

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

Date: November 30, 2007

Subject: Add Sodium Carbonate Peroxyhydrate to National List

Chair: Andrea M. Caroe

(sign)

Recommendation

The NOSB hereby recommends to the NOP the following:

Rulemaking Action: X

Guidance Statement:

Other:

Statement of the Recommendation (including Recount of Vote):

Recommendation to add sodium carbonate peroxyhydrate to §205.601(a) of the National List as algaecide. (Board vote- 14 Yes, 1 No)

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

The Crops Committee in its consideration of the material highlighted some possible adverse environmental impacts, some possible natural substitute materials, and some incompatibility with the synthetic material categories listed by OFPA, and voted 0 Yes, 4 No. Resulting public comment at the full NOSB meeting presented additional information that convinced most board members that the material's environmental impacts were minimal and much more environmentally friendly than the copper sulfate now used as the principal farm pond and rice production algaecide. It was also presented that the material is a safer, stabilized with natural sodium carbonate form of hydrogen peroxide, a material already on the National List.

Response by the NOP:

NOSB COMMITTEE RECOMMENDATION

Form NOPLIST1. Committee Transmittal to NOSB

For NOSB Meeting: November 2007

Substance: Sodium carbonate peroxyhydrate

Committee: Crops ☒ Livestock ☐ Handling ☐ Petition is for: To add sodium carbonate peroxyhydrate to the

National List § 205.601(a) as algacide

A. Evaluation Criteria (Applicability noted for each category; Documentation attached) **Criteria Satisfied? (see B below)**

- | | |
|--|--|
| 1. Impact on Humans and Environment | Yes ☐ No ☒ N/A ☐ |
| 2. Essential & Availability Criteria | Yes ☐ No ☒ N/A ☐ |
| 3. Compatibility & Consistency | Yes ☐ No ☒ N/A ☐ |
| 4. Commercial Supply is Fragile or Potentially Unavailable as Organic (only for 606) | Yes ☐ No ☐ N/A ☐ |

B. Substance Fails Criteria Category: 1,2,3 Comments: See comments below

C. Proposed Annotation (if any): _____

Basis for annotation: To meet criteria above: _____ Other regulatory criteria: _____ Citation: _____

D. Recommended Committee Action & Vote (State Actual Motion): Add sodium carbonate peroxyhydrate to National List

9/12/07 Motion by: Jeff Moyer Seconded: Rigoberto Delgado Yes: 0 No: 5 Absent: 1 Abstain: _____

11/29/07 RD 1st; TE 2nd; yes 5 no 0 absent 1

Crops	X	Agricultural		Allowed ¹	
Livestock		Non-Synthetic		Prohibited ²	
Handling		Synthetic	X	Rejected ³	X
No restriction		Commercially Un-Available as Organic ¹		Deferred ⁴	

1) Substance voted to be added as "allowed" on National List to § 205. _____ with Annotation (if any) _____

2) Substance to be added as "prohibited" on National List to § 205. _____ with Annotation (if any) _____

Describe why a prohibited substance: _____

3) Substance was rejected by vote for amending National List to § 205. 601 Describe why material was rejected: Failure to satisfy all three evaluation criteria

4) Substance was recommended to be deferred because _____
 _____ If follow-up needed, who will follow up _____

E. Approved by Committee Chair to transmit to NOSB:

Gerald Davis
Committee Chair

11/29/2007
Date

NOSB EVALUATION CRITERIA FOR SUBSTANCES ADDED TO THE NATIONAL LIST

Category 1. Adverse impacts on humans or the environment?

Substance – Sodium carbonate peroxyhydrate

Question	Yes	No	N/A ¹	Documentation (TAP; petition; regulatory agency; other)
1. Are there adverse effects on environment from manufacture, use, or disposal? [§205.600 b.2]			X	
2. Is there environmental contamination during manufacture, use, misuse, or disposal? [§6518 m.3]	X			TAP Line 233-241
3. Is the substance harmful to the environment? [§6517c(1)(A)(i);6517(c)(2)(A)i]	X			TAP 178-211
4. Does the substance contain List 1, 2, or 3 inerts? [§6517 c (1)(B)(ii); 205.601(m)2]				Insufficient information.
5. Is there potential for detrimental chemical interaction with other materials used? [§6518 m.1]	X			TAP Line 213-231
6. Are there adverse biological and chemical interactions in agro-ecosystem? [§6518 m.5]	X			TAP Line 233-241
7. Are there detrimental physiological effects on soil organisms, crops, or livestock? [§6518 m.5]		X		TAP Line 248-256 When used according to label.
8. Is there a toxic or other adverse action of the material or its breakdown products? [§6518 m.2]		X		TAP Line 258-264
9. Is there undesirable persistence or concentration of the material or breakdown products in environment?[§6518 m.2]	X			TAP line 233-241
10. Is there any harmful effect on human health? [§6517 c (1)(A)(i) ; 6517 c(2)(A)i; §6518 m.4]	X			TAP line 289-304 Eye irritant.
11. Is there an adverse effect on human health as defined by applicable Federal regulations? [205.600 b.3]			X	
12. Is the substance GRAS when used according to FDA's good manufacturing practices? [§205.600 b.5]			X	
13. Does the substance contain residues of heavy metals or other contaminants in excess of FDA tolerances? [§205.600 b.5]			X	

¹If the substance under review is for crops or livestock production, all of the questions from 205.600 (b) are N/A—not applicable.

Category 2. Is the Substance Essential for Organic Production? Substance - Sodiun carbonate peroxyhydrate

Question	Yes	No	N/A ¹	Documentation (TAP; petition; regulatory agency; other)
1. Is the substance formulated or manufactured by a chemical process? [6502 (21)]	X			TAP line 97-109
2. Is the substance formulated or manufactured by a process that chemically changes a substance extracted from naturally occurring plant, animal, or mineral, sources? [6502 (21)]		X		TAP line 139-141
3. Is the substance created by naturally occurring biological processes? [6502 (21)]		X		TAP line 146-148
4. Is there a natural source of the substance? [§205.600 b.1]			X	
5. Is there an organic substitute? [§205.600 b.1]			X	
6. Is the substance essential for handling of organically produced agricultural products? [§205.600 b.6]			X	
7. Is there a wholly natural substitute product? [§6517 c (1)(A)(ii)]	X			TAP line 306-314, 341-346 Barley straw inoculation of ponds.
8. Is the substance used in handling, not synthetic, but not organically produced? [§6517 c (1)(B)(iii)]			X	
9. Is there any alternative substances? [§6518 m.6]	X			Mixtures of natural alum, gypsum, limestone plus barley straw
10. Is there another practice that would make the substance unnecessary? [§6518 m.6]	X			Pond aeration devices or practices.

¹If the substance under review is for crops or livestock production, all of the questions from 205.600 (b) are N/A—not applicable.

Category 3. Is the substance compatible with organic production practices? Substance -Sodium carbonate peroxyhydrate

Question	Yes	No	N/A ¹	Documentation (TAP; petition; regulatory agency; other)
1. Is the substance compatible with organic handling? [§205.600 b.2]			X	
2. Is the substance consistent with organic farming and handling? [§6517 c (1)(A)(iii); 6517 c (2)(A)(ii)]		X		Synthetic material for use where other viable materials or practices exist.
3. Is the substance compatible with a system of sustainable agriculture? [§6518 m.7]	X			TAP 279-288. Long term use effects on soil or water pH could be problematic. TAP line 182-183
4. Is the nutritional quality of the food maintained with the substance? [§205.600 b.3]			X	
5. Is the primary use as a preservative? [§205.600 b.4]			X	
6. Is the primary use to recreate or improve flavors, colors, textures, or nutritive values lost in processing (except when required by law, e.g., vitamin D in milk)? [205.600 b.4]			X	
7. Is the substance used in production, and does it contain an active synthetic ingredient in the following categories:		X		
a. copper and sulfur compounds;				
b. toxins derived from bacteria;		X		
c. pheromones, soaps, horticultural oils, fish emulsions, treated seed, vitamins and minerals?		X		
d. livestock parasiticides and medicines?		X		
e. production aids including netting, tree wraps and seals, insect traps, sticky barriers, row covers, and equipment cleaners?		X		

¹If the substance under review is for crops or livestock production, all of the questions from 205.600 (b) are N/A—not applicable.

Category 4. Is the commercial supply of an agricultural substance as organic, fragile or potentially unavailable? [§6610, 6518, 6519, 205.2, 205.105 (d), 205.600 (c) 205.2, 205.105 (d), 205.600 (c)]

Substance - _____

Question	Yes	No	N/A	Comments on Information Provided (sufficient, plausible, reasonable, thorough, complete, unknown)
1. <u>Is the comparative description provided</u> as to why the non-organic form of the material /substance is necessary for use in organic handling?				
2. Does the current and historical industry information, research, or evidence provided explain how or why the material /substance cannot be obtained organically in the appropriate form to fulfill an essential function in a system of organic handling?				
3. Does the current and historical industry information, research, or evidence provided explain how or why the material /substance cannot be obtained organically in the appropriate quality to fulfill an essential function in a system of organic handling?				
4. Does the current and historical industry information, research, or evidence provided explain how or why the material /substance cannot be obtained organically in the appropriate quantity to fulfill an essential function in a system of organic handling?				
5. Does the industry information provided on material / substance non-availability as organic, include (but not limited to) the following:				
a. Regions of production (including factors such as climate and number of regions);				
b. Number of suppliers and amount produced;				
c. Current and historical supplies related to weather events such as hurricanes, floods, and droughts that may temporarily halt production or destroy crops or supplies;				
d. Trade-related issues such as evidence of hoarding, war, trade barriers, or civil unrest that may temporarily restrict supplies; or				
e. Are there other issues which may present a challenge to a consistent supply?				