



April 3, 2024

Ms. Michelle Arsenault  
National Organic Standards Board  
USDA-AMS-NOP

**Docket: AMS-NOP-2023-0075**

**RE: Crops Subcommittee – 2026 Sunset Reviews**

Dear Ms. Arsenault:

Thank you for this opportunity to provide comment to the National Organic Standards Board (NOSB) on its 2026 Sunset Review.

The Organic Trade Association (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. Our members include growers, shippers, processors, certifiers, farmers' associations, distributors, importers, exporters, brands, retailers, and others. OTA's mission is to grow and protect organic with a unifying voice that serves and engages its diverse members from farm to marketplace.

OTA thanks NOSB for carefully considering each crop production material scheduled for review as part of the 2026 Sunset Review cycle. Materials placed on the National List for use in organic crop production should remain on the National List if: 1) they are consistent with organic farming; 2) they are still necessary to the production of the agricultural product because of the unavailability of wholly natural substitute products in organic production; and 3) no new information has been submitted demonstrating adverse impacts on humans or the environment (OPPA SEC. 2118 [7 U.S.C. 6517] National List). Furthermore, decisions must be transparent, non-arbitrary, and based on the best current information and in the interest of the organic sector and public at large. It's critical that NOSB hears from certified farmers on whether these inputs are consistent with and necessary for organic production, or whether there are other effective natural or organic alternatives available.

#### **About OTA Sunset Surveys**

OTA is submitting results to our sunset surveys created for each input under review as part of the 2026 Sunset Review cycle. These electronic surveys include questions addressing the **necessity (crop and livestock) or essentiality (handling)** of each input, as well as any questions posed by the Board. Our surveys do not address information regarding the impacts on human health or the environment. The surveys are open to any NOP certified organic operation. The names of the companies submitting the information remain confidential and are not disclosed to OTA unless there is interest in providing contact details for follow up information.

#### **Results of OTA Sunset Surveys**

Below is a summary of the feedback OTA has received to date on our crop materials sunset surveys. OTA will open these surveys again when the comment period opens for the fall meeting and share any further comment received at that time.

**§205.601 – Synthetic substances allowed for use in organic crop production.**

Substance	Summary of Responses
<b>Hydrogen peroxide</b>	<p>Responses received from certified organic specialty crop producers</p> <p><b>Use</b></p> <ul style="list-style-type: none"> <li>- In conjunction with PAA it would be used on specialty crop irrigation equipment.</li> <li>- Limited use as crop control material</li> </ul> <p><b>Have you tried alternative substances or management practices?</b></p> <ul style="list-style-type: none"> <li>- PAA, Chlorine</li> </ul> <p><b>How necessary is this substance to your operation?</b></p> <ul style="list-style-type: none"> <li>- Somewhat necessary</li> </ul> <p><b>NOSB questions to stakeholders</b></p> <ol style="list-style-type: none"> <li><b>1. Is hydrogen peroxide an alternative to other more problematic sanitizers?</b> <ul style="list-style-type: none"> <li>- HP alone has limited impacts in growing settings due to its limited stability due to temperature, pH, light and organic matter.</li> </ul> </li> </ol>
<b>Soaps, ammonium</b>	<p>Responses received from certified organic vegetable growers</p> <p><b>Use</b></p> <ul style="list-style-type: none"> <li>- Animal deterrents; not used by respondent</li> </ul> <p><b>Have you tried alternative substances or management practices?</b></p> <ul style="list-style-type: none"> <li>- Physical, cultural practices on ranches for large animal deterrents</li> </ul> <p><b>How necessary is this substance to your operation?</b></p> <ul style="list-style-type: none"> <li>- Not necessary</li> </ul> <p><b>NOSB questions to stakeholders</b></p> <ol style="list-style-type: none"> <li><b>1. Is there still a need for ammonium soaps, considering the many alternatives for large animal deterrents?</b> <ul style="list-style-type: none"> <li>- Limited use; there are other products and practices available.</li> </ul> </li> </ol> <p><b>OTA Comment</b></p> <ul style="list-style-type: none"> <li>- OTA recognizes there may be perspectives or material usage not represented in the responses we receive. We are aware ammonium soaps are a valuable tool in situations when fencing or physical barriers are not a feasible alternative.</li> </ul>
<b>Oils, horticultural</b>	<p>Responses received from certified organic vegetable growers</p> <p><b>Use</b></p> <ul style="list-style-type: none"> <li>- As insecticide; not used by respondent</li> </ul> <p><b>Have you tried alternative substances or management practices?</b></p> <ul style="list-style-type: none"> <li>- Plant based oils would be used if needed</li> </ul> <p><b>How necessary is this substance to your operation?</b></p>

