

**FORMAL RECOMMENDATION BY THE
NATIONAL ORGANIC STANDARDS BOARD (NOSB)
TO THE NATIONAL ORGANIC PROGRAM (NOP)**

Date: 5/22/08

Subject: Recommendation on Farmed Aquatic Plants in Organic Agriculture

Chair: Rigoberto Delgado

Recommendation

The NOSB hereby recommends to the NOP the following:

Rulemaking Action: XXX

Guidance Statement:

Other:

Statement of the Recommendation (including Recount of Vote):

The Board recommends the **Approval** of the Recommendation on Farmed Aquatic Plants in Organic Aquaculture.

NOSB Vote

Motion: to approve the Recommendation on Farmed Aquatic Plants in Organic Aquaculture as presented by the chair of the Crops Committee and amended (attachment).

Moved by: **Gerald Davis** **Second by:** **Jeffrey Moyer**

Board vote: Yes - 14 No- 0 Abstain- 0 Absent - 1

Result: The ayes have it and the motion is agreed to.

Rationale Supporting Recommendation (including consistency with OFPA and NOP):

This recommendation intends to provide clarity to the issues of Farmed Aquatic Plants.

Response by the NOP:

National Organic Standards Board

Final Recommendation for

Date: 5/22/2008

I. List: (*where in FR rule example 205.606*)

§ 205.258 Farmed aquatic plants

II. Committee Summary:

This recommendation intends to provide clarity to the issues of Farmed Aquatic Plants. During the discussion and approval of the aquaculture proposed rule presented at the Spring 2007 NOSB meeting, it became clear that there was a need to provide more specific recommendations farmed aquatic plants in organic aquaculture.

III. Board Recommendation

The Board recommends the Approval of the Recommendation on Farmed Aquatic Plants in Organic Aquaculture.

Board vote:

Moved: Gerald Davis

Second: Jeffrey Moyer

Board vote: Yes- 14

No- 0

Absent- 1

Abstain- 0

Recuse- 0

National Organic Standards Board (NOSB)
Joint Crops and Livestock Committees
May 22, 2008
Recommendation on Farmed Aquatic Plants in Organic Aquaculture

Introduction: This recommendation intends to provide clarity to the issues of Farmed Aquatic Plants

Background:

During the discussion and approval of the aquaculture proposed rule presented at the Spring 2007 NOSB meeting, it became clear that there was a need to provide more specific recommendations farmed aquatic plants in organic aquaculture. The following recommendations are being brought forward in order to maintain organic principles in the farming of aquatic plants.

§ 205.258 Farmed aquatic plants. Aquatic plants that are intended to be sold, labeled, or represented as organic must be managed according to all applicable rules stated in **Subpart C – Organic Production and Handling Requirements** of the National Rule, from § 205.200 up to and including § 205.207, *Except*,

(a) Aquatic plants may be grown in closed containment organic systems provided that:

(1) any pond with soil from which aquatic plants are intended to be represented as organic must have had no prohibited substances, as listed in §205.201, applied for 36 months immediately preceding harvest of the crop, and containment vessels must have organic approved clean-out procedures prior to use to prevent contact or contamination with prohibited materials;

(2) aquatic plants may be provided dissolved macro-nutrients and micro-nutrients, including trace minerals, chelating compounds, and vitamins listed in §205.601; however, the dissolved amounts shall not exceed those necessary for health growth of the plants, and such culture media shall be disposed of in a manner that does not adversely impact the environment; and

(3) the pond or containment vessel has berm elevations with distinct defined boundaries and buffer zones with runoff diversions to prevent the unintended application of a prohibited substance into the pond or containment vessel, or allowed contact with a prohibited substance applied to adjoining land that is not under organic management.

(4) pond drainage must be done in a manner that prevents any and all sediment materials and nutrients from being discharged into waterways, such that:

(i) the pond discharge water meets quality standards based on the Total Maximum Daily Load (TMDL) for the receiving waterway as provided on the current state code pond permit process

(ii) in cases where TMDL metrics are unavailable, discharge water must meet a minimum standard of secondary treatment, which is defined as less than 30 mg/l BOD total suspended solids where an 85% removal of BOD is attained [EPA Guidelines Ref. QAC 252:606-1-5...(i)A]

(5) Manure from terrestrial animals may be used to fertilize aquatic plants intended to feed organic fish, in aquaculture ponds for organic production systems, provided:

(i) the manure is composted in compliance with § 205.203,

(b) To the extent that Aquatic plants may be grown in open water organic systems:

(1) Manure or composted manure from terrestrial animals, in any form, may not be used to fertilize open water aquatic plants

Committee Vote: Motion: Gerry Davis; Second: Kevin Engelbert; Yes: 8 No: 0 Absent: 1 Abstain: 0