



**Accredited Certifiers Association**  
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September 30, 2021

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-21-0038  
Crops Subcommittee (CS): Ammonia Extract and Sodium Nitrate Proposals

Dear Ms. Arsenault:

Thank you for the opportunity to provide comments to the National Organic Standards Board (NOSB) Crops Subcommittee (CACS) on the proposals on Ammonia Extracts and Sodium Nitrate. 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 61 USDA NOP accredited certifying agencies worldwide, which includes 46 accredited certifiers headquartered in the United States. We are the frontline decision-makers for the effective implementation of the National Organic Program.

The proposal on Ammonia Extracts seeks to prohibit certain non-synthetic ammonia extract products. The ACA agrees that these inputs are concerning; a tenet of organic agriculture is feeding the soil, not the plant, and we agree that these highly soluble nitrogen fertilizers act more to feed the plant. However, is there a place for these types of ammonia extract fertilizers in organic production where their use may be appropriate, such during the first 8 weeks in a greenhouse? Regardless, the ACA agrees that the proposed annotations for the prohibitions of stripped ammonia and concentrated ammonia at §205.602 are clear and verifiable. However, we do find it a bit inconsistent that these non-synthetic nitrogen fertilizers would be prohibited while certain synthetic high nitrogen fertilizers, such as liquid fish, are permitted at §205.601.



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Both the proposal on Ammonia Extracts and the proposal on Sodium Nitrate limit the amount of certain crop fertility products to a total use of 20% of crop nitrogen needs; for the case of ammonia extract, the limit applies to nitrogen products with a C:N ratio of 3:1 or less, including those that are components of a blended fertilizer formulation. The ACA has concerns about this aspect of the proposal.

The requirement that nitrogen products be limited to 20% of crop nitrogen needs is difficult to calculate and verify, both for producers and certifiers. The calculations will depend on the crop, location, and other variables, and it seems inconsistent to limit these products without considering what other nitrogen products that producers are using on their operation in the same fields. Both certifiers and producers would need additional guidance to comply with this requirement. ACA members would request this guidance from NOP prior to implementation of the proposed 20% limit, as publicly available research and educational materials will alleviate the difficulties of interpretation and consistency.

The use of the term “nitrogen products” in the proposed language at §205.203(f) is extremely broad; the ACA would appreciate clarification on which specific nitrogen products that this language applies to. A closed list of materials that this annotation applies to would be ideal, as the C:N ratio can shift depending on season or production. The proposal mentions guano, and the ACA agrees that calculating crop nitrogen needs for guano application is burdensome and unnecessary.

The language indicates that this limitation applies to not just single ingredient fertility products with a C:N ratio of 3:1 or less, but also to ingredients in a blended fertilizer, provided that the ingredient has a C:N ratio of 3:1 or less. However, producers do not always know the complete ingredient list for blended products, and they rarely know the amounts of ingredients in blended products. Manufacturers will likely be burdened with supplying ingredient information and C:N ratios for products and ingredients, and in many cases, it is likely that the information will not be provided, as it is proprietary. In these cases, producers will not be permitted to use the product, as they would be unable to comply with the restriction. In addition, the ACA requests clarification on why this requirement would apply to individual ingredients in a multi-ingredient product, especially if the applied product has a C:N ratio above 3:1.

The ACA agrees that synthetic forms of ammonia are a higher risk than non-synthetic nitrogen sources. Focusing on how to identify or track the use of synthetic ammonia fraudulently,



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perhaps using a nitrogen mass balance audit, may be more beneficial towards the goal of preventing the use of undesirable nitrogen products. In addition, emphasis should be put on the requirement for cultural practices to maintain and improve the soil.

Several ACA members do not support the requirement that nitrogen products with a C:N ratio of 3:1 or less be limited to 20% of crop nitrogen needs. These members would support either a blanket prohibition or allowance of these products, or some combination, which could serve the purpose of limiting the use of highly soluble nitrogen fertilizers without the burden of cumbersome calculations. In the future, the ACA would appreciate such significant proposed language earlier in the proposal process, ideally when it is still a discussion document, and we wanted to note that the proposed language at §205.203(f) seems outside of the scope of the petition.

The proposal on Sodium Nitrate also limits the amount of the substance used to a total use of 20% of crop nitrogen needs. This would reinstate the restriction for sodium nitrate at §205.602. The ACA would appreciate the clarity that this proposal would bring for this material. As it stands, certifiers are inconsistent about whether the listing of sodium nitrate at §205.602 is a valid listing. In addition, this proposal would once again put sodium nitrate under the sunset review process. However, again, the ACA has concerns about reinstating this requirement. Some certifiers and operators have had issues calculating and documenting this requirement for sodium nitrate, so additional guidance would be helpful. Some certifiers had no issues calculating crops' nitrogen requirements, but calculations indicate that the annotation is unnecessary, as clients were never found to be using the product in excess.

Thank you for your work on these topics.

Sincerely,

Jennifer Berkebile  
ACA Board of Directors Vice Chair  
Accredited certifiers Association, Inc.