

**FORMAL RECOMMENDATION BY THE
NATIONAL ORGANIC STANDARDS BOARD (NOSB)
TO THE NATIONAL ORGANIC PROGRAM (NOP)**

Date: November 30, 2007

Subject: Sunset- EPA List 3 inerts used in passive pheromone dispensers

Chair: Andrea M. Caroe

Recommendation

The NOSB hereby recommends to the NOP the following:

Rulemaking Action:	<u>X</u>
Guidance Statement:	<u> </u>
Other:	<u> </u>

Statement of the Recommendation (including Recount of Vote):

Renewal of the following substances in this use category: §205.601(m)(2)(ii)

(m)- As synthetic inert ingredients as classified by the Environmental Protection Agency(EPA), for use with nonsynthetic or synthetic substances listed in this section and used as an active pesticide ingredient in accordance with any limitations on the use of such substances.

(2)- EPA List 3, Inerts of unknown toxicity

(ii)- Inerts used in passive pheromone dispensers

NOSB Vote: **Motion: T. Miedema** **Second: R. Delgado**

Board vote: Yes - 13 No- 0 Abstain- 2 Absent - 0

Rationale Supporting Recommendation (including consistency with OFPA and NOP):

Substances widely used in organic production. No new information presented to warrant removal from the list.

Sunset Material Vote

Response by the NOP:

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

Specifically, this recommendation refers to EPA “List 3” inert ingredients used in passive pheromone dispensers only, and referred to in 7CFR § 205.601 (m) (2) (ii)

II. Category Use

(m) As synthetic inert ingredients as classified by the Environmental Protection Agency (EPA), for use with nonsynthetic substances or synthetic substances listed in this section and used as an active pesticide ingredient in accordance with any limitations on the use of such substances.

III. Committee Summary

The Crops Committee supports the renewal of “List 3” inert ingredients whose classification has not been revoked by EPA and are permitted for use by EPA as “other ingredients” in the formulation of pest management materials for use only in passive pheromone dispensers.

So-called “List 3” inert ingredients, when used in passive pheromone dispensers, do not negatively impact humans or the environment. They are essential for organic production and are compatible with organic production practices.

The EPA system of categorizing inert ingredients into “Lists” is in the process of changing. Only those inert ingredients identified by EPA “List 3” inert ingredients as of Oct 9, 2007 are included in this particular Sunset recommendation. Those inert ingredients used for organic crop production on the National List can be found in the following:

<http://www.ams.usda.gov/nop/NoticesPolicies/NOP5008ReassessedInertIngredients09-06-07.pdf>

Future petitions to add, remove or renew an inert ingredient to the National List will need to reference a specific inert ingredient. A petition may be submitted to the NOSB using the National List petition procedures. Individually petitioned substances must be recommended by the NOSB and added to the National List through notice and comment rulemaking before use in organic agriculture.

IV. Committee Recommendation

The Crops Committee recommends the renewal of the following substances in this use category: § 205.601 (m) (2) (ii)

(m) – As synthetic inert ingredients as classified by the Environmental Protection Agency (EPA), for use with nonsynthetic substances or synthetic substances listed in this section and used as an active pesticide ingredient in accordance with any limitations on the use of such substances.

(2) – EPA List 3, Inert ingredients of unknown toxicity

(ii) – Inert ingredients used in passive pheromone dispensers

Moved: Tracy Miedema

Second: Rigo Delgado

Committee vote: Yes: 6 No: 0 Absent: 0 Abstain: 0

Board vote: