

NORTHWEST HORTICULTURAL COUNCIL
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October 3, 2019

Ms. Michelle Arsenault
Advisory Committee Specialist
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Ave. SW
Room 2648-S Mail Stop 0268
Washington, DC 20250-0268

Dear Ms. Arsenault,

RE: Docket Number: AMS-NOP-19-0038
Notice of Meeting of the National Organic Standards Board

The Northwest Horticultural Council (NHC) appreciates the opportunity to comment on the upcoming Sunset Review of organic materials listed in the most recent National Organic Standards Board (NOSB) Materials Report.

The NHC represents growers, packers, and shippers of apples, pears, and cherries in Idaho, Oregon, and Washington on federal and international policy and regulatory issues.

The Pacific Northwest is the national leader in the production of organic apples, pears, and cherries. Over 18 million boxes of organic apples are now harvested from more than 28,500 acres in Washington state, amounting to over 90 percent of the fresh organic apple crop in the United States. There is also a significant volume of organic pears and cherries grown in our region, with more than 6,200 acres planted across the Pacific Northwest. Organic tree fruit production in the Pacific Northwest is increasing, with additional acreage transitioning to organic each year.

In many ways, this region is the epicenter for organic pome fruit and cherry production in the United States. The total value of the organic tree fruit crop for the region topped \$620 million in 2017, of which organic apples alone accounted for approximately \$540 million. In fact, tree fruit accounted for 60 percent of farm gate sales for all Washington state organics that year.

We have compiled a list of materials from those listed by the NOSB for review that are of particular importance to organic tree fruit growers and packers. Below you will find this list, complete with NOSB citation, a brief description of the item's standard usage, and a statement as to why the product is needed.

Crops

- **Hydrogen Peroxide**

- **(citation 205.601(a)(4)) as algicide, disinfectant, and sanitizer, including irrigation system cleaning systems** – Hydrogen peroxide is an effective antimicrobial pesticide used in the orchard setting for the sanitation of equipment such as picking bags and pruning shears. It is also used as an algicide and disinfectant, including for irrigation system cleaning. It is a benign substance used to reduce and control microorganisms for food safety purposes. It is used by almost all organic tree fruit growers.
- **(citation 205.601(i)(5)) as plant disease control** - Hydrogen peroxide is also used as a fungicide to control pathogens like fire blight and powdery mildew. With the loss of antibiotics and challenges with changes in weather patterns, hydrogen peroxide has become an extremely important tool in controlling fire blight in both organic apples and pears. It is estimated that the vast majority of organic tree fruit growers in our region use this product.

- **Soaps, ammonium (citation 205.601 (d)) as animal repellents - for use as a large animal repellent only, no contact with soil or edible portion of crop** – Ammonium soaps are used to deter and repel unwanted browsing by animals like rabbits, deer, and porcupine that can cause damage to the tree and drip line irrigation systems. U.S. Environmental Protection Agency (EPA) studies show that ammonium soaps undergo a rapid degradation in the environment and the agency lists ammonium soap under the lowest possible toxicity classification. They are used on an “only as needed” basis by organic tree fruit growers.

- **Oils, Horticultural**

- **(citation 205.601 (e)(7)) as insecticides** – Horticultural oils are used as an insecticide and miticide as a part of growers’ integrated pest management strategies. They are used to control pests such as red mites, pear psylla, leaf hopper, codling moth, scale, and apple aphid, which can cause significant damage to tree fruit. The vast majority of our organic growers use this product.
- **(citation 205.601 (i)(7)) as plant disease control** – Horticultural oils are also used for plant disease control on powdery mildew and apple scab. They provide a safe and consistent level of disease control. Alternative oils such as fish oil and vegetable oil can be phytotoxic to the foliage and fruit. Horticultural oils are used by nearly all organic tree fruit growers in our region.

- **Pheromones (citation 205.601 (f)) as insect management** – Pheromones are of great importance in organic tree fruit production. Pheromones are used by organic tree fruit growers for mating disruption for pest including codling moth and leaf rollers. They can reduce pesticide applications by helping growers better monitor pest pressure to determine which treatments will be most impactful. Pheromones are essential to the control of these pests which can often pose a

significant threat to organic tree fruit production. Loss of this material would be catastrophic. Pheromones are used by a substantial percent of organic tree fruit growers.

- **Potassium Bicarbonate (citation 205.601 (i)(9)) as plant disease control** – Potassium bicarbonate is used as a fungicide to control plant diseases like fire blight in apples and pears, and mildew in cherries. Used in the dry season, it is less likely to cause russetting to the fruit and damage to the foliage than other available tools. It is vital to disease resistance management. It is believed that the majority of organic tree fruit growers use this product.
- **Magnesium Sulfate (citation 205.601(j)(6))** – Magnesium sulfate is used as a soil amendment. It promotes better soil by improving nitrogen and phosphorus levels. This in turn promotes root health for the tree, increasing crop growth and health. Magnesium sulfate plays a vital role in aiding organic farmers. It is believed that nearly all of organic growers use this product.

Handling

- **Hydrogen Peroxide (citation 205.605 (b)) synthetics allowed** - Hydrogen peroxide is used as an algicide, disinfectant, and sanitizer. It is a strong oxidizer, making it an effective antimicrobial in the packinghouse setting. It is used specifically to disinfect belts and brushes on the packing line for food safety purposes. It is used by many tree fruit packers in rotation to avoid resistance.
- **Peracetic Acid (citation 205.605) synthetics allowed - for use in wash and/or rinse water according to FDA limitations. For use as a sanitizer on food contact surfaces** – Peracetic acid (PAA) is used as a sanitizer or disinfectant (oxidizer) for equipment in the packinghouse and for water sanitation to prevent cross contamination. Chlorine, electrolyzed water, and ozone are the