

SIGNIFICANT RESIDUES AND CLASSIFICATION OF MATERIALS

EXECUTIVE SUMMARY

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- Under OFPA, synthetics are prohibited unless reviewed and approved, and non-synthetics are approved unless reviewed and prohibited. This is why it is so important to ensure that **any materials that are produced with the use of synthetics be classified as synthetics**, since this is the only way to trigger the required review by the NOSB.
- We support the following definition of “significant”:

“any known level of a synthetic substance in the final material or in the environment, as a result of the substance’s manufacture, use and disposal.”

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This ensures that OFPA is respected, since OFPA requires the examination of *all* synthetics used in organic production and handling, including their impacts from their manufacture, use, and disposal. The only way to ensure that the proper review be made of materials that are produced with the use of synthetics is by classifying them as synthetic.

Since OFPA requires review of synthetics’ environmental impacts, using the benchmark of “significant residues” would not be adequate, since a material could theoretically be produced using an environmentally hazardous synthetic but contain no residues.

Also, how do we define “significant” if our understanding of the impacts of residues is constantly changing? Residues that were once believed to be insignificant have

been discovered to be deleterious to human health at much lower levels than previously thought worthy of note.

For other chemicals, very low levels have been found to actually be more harmful, and therefore more “significant,” than higher levels (as in the case of endocrine disruptors). We cannot depend on the limits set by other federal agencies, nor should the organic community be subordinate to these limits. Our responsibility is to be more careful than other agencies, and make human and environmental health our priority. For these reasons, any levels at all should be considered “significant.”

It is important for the Board to remember that the issue is not approving or prohibiting materials produced with synthetics, but simply whether they should be reviewed.

For this purpose, any level at all is significant and should trigger review.

Answers to questions:

Question 1. Under what circumstances, should the presence of a synthetic impurity trigger an examination of the impacts of the synthetic in relation to OFPA criteria?

Any level of a synthetic impurity should be considered “significant” and trigger a review of the material.

Question 2. Do any of the three approaches described make sense? If so, why?

Yes, Cornucopia supports the second approach.

This approach would characterize any known or detectable level of a synthetic substance in the final material or in the environment, as a result of the substance’s manufacture, use, and disposal as a significant level triggering NOSB review.

Question 3: Is it reasonable to tie the definition of “significance” in materials classification to the need for review under OFPA? If not, is there another way to ensure that the presence of a synthetic impurity in levels of consequence under OFPA trigger a review? And how would “significance” be defined in the context of materials classification if not in relation to the need for review under OFPA?

The use of the term “significance” is confusing. The only way to ensure proper review is by requiring review of any substance with any known level of a synthetic substance in the final material or in the environment as a result of the substance’s manufacture, use and disposal.

Question 4: The need for defining a significant residue arises from the Classification of Materials Policy adopted earlier that says that the use of a synthetic extractant or reactant does not affect the classification of a material, thereby allowing the use of synthetic extractants, reactants, or processing aids that may end up as impurities in the material. Should that policy be changed instead?

Yes, that policy should be changed. Any material processed with a synthetic extractant or reactant must be classified as a synthetic.