

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

**CALIFORNIA CODE OF REGULATIONS
TITLE 3. FOOD AND AGRICULTURE
DIVISION 4. PLANT INDUSTRY, CHAPTER 1. CHEMISTRY,
SUBCHAPTER 1. FERTILIZING MATERIALS,
ARTICLE 1. STANDARDS AND LABELING, ARTICLE 2. SAMPLES,
ARTICLE 3. LICENSING, ARTICLE 4. REGISTRATION, AND
ARTICLE 5. TONNAGE REPORTING**

FINAL STATEMENT OF REASONS MAY 2017

SECTIONS AFFECTED BY THIS SUPPLEMENT

California Code of Regulations (CCR), Title 3, Division 4, Subchapter 1, Sections 2303, 2315, 2319, and 2323.

LOCAL MANDATE DETERMINATION

The proposed regulations do not impose any mandate on local agencies or school districts.

DOCUMENTS INCORPORATED BY REFERENCE

- 2017 Association of American Plant Food Control Officials Official Publication, No. 70
- CDFA Form 513-026 (Rev. 7/13), Organic Input Material Fertilizing Materials Registration Application

These documents are incorporated by reference because it would be cumbersome, unduly expensive, and impractical to publish them in the CCR. The documents were made available upon request directly from CDFA during the course of their respective notice periods.

SUMMARY AND RESPONSE TO WRITTEN COMMENTS RECEIVED DURING THE 15-DAY PUBLIC COMMENT PERIOD ENDING APRIL 12, 2017

COMMENT 1.1: Submitter explains that Section 2323(b)(2) states that the secretary may accept inspections performed by “firms accredited by the International Organization for Standardization.” However, the submitter states that the specific ISO standard is not specified. The submitter conveys that the ISO standard relevant for input material review is ISO 17065.

RESPONSE: CDFA disagrees with this comment due to an ISO review of CDFA which concluded that a third-party subcontractor may be required to possess ISO standard

17020. Due to the fact that the ISO standard is not decisive to only ISO 17065 and may incorporate a differing standard accreditation in the future, CDFA has concluded to move forward with the text as proposed in the supplemental notice.

COMMENT 1.2: For Section 2323(b)(3), the submitter states that the secretary may accept inspections performed by “accredited certifying agents recognized under the USDA NOP.” The submitter claims that the term *recognized* is not typically used by the NOP to identify agencies eligible to conduct organic certification services. The submitter recommends revising the sub-section to “Certifying agents accredited by the USDA NOP.”

RESPONSE: CDFA agrees with this comment and will accommodate the proposed clarifying text.

SUMMARY AND RESPONSE TO WRITTEN COMMENTS RECEIVED DURING THE 15-DAY PUBLIC COMMENT PERIOD ENDING MAY 10, 2017

No comments received during the comment period ending May 10, 2017.

REASONABLE ALTERNATIVES CONSIDERED

CDFA has determined that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the adopted regulations, or would be more cost-effective to affected private persons and equally effective in implementing the statutory provisions and policies being addressed in this action.