Date: ___November 30, 2007____

Subject: __Sunset- EPA List 3 inerts used in passive pheromone dispensers__

Chair: _ Andrea M. Caroe_____________

**Recommendation**

The NOSB hereby recommends to the NOP the following:

- **Rulemaking Action:** ___X___
- **Guidance Statement:** ________
- **Other:** ___

**Statement of the Recommendation** (including Recount of Vote):

Renewal of the following substances in this use category: §205.601(m)(2)(ii)

(m)- As synthetic inert ingredients as classified by the Environmental Protection Agency(EPA), for use with nonsynthetic or synthetic substances listed in this section and used as an active pesticide ingredient in accordance with any limitations on the use of such substances.

(2)- EPA List 3, Inerts of unknown toxicity

(ii)- Inerts used in passive pheromone dispensers

**NOSB Vote:** Motion: T. Miedema Second: R. Delgado

Board vote: Yes - 13   No- 0   Abstain- 2   Absent - 0

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

Substances widely used in organic production. No new information presented to warrant removal from the list.

Sunset Material Vote

**Response by the NOP:**
Crops Committee Recommendation for §205.601  

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

Specifically, this recommendation refers to EPA “List 3” inerts used in passive pheromone dispensers only, and referred to in 7CFR § 205.601 (m) (2) (ii)

II. Category Use

(m) As synthetic inert ingredients as classified by the Environmental Protection Agency (EPA), for use with nonsynthetic substances or synthetic substances listed in this section and used as an active pesticide ingredient in accordance with any limitations on the use of such substances.

III. Committee Summary

The Crops Committee supports the renewal of “List 3” inerts whose classification has not been revoked by EPA and are permitted for use by EPA as “other ingredients” in the formulation of pest management materials for use only in passive pheromone dispensers.  So-called “List 3” inerts, when used in passive pheromone dispensers, do not negatively impact humans or the environment.  They are essential for organic production and are compatible with organic production practices.

The EPA system of categorizing inerts into “Lists” is in the process of changing.  Only those inert ingredients identified by EPA “List 3” inerts as of Oct 9, 2007 are included in this particular Sunset recommendation.  Those inert ingredients used for organic crop production on the National List can be found in the following: http://www.ams.usda.gov/nop/NoticesPolicies/NOP5008ReassessedInertIngredients09-06-07.pdf

Future petitions to add, remove or renew an inert ingredient to the National List will need to reference a specific inert ingredient.  A petition may be submitted to the NOSB using the National List petition procedures.  Individually petitioned substances must be recommended by the NOSB and added to the National List through notice and comment rulemaking before use in organic agriculture.

IV. Committee Recommendation

The Crops Committee recommends the renewal of the following substances in this use category: § 205.601 (m) (2) (ii)

(m) – As synthetic inert ingredients as classified by the Environmental Protection Agency (EPA), for use with nonsynthetic substances or synthetic substances listed in this section and used as an active pesticide ingredient in accordance with any limitations on the use of such substances.
(2) – EPA List 3, Inerts of unknown toxicity
(ii) – Inerts used in passive pheromone dispensers

Moved: Tracy Miedema  
Second: Rigo Delgado

Committee vote: Yes: 6  No: 0  Absent: 0  Abstain: 0

Board vote: