

Frances Dunham

Use of the term “inert” to describe synthetic substances in organic foods production is a blatant falsehood whose only purpose is to mislead. It violates Organic Foods Production Act (OFPA) requirements for National Organic Standards Board (NOSB) evaluation and recommendation. Once EPA listed 4A (“minimal risk inert ingredients”) and 4B (“other ingredients for which EPA has sufficient information to reasonably conclude that the current use pattern in pesticide products will not adversely affect public health or the environment”), but, as of 16 years ago, EPA no longer supports the lists to which NOP regulations refer. USDA must make it a priority to assess each individual “inert” ingredient, as the NOSB has repeatedly recommended:

- The first step must be the immediate publication in the Federal Register of all “inerts” known to be used in organic production, with a request that registrants of products approved for use in organic production to notify AMS if their products contain other “inert” ingredients.
- USDA must allocate resources needed to review substances that are identified.
- Former List 3 “inerts” must be relisted according to the Spring 2012 NOSB recommendation.
- USDA must establish a process for production of technical reviews of substance on former Lists 4A and 4B.
- The NOSB must evaluate the substances according to a process designed to complete the review of all “inerts” within five years of publication of the list, and USDA must complete rulemaking in accordance with OFPA and NOSB recommendations.
- Known endocrine disrupting and persistent organic pollutants—such as nonylphenol ethoxylates (NPEs), per- and polyfluoroalkyl substances (PFAS), bisphenols, and ortho-phthalates—should not be permitted.
- Every five years, the materials will be subject to sunset review.

Thank you for the opportunity to comment for the record.