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:

Founded in 1883, the American Seed Trade Association (ASTA) represents over 700 member companies involved in seed production and distribution, plant breeding, seed treatment and related industries in North America. ASTA's mission is to enhance the development and movement of quality seed worldwide. Our members produce seed for row crops, vegetables, grasses, and cover crops, and for conventional, GE, and organic seed markets. As noted in the Discussion document, development of seed is a long-term endeavor so it is important that the NOSB's actions do not inadvertently hinder the ability of the market to supply high-quality organic seed.

We welcome the opportunity to provide comment to the NOSB. As identified at the April NOSB meeting, the conversation about excluded methods will have long-term implications for the seed and breeding sectors, as well as the organic community. We applaud the NOSB for starting this discussion by collecting information on the new and evolving breeding methods. However, in its current state, the draft proposal does not fully capture the potential benefits and implications of these methods for the organic sector. Therefore, we ask that this document not be voted on at the November meeting, giving the NOSB more time to collect and incorporate additional information and input for future policy recommendations. Furthermore, we will provide the committee with information as it continues to review evolving breeding methods. A comprehensive discussion, that includes both public and private sectors breeders, as well as producers and consumers, is critical to determine which breeding methods should be allowed to be used to develop seed varieties aligned with the guiding principles of the NOP.

As breeding methods evolve, excluding certain methods that do not compromise the NOP's organic principles will result in depriving organic growers of high-preforming genetics. Plant breeders breed for yield, disease resistance, adaptation to changing climate, and fruit quality just to name a few. Lower performing seed varieties produce immediate challenges for producers, with lower yield and higher input costs. For consumers, inferior genetics could result in lower quality produce or grain. By excluding all of these breeding methods without reviewing them individually, plant breeders would have fewer

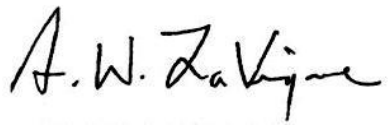
tools to produce new and improved varieties for organic production. Strong genetics are more important to the organic sector than their conventional counterparts, given input limitations.

In both this proposal and the April 2016 version, the Materials Sub-Group identified implementation issues that will arise from the adoption of the proposed document. These issues include the fact that the NOP program is a process-based system and not a product-based system. Therefore, final products are not tested to gain their organic certification. The NOSB is currently struggling with this issue in its seed purity discussion. We advise against adopting a proposal that will expand this uncertainty. The Materials Sub-Group also noted that unlike GMOs, in many cases the breeding techniques being discussed here cannot be detected. Therefore, the NOSB's Materials Sub-Group stated that even if exclusion of these technologies was regulated within the NOP, in many cases it would be impossible to enforce. Passing this proposal before determining how the NOP would address the issue of enforcement will create uncertainty for organic producers. We believe that with further discussion within the organic industry and the breeding sector, a solution to this problem can be found.

In reviewing the proposal, there are several definition discrepancies and statements that are incorrect. First, the definition of bioengineered in the proposal is different than the AMS statutory definition from Jan 2016[1] and the definition of traditional breeding is different than the USDA definition[2]. Second, the proposal states that the technologies under review are not currently regulated. However, through the Coordinated Framework these technologies and all food products are regulated by the USDA, the Food and Drug Administration, and the Environmental Protection Agency. In fact, the USDA is currently in the process of revising its regulations on products of biotechnology.

At the November NOSB meeting, ASTA recommends that this proposal not be voted on. In its current state, it is incomplete and will create additional uncertainty for organic producers and consumers. Moving forward, discussion and involvement from all stakeholders is critical for the NOSB to gain a full understanding of which breeding methods and their derived products are aligned with organic principles and which ones are not. After NOSB has collected this information, we are confident that a new proposal can be drafted that will propose a sound and effective document for consideration.

Sincerely,



Andrew W. LaVigne

President & CEO

Footnotes:

[1] https://www.ams.usda.gov/sites/default/files/media/Final%20Bill%20S764%20GMO%20Discosure.pdf

[2] http://www.usda.gov/wps/portal/usda/usdahome?contentid=biotech_glossary.html