

Idaho State Department of Agriculture
Negotiated Rulemaking
Organic Food Products Rules
July 16, 2012
David Ogden, Facilitator

Present:

Debbie Brown, North West Premium Meats; Nathan Jones, Kings Crown Organic Farm; Amber Vanderbook, Dream Chocolate; Kay Johnson, Dream Chocolate; Jennifer Miller, Northwest Coalition for Alternatives Against Pesticides (NCAAP) ; Randy Robbin, Ida-Ore; Art McIntosh, Harvest Ridge Organics; Kevin Olinger, LK Farms Limousin; Sean Costello, OAG/ISDA; Jessica Sprute, ISDA; Dave Ogden, ISDA; Brandon Lamb, ISDA; Fred Rios, ISDA; Andrew Smyth, ISDA; and Melinda Bouldin, ISDA, recording.

AGENDA ITEMS

WELCOME

David Ogden convened the meeting at 1:05 p.m., welcoming all. Attendees introduced themselves, followed by Mr. Ogden reviewing the meeting agenda. He stressed that discussion would be limited to the proposed language in the rule.

Mr. Ogden turned the meeting over to Brandon Lamb, who directed all to the changes in the rule. Mr. Lamb stated that a definition had been added, 010.09 Materials. He further explained that industry people have requested that ISDA develop a published list of branded materials, which necessitated adding a definition of materials in the new language.

Mr. Lamb then directed the group to 200.01, Description of Seal. The new seal had been requested by industry folks. The old seal will remain valid, and there will be no requirement to change labels already in use.

The registration section of the rule, 201. Registration of Approved Materials, pp 01. through 07 was then reviewed by the group. Mr. Lamb explained that this, too, had been requested by organic food industry and material suppliers to the organic industry. The addition of this section would enable third party approval for marketing purposes. He further stated that registration is voluntary.

Mr. Lamb directed all to 201.04.b, the fee section of the rule. He stated that the fees are schedule based – and that the words “up to” should be added to clarify that there will be some flexibility in the fees based on the complexity of the program being evaluated. Some will take more review time and ISDA resources than others. Inspection fee will remain \$50/hr.

The Seal for Registered Branded Materials, 201.06 was then reviewed, without comment.

Mr. Ogden called for comments and discussion. The question was raised whether or not the old seal would still be acceptable? In the draft text, the word “deleted” appears above the old seal. Mr. Lamb assured the group that ISDA will never cite for using the old seal. There was a concern raised about clarity, and Mr. Ogden committed to amend the draft text to clarify this issue.

A comment was made stating that although the new seal is appealing, in some out-of-state venues a more generic seal would be desirable, without the Idaho reference. Mr. Lamb reiterated that it is not a requirement to use the seal at all.

With regard to the Registration section of the rule, the question was raised about the number of companies producing here that would be affected by the rule. Mr. Lamb answered approximately 20.

Focusing on 201.02, Effect of Registration, Mr. Lamb reminded the group that there is always the possibility a product has been on shelf, but doesn’t meet standards.

Discussion returned to fees. Mr. Ogden stated that the final rule will have “up to” included to allow for flexibility in assessing fees. The comment was made that this is confusing, making it hard to know how to anticipate cost. Mr. Lamb reiterated the difficulty in assessing fees.

There was no further discussion.

Mr. Ogden stated that if stakeholders had questions or concerns following the meeting, the opportunity to comment will extend until July 20, 2012. He expressed his appreciation for those who attended.

Mr. Ogden adjourned the meeting at 1:31 p.m.

No further meetings have been scheduled.

Respectfully submitted by Melinda Bouldin