

Eileen S. Stommes
Deputy Administrator
USDA-AMS-TM-NOP
Room 4007-So.; Ag Stop 0275
P.O. Box 96456
Washington, DC 20090-6456

Reference: National List, Docket Number: TMD-94-00-2

Dear Dr. Stommes,

I am writing to insist that the recommendations made by the National Organic Standards Board (NOSB) be followed by the USDA in its rule making, in particular the classification of biosolids (municipal sludge) as synthetic and the explicit exclusion of biosolids in organic production. The organic label will be meaningless otherwise.

The use of municipal sewage sludge ("biosolids," section 205.22) should be prohibited in organic production.

In the United States Federal Register, the United States Environmental Protection Agency (EPA) says of sludge: "The chemical composition and biological constituents of the sludge depend upon the composition of the wastewater entering the treatment facilities and the subsequent treatment processes. Typically, these constituents may include volatiles, organic solids, nutrients, disease-causing pathogenic organisms (e.g., bacteria, viruses, etc.), heavy metals and inorganic ions, and toxic organic chemicals from industrial wastes, household chemicals, and pesticides."

It is clear from the foregoing that municipal sewage sludge biosolids must be classified as "synthetic" for the purposes of this discussion, and are thus prohibited in a system of organic agricultural production.

Municipal sludge is fundamentally "synthetic" even in the extremely unlikely event that the municipal sludge is exclusively from residential users. Home centers, supermarkets, and retail stores all sell synthetic chemical formulations—including many products explicitly excluded from organic agriculture. Homeowners buy, and use, these products by the gallon and some of it goes into municipal sewers. Many homeowners employ lawn services using synthetic pesticides. The runoff from the yards, sidewalks, streets, and driveways of these residences will go to the treatment plant and will end up either in the plant effluent water or in the sludge. Homeowners clean their paint brushes, and the water goes down the drain. Many homeowners spray their homes with fungicides, algicides and synthetic cleaning products. These products, the use of which is inconsistent with the organic philosophy, go down the drain in millions of homes. They are certainly synthetic, and they can and do end up in municipal sewage sludge. In fact, the better and more advanced the sewage treatment process, the more recalcitrant synthetic chemicals remain in the sludge, since the focus of sewage treatment is clean water, not clean sludge.

Most of the nutrients of interest to agriculture are not retained in municipal sewage sludge and there are other fertilizing and soil conditioning options available that have been used effectively for many years.

The USDA has been charged with the task of legally defining organic agriculture based on consumer expectations and on norms for the organic agricultural sector. Both consumer expectations and long-established norms in organic agriculture require the prohibition of the use of municipal sewage sludge in organic production. I request that the current Proposed Rule be withdrawn and rewritten to accurately reflect NOSB recommendations, as stipulated in the Organic Foods Production Act.

Sincerely,