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September 30, 2024

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Ms. Michelle Arsenault
Advisory Committee Specialist
National Organic Standards Board (NOSB), USDA-AMS-NOP
400 Independence Avenue SW, Room 2642-S, STOP 0268
Washington, DC 20250
nosb@usda.gov

Re: Comment for October 22-24 National Organic Standards Board (NOSB) Public Meeting on proposed new federal organic certification rules

Dear Ms. Arsenault,

On behalf of the Marin County Board of Supervisors, I am writing to express our concerns regarding the unintended impacts the increased Organic Standards are having on small organic certifiers. While we fully support the National Organic Standards Board's (NOSB) commitment to strengthening organic standards and maintaining the integrity of the organic label, we must ensure that these standards do not result in the loss of vital local certifiers, particularly those best suited to support small-scale, sustainable operations.

This challenge is now confronting our long-standing, county-operated [Marin Organic Certified Agriculture \(MOCA\)](#) program. Since its inception in 2002, MOCA has been instrumental in meeting the region's demand for organic food, meat, and dairy products. Marin and the North Bay region are proud to be pioneers of organic practices and environmental stewardship, setting an example not only for California but for the world. The small, family-owned farms of the North San Francisco Bay have for decades been able to quickly adopt innovative organic practices, creating a model for others to follow in organic and sustainable agriculture.

However, as the center of the organic industry has shifted away from small-scale, coastal farms to large-scale industrial agriculture, federal certification requirements have become increasingly burdensome, onerous and costly for small certifiers to comply with. This has forced many small certifiers to either shut down or significantly limit their services.

In response to three new federal rules from the National Organic Program (NOP) since 2022, MOCA has had to make significant adjustments to maintain its services, including hiring independent contractors and adding new administrative processes for the producers it supports:

- **The 2022 "Origin of Livestock Final Rule"** required MOCA to hire specialized livestock inspectors from the International Organic Inspectors Association (IOIA) to meet new inspection requirements.
- **The 2023 "Strengthening Organic Enforcement Final Rule" (SOE)**, resulted in the largest regulatory increase in organic standards in 23 years, forcing MOCA to rely on independent contractors for nearly half of its inspections that year. This rule also mandates that inspectors accumulate 2,000 hours of training before conducting solo inspections, which can take up to three years for a new inspector to reach. This poses a significant staffing challenge for MOCA, as it employs only a small number in in-house inspectors.
- **The 2025 "Organic Livestock and Poultry Standards Final Rule" (OLPS)**, introduces additional inspection and administrative processes, new inspector training requirements, and requires specialized equipment.

Each of these regulations has required MOCA to update its procedures, policies, system plan forms, and more, all while attempting to minimize the financial and administrative burden on its producers. However, the requirements associated with the SOE and OLPS standards are not possible for MOCA to manage with its existing resources – and beginning next year it will have to **drop its livestock and poultry certification program** because of them.

We acknowledge that other certifiers could potentially step in to fill this gap, but we want to emphasize what is lost when large certifiers are the only viable options in the organic certification market:

- MOCA's local presence allows it to be embedded within the community, providing an extensive understanding of local farms, dairies, and ranches and their deep commitment to environmental stewardship. They are easily accessible to farmers, and as one producer noted, bring an immense value in technical assistance, especially in understanding complex new federal requirements, "knowing that you can call the office, and you get the same people."
- Small, local certifiers like MOCA operate as nonprofits, designed to keep administrative fees low and reduce the financial burden on small-scale producers already facing slim profit margins. Operations could face significantly higher costs switching to other, larger certifiers.
- If small, local certifiers are replaced by larger, out-of-county certifiers with higher fees and less robust local support, some producers may forgo organic certification altogether rather than go through the costly and cumbersome process of switching to a new certifier.

We urge the NOSB, NOP, and USDA to seriously consider these concerns and work to develop viable pathways for small certifiers to continue to play a vital role in supporting organic agriculture. For small, niche agricultural regions like Marin and other North Bay counties – local certifiers serve an essential role in ensuring the viability of hardworking, small-scale organic farms, dairies, and ranches.

Thank you for taking these comments into consideration,

Sincerely,



Dennis Rodoni, President
Marin County Board of Supervisors

Cc: Marin County Board of Supervisors
Congressman Jared Huffman
Senator Alex Padilla
Senator Laphonza Butler
State Senator Mike McGuire
State Assemblymember Damon Connolly