

Organic Advisory Board
of the Rhode Island Department of Environmental Management
Division of Agriculture and Resource Marketing

Minutes of Public Meeting of January 23, 2012

Meeting Location: RI DEM Division of Agriculture
Room 370 Conference Room
235 Promenade Street
Providence, RI 02908

Members Present: Brian Simmons, Dan Lawton, Michael Merner, Robert Mastin
Peter Susi

Members Absent: None

Staff Present: Ken Ayars, Scott Marshall, Matt Green (RIDEM/Agriculture)

Others Present: None

The meeting began at 10:06 a.m. at the Division of Agriculture, 235 Promenade Street, Providence, RI. A quorum of board members was present.

On review of the draft Minutes of the 11/14/2011 OAB meeting, it was requested by the board that a notation be added to explain the process by which the National Organic Standards Board (NOSB) has recommended to the National Organic Program (NOP) that rulemaking should be undertaken for re-listing sodium nitrate without annotation on the National List, which would prohibit all use in organic crop production.

Dan Lawton made a motion, seconded by Michael Merner, to approve the minutes from the OAB meeting of November 14, 2011, with the correction of addition of notation explaining proposed NOP re-listing process for sodium nitrate. The motion was approved unanimously.

Matt Green informed on the status of reviews of fertilizer materials containing sodium nitrate. Status of sodium nitrate was discussed regarding the NOSB recommendation to the NOP that sodium nitrate should be re-listed in the National List section of the Standards without annotation, thereby prohibiting this material for use in organic crop production. NOSB recommended 4/29/11 to NOP to pursue rulemaking for the re-listing of sodium nitrate at NOP Standard 205.602(g) without annotation. Without such re-listing, October 21, 2012, is the sunset date at which the substance would drop from the national list and become an unrestricted nonsynthetic substance. Therefore recommended rulemaking effective prior to that date would list the substance without the current restriction annotation, prohibiting all use of sodium nitrate in organic crops production. A proposed rule for re-listing of sodium nitrate has not yet been published by the NOP. Brian Simmons requested that guidance be sent to organic operations on the regulatory status of sodium (Chilean) nitrate and of acceptability of fertilizers containing this substance. Matt will issue guidance and pass along information to organic operators as it is received regarding status change of sodium nitrate, as well as information on acceptable rates

and amounts of approved fertilizers containing sodium nitrate according to current restrictions on use, when reviews are completed.

Perennial planting stock policy and NOP Standard 205.204(a)(4) were discussed regarding the sourcing of stock. Following a review of current policy of other certifiers, and review of Standards 205.204(a)(1)&(2) which can be read as having no effect on Standard 205.204(a)(4), it was proposed that nonorganic perennial planting stock should not be subject to restrictions of Standards 205.204(a)(1)&(2), and should not be required to be organic and subject to the rule on commercial availability.

Dan Lawton made a motion, seconded by Brian Simmons, to recommend that the Division adopt the policy that nonorganic perennial planting stock need not be organic and subject to the rule on commercial availability. The motion was approved unanimously.

Matt Green informed that the USDA organic certification cost-share programs administered by the Division are in effect in 2011-2012, through which eligible operations may apply for partial reimbursement of organic certification costs. USDA allocated to Rhode Island funds sufficient to reimburse presently known eligible producers and handlers in Rhode Island 75%, up to \$750, of the cost of certification or continuation of certification received from 10/1/11 through 9/30/12.

Matt Green, Peter Susi and Ken Ayars informed of the Division's current policy of offering certification services to all applicants in all categories of certification—crops, livestock and handling. The increase in the numbers of operations certified and applicants for certification, and the Division's inability to increase staffing in response to the increased workload, were discussed. The preferred action is to keep services as they are, but if not possible, the Division may need to consider ceasing providing of certification to non-farm operations.

The Division will coordinate with NOFA/RI regarding the possibility of cooperation by additional assistance from NOFA organic farm advisors to potential applicants for organic certification. Another possible point of assistance for organic operators that could be considered are Technical Service Providers who cooperate with USDA NRCS on the organic EQIP program.

The next OAB meeting was scheduled for Monday, December 3, 2012, at 10:00 a.m. An additional meeting for 2012 may be scheduled at a later date if necessary.

The meeting adjourned at 11:30 a.m.

Respectfully Submitted,

Matt Green
Environmental Scientist
RIDEM Division of Agriculture