

**FORMAL RECOMMENDATION BY THE
NATIONAL ORGANIC STANDARDS BOARD (NOSB)
TO THE NATIONAL ORGANIC PROGRAM (NOP)**

Date: April 29, 2010

Subject: 2011 Sunset Recommendation for Ferric Phosphate (CAS# 10045-86-0)

Chair: Daniel G. Giacomini

Recommendation

The NOSB hereby recommends to the NOP the following:

Rulemaking Action:	X
Guidance Statement:	
Other:	X

Summary Statement of the Recommendation (including Recount of Vote): The NOSB voted 14 yes, 0 no with one member absent to renew Ferric Phosphate (CAS#10045-86-0) on 205.601 (h) As slug or snail bait.

NOSB Vote: **Motion:** Tina Ellor **Second:** Jeff Moyer

Board vote: Yes - 14 No- 0 Abstain- 0 Absent - 1

Summary Rationale Supporting Recommendation (including consistency with OFPA and NOP): There were many comments supporting the relisting of this material and no comments opposed to it. Please see the attached recommendation for committee discussions.

Response by the NOP:

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

II. **Category Use**

(h) As slug or snail bait. Ferric phosphate (CAS # 10045–86–0).

III & IV. Committee Summary and recommendation: There is a petition in front of the Crops Committee to remove this material from the National list. The Crops Committee requested new technical information pending in consideration of this petition in January of 2009 including the following questions:

1. Does Ferric Phosphate stand alone as snail bait as it is listed in CFR 205.601(h) "As slug or snail bait. Ferric phosphate (CAS#10045-86-0)" or does it require stabilizer to function as a viable product for sale for farm use?
2. If stabilizers are used in Ferric Phosphate for slug and snail bait, what are they?
3. Ferric Phosphate is not allowed in other organic standards around the world. What alternative materials and/or methods are used for slug or snail bait that make Ferric phosphate unnecessary?

We have not yet received the updated information that we requested. There was a lot of discussion in the Crops Committee surrounding the relisting of this material because of the alternatives available and that it appears that this material does not exist in an active form on its own. A majority of the CC felt that the material should be relisted pending review of the petition to remove, and a minority felt that we had enough information to recommend that Ferric Phosphate be removed from The List.

Because of the lag time between recommendations and rule making, the committee is recommending relisting of this material until review of the petition to remove is complete.

(h) As slug or snail bait. Ferric phosphate (CAS # 10045–86–0).

Moved: Tina E. Seconded: Jeff M. Vote: Yes: 4; No: 2; Absent: 1; Recuse: 0

Respectfully Submitted,

Tina Ellor
Crops Committee Chair