



# Accredited Certifiers Association, Inc.

PO Box 472  
Port Crane, NY 13833 USA  
607.648.3259 phone / fax  
[www.accreditedcertifiers.org](http://www.accreditedcertifiers.org)  
[certifiers@accreditedcertifiers.org](mailto:certifiers@accreditedcertifiers.org)

December 13, 2010

Toni Strother  
Agricultural Marketing Specialist  
National Organic Program  
USDA-AMS-NOP  
1400 Independence Ave., SW.  
Room 2646 So., Ag Stop 0268  
Washington, DC 20250-0268

**RE: AMS-NOP-10-0048; NOP-10-05  
Comments on NOP Draft Guidance Document Wild Crop Harvesting**

Dear Ms. Strother:

Thank you for the opportunity to provide comments to the National Organic Program on the NOP Draft Guidance Documents published in October 2010. We appreciate the process of the NOP issuing “draft” guidance documents and offering the opportunity for comment from the organic community.

The Accredited Certifiers Association is a nonprofit educational association comprised of USDA accredited certification agencies and additional supporting members. We currently have 40 accredited agencies in our membership.

ACA has identified two issues of concern with the Wild Crop Guidance:

- a) In relation to management of wild ginseng, the guidance conflicts with the majority of state laws regarding the harvesting of wild ginseng. States which have laws regarding harvesting and sale of wild ginseng require specific harvest time frames, strict requirements for the age of the ginseng plant at time of harvest, and the requirement that plant have mature fruiting berries. The states require that if the plant harvested contains mature berries, the berries are to be scattered and planted in the immediate geographic area of the harvest. This requirement appears to conflict with the NOP Guidance that replanting may not be done. This directly relates to the value of the crop, as wild harvested ginseng commands a higher price than “cultivated” ginseng. Clarification is requested regarding whether complying with a state law for scattering of seed requires certification as a “crop” rather than a “wild crop”.
- b) The example of kelp as a wild crop, indicates this is an agricultural crop, which requires the use of certified organic kelp in livestock feed and supplements. Currently the use of certified kelp is not being required by all certifiers. There is concern regarding whether there is sufficient supply of organic kelp to meet the need for use in livestock feeds and supplements. A phase in period for conversion to the use of organic kelp may be needed.

ACA sincerely thanks the National Organic Program for the efforts to clarify various portions of the Rule and for the opportunity to provide comments.

Sincerely,

*Patricia Kane*

Patricia Kane  
ACA Coordinator