



Sunset 2016 Review Summary Meeting 1: October 2014 Request for Public Comment Crops Substances

September 2014

Introduction

As part of the [Sunset Process](#), the National Organic Program (NOP) announces substances on the National List of Allowed and Prohibited Substances (National List) that are coming up for sunset review by the National Organic Standard Board (NOSB). The following list announces substances that are on the National List for use in organic crop production which must be reviewed by the NOSB and renewed by the USDA before their sunset dates in 2016. This list provides the substance's current status on the National List, use description, references to past technical reports, past NOSB actions, and regulatory history, as applicable. If a new technical report has been requested for a substance, this is noted in this list. To see if any new technical report is available, please check for updates under the substance name in the [Petitioned Substances Database](#).

Request for Comments

While the NOSB will not complete its review and any recommendations on these substances until spring 2015 public meeting, the NOP is requesting that the public provide comments about these substances to the NOSB as part of the fall 2014 public meeting. These comments should be provided through www.regulations.gov by October 7, 2014 as explained in the meeting notice published in the [Federal Register](#) on September 8, 2014.

These comments are necessary to guide the NOSB's review of each substance against the criteria in the Organic Foods Production Act (7 U.S.C. 6518(m)) and the USDA organic regulations (7 CFR 205.600). The current substances on the National List were originally recommended by the NOSB based on evidence available to the NOSB at the time of their last review which demonstrated that the substances were found to be: (1) not harmful to human health or the environment, (2) necessary because of the unavailability of wholly nonsynthetic alternatives, and (3) consistent and compatible with organic practices.

Public comments should focus on providing new information about a substance since its last NOSB review. Such information could include research or data that may support a change in the NOSB's determination for a substance. Public comment should also address the continuing need for a substance or whether the substance is no longer needed or in demand.

Guidance on Submitting Your Comments

Comments should clearly indicate your position on the allowance or prohibition of substances on the list and explain the reasons for your position. You should include relevant information and data to support your position (e.g., scientific, environmental, manufacturing, industry impact information, etc.).

For Comments That Support Substances Under Review:

If you provide comments in support of an allowance of a substance on the National List, you should provide information demonstrating that the substance is:

- (1) not harmful to human health or the environment;

- (2) necessary to the production of the agricultural products because of the unavailability of wholly nonsynthetic substitute products; and
- (3) consistent with organic crop production.

For Comments That Do Not Support Substances Under Review:

If you provide comments that do not support a substance on the National List, you should provide reasons why the use of the substance should no longer be allowed in organic production or handling. Specifically, comments that support the removal of a substance from the National List should provide new information since its last NOSB review to demonstrate that the substance is:

- (1) harmful to human health or the environment;
- (2) unnecessary because of the availability of alternatives; and
- (3) inconsistent with crop production.

For Comments Addressing the Availability of Alternatives:

Comments may present information about the viability of alternatives for a substance under sunset review. Viable alternatives include, but are not limited to:

- Alternative management practices that would eliminate the need for the specific substance;
- Other currently exempted substances that are on the National List, which could eliminate the need for this specific substance; and
- Other organic or nonorganic agricultural substances.

Your comments should address whether any alternatives have a function and effect equivalent to or better than the allowed substance, and whether you want the substance to be allowed or removed from the National List. Assertions about alternative substances, except for those alternatives that already appear on the National List, should, if possible, include the name and address of the manufacturer of the alternative. Further, your comments should include a copy or the specific source of any supportive literature, which could include product or practice descriptions; performance and test data; reference standards; names and addresses of producers or handlers who have used the alternative under similar conditions and the date of use; and an itemized comparison of the function and effect of the proposed alternative(s) with substance under review. The following table can help you describe recommended alternatives in place of a current substance that you do not want to be continued.

Written public comments will be accepted through October 7, 2014 via www.regulations.gov. Comments received after that date may not be reviewed by the NOSB before the meeting.



**Sunset 2016 Review Summary
Meeting 1 - Request for Public Comment
Crops Substances
August 27, 2014**

SUNSET 2016: CROPS SUBSTANCES

Ferric phosphate

Synthetic

Use - As a synthetic substance allowed for use in organic crop production

Listing: Ferric phosphate (CAS # 10045 - 86 - 0). As slug or snail bait

Technical Report: [Ferric Phosphate 07/2004](#), [Ferric Phosphate 6/2010](#), [Supplemental TR 07/2012](#)

Petition(s): [Ferric Phosphate 5/01/03](#)

[Petition to remove: 07/07/09](#)

Past NOSB Actions: NOSB review and recommendation for addition to the National List [3/2005](#)

Recommendation to renew: [04/2010](#)

NOSB vote on motion for removal from the National List [10/2012](#)

Regulatory Background:

Proposed for addition to National List 9/16/05 [70 FR 54660](#)

Added to National List 09/11/06 [71 FR 53299](#)

Renewed 08/03/2011 [76 FR 46595](#)

Sunset Date: 9/12/2016

Reference: 7 CFR 205.601(h)

Additional information requested by NOSB

The Crops Subcommittee has no additional questions

Hydrogen chloride

Synthetic

Use - As a synthetic substance allowed for use in organic crop production

Listing: Seed preparations. Hydrogen chloride (CAS # 7647 – 01 - 0) - for delinting cotton seed for planting.

Technical Report: [Hydrogen Chloride 2003 TAP](#), [5/2014 Limited Scope TR](#)

Petition(s): [Hydrogen Chloride 10/30/02](#)

Past NOSB Actions: NOSB review and recommendation for addition to the National List [05/2004](#)

Recommendation to renew [11/2009](#)

Regulatory Background:

Proposed for addition to National List 9/16/05 [70 FR 54660](#)

Added to National List 09/11/06 [71 FR 53299](#)

Renewed 08/03/2011 [76 FR 46595](#)

Sunset Date: 9/12/2016



Reference: 7 CFR 205.601(n)

Additional information requested by NOSB

The Crops Subcommittee is interested in comments regarding:

Hydrogen chloride is used in gaseous form to remove linters (fuzz) on cotton seeds that would interfere with the flow of seeds during planting. Acid delinting is the industry standard, and other acids, sulfuric acid for example, are sometimes used in non-organic applications. Hydrogen chloride needs extreme care when used, but it is not clear that suitable alternatives are sufficiently available for organic cotton growers.

The TR indicated that some research shows that novel mechanical delinting techniques may clean cotton seed while improving cotton lint yield in a research context. The Crops Subcommittee is interested in hearing from the organic community as to the relative efficacy of mechanical delinting techniques and whether these techniques are feasible and available in commercial scale organic cotton production. The Crops Subcommittee is also interested in hearing whether the NOSB can encourage safer methods of delinting seeds.