

**Formal Recommendation by the
National Organic Standards Board (NOSB)
to the National Organic Program (NOP)**

Date: December 2, 2011

Subject: Peracetic Acid: Relisting at 205.601(a)(6) and 205.601(i) for
Sunset 2013

Chair: Tracy Miedema

The NOSB hereby recommends to the NOP the following:

Rulemaking Action ☒ X
Guidance Statement
Other

Statement of the Recommendation (Including Recount of Vote): Peracetic Acid to be relisted on 205.601(a)(6) and 205.601(i). Motion John Foster, second Barry Flamm- Yes 13, No 1.

Rationale Supporting Recommendation (including consistency with OFPA and NOP): The Crops Committee recommendation is attached. In view of public comments and advice from NOP, it was decided to review and clarify the 2009 proposed annotation language. Thus, the Board vote was limited to relisting.

NOSB Vote:

Moved: John Foster		Second: Barry Flamm		
Yes: 13	No: 1	Abstain: 0	Absent: 0	Recusal: 0

**National Organic Standards Board
Crops Committee
Sunset 2013 Proposed Recommendation
Peracetic acid
December 2, 2011**

List: §205.601 Synthetic substances allowed for use in organic crop production.

- (a) As algicide, disinfectants, and sanitizer, including irrigation system cleaning systems.
 - (6) Peracetic acid – for use in disinfecting equipment, seed, and asexually propagated planting material.
- (i) As plant disease control.
 - (7) Peracetic acid – for use to control fire blight bacteria.

Committee Summary

A petition was received on 8/12/08 to remove the annotations for the use of Peracetic acid, which would expand the use. The Crops Committee reviewed the petition in 2009 and finally arrived at a recommendation, which was approved by the Board on November 5 2009 (0 yes, 13 no) to deny the petition.

At the same time, the Committee recommended a change in the annotation for both listings as follows:“Permitted in hydrogen peroxide formulations at concentrations of no more than 5%.” The crops committee did not wish to jeopardize the availability of the HP formulations currently used by many growers, knowing that these formulations all contain small, formerly allowed as inert concentrations of peracetic acid. The Board approved the recommendation on 11/5/09.

The NOP concurred with the NOSB recommendation. (4/23/10). To date the NOP has not issued a proposed rule to implement the rule change.

Comments submitted to regulations.gov are supportive of continued listing of Peracetic acid.

Recommendation

The Crops Committee recommends that the 2009 proposed annotation is adopted: §205.601(a)(6) Peracetic acid- for use in disinfecting equipment, seed, and asexually propagated planting material. Permitted in hydrogen peroxide formulations at concentration of no more than 5%.

§205.601(i)(7) Peracetic acid for use to control fireblight bacteria. Permitted in hydrogen peroxide formulations at concentration of no more than 5%.

Committee Votes

Motion to relist peracetic acid under 205.601(a)(6) and 605(i)(8).

Motion: Barry Flamm Second: Tina Ellor

Yes: 5 No: 0 Absent: 2 Abstain: 0 Recuse: 0

Motion to change annotation as written in 2009 recommendation (reaffirm 2009 rec).

Motion: Barry Flamm Second: Tina Ellor

Yes: 4 No: 1 Absent: 2 Abstain: 0 Recuse: 0