be tightened. In 2015, ASTA conducted an organic field corn hybrid survey to determine the number of hybrids in the marketplace, and the amount of seed that was available for that planting season. This study found that approximately 124,000 units of organic field corn seed was available for sale. This included 114 different hybrids for five different maturities. Assuming a planting rate of 2.5 acres per unit, this would support 300,000 acres of organic field corn production. Given the diversity of hybrids and the high quantity of organic field corn seed already available for this market, industry could scale up production to meet demand if farmers were required to plant organic seed.

According to the 2016 State of the Organic Seed Report, the lowest adoption of organic seed is from large-scale producers. These producers, regardless of crop, require a consistent and reliable supply of high-quality seed varieties that meet their agronomic requirements. ASTA believes that given enough time, communication, and commitment, the organic seed industry can meet these needs. However, organic seed companies cannot afford to produce large quantities of organic seed without a clear

commitment from the large-scale producers that this seed will be purchased (because of the time, money, and resources required). Therefore, we urge the NOSB to consider a pilot incentive program or guidance that would encourage cooperation between large-scale organic producers and the seed companies prepared to supply them. Large-scale organic producers could work with their existing seed company to develop organic production of their preferred varieties, or they could work with existing organic seed companies to increase production of desired varieties. Educating ACAs to ask large-scale producers to work with seed companies to develop this seed supply is the critical piece. A pilot incentive program could encourage large-scale organic farms to partner with seed companies to supply them with a reliable source of organic seed of the varieties they need.

The seed exception is critical to meeting consumer demand for fresh and processed produce. Many vegetable seeds are extremely challenging to produce organically and are considered low-risk crops in the seed usage discussion document. Until a reliable supply of organic seed can be developed, ACAs must be allowed latitude to issue exceptions (under section §205.204) where local environmental conditions or species considerations make the rapid adoption of organic seed difficult.

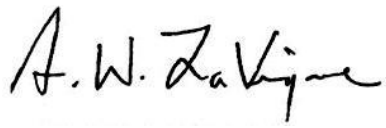
The 2013 USDA NOP organic seed guidance document has successfully stimulated an increase in organic seed usage in the US, which has resulted in an increased capacity to produce seed organically and improved genetics adapted to organic agriculture. For select crops, however, availability of organic seed in the volumes and genetic form appropriate for organic growers is still not available. There is limited organic land and production capacity available for global organic seed production. Organic spinach, for example has extremely high market saturation. One estimate suggests that 50% of spinach consumed in the US is organic. This would require approximately 3,000 acres of certified organic land globally on which to produce organic spinach seed every year. Due to spinach plant biology and the species disease susceptibility, companies must employ a long crop rotation. The standard rotation for spinach seed production is a minimum of 10 years, meaning that a company will not plant spinach seed in the same field for almost a decade. Moreover, over 30,000 acres of certified organic acres would be needed to produce enough spinach seed alone. With limited certified organic land available and the susceptibility of spinach to disease, organic spinach seed production presently cannot meet consumer demand.

Therefore, for such a crop, 100% organic seed usage would be nearly impossible to achieve in the near term. To achieve an increase in organic spinach seed use, a phased-in organic seed usage approach that stimulates organic seed production area and increased breeding efforts to improve resistance genetics would need to be achieved. While spinach is an extreme exemplar, it is intended to illustrate that 100% organic seed usage cannot be easily achieved for all crops, and that organic seed usage would need to be reviewed on a crop-by-crop basis.

From the production aspect, lettuce is relatively easy to produce organically. However, there are many different varieties of lettuce. Also, lettuce plants have very narrow temperate zones, which means that areas relatively close together need specially adapted varieties to be successful. Multiplying the number of types of lettuce by the adapted varieties results in an extensive seed catalogue, making adequate lettuce seed production challenging for completely different reasons.

For the reasons listed above, ASTA supports the NOSB's efforts to review the organic seed usage situation on a crop-by-crop basis. In crops where organic seed production can meet demand, producers should be required to plant organic seed. In crops where a consistent supply of high-quality seed is currently made difficult by environmental conditions or other considerations and in which strict enforcement would currently reduce organic products for consumers, the ACAs should be allowed to continue giving exceptions.

Sincerely,



Andrew W. LaVigne

President & CEO