

# NOSB COMMITTEE RECOMMENDATION

Form NOPLIST1. Committee Transmittal to NOSB

For NOSB Meeting: November 2008

Substance: Ammonium Salts of Fatty Acids

Committee: Crops  Livestock  Handling  Petition is for: Synthetic soap salts of fatty acids to be allowed (as herbicides) in organic crop production on the National List § 205.601(b)(1)

A. Evaluation Criteria (Applicability noted for each category; Documentation attached)	Criteria Satisfied? (see B below)
1. Impact on Humans and Environment	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
2. Essential & Availability Criteria	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
3. Compatibility & Consistency	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
4. Commercial Supply is Fragile or Potentially Unavailable as Organic (only for 606)	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

**B. Substance Fails Criteria Category:** 2 and 3 Comments: There are many alternative weed management practices available that preclude reliance on synthetic materials on crops. Substance is not compatible with the provisions of the OFPA for general use on crops or crop land. Since this material is a soap based herbicide, the current listing in §205.601(b)(1) as annotated would apply to ammonium salts of fatty acids.

**C. Proposed Annotation (if any):** None

Basis for annotation: To meet criteria above: \_\_\_\_\_ Other regulatory criteria: \_\_\_\_\_ Citation: \_\_\_\_\_

**D. Recommended Committee Action & Vote (State Actual Motion):** To allow the use of synthetic soap salts of fatty acids as herbicides for general use in organic crop production

Motion by: BF Seconded: JM Yes: 0 No: 5 Absent: 1 Abstain: \_\_\_\_\_

Crops	<input checked="" type="checkbox"/>	Agricultural		Allowed <sup>1</sup>	
Livestock	<input type="checkbox"/>	Non-Synthetic		Prohibited <sup>2</sup>	
Handling	<input type="checkbox"/>	Synthetic	<input checked="" type="checkbox"/>	Rejected <sup>3</sup>	<input checked="" type="checkbox"/>
No restriction	<input type="checkbox"/>	Commercially Un-Available as Organic <sup>1</sup>		Deferred <sup>4</sup>	

1) Substance voted to be added as "allowed" on National List to § 205. \_\_\_\_\_ with Annotation (if any) \_\_\_\_\_

2) Substance to be added as "prohibited" on National List to § 205. \_\_\_\_\_ with Annotation (if any) \_\_\_\_\_

Describe why a prohibited substance: \_\_\_\_\_

3) Substance was rejected by vote for amending National List to § 205.601(b)(1) Describe why material was rejected: \_\_\_\_\_

Material failed to meet the evaluation criteria for category 2 and 3

4) Substance was recommended to be deferred because \_\_\_\_\_

\_\_\_\_\_ If follow-up needed, who will follow up \_\_\_\_\_

**E. Approved by Committee Chair to transmit to NOSB:**

Gerald Davis  
Committee Chair

9/24/2008  
Date

**NOSB EVALUATION CRITERIA FOR SUBSTANCES ADDED TO THE NATIONAL LIST**

**Category 1. Adverse impacts on humans or the environment? Substance - Ammonium Salts of Fatty Acids**

<b>Question</b>	<b>Yes</b>	<b>No</b>	<b>N/A<sup>1</sup></b>	<b>Documentation (TAP; petition; regulatory agency; other)</b>
1. Are there adverse effects on environment from manufacture, use, or disposal? [§205.600 b.2]	X			Potential hazard to aquatic invertebrates if material is allowed to come in contact with bodies of water. (Petition pg 3) Harmful to insects (EPA –RED Re-registration Eligibility Document) Pg. 2
2. Is there environmental contamination during manufacture, use, misuse, or disposal? [§6518 m.3]	X	X		Insufficient Information from documentation provided.
3. Is the substance harmful to the environment? [§6517c(1)(A)(i);6517(c)(2)(A)i]	X			See Question #1
4. Does the substance contain List 1, 2, or 3 inerts? [§6517 c (1)(B)(ii); 205.601(m)2]	X	X		Insufficient information to make a determination. 60% inert composition not provided (Petition pg. 2)
5. Is there potential for detrimental chemical interaction with other materials used? [§6518 m.1]	X	X		Insufficient information to make a determination. Not compatible with soluble metal salts such as zinc, manganese, and iron sulfates. (EPA RED pg 4)
6. Are there adverse biological and chemical interactions in agro-ecosystem? [§6518 m.5]	X			Harmful to insects. (EPA RED pg 2)
7. Are there detrimental physiological effects on soil organisms, crops, or livestock? [§6518 m.5]	X			Any contact with crops would cause herbicidal damage.
8. Is there a toxic or other adverse action of the material or its breakdown products? [§6518 m.2]		X		EPA RED pg 10
9. Is there undesirable persistence or concentration of the material or breakdown products in environment?[§6518 m.2]		X		EPA RED pg 10
10. Is there any harmful effect on human health? [§6517 c (1)(A)(i) ; 6517 c(2)(A)i; §6518 m.4]	X			Known eye irritant, harmful if inhaled, swallowed, or comes in prolonged contact with skin. (Product label pg 3) Can cause permanent eye damage. RED pg 2, pg 19
11. Is there an adverse effect on human health as defined by applicable Federal regulations? [205.600 b.3]			X	
12. Is the substance GRAS when used according to FDA’s good manufacturing practices? [§205.600 b.5]			X	
13. Does the substance contain residues of heavy metals or other contaminants in excess of FDA tolerances? [§205.600 b.5]			X	

<sup>1</sup>If the substance under review is for crops or livestock production, all of the questions from 205.600 (b) are N/A—not applicable.

