



National Organic Coalition

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January 21, 2013

NOC MEMBERS

Beyond Pesticides

Center for Food Safety

Equal Exchange

Food & Water Watch

Maine Organic Farmers and Gardeners Association

Midwest Organic and Sustainable Education Services

National Cooperative Grocers Association

Northeast Organic Dairy Producers Alliance

Northeast Organic Farming Association - Interstate Council

Organic Seed Alliance

Organically Grown Company

Rural Advancement Foundation International -USA

Union of Concerned Scientists

Michelle Arsenault
National Organic Standards Board
1400 Independence Avenue, SW
Room 2648-South, Stop 0268
Washington, D.C. 20250

RE: Confidential Business Information (CBI)

National Organic Standards Board:

The National Organic Coalition (NOC) is a national alliance of organizations comprised of farmers and farm organizations, consumer and environmental non-profits, and progressive businesses dedicated to organic integrity. The goal of the coalition is to assure that organic integrity is maintained, that consumers' confidence is preserved, and that policies are fair, equitable and encourage diversity of participation and access.

NOC believes that organic is a food and agriculture system that provides healthful food grown in a manner that protects human and environmental health, and it is the most transparent sector of our country's food and agriculture system. Properly functioning, the NOSB and the petition process provide every person who buys organic food the ability to understand what is in their food. Therefore, it is vital to ensure that all information considered in the petition process is adequate and transparent.

It is incumbent upon the NOSB to make decisions about what to include on the National List based upon all available information about the entire life cycle of a given material. To do anything less, opens up the NOSB to valid criticism regarding the inadequacy of its decisions, and it ultimately threatens the integrity of all food labeled organic and the USDA organic seal.

NOC believes that if a petitioner is unwilling to reveal to the NOSB all the production details of a specific petitioned material then the review process should not be allowed to commence. It defies the very basis of the organic review process to allow the moniker of "confidential business information" to block complete disclosure and undermine organic transparency.

Although the NOSB must review and recommend substances in order for them to be included on the National List, members of the NOSB are members of the public and represent various constituent groups of the organic community. They

make decisions based partly on input from their constituencies and the public at large. This needs to be informed input. Secrecy and confidentiality that might be expected of other government agencies is not compatible with the duties of the NOSB, nor with the organic label.

Petitions to National List of synthetic substances should comply with the openness required under the Freedom of Information Act. If that information can be revealed under FOIA, then it should not be characterized as Confidential Business Information (CBI) in a petition. This means that most information required in a petition is not eligible for CBI status.

It is understandable that manufacturers would want to petition their products to have them allowed in organic production. However, the organic program exists for the sake of the producers *and* consumers of organic food *and* those interested in protecting the planet from the consequences of chemical-intensive agriculture, not for the sake of input manufacturers. Petitions for inputs should contain detailed information about the range of ingredients and manufacturing processes that might be used. The NOSB can then decide which of those processes, if any, yield acceptable substances for use in organic production. Some processes might result in substances classified as nonsynthetic. Material Review Organizations (MROs), not the NOSB, consider brand name materials under a confidentiality agreement and determine whether the manufacturing processes match those prescribed by the NOSB, or whether they result in synthetic or nonsynthetic products.

NOC urges the NOSB to develop a strong and defensible position regarding CBI which provides the greatest transparency to the public at large.

Thank You,



Liana Hoodes,
Director

cc: Miles McEvoy, Deputy Administrator