



September 30, 2024

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Materials Subcommittee (MS)  
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: Michelle Arsenault, Advisory Committee Specialist, NOSB**

**SUBJECT: Meeting of the National Organic Standards Board  
Federal Register Notice 89 FR 70591, August 30, 2024  
Inert Ingredients in Organic Pesticide Products Proposal  
Docket ID AMS-NOP-24-0023  
Submission of Comments**

Dear Ms. Arsenault and NOSB Materials Subcommittee Members:

Thank you for the opportunity to comment in advance of the 2024 Fall **Meeting of the National Organic Standards Board** regarding USDA-AMS-NOP-NOSB-MS's "Inert Ingredients in Organic Pesticide Products Proposal." This proposal dated August 13, 2024, concerns the USDA organic regulations' references to the outdated EPA inert ingredient Lists 3 and 4 and how to rectify and improve the policies and procedures for establishing allowable pesticide inert ingredients for use in organic crop and livestock production. The Biological Products Industry Alliance (BPIA) submits herewith these comments.

By way of introduction, BPIA promotes the responsible development of safe and effective biological products, including biopesticides, biofertilizers, and biostimulants. These beneficial tools are used in a variety of settings, including commercial agriculture, forestry, golf courses, home gardens, horticulture, and ornamentals. 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 manufacturers of biological pest control products, biofertilizers, and biostimulants used extensively by conventional and organic growers in the United States and globally, as well as manufacturers of pesticide inert ingredients.

## COMMENTS ON THE MATERIALS SUBCOMMITTEE PROPOSAL

BPIA appreciates the opportunity to respond and comment on NOSB's proposal concerning how best to include and maintain inert ingredients for organic crop and livestock production on the **NATIONAL LIST OF ALLOWED AND PROHIBITED SUBSTANCES ("NATIONAL LIST")** under **7 CFR Part 205, Subpart G**. BPIA has provided comments to the NOSB and NOP previously, making suggestions as to how the system can be revised and improved. The proposal put out by the Materials Subcommittee for comment and that will be presented to the full NOSB at the Fall 2024 meeting is an elegant solution and one that moves the needle forward in a meaningful way. BPIA strongly supports adoption of the proposal by the full NOSB.

Including these two options for evaluation by the NOP staff and possible inclusion in a proposed rule addresses the concerns of many commenters. As stated in our previous comments, BPIA is most supportive of a process similar to

Option 2, as it leverages the review and expertise incumbent in EPA's Office of Pesticide Programs while still providing NOSB with the ability to limit individual ingredients or ingredient classes in organic agriculture. This will also reduce the sunset review burden on future iterations of the NOSB. Option 1 would add hundreds of individual listings of inert ingredients to the sunset review workload that invariably would result in an incredible burden on the NOSB, affecting the NOSB's ability to accomplish its mission of ensuring compliance with OFPA standards. It is for these reasons that BPIA recommends that the NOSB and NOP rely on EPA's approved inert ingredients as a baseline.

Moreover, whatever mechanism is ultimately chosen, it is critical that the allowable list be a flexible, living list. There must be an effective way to add new inert ingredients and chemistries as they are developed to encourage innovation.

## CONCLUSIONS AND NEXT STEPS

BPIA strongly supports this proposal moving forward to the full NOSB for a vote and we recommend that the NOSB approve the proposal and forward it to the NOP staff for preparation of a proposed rule. Doing so will finally remove the references to the obsolete EPA inert ingredient lists and provide a path forward to encouraging and supporting innovation in products available for organic crop production.

Thank you again for the opportunity to comment on this proposal. Should you have any questions about this response, please feel free to contact me.

Sincerely,

**BIOLOGICAL PRODUCTS INDUSTRY ALLIANCE**



Keith J. Jones  
Executive Director