



May 24, 2021

Jared Clark, Standards Division, National Organic Program,
USDA-AMS-NOP
1400 Independence Ave. SW
Room 2642-S, Ag Stop 0268
Washington, DC 20250-0268

RE: AMS-NOP-19-0102, NOP-19-05, and/or Regulatory Information Number (RIN) 0581-AD93

[Proposed rule to amend the National List of Allowed and Prohibited substances \(National List\)](#)

Dear National Organic Program,

MOSA appreciates the opportunity to provide comments on the proposed rule to amend the National List of Allowed and Prohibited Substances (Crops and Handling). MOSA works with over 2,100 organic operations throughout the United States with the majority of our certified entities located in the Upper Midwest. This includes approximately 1,810 crop operations and 325 handlers.

The proposed rule covers three changes to the National Lists. The rule would add:

1) fatty alcohols to §205.601(k) as a plant growth regulator, specifically (C6, C8, C10, and/or C12) and only for sucker control in organic tobacco production. The §205.206(e) restriction applies.

(2) Fatty alcohols (C6, C8, C10, and/or C12)—for sucker control in organic tobacco production.

We certify approximately 20 operations for tobacco. We have reviewed one sucker control product that could potentially, with further review, meet the proposed rule. The NOP welcomed comments on the clarity of this regulation.

In listing “C6, C8, C10, and/or C12” as allowed fatty alcohols, it should be understood that these carbon chain designations refer to 1-hexanol, 1-octanol, 1-decanol, and 1-dodecanol. AMS welcomes comments on whether the proposed listing provides the clarity for material reviewers to clearly determine which products would be permitted for sucker control in organic tobacco production.

The label for the product that we’ve reviewed listed *n-octanol (fatty alcohol c8)* and *n-decanol (fatty alcohol c10)* as active ingredients and then “inert ingredients” which we have not yet reviewed. The product is labeled for sucker control. It seems pretty clear that the two active ingredients would be allowed with the understanding “*that these carbon chain designations refer to 1-hexanol, 1-octanol, 1-decanol, and 1-dodecanol.*” Given the review of inert ingredients is positive, the product could be permitted for use. We think that MOSA certified tobacco growers would appreciate this addition to the National List.

2) potassium hypochlorite to §205.601(a) for pre-harvest use in crop production along with other chlorine materials, except for prohibiting use in sprout production.

(2) Chlorine materials—For pre-harvest use, residual chlorine levels in the water in direct crop contact or as water from cleaning irrigation systems applied to soil must not exceed the maximum residual disinfectant limit under the Safe Drinking Water Act, except that chlorine products may be used in edible sprout production according to EPA label directions.

(i) Calcium hypochlorite.

(ii) Chlorine dioxide.

(iii) Hypochlorous acid—generated from electrolyzed water.

(iv) Potassium hypochlorite—not allowed for edible sprout production.

(v) Sodium hypochlorite.

We do not have an objection to this addition. We have not reviewed any products with this ingredient so we do not have a sense of demand among MOSA clients.

And the rule would remove:

1) dairy cultures from §205.605(a), since microorganisms are also listed and dairy cultures *are* microorganisms. There is no change in practice besides the new terminology. Materials that are allowed currently will continue to be allowed. We'll probably still use the terminology "dairy cultures" in our generic ingredient chart at MOSA though we'll update our training entries to note the different National Listing reference. We have almost 130 products with "dairy culture" as the ingredient, whereas we have only two with "microorganisms." While we could change this pretty easily behind the scenes, it seems like it's good information to capture. We have no objection to this change.

Thank you for the opportunity to provide comments on these rule changes. Please direct any questions to Jackie DeMinter, Certification Policy Manager: jdeminter@mosaorganic.org

Sincerely,

The MOSA Certification Team