

May 27, 2016

Paul I. Lewis, Ph.D.
Director, Standards Division, National Organic Program
USDA-AMS-NOP
1400 Independence Avenue, SW Room 2642-So.
Ag Stop 0268
Washington, DC 20250

RE: Docket No. AMS-NOP-16-0010

Dear Dr. Lewis:

Thank you very much for this opportunity to provide comment on AMS' intention to request approval from the Office of Management and Budget for an extension of the currently approved information collection National Organic Program (NOP) Reporting and Recordkeeping Requirements.

OTA is the membership-based business association for organic agriculture and products in North America. OTA is the leading voice for the organic trade in the United States, representing organic businesses across 50 states. Its members include growers, shippers, processors, certifiers, farmers' associations, distributors, importers, exporters, consultants, retailers and others. OTA's Board of Directors is democratically elected by its members. OTA's mission is to promote and protect organic with a unifying voice that serves and engages its diverse members from farm to marketplace.

In particular, you asked for comment on whether the proposed collection of information is necessary for the proper performance of the functions of the agency; whether the agency's estimate of the burden of the proposed collection of information, including the methodology and assumptions used, is accurate; whether there are ways to enhance the quality, utility, and clarity of the information to be collected; and whether there are ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

1. Is the proposed collection necessary for the proper performance of the functions of the agency?

OTA believes that the proposed collection is necessary for NOP to continue to do its work of administering and managing the National Organic Program, and evaluating compliance with the standards and regulations. For that reason, we support the extension.

2. Is the agency's estimate of the burden of the proposed collection accurate?

OTA believes that the agency's estimate of the burden of the proposed collection for label review is inaccurate, and in fact significantly below the realities that certified organic operations face. This is based on information informally gathered from OTA members.



Specifically, the Agricultural Marketing Service (AMS) believes that operations using product labels containing the term “organic” handle an average of 20 labels annually. Based on NOP’s 2015 list of certified organic operations, there are over 13,100 certified organic handlers. For each certified organic handler, AMS estimates that the average annual burden to develop product labels with organic claims is one hour per product, times 20 product labels for per handler – or about 20 hours per year. AMS believes the annual burden will be lower for smaller operations, and higher for larger operations.

Our research suggests those estimates are incredibly low. Labels take far more than one hour to develop – it can take anywhere from 10 up to 60 hours to develop a label and get it approved. A label is created by marketing, and then has to be approved by regulatory and legal, and then by the external certifier. Moreover, many organic handlers have upward of 100 labels in the marketplace – not the 20 product labels AMS assumes. Thus, on the higher side, the burden could reach 6000 hours per year for an organic handler.

On behalf of our members across the supply chain and the country, OTA appreciates the opportunity to comment. We hope this information is helpful.

Respectfully submitted,

Marni Karlin
Vice President of Government Affairs / General Counsel
Organic Trade Association (OTA)