	<ul style="list-style-type: none"> <li>- Not necessary</li> </ul> <p><b>NOSB questions to stakeholders</b></p> <ol style="list-style-type: none"> <li><b>1. Are plant or fish oils in use that can take the place of mineral oils in organic insect or mite management programs?</b> <ul style="list-style-type: none"> <li>- Plant based oils would be used if needed</li> </ul> </li> </ol> <p><b>OTA Comment</b></p> <ul style="list-style-type: none"> <li>- OTA recognizes there may be perspectives or material usage not represented in the responses we receive. We are aware horticultural oils are an essential pest control material and widely used in perennial cropping systems such as tree fruit production.</li> </ul>
<b>Pheromones</b>	<p>Responses received from certified organic vegetable growers</p> <p><b>Use</b></p> <ul style="list-style-type: none"> <li>- Mating disruption; not used by respondent</li> </ul> <p><b>Have you tried alternative substances or management practices?</b></p> <ul style="list-style-type: none"> <li>- For moth related pests in vegetables we use insecticides. Would consider for disruption of plume, diamond back and other common veggie pests.</li> </ul> <p><b>How necessary is this substance to your operation?</b></p> <ul style="list-style-type: none"> <li>- Somewhat necessary</li> </ul> <p><b>NOSB questions to stakeholders</b></p> <ol style="list-style-type: none"> <li><b>1. Is there an interest in knowing more about the inert ingredients that are used in formulating pheromone products?</b> <ul style="list-style-type: none"> <li>- Yes, verification of toxicity, persistence of carriers used in active pheromone systems</li> </ul> </li> </ol> <p><b>OTA Comment</b></p> <p>OTA recognizes there may be perspectives or material usage not represented in the responses we receive. We are aware pheromones are an essential pest control material and widely used in perennial cropping systems such as tree fruit production.</p>
<b>Ferric phosphate</b>	<p>Responses received from certified organic vegetable growers</p> <p><b>Use</b></p> <ul style="list-style-type: none"> <li>- As slug or snail bait; not used by respondent</li> </ul> <p><b>Have you tried alternative substances or management practices?</b></p> <ul style="list-style-type: none"> <li>- Physical practices and co-benefits with other pest control applications, e.g., Spinosad &amp; sulfur-based applications.</li> </ul> <p><b>How necessary is this substance to your operation?</b></p> <ul style="list-style-type: none"> <li>- Somewhat necessary</li> </ul> <p><b>Additional comments</b></p>

	<ul style="list-style-type: none"> <li>- Smaller sized operations may use based on ability to apply in areas. Not much use in large scale vegetable production</li> </ul>
<b>Potassium bicarbonate</b>	<p>Responses received from certified organic vegetable growers</p> <p><b>Use</b></p> <ul style="list-style-type: none"> <li>- As slug or snail bait; not used by respondent</li> </ul> <p><b>Have you tried alternative substances or management practices?</b></p> <ul style="list-style-type: none"> <li>- Physical practices and co-benefits with other pest control applications, e.g., Spinosad &amp; sulfur-based applications.</li> </ul> <p><b>How necessary is this substance to your operation?</b></p> <ul style="list-style-type: none"> <li>- Somewhat necessary</li> </ul> <p><b>Additional comments</b></p> <p>Smaller sized operations may use based on ability to apply in areas. Not much use in large scale vegetable production</p>
<b>Magnesium sulfate</b>	<p>Responses received from certified organic specialty crop growers</p> <p><b>Use</b></p> <ul style="list-style-type: none"> <li>- As plant or soil amendment on most specialty crops though not as a direct input but in combination or as part of formulations in other materials</li> </ul> <p><b>Have you tried alternative substances or management practices?</b></p> <ul style="list-style-type: none"> <li>- No</li> </ul> <p><b>How necessary is this substance to your operation?</b></p> <ul style="list-style-type: none"> <li>- Essential</li> </ul>
<b>Hydrogen chloride</b>	<p>Responses received from certified organic cotton growers</p> <p><b>Use</b></p> <ul style="list-style-type: none"> <li>- Mating disruption; not used by respondent</li> </ul> <p><b>Have you tried alternative substances or management practices?</b></p> <ul style="list-style-type: none"> <li>- Yes</li> </ul> <p><b>How necessary is this substance to your operation?</b></p> <ul style="list-style-type: none"> <li>- Essential</li> </ul> <p><b>NOSB questions to stakeholders</b></p> <ol style="list-style-type: none"> <li><b>1. Are there any recent advances in alternative practices or methods for delinting cotton or planting cotton seed that hasn't been delinted?</b></li> </ol> <ul style="list-style-type: none"> <li>- No</li> </ul> <p><b>Additional Comments</b></p> <ul style="list-style-type: none"> <li>- We petitioned for the listing of Hydrogen Chloride 20+ years ago and have requested it to be relisted each time it has come up under Sunset since then. However, since the last relisting, we have become aware of NOP 5029-1 issued September 5, 2018. In</li> </ul>



	light of NOP 5029-1, the listing is not essential, since none of the cotton planting seed being treated with HCl is certified organic seed. Due to the small volume of organic cotton in the US, I do not foresee there being any production of organic cotton planting seed, but if there was, the listing would be critical.
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On behalf of our members across the supply chain and the country, the Organic Trade Association thanks the National Organic Standards Board for the opportunity to comment, and for your commitment to furthering organic agriculture.

Respectfully submitted,

Scott Rice  
Regulatory Director  
Organic Trade Association

cc: Tom Chapman, co-CEO  
Organic Trade Association