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April 15, 2009

Chief Standards Development and Review Branch
National Organic Program
Transportation and Marketing Programs
USDA-AMS-TMP-NOP
1400 Independence Avenue, SW
Room 4008 South, Ag Stop 0268
Washington, DC 20250

Re: Docket Number AMS-NOP-10-0021: Inerts in Pesticides Allowed in Organic Production

Oregon Tilth Certified Organic (OTCO) is a nonprofit research and education membership organization dedicated to biologically sound and socially equitable agriculture. Oregon Tilth offers educational events throughout the state of Oregon and provides organic certification services to organic growers, processors, and handlers internationally.

An NOP accredited certifier since 2002, OTCO currently certifies 740 farms and ranches in over 35 states, affording us a broad perspective of current practices and challenges faced by organic producers, as well as the effect that the anticipated successes and challenges this discussion topic will have upon them.

Material Review with consideration of List 4 inerts:

OTCO has reviewed and supports the recommendation of the crops committee in general, but urges that the proposed time period allowed for product manufacturers to submit currently allowed synthetics for review be extended from 180 day to one year. We feel this would allow adequate time for both growers and manufacturers looking for possible alternatives.

We further request that if this position is adopted by the NOP, that the program make significant effort to inform growers and the industry of the requirement; including the use of forums, webinars, trade publications, etc., so as to minimize the disruption to growers' productions practices.

Oregon Tilth applauds the Crops Committee for their hard work in attempting to address this problem. We agree that many materials on the previous EPA list 4 needed to be re-examined, particularly in light of new science highlighting concerns. However, understanding the scope and consequences of these reviews; we urge the committee to take action to plan properly with respect to time, resources, and notifications. Doing so will allow the review to be thorough, results to be made clear, and transition or changes



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to be made smoothly. We also agree with the proposal to allow for rapid approval of inert materials containing only non-synthetic materials.

We are concerned however that the time allowed to petition inert materials for the national list would not adequately allow for the industry as a whole to come into compliance with the necessary changes. We can envision many situations in which materials manufacturers, particularly those overseas, would not become aware of the need to submit materials for review until after one or more growers had brought this issue to their attention. Only then would they start the process of re-assessing their formulations and seeking alternatives for more problematic materials, making the 180-day deadline for posting materials relatively short. For this reason we would propose to amend Section 2 of the Proposed Guidance to allow for products to be submitted for 1 year from the date posting, rather than the current 180 days.

In addition, we would urge the NOP to use considerable media resources to make the organic industry, and particularly growers and materials manufacturers, aware of this change. This should include the use of forums, webinars and ACA trainings, particularly those targeting overseas ACAs and manufacturers. The effort should also include articles in other publications and media, not specifically for the organic market, such as journals targeting manufacturers of pest control materials, general agriculture and trade publications.

OTCO would also like the committee to consider putting forth guidance for ACAs and material review bodies that allows them to continue to review materials and aid organic producers without disruption to the flow of goods to the marketplace. Without very specific guidance on how to properly review materials during this petition and review time, production could be disrupted while disputes are being settled or clarity is sought, setting a potential for production losses.

Thank you for the dedication and hard work you demonstrate by putting these actions and recommendations forward. Oregon Tilth looks forward to being involved in future discussions and process.