Update
NOSB-NOP-EPA Working Group on Inert Ingredients

National Organic Standards Board Meeting
November 29, 2011
Savannah, Georgia
Working Group on Inert Ingredients

- **NOP**: Emily Brown Rosen, Lisa Brines
- **EPA**: Chris Pfeifer (BPPD), Kerry Leifer (Registration Division, Inerts)
- **NOSB**: Jay Feldman, Tracy Miedema, Jeff Moyer (ex officio)
Background

- OFPA permits synthetic inerts in pesticides that are “not classed by EPA as inerts of toxicological concern”
- NOP rule
  - Synthetic inert ingredients classified as List 4a and 4b by EPA are allowed in pesticides for organic use.
  - List 3 inerts are allowed in passive pheromone dispensers.
Issue

• EPA revised system of assessment in 2006, no longer uses Lists 1-4
• NOP is operating with obsolete list of inerts, dated August 2004
• Manufacturers are petitioning for use of inerts that do not appear on the old Lists
Goals

• WG recommend a proposal to NOSB
• NOSB develop a formal recommendation for NOP
• NOP complete rulemaking no later than October 2017, next sunset date for List 4
EPA Now

• EPA currently lists tolerances or exemptions for pesticide residues and inert ingredients at 40 CFR Part 180

• EPA also classes some inerts as permitted for use in Minimal Risk products—FIFRA 25(b) (includes most former 4a’s)
Number of List 4 Inerts in Use

Agricultural Marketing Service

USDA ORGANIC
National Organic Program
U.S. Department of Agriculture

Old List 4

List 4s In Use

25b in use

Not on 25b, in use

4b

4a
Some options considered

• See Inerts Ingredients Discussion Document
  – Wide range of options

• Comments were submitted to Crops Committee
205.601 (m)(2) EPA List 3 Inerts of unknown toxicity allowed: (ii) Inerts used in passive pheromone dispensers.

- The allowance for EPA List 3 inerts is scheduled to sunset in 2013
- NOSB to vote on EPA List 3 in spring 2012
- 9 substances on former List 3 known to be in use, including 4 synthetic
- Various options proposed
Next steps

• Working group to review comments and send proposal to Crops Committee
• Crops Committee develops proposal for full board
• Public comments
Next steps

• NOSB makes a final recommendation
• NOP initiates rulemaking
• More public comments
• Final rule published
• Implementation can be phased in to allow time for changes in products, petitions.