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

Chair: _	Rigoberto D	elgado _	F	inal Vote Da	te:	May 22, 2008	
Subject: Re-Affirmation of Recommendation for re-listing §205.601(a)(3) Copper sulfate, §205.601(a)(5) Ozone gas, §205.601(a)(6) Peracetic acid, §205.601(m)(2) EPA List 3 inerts- for use in passive pheromone dispensers, and §205.602(c) Calcium chloride							
Type of 1	Recommendat	i on (Petitio	ned Materials s	should use Ma	nterials	Recommendation Form):	
S	unset Material Von-Material:		X	_			
The NOS	SB hereby rec	ommends to	the NOP the	following:			
F (Rulemaking Ac Guidance States Other:	tion:	X	-			
Summar	v Statement o	f the Recon	nmendation (i	ncluding Vote	e) and a	attach more complete narrative,	
and/or original committee narrative and recommendation, if sufficient:							
The Board Re-affirms its recommendation made at it's Fall 2007 Meeting for the continuation of the following materials: \$205.601(a)(3) Copper sulfate \$205.601(a)(5) Ozone gas \$205.601(a)(6) Peracetic acid \$205.601(m)(2) EPA List 3 inerts- for use in passive pheromone dispensers \$205.602(c) Calcium chloride							
NOSB V	ote:						
Motion:	Gerald Davis		Second:	Jeffrey	Moye	r	
Board vo	te: Yes - 13	No - 0	Abstain - 1	Absent- 1	Recu	se - 0	
Summary Rationale Supporting Recommendation (cite consistency with OFPA and NOP) and attach with more complete narrative:							
At the No An additi	ovember 2007 I onal ANPR for	NOSB meets r the continu	ing, the full Bo led listing on T	oard voted to a The ANPR in	recomm Decemi	vailable at this time. nend these materials for re-listing. ber closed January 28, 2008 and ng each of these materials	
Response	e by the NOP:						

National Organic Standards Board National Organic Standards Board (NOSB) Crops Committee Recommendation

Sunset Review of Materials on § 205.601 April 3, 2008

I. List:

§205.601 Synthetic substances allowed for use in organic crop production §205.602 Nonsynthetic substances prohibited for use in organic crop production

II. Committee Summary:

Public notice of the sunset of the materials calcium chloride, copper sulfate, ozone, peracetic acid, and List 3 inerts used in passive pheromone dispensers was embedded in the Federal Register Notice of the November 2007 NOSB meeting. An additional ANPR for these materials due to Sunset in the Fall of 2008, was published on December 28, 2007.

Review of the original TAP's did not reveal unacceptable risks to the environment, human or animal health as a result of the use or manufacture of these materials. There is no new information contradicting the original TAP reviews which were the basis for the previous NOSB decisions to list these substances.

The sunset process also requires public comment to support the continued listing of these materials in §205.601 or §205.602. In the eight weeks prior to the Board meeting, several comments were received requesting that these materials be re-listed and there had been no comments received opposing their continued use in organic crop production. At the November 2007 NOSB meeting, the full Board voted to recommend these materials for re-listing.

The ANPR in December closed January 28, 2008 and elicited additional comments in favor of and none opposing the re-listing each of these materials.

III. Committee Recommendation(s):

In response to the additional comments received after the November 2007 NOSB meeting and vote, the Committee re-affirms it's recommendation of November 2007 for the re-listing of the following substances in these use categories as published in the final rule:

\$205.601(a)(3) Copper sulfate \$205.601(a)(5) Ozone gas \$205.601(a)(6) Peracetic acid \$205.601(m)(2) EPA List 3 inerts- for use in passive pheromone dispensers \$205.602(c) Calcium chloride

Motion: GD Second: JM Yes: 5 No: 0 absent: 0 abstain: 1