



October 8, 2015

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-15-0037

RE: Crops and Livestock Subcommittees – EPA List 4 – Inerts of Minimal Concern: Sunset Review & Annotation Change Proposal

Dear Ms. Arsenault:

Thank you for this opportunity to provide comment to the Crops Subcommittee (CS) and Livestock Subcommittee (LS) and National Organic Standards Board (NOSB) on their 2017 Sunset Review of EPA List 4 – Inerts of Minimal Concern and proposal on an annotation change for inerts used in organic approved pesticide products.

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, representing organic businesses across 50 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.

Comprehensive Inerts Review

OTA supports the CS and LS proposal to modernize the review of inerts used in organic approved pesticide products by utilizing EPA's various mechanisms for approving the least-toxic inert ingredients: 25(b) pesticide program inerts, Safer Choice Program's Safer Chemical Ingredient List (SCIL), and inerts exempt from tolerance at 40 CFR Part 180 (for passive pheromone dispensers only). Incorporating these oversight and approval mechanisms aligns with USDA organic regulations, which focus on human and environmental hazards, and provides product manufacturers clarity around how to reformulate their products as the organic standards become more current with the overall evaluation of pesticide products under EPA. We urge NOSB to approve the proposed annotation for inerts used in approved pesticide products, so that the industry can begin the process of evaluating what adjustments must be made to currently approved formulations with adequate time to reformulate.

Continued Allowance of EPA List 4 – Inerts of Minimal Concern

OTA also supports the CS and LS Sunset Review proposal to renew the listing for EPA List 4 – Inerts of Minimal Concern on the National List. Continued availability of effective and familiar pest control products is necessary for organic farmers to reliably bring their crops to market. It is critical that the availability of these products continue through the modernization of inerts review under USDA organic

regulations. Renewing the allowance for EPA List 4 – Inerts of Minimal Concern will minimize disruptions to the organic farmer’s toolbox.

Adopting SCIL

It is essential that the pesticide manufacturers embrace the new evaluation system for inerts used in organic approved products. There is concern that a single Sunset cycle (5 years) is inadequate time to evaluate inerts for inclusion on SCIL, and thus without knowing which inerts will continue to be allowed in organic products, manufacturers will have inadequate time to reformulate and test product efficacy in the field. Knowing which EPA List 4 Inerts will qualify for inclusion on SCIL is essential to a smooth transition in evaluation systems. Pending NOSB approval of this recommendation, we suggest that the evaluation of **all** EPA List 4 Inerts to SCIL criteria commence immediately.

Requiring individual companies to request review and approval for the currently approved EPA List 4 is not a streamlined way to adopt the new approach for inerts approval. Therefore, we request collaboration between USDA and EPA on how best to facilitate the review of all EPA List 4 Inerts to SCIL criteria, so that manufacturers have a clear understanding of what ingredients they will need to replace in their formulas with this change in the approval process.

Conclusion

Adequate modernized oversight of inert ingredients used in pest-control products is essential both to continued trust in the organic label as well as the continued success of organic producers. Adopting 25(b), SCIL, and inerts exempt from tolerance at 40 CFR Part 180 (for passive pheromone dispensers only) provides the organic industry with this modernized oversight. In the interim, it is critical that EPA List 4 Inerts remain approved, so organic farmers do not see unnecessary disruptions to the availability of effective and trusted tools for pest control. Moving forward, we would like to see USDA and EPA collaborate on evaluating EPA List 4 Inerts to SCIL criteria, so the industry can ascertain which ingredients will no longer be available, and reformulation and product testing can occur as soon as possible.

On behalf of our members across the supply chain and the country, 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

cc: Laura Batcha
Executive Director/CEO
Organic Trade Association