

## **USDA NOP Sunset Review and Renewal ANPR**

### Overview

The USDA has established a list of synthetic substances (National List) under the Organic Foods Production Act of 1990 (OFPA) that are allowed and non-synthetic substances that are prohibited in organic crop and livestock production. To remain on the list, exempted substances must be reviewed by the National Organic Standards Board every 5 years or their approval will sunset. Some of the substances on the list are pesticide inert ingredients that the EPA had compiled into now obsolete lists of inerts (specifically, Lists 3 and 4 ), which the USDA's National Organic Program (NOP) continues to reference in its regulations. In a June 1, 2011 advance notice of rulemaking, the USDA solicited comments on its pending review of eleven substances on the lists.

### CPDA Comments

On August 1, 2011, CPDA submitted brief comments in support of the NOP's authorization of EPA-approved inerts in organic crop and livestock production. However, CPDA also urged the NOP to focus on timely establishment of regulations that set forth a procedural framework for (1) incorporating the results of EPA's inerts reassessment into the National List, and (2) facilitating seamless updating of the National list to include EPA's ongoing inert ingredient approvals.