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**Comments on the NOSB, Livestock Committee,
Recommendation on Aquaculture**

Pursuant to the notice posted on the National Organic Standards Board (NOSB) web page, the Center for Food Safety (CFS) submits the following comments on the “Aquaculture Standards” recommended by the Livestock Committee.¹ CFS is a non-profit, membership organization that works to protect human health and the environment by curbing the proliferation of harmful food production technologies and by promoting organic and other forms of sustainable agriculture. See generally <http://www.centerforfoodsafety.org>. CFS has previously submitted comments to the Board on this matter dated April 5, 2006 and October 12, 2006.

CFS would like to commend the Livestock Committee for completing an excellent set of recommendations. More specifically, CFS would like to strongly endorse the amendments made to the recommendations that would (1) prohibit the use of open water net-pens and enclosures (§205.255(j)); and (2) prohibit the use fish meal and fish oil produced from wild fish or other wild aquatic animals (§ 205.252(a)). As the Board is aware, these prohibitions have wide support from consumer and

¹ See NOSB, Livestock Committee, Aquaculture Standards *available at* http://www.ams.usda.gov/nosb/CommitteeRecommendations/March_07_Meeting/Livestock/AquacultureRec.pdf (last visited March 16, 2007).

environmental organizations.²

In addition, CFS would like to commend the Livestock Committee for making alterations to the following provisions that are consistent with comments previously submitted by our organization:

- §205.251(f) (restrictions of uses of hormones);
- §205.252(k) (prohibition of use of feed by-products from mammalian or poultry slaughter);
- §205.253(b)(1)(restrictions on use of parasiticides);
- §205.253(c)(3)(prohibitions on use on hormones); and
- §205.254(b)(requirement of biodiversity conservation planning).

There are several provisions, however, that CFS still believes could be strengthened. First, section 205.252(e) should be amended to ensure that this provision does not become a loophole that circumvents the recommendation's prohibition on the use of fish meal and fish oil derived from wild caught fish. Section 205.252(e) provision should be amended to clarify that any fish meal or fish oil used as a feed additive or supplement cannot be derived from wild caught fish.

Second, section 205.255(k) should be amended to require that production systems with direct soil-water contact go through a full three-year conversion prior to being allowed for use in organic production. The recommendation and the Aquaculture Working Group's response to comments provide no justification for why these systems do not have to go through the existing three year conversion period that applies to agricultural lands.³ As written, the provision creates unequal conversion times between crop/non-aquatic livestock producers and aquaculturists and represents an unnecessary reduction in conversion time. Similarly, section 205.258(a)(1) should also be amended to ensure that prohibited substances have not been used on ponds or containment vessels for three years prior to organic harvest.

Third, as discussed in our comments dated April 5, 2006, section 205.250(6) should be rewritten to reflect that any organic aquaculture facilities enhance biological diversity, mitigate environmental harm and improve recovery of wild fish stocks.

Again, CFS thanks the Livestock Committee for its diligent work on these recommendations and thanks the entire Board for its careful consideration of these comments.

² See e.g. Letter sent to NOSB from twenty-four (24) consumer and environmental groups dated November 8, 2006.

³ See 7 C.F.R. §205.202

Respectfully submitted,

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