

May 3rd, 2012

Ms. Michelle Arsenault
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Avenue, SW
Room 2648-So, Ag Stop 0268
Washington, DC 20250-0268

Docket: AMS–NOP–12–0017

RE: Handling Committee – Gibberellic Acid (Petitioned)

Dear Ms. Arsenault:

Thank you very much for this opportunity to provide comment on the NOSB Handling Committee Recommendation on Gibberellic Acid.

OTA is the membership-based business association for organic agriculture and products in North America. OTA is the leading voice for the organic trade in the United States, representing organic businesses across 49 states. Its members include growers, shippers, processors, certifiers, farmers' associations, distributors, importers, exporters, consultants, retailers and others. OTA's Board of Directors is democratically elected by its members. OTA's mission is to promote and protect the growth of organic trade to benefit the environment, farmers, the public and the economy.

OTA would like to point out an apparent discrepancy between the information provided in the Technical Evaluation Report (TER) and the answer provided in the NOSB Evaluation Criteria Checklist under Category 1, Question 4. We believe the committee recommendation will not adequately accommodate gibberellic acid brand name products unless typical formulations and the common inclusion of inerts are considered and allowed. We therefore suggest that the committee revise its recommendation to specifically allow for the use of 2004 EPA List 4 inerts:

Gibberellic Acid – for post-harvest ripening of bananas. 2004 EPA List 4 inerts only.

It's our understanding that most, if not all, gibberellic acid products used for the post-harvest ripening of bananas include List 4 inerts (EPA List 4 – Inerts of Minimal Concern). The addition of a post-harvest material to § 205.605 of the National List may be problematic if that material contains inert ingredients. We are concerned that certifiers and/or Material Review Organizations may not approve the inerts since § 205.605 of the National List does not provide for synthetic inerts, as does the list of allowed crop inputs under § 205.601.

Question 4 under Category 1 asks if the substance contains List 1, 2, or 3 inerts. The answer provided by the committee is that only active ingredients are under consideration and formulations are unknown. However, the TER states that EPA pesticide regulations govern the use of gibberellic acid as a plant growth regulator. On Page 5 under "Combinations of the Substance," the TER reads:

When gibberellic acid is used in handling as the active ingredient in a pesticide and/or growth regulator, it is combined in formulation with other non-active ingredients. Non-active or “inert” ingredients that are allowed for use in pesticide formulations are identified by EPA List 4. To be used in organic crop production, the inert ingredients must be either considered natural or included on the National List of Allowed and Prohibited Substances (hereafter referred to as the National List). The National List states that substances classified as inert ingredients by EPA List 4 may be used for organic crop and livestock production, when used in combination with active ingredients that are non-synthetic or synthetic but allowed by the National List (7 CFR 205.601(m)(1)). EPA List 4 inert ingredients are not included on the National List for organic handling/processing.

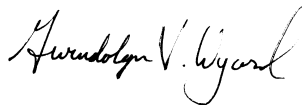
The TER specifically notes that EPA List 4 inert ingredients are not included on the National List for organic handling/processing. Therefore, we are concerned that they may not be allowed, thus essentially resulting in the prohibition of all gibberellic acid products currently on the market.

Considering the allowance of List 4 Inerts in crop production inputs, we see no reason why the 2004 EPA List 4 inerts should not be allowed in post-harvest inputs, provided the National List at § 205.605 explicitly allows their use. We urge the committee to accept our recommendation to revise the annotation accordingly.

Finally, OTA asks NOSB and NOP to please consider the ramifications of adding post-harvest materials to § 205.605 of the National List. The addition of a nonsynthetic post-harvest material to this section of the National List indicates that other similar materials for post-harvest use should be petitioned as well. For example, nonsynthetic pyrethrum is commonly used for post-harvest grain storage, but also must be formulated with inert ingredients in order to be commercially viable. OTA would like the committee to discuss the implications of adding such materials onto § 205.605(a) for post-harvest use so we can fully understand how similar products should be reviewed in the future.

Again, on behalf of our members across the supply chain and the country, OTA thanks the National Organic Standards Board for the opportunity to comment.

Respectfully submitted,



Gwendolyn Wyard
Associate Director of Organic Standards and Industry Outreach
Organic Trade Association (OTA)

CC: Laura Batcha
Executive Vice President
Organic Trade Association (OTA)