

*Protecting,
promoting and
developing the
organic seed trade*

Ms. Michelle Arsenault
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Avenue, SW
Room 2648-So, Ag Stop 0268
Washington, DC 20250-0268

Docket: **AMS-NOP-15-0085**

Re: Materials Subcommittee– Excluded Methods Terminology (Proposal); Materials/ GMO Subcommittee: Discussion Document on Excluded Methods Terminology

Dear NOSB and Ms. Arsenault,

Organic Seed Growers and Trade Association (OSGATA) is the farmer-controlled national non-profit membership trade organization of certified organic farmers, certified organic seed companies, organic seed professionals, affiliate organizations and individuals dedicated to the advancement of certified organic seed. OSGATA is committed to protecting, promoting and developing the organic seed trade and its growers, thereby assuring that the organic community has access to excellent quality certified organic seed, free of genetic contaminants and adapted to the diverse needs of local organic agriculture.

OSGATA envisions a strong decentralized organic seed industry which meets the needs of the market by strengthening and growing certified organic farms and independent companies selling certified organic seed. The expansion of a vibrant organic seed trade will result in sovereign seed systems rich in biodiversity which respond to the ecological, economic, and localized challenges and needs of organic agriculture at every scale.

On behalf of its membership, comprised largely of certified organic seed growers and certified organic seed companies and seed handlers, OSGATA respectfully submits the following comments in response the NOSB discussion regarding excluded methods.

OSGATA agrees that it is time to revisit the 1995 definition of "excluded methods" in USDA organic regulations. Due to continual advances, biotechnology can easily outpace the regulatory structure organic is beholden to. This rapidly changing landscape runs the risk of undermining the definitive authority of a

list of excluded methods. With this in mind an exclusionary list of methods should be reviewed and expanded annually.

We applaud NOSB's inclusion of the following criteria on plant breeding from FiBL, the Research Institute for Organic Agriculture, in Switzerland in NOSB's "Excluded Methods Terminology Proposal":

- The cell is respected as an indivisible functional entity and technical/physical invasion into an isolated cell on growth media is refrained from (e. g. digestion of the cell wall, destruction of the cell nucleus through cyto-plast fusions).
- A variety must be usable for further crop improvement and seed propagation. This means that the breeders' exemption and the farmers' right are legally granted and patenting is refrained from, and that the crossing ability is not restricted by technical means (e.g. by using male sterility without the possibility of restoration).
- The creation of genetic diversity takes place within the plant specific crossing barriers through fusion of egg cell and pollen. Forced hybridization of somatic cells (e.g. through cell fusions) is refrained from.

The adoption of guiding principles of organic plant breeding helps to set the parameters of exclusion. By focusing on traditional principles of organic plant breeding, a valuable lens is created by which to identify new technologies and determine appropriateness in organic production.

OSGATA stands behind the use of IFOAM-Organics Principles of Organic Agriculture as a framework for developing positions on GMO technology when coupled with additional criteria. The criteria outlined within the proposal¹ is a solid foundation.

By unanimous vote of our membership, OSGATA passed a concise clearly worded policy, regarding principles of organic plant breeding, in February 2016. OSGATA's principles largely mirror the criteria proposed for adoption. However, there are a few key differences. Notably, these principles define organic plant breeding as remaining farm-centered, with any plant breeding being able to occur on-farm.

The full text of follows.

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- ¹ The genome is respected as an indivisible entity and technical/physical invasion into the plant genome is refrained from (e.g. through transmission of isolated DNA, RNA, or proteins). *In vitro* nucleic acid techniques are considered to be invasion into the plant genome.
 - The ability of a variety to reproduce in species-specific manner has to be maintained and technologies that restrict the germination capacity of seed-propagated crops are refrained from (e.g. Terminator technology).
 - Novel proteins must be prevented from being introduced into the soil and water ecosystems and into the organic food supply.
 - The exchange of genetic resources is encouraged and any patenting of living organisms, their metabolites, gene sequences or breeding processes are refrained from.

Principles of Organic Plant Breeding.

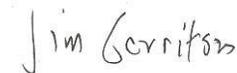
Preamble. *Seed is the foundation of crop agriculture. Therefore, establishing principles of organic plant breeding is essential to the integrity of organic systems.*

- 1. Respects Plant Integrity.** Organic plant breeding is a process which occurs at the plant level and respects the integrity of plants. It is free of genetic manipulation or other techniques at the sub-cellular level.
- 2. Supports Genetic Diversity.** Organic plant breeding maintains or enhances on-farm genetic diversity as opposed to fostering crop monoculture.
- 3. Remains Farm Centered.** Organic plant breeding must be farm-centric in that a given genetic technique must be of such a nature that it could be performed in a farm setting as opposed to a laboratory.
- 4. Honors the Public Domain.** The ownership of seed resulting from organic plant breeding resides within the public domain.

We would encourage the NOSB in adopting such principles to utilize as a litmus test for all allowable methods in organic plant breeding.

OSGATA would be willing to consider the concept of a "Organically Bred Variety," should the fleshed-out concepts further the interest of the organic seed community. However, we remain concerned with the allowance of inappropriate seed breeding technologies being allowed by NOP in organic. Cell fusion is incompatible with traditional concepts of organic seed breeding. NOP's unilateral allowance of cell fusion was improper and unwise, and violated procedure. Allowances of cell fusion in organic should be rescinded because this technique is not compatible with organic principles.

Respectfully submitted on behalf of OSGATA's certified organic members,



Jim Gerritsen, President
OSGATA