



October 08, 2025

National Organic Standards Board  
Compliance, Accreditation, and Certification Subcommittee  
USDA-AMS-NOP

**Docket:** # AMS-NOP-25-0034

**RE: Residue Testing for a Global Supply Chain Regulation Review § 205.671 Proposal**

Dear NOSB Certification, Accreditation, and Compliance Subcommittee,

Strengthening Organic Systems (SOS), LLC appreciates the opportunity to provide comments in strong support of the CACS proposal to revise §205.671 of the USDA Organic Regulations. Additionally, SOS is providing input relating to several of the discussion document questions posed.

SOS was founded to strengthen the resilience and overall integrity of organic systems and global organic supply chains. Our goal is to assure authenticity of organic products, protect organic businesses from organic fraud, and maintain consumer confidence in the USDA organic seal. Our essential offerings support compliance with the USDA strengthening organic enforcement (SOE) regulations by providing unparalleled insights into fraud vulnerabilities and step-by-step assistance with supply chain mapping, complaint submissions, the development of organic fraud prevention plans, organic training, organic regulatory readiness, and organic fraud reporting. We have extensive experience in providing services and training tailored to meet the needs of individual businesses.

**Our Position**

SOS continues to recommend that § 205.671 be amended to clarify that the intentional application of a prohibited substance—whether or not a residue tolerance is established—requires removal of the organic label (i.e., exclusion from organic sale). This revision is critical to align the regulations with the Organic Foods Production Act (OFPA) §6511, SEC. 2112, which clearly states that products resulting from intentional application of prohibited substances “shall not be sold or labeled as organic.”

**Why This Clarification Matters**

- **Eliminates Misinterpretation:** Current regulatory text has created uncertainty about whether residue testing thresholds could allow products intentionally treated with prohibited materials to remain in the organic marketplace.
- **Reinforces Integrity:** Intentional application should not be tolerated, regardless of residue levels. Allowing such products into organic supply chains undermines trust in the USDA Organic Seal.
- **Supports Certifiers:** Clear authority empowers certifiers to act swiftly and decisively when intentional violations are identified.
- **Aligns with Global Standards:** The proposed revision brings U.S. regulations in closer harmony with the EU organic regulation (EU 2018/848), which explicitly prohibits marketing as organic when intentional use of non-authorized substances is found.
- **Protects Ethical Operators:** Clarification ensures that compliant operators are not undercut by fraudulent activity.





**Conclusion**

SOS urges the NOSB to adopt the CACS proposal to revise § 205.671. Aligning the regulations with OFPA will provide the clarity, consistency, and enforcement strength necessary to uphold the integrity of the organic label, protect consumers, and level the playing field for honest organic farmers and businesses. Thank you for your continued commitment to safeguarding organic integrity.

We thank NOSB for its volunteer service and everyone’s commitment to work on this important topic.

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