



September 30, 2021

Via Federal eRulemaking Portal: <http://www.regulations.gov>

National Organic Standards Board (NOSB)
National Organic Program (NOP)
Agricultural Marketing Service (AMS)
US Department of Agriculture
1400 Independence Avenue SW
Room 2646-S, Mail Stop 0268
Washington DC 20250-0268

ATTN: Ms. Michelle Arsenault, Advisory Committee Specialist, USDA-AMS-NOP-NOSB

SUBJECT: Docket No. AMS-NOP-21-0038
NOSB Fall 2021 Public Meeting
2023 Crops Sunset Reviews: §205.601 & §205.602
SUPPORT for Continued Listing of EPA List 3 Inert Ingredients

Dear Ms. Arsenault and Members of the National Organic Standards Board:

Please accept these comments from the Biological Products Industry Alliance (BPIA). These comments reaffirm BPIA's continued support for reauthorizing the use of EPA List 3 inert ingredients in passive pheromone dispensers.

Who is BPIA?

By way of background, BPIA (www.bpia.org) promotes the responsible development of safe and effective biological products including biopesticides, biostimulants, and biofertilizers. These beneficial tools are used for commercial agriculture, forestry, golf courses, home gardens, horticulture, ornamentals, and more. BPIA also supports public health through education, outreach, and advocacy activities at the state, federal and international levels. BPIA's membership includes both large and small producers of biological pest control products, biofertilizers, and biostimulants used extensively by US farmers, including organic growers.

BPIA's Rationale

In advance of the Fall 2020 NOSB meeting, BPIA submitted public comments in *support* of the continued listing of EPA List 4 Inert Ingredients. BPIA supports the continued listing of EPA List 3 inert ingredients based upon the same rationale as presented for continued listing EPA List 4 inert ingredients. BPIA also notes that EPA List 3 inert ingredients in passive pheromone dispensers, by virtue of being in passive pheromone dispensers, meet NOP's §205.206 criteria, *i.e.*, they do *not* contribute to contamination of crops, soil, or water.

Stakeholder Collaboration

BPIA is working with the Organic Trade Association (OTA), of which BPIA and several BPIA members companies are members, to develop alternatives to the use of the antiquated EPA Lists 3 and 4. We eagerly await USDA's issuance of an Advanced Notice of Proposed Rulemaking (ANPR) on the inert ingredients issue and intend to provide our suggestions and recommendations at that time. Further, BPIA continues our communication with EPA OPP management to address concerns regarding the use of synthetic inert ingredients in pesticide products used in organic agriculture.

BPIA's Specific Request

BPIA respectfully requests continued listing of EPA List 3 inert ingredients to allow time to develop a path forward that will address key concerns expressed during previous public hearings regarding EPA List 4 and List 3 inert ingredients. We thank you for the opportunity to comment on this important issue.

Sincerely,

BIOLOGICAL PRODUCTS INDUSTRY ALLIANCE



Keith J. Jones
Executive Director