

**Formal Recommendation by the
National Organic Standards Board (NOSB)
to the National Organic Program (NOP)**

Date: April 29, 2011

Subject: 2012 Sunset Review of Sulfur Dioxide listed on §205.601
Synthetic substances allowed for use in organic crop
production: (g) As rodenticides (1) Sulfur dioxide—underground
rodent control only (smoke bombs)

Chair: Tracy Miedema

The NOSB hereby recommends to the NOP the following:

Rulemaking Action X
Guidance Statement
Other

Statement of the Recommendation (Including Recount of Vote):

Motion was to relist sulfur dioxide—underground rodent control only (smoke bombs) on § 205.601(g)(1). The Motion was defeated five no and nine yes as two-thirds majority was required to relist. The recommendation is therefore to not relist sulfur dioxide on the National List Synthetic Substances allowed for use in organic crop production.

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

The Crops Committee requested a new TR for sulfur dioxide used in this application specifically—as rodent control in smoke bomb. The new TR pointed out “The U.S. EPA has not registered sulfur dioxide for use as a rodenticide. However, U.S. EPA has registered rodent control smoke bombs with the active ingredients sulfur, charcoal carbon, and sodium nitrate or potassium nitrate (saltpeter).” (TR Sulfur Dioxide January 14, 2011 lines 139-141). The TR also states “Ignition of the smoke bomb generates a mixture of gases that may include sulfur dioxide” (ibid, line 148). Sulfur dioxide does not appear to exist as the only active ingredient in commercially produced smoke bombs used as rodenticides. The crops committee concluded that it is possible that the wrong active ingredient for smoke bombs used as rodenticides was listed historically and is recommending that sulfur dioxide for use in smoke bombs for underground control of rodents be taken off the list.

The majority of public comments were in support of keeping this on the list as sulfur dioxide generated by smoke bombs are allowed by some certifiers as rodent control and is considered an important tool. There was one comment in favor of letting it drop off the list. It was explained that certifiers either look at the individual components of smoke bombs before they are exploded as the active ingredients; or the sulfur dioxide that results from the explosion as the active ingredient. Certifiers not allowing smoke bombs base this determination on the requirement for ignition materials to cause the explosion to make the smoke that have not been reviewed and are not on the National List. Discussion amongst Board members included alternatives available on the National List for rodent control and the situations in which they can be used, concerns about harm to non-target species, concerns about removing this method of rodent control from the farmers' toolboxes, and general discussion of how we use new information generated by new TR's and how we look at formulated materials.

Committee Vote:

| | | | | |
|---------------------------|--------------|---------------------------|------------------|-------------------|
| Moved: John Foster | | Second: Tina Ellor | | |
| Yes: 9 | No: 5 | Abstain: 0 | Absent: 0 | Recusal: 0 |

**National Organic Standards Board
Crops Committee
2012 Sunset Proposed Recommendation
Sulfur Dioxide**

April 29, 2011

List: §205.601 Synthetic substances allowed for use in organic crop production.

(g) As rodenticides

(1) Sulfur dioxide—underground rodent control only (smoke bombs)

Committee Summary

The Crops Committee requested a new TR for sulfur dioxide used in this application specifically—as rodent control in smoke bomb. The new TR pointed out “The U.S. EPA has not registered sulfur dioxide for use as a rodenticide. However, U.S. EPA has registered rodent control smoke bombs with the active ingredients sulfur, charcoal carbon, and sodium nitrate or potassium nitrate (saltpeter).” (TR Sulfur Dioxide January 14, 2011 lines 139-141). The TR also states “Ignition of the smoke bomb generates a mixture of gases that may include sulfur dioxide” (ibid, line 148). Sulfur dioxide does not appear to exist as the only active ingredient in commercially produced smoke bombs used as rodenticides. The crops committee concluded that it is possible that the wrong active ingredient for smoke bombs used as rodenticides was listed historically and is recommending that sulfur dioxide for use in smoke bombs for underground control of rodents be taken off the list.

Committee Recommendations

Motion was to relist sulfur dioxide—underground rodent control only (smoke bombs) on § 205.601(g)(1)

Committee Vote

Motion: To relist sulfur dioxide—underground rodent control only (smoke bombs) on § 205.601(g)(1)

Motion: Tina Ellor

Second: Barry Flamm

Yes: 0

No: 6

Absent: 1

Abstain: 0

Recuse: 0