**Category 2. Is the Substance Essential for Organic Production? Substance - Ammonium Salts of Fatty Acids**

Question	Yes	No	N/A <sup>1</sup>	Documentation (TAP; petition; regulatory agency; other)
1. Is the substance formulated or manufactured by a chemical process? [6502 (21)]	X			Petition pg 8
2. Is the substance formulated or manufactured by a process that chemically changes a substance extracted from naturally occurring plant, animal, or mineral, sources? [6502 (21)]	X			Petition pg 8
3. Is the substance created by naturally occurring biological processes? [6502 (21)]		X		Petition pg 8
4. Is there a natural source of the substance? [§205.600 b.1]			X	
5. Is there an organic substitute? [§205.600 b.1]			X	.
6. Is the substance essential for handling of organically produced agricultural products? [§205.600 b.6]			X	
7. Is there a wholly natural substitute product? [§6517 c (1)(A)(ii)]	X			Vinegar, citric acid, natural oils of clove, thyme or lemongrass.
8. Is the substance used in handling, not synthetic, but not organically produced? [§6517 c (1)(B)(iii)]			X	
9. Is there any alternative substances? [§6518 m.6]	X			See question #7
10. Is there another practice that would make the substance unnecessary? [§6518 m.6]	X			Alternative practices ie: cultivation, flaming, mulching, mowing, allelopathic plants

<sup>1</sup>If the substance under review is for crops or livestock production, all of the questions from 205.600 (b) are N/A—not applicable.

**Category 3. Is the substance compatible with organic production practices? Substance - Ammonium Salts of Fatty Acids**

Question	Yes	No	N/A <sup>1</sup>	Documentation (TAP; petition; regulatory agency; other)
1. Is the substance compatible with organic handling? [§205.600 b.2]			X	
2. Is the substance consistent with organic farming and handling? [§6517 c (1)(A)(iii); 6517 c (2)(A)(ii)]		X		Substance is a soap based synthetic herbicide and according to §205.601(b)(1) soap based herbicides can only be used in farmstead maintenance or ornamental crops.
3. Is the substance compatible with a system of sustainable agriculture? [§6518 m.7]	X			Material is relatively non-toxic and of low environmental impact.
4. Is the nutritional quality of the food maintained with the substance? [§205.600 b.3]			X	
5. Is the primary use as a preservative? [§205.600 b.4]			X	
6. Is the primary use to recreate or improve flavors, colors, textures, or nutritive values lost in processing (except when required by law, e.g., vitamin D in milk)? [205.600 b.4]			X	
7. Is the substance used in production, and does it contain an active synthetic ingredient in the following categories:		X		
a. copper and sulfur compounds;		X		
b. toxins derived from bacteria;		X		
c. pheromones, soaps, horticultural oils, fish emulsions, treated seed, vitamins and minerals?	X			
d. livestock parasiticides and medicines?		X		
e. production aids including netting, tree wraps and seals, insect traps, sticky barriers, row covers, and equipment cleaners?		X		

<sup>1</sup>If the substance under review is for crops or livestock production, all of the questions from 205.600 (b) are N/A—not applicable.

**Category 4. Is the commercial supply of an agricultural substance as organic, fragile or potentially unavailable?** [§6610, 6518, 6519, 205.2, 205.105 (d), 205.600 (c) 205.2, 205.105 (d), 205.600 (c)]

**Substance - \_\_\_\_\_ Ammonium Salts of Fatty Acids**

Question	Yes	No	N/A	Comments on Information Provided (sufficient, plausible, reasonable, thorough, complete, unknown)
1. <u>Is the comparative description provided</u> as to why the non-organic form of the material /substance is necessary for use in organic handling?			X	
2. Does the current and historical industry information, research, or evidence provided explain how or why the material /substance cannot be obtained organically in the appropriate <b>form</b> to fulfill an essential function in a system of organic handling?			X	
3. Does the current and historical industry information, research, or evidence provided explain how or why the material /substance cannot be obtained organically in the appropriate <b>quality</b> to fulfill an essential function in a system of organic handling?			X	
4. Does the current and historical industry information, research, or evidence provided explain how or why the material /substance cannot be obtained organically in the appropriate <b>quantity</b> to fulfill an essential function in a system of organic handling?			X	
5. Does the industry information provided on material / substance non-availability as organic, include ( but not limited to) the following:			X	
a. Regions of production (including factors such as climate and number of regions);			X	
b. Number of suppliers and amount produced;			X	
c. Current and historical supplies related to weather events such as hurricanes, floods, and droughts that may temporarily halt production or destroy crops or supplies;			X	
d. Trade-related issues such as evidence of hoarding, war, trade barriers, or civil unrest that may temporarily restrict supplies; or			X	
e. Are there other issues which may present a challenge to a consistent supply?			X	