

October 7, 2014

Ms. Michelle Arsenault
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Avenue, SW
Room 2648-So., Ag Stop 0268
Washington, DC 20250-0268

Docket: AMS-NOP-14-0063

RE: Crops Subcommittee – Sulfurous Acid

Dear Ms. Arsenault:

Thank you for this opportunity to provide comment on the Crops Subcommittee's Sunset Review of sulfurous acid. The Crops Subcommittee is proposing to remove sulfurous acid from 205.601(j)(9) of the National List as an allowed synthetic for use in organic crop production.

In summary, the Organic Trade Association (OTA)¹ is in support of the full board having the opportunity to discuss and vote on each substance up for Sunset Review. We also agree that when new information is presented either through public comment or Technical Review (TR), the board should evaluate if the substance continues to satisfy National List criteria. However, we are concerned that the National List checklist included in the subcommittee's proposal on sulfurous acid is not fully reflective of the information contained in the TR. We have provided some additional information regarding the TR and international regulations that the full board may find relevant to the discussion on sulfurous acid and its compatibility with sustainable production.

National List Criteria

The National List checklist provided with the subcommittee's proposal to remove sulfurous acid from the National List indicates that the substance fails criteria categories 2 (Essential & Availability) and 3 (Compatibility and Consistency).

- **Alternatives:** With regards to the suitability of alternative substances for sulfurous acid, we encourage NOSB to consider testimony from organic producers who have direct experience with these alternatives. Soil quality, irrigation water quality, and climate can vary widely from location to location, and these alternatives may not be appropriate for all crops and conditions. We urge NOSB to carefully consider of the efficacy and potential harmful effects of alternatives to sulfurous acid when evaluating the substance's essentiality in organic production. Use of some alternatives identified in the TR for pH

¹ OTA is the membership-based business association for organic agriculture and products in North America. OTA is the leading voice for the organic trade in the United States, representing organic businesses across 49 states. Its members include growers, shippers, processors, certifiers, farmers' associations, distributors, importers, exporters, consultants, retailers and others. OTA's Board of Directors is democratically elected by its members. OTA's mission is to promote and protect the growth of organic trade to benefit the environment, farmers, the public and the economy.

adjustment of irrigation water may also be governed by annotation or practice standard that would render them non-compliant in this use.

- Aquatic plant extracts and Humic Acids – these two synthetic substances are generally alkaline in nature, and it is unclear how their use can assist producers in irrigation water treatment
- Liquid fish products – liquid fish products may be stabilized with sulfuric, citric, or phosphoric acid and as a result may have effects in acidifying irrigation water. However, producers may be unable to both acidify their irrigation water to an adequate degree without introducing excess plant nutrients into their production system. We urge NOSB to investigate this possibility further.
- Lignin sulfonate – this product is only allowed to be used as a chelating agent and dust suppressant, so its use as an irrigation water pH adjuster would not be consistent with its current National List annotation

It is critical that NOSB evaluate National List substances and potential alternatives within the context of the organic standards when deciding whether a particular substance meets or fails National List criteria. We encourage NOSB to weigh heavily the comments provided by organic growers and certifiers on the efficacy and acceptability of potential alternatives to sulfurous acid.

- **Compatibility with Sustainable Agriculture:** The National List checklist indicates that sulfurous acid is not compatible with a system of sustainable agriculture because it is “used to correct impacts of poor irrigation practices. TR lines 127-141.” It is unclear how this assertion is being made based upon the information contained within the TR. This section of the TR describes the deleterious effects on soil quality and crop health stemming from using irrigation water that is high in dissolved mineral salts, and the TR further describes how the use of sulfurous acid can mitigate these concerns. We encourage NOSB to further reflect upon what new information contained in the TR supports the assertion that sulfurous acid is used to correct impacts of poor irrigation practices and therefore is not compatible with sustainable agriculture.

International Regulations

The Crops Subcommittee indicates that sulfurous acid is prohibited in international regulations. However, the recently released regulations that govern organic production and labeling in Mexico do allow for the use of sulfurous acid on farms and in irrigation equipment (Mexico Organic Regulations Chapter III; Annex 1; Figure 7). This represents acceptance of sulfurous acid in a neighboring country, which shares similar agronomic concerns from reliance on irrigation water to support agriculture in an arid region. Additionally, with equivalence agreements in place with major US trading partners, organic producers who adjust pH of irrigation water with sulfurous acid do not currently face any trade barriers stemming from the use of this substance.

Conclusion

Based on the first round of comments NOSB received on sulfurous acid, it appears that some organic producers depend on the substance for their success. It is also unclear whether the alternatives outlined in the TR will work for the diversity of soil conditions, cropping systems, and growing regions from which organic producers harvest their crops. Additionally, recently promulgated regulations governing organic production and labeling in Mexico permit sulfurous acid in irrigation systems, and international equivalency arrangements with U.S. export markets do not include the use of sulfurous acid as a critical variance, like sodium nitrate for crops exported to Canada. We urge NOSB to consider all the factors contributing to compatibility with sustainable production when evaluating whether a substance continues to satisfy the criteria for allowance on the National List.

Again, on behalf of our members across the supply chain and the country, OTA supports NOSB in its Sunset Review of all National List substances, and we're committed to decisions that will foster the growth of the organic sector while continuing to satisfy consumer expectations regarding the production of organic products.

OTA thanks NOSB for the opportunity to comment and for your commitment to furthering organic agriculture.

Respectfully submitted,



Nathaniel Lewis
Senior Crops and Livestock Specialist
Organic Trade Association (OTA)

CC: Laura Batcha, Executive Director and CEO, Organic Trade Association