



National Organic Program Notice to National List Petitioners

To: National List Petitioners

From: Melissa R. Bailey, Ph.D., Director, Standards Division

A handwritten signature in blue ink, reading "Melissa R. Bailey".

Subject: Petitions for Inert Ingredients under the National Organic Program

Date: February 3, 2011

The National Organic Program (NOP) regulations, 7 CFR Part 205, allow use of synthetic inert ingredients in pesticide formulations which appear on the Environmental Protection Agency (EPA) List 4 – Inerts of Minimal Concern, and, for passive pheromone dispensers, EPA List 3 – Inerts of Unknown Toxicity. The use of inert ingredients that do not appear on EPA List 3 or 4 must be individually petitioned to the National Organic Standards Board (NOSB) using the National List petition guidelines. Petitioned substances must be recommended by the NOSB and added to the National List through notice and comment rulemaking before use in organic agriculture. Additional guidance on the review of inert ingredients is available in the NOP Program Handbook on the NOP website:

<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5086874>.

The National Organic Standards Board (NOSB) is a 15-member advisory board, authorized under the Organic Foods Production Act (7 U.S.C. 6518), that assists in the development of standards for substances to be used in organic production and handling. At the NOSB meeting in Woodland, California on April 26-29, 2010, the NOSB requested that the NOP enter into a Memorandum of Understanding (MOU) with the Environmental Protection Agency (EPA). The MOU is intended to serve as a platform for developing an implementation strategy to review inert ingredients previously classified by the EPA as List 3 and List 4.

At the NOSB meeting in Madison, Wisconsin on October 25-28, 2010, the NOSB suggested a moratorium on review of inert materials in the petition process. This guidance was offered with the understanding that, since 2003, no individual petitions for inert ingredients have been recommended for listing by the NOSB. At this meeting, the NOSB acknowledged that the current petition process may not be appropriately suited to review of individual inert ingredients.

The NOSB meeting transcripts are available on the NOP website:

http://www.ams.usda.gov/AMSV1.0/ams.fetchTemplateData.do?template=TemplateJ&page=NO_SBMeetings.



Petitions to add inert ingredients to the National List may continue to be submitted to the NOP to be reviewed by the NOSB; however, the NOSB Crops Committee has expressed their preference to defer review of individual inert ingredients pending the outcome of the EPA/NOP MOU. Please note that, since 2003, no individual petitions for inert ingredients have been recommended for listing on the National List of Allowed and Prohibited Substances by the NOSB.

Those who have petitions for inert ingredients currently under review by the NOSB have the option to withdraw their petitions or to continue in the review process under the current review criteria. Petitions for inert ingredients that are withdrawn may be resubmitted, without bias, pending the outcome of the NOP/EPA process.

If you have any questions regarding this notice, please contact Lisa M. Brines, National List Coordinator, at (202) 720-3252 or lisa.brines@ams.usda.gov.