



**The Organic Specialists**

**April 19, 2016 via webinar**

**Public Comments to the National Organic Standards Board by Katherine DiMatteo**

My name is Katherine DiMatteo, a partner in a consulting firm – Wolf, DiMatteo + Associates, providing advice and service to the organic sector for over 25 years. Thank you for the opportunity to comment, for setting up these webinars that allow more participation in the NOSB process and for your dedicated work as volunteers to maintain the integrity of the organic sector and encourage its growth and continuous improvement.

My comments today reflect what has been stated in our submitted written comments to the Crops Subcommittee.

**EPA List 4 and NPEs:** We appreciate that the NOSB Crops Subcommittee has made it clear that inert ingredients in the category of NPEs will not be allowed, and that input companies should work to phase out their use. We ask that the NOSB and the NOP allow input companies sufficient time to reformulate effective products without NPEs. The Subcommittee has suggested a 3 to 4-year timeline from the publication of the discussion document. We ask that the time frame be set at 3 years from the publication of the Final Rule for Inert Ingredients on SCIL, not from the publication of this discussion paper.

We encourage the Inerts Working Group to focus its resources on moving quickly to publish information on how the NOP compliant inert ingredients will be identified on the SCIL and how NOP criteria for inert ingredients will be assessed when a new inert ingredient is submitted to be included on the Safer Choice list.

**Biodegradable Mulch Film:** We urgently request that currently available Biodegradable mulch films which meet the National List criteria and definitions in the NOP regulations be allowed for use immediately. To accomplish this, the NOP Policy Memo 15-1 will need to be corrected to match the actual language of the regulations. Another growing season will pass without farmers having access to this type of mulch film because of the delay in a recommendation from the NOSB concerning changes to the NOP policy memo.

Our understanding of the NOSB discussions and the vote to add Biodegradable Mulch to the National List was that biobased content would be required and the content would

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P.O. Box 458, New Castle, VA 24127  
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be tested and reported, but no minimum content would be required. However, the NOP policy memo in January, 2015 restricted biodegradable mulches to only those that are 100% biobased. There are no 100% biobased biodegradable agricultural mulches available today, nor are there any expected in the near future.

The original petition for biodegradable mulch films, the supporting documentation, and the independent technical review indicated that some petroleum products are a part of the production process. In fact, many materials on the National List of Allowed SYNTHETICS are derived from petroleum products and the biodegradable mulch films should not be treated differently.

**Natural Sodium Nitrate:** According to the recommendation of the NOSB, the annotation for the use of sodium nitrate was to sunset in October of 2012 but there has not been rulemaking to this effect. We urge the NOSB to request that a proposed and final rule that reflects their decision of 2011 be published prior to October 2017, the Sunset Date for the sodium nitrate.

This “silent” allowance of Sodium Nitrate has caused an unfair situation and competitive disadvantage for the input companies and the growers who are honoring the April 2011 recommendation vote of the NOSB to prohibit its use.