



Accredited Certifiers Association
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October 1, 2020

Ms. Michelle Arsenault, Advisory Committee Specialist
National Organic Standard Board
USDA-AMS-NOP 1400 Independence Ave. SW.,
Room 2642-S, Mail Stop 0268
Washington, DC 20250-0268

Re: Docket Number: AMS-NOP-20-0041
Crops Subcommittee Discussion Document: Biodegradable biobased mulch annotation change

Dear Ms. Arsenault:

Thank you for the opportunity to provide comments to the National Organic Standards Board (NOSB) Crops Subcommittee's (CS) discussion document on a change to the annotation for biodegradable biobased mulch film. The Accredited Certifiers Association (ACA) is a 501(c)(3) nonprofit educational organization created to benefit the organic certifier community and the organic industry. The ACA strives to ensure consistent implementation of the USDA Organic Regulations through collaboration and education of accredited certification agencies. We are committed to upholding organic integrity and maintaining stakeholder trust to facilitate the growth of the organic industry. Our organization is made up of 63 USDA NOP accredited certifying agencies worldwide, which includes all 47 accredited certifiers headquartered in the United States. We are the frontline decision-makers for the effective implementation of the National Organic Program.

The CS is planning to vote on an annotation addressing biodegradable mulch (BDM) film that is not 100% biobased in Spring 2021. The ACA appreciates that the subcommittee is working on this issue, as we agree that the listing for biodegradable biobased mulch film at §205.601(b)(2)(iii) is meaningless and should either be amended or removed. The ACA supports a listing and definition for biodegradable biobased mulch film that allows for products on the market or products that could be developed.

It is the ACA's understanding that the main issue with biodegradable biobased mulch film is the requirement for 100% biobased content at §205.2. This is the requirement for biodegradable biobased mulch film that current products on the market do not meet.

The subcommittee offers four specific options for updating the annotation for biodegradable biobased mulch film. As already stated, we do not support a continuation of the current annotation with no change, as it is meaningless and does not allow for any products currently available to be approved for use. We support a removal of this listing if the NOSB does not want



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to amend it. We agree that an allowance for BDM film followed by ploughing into soil with monitoring and assessment to determine whether there are adverse impacts would require detailed standards for certifiers to use to determine whether impacts are adverse.

We agree that an allowance for BDM film, provided that it is gathered up at the end of the season, is impractical. Biodegradable biobased mulch film is designed to degrade into the soil and would therefore be difficult to remove. Therefore, we would not support a proposed annotation with this requirement.

Finally, the ACA does not support an annotation restricting BDM film use to certain environments where biodegradation may not occur in a reasonable time. It would be difficult for certifiers to verify, even with an extremely specific annotation. Biodegradability laboratory testing is done under controlled conditions and may not be modifiable to mimic actual soils and climates. Certifiers do not have the expertise to determine biodegradability *in situ*, and third party testing on the farm may not be feasible.

The ACA supports an updated definition of biodegradable biobased mulch film at §205.2 that includes a realistic percentage for biodegradability or biobased content that would allow for organic producers to use products currently on the market or products that could be developed in compliance with this definition.

Sincerely,

Jennifer Berkebile

ACA Board of Directors Vice Chair
ACA Materials Working Group Facilitator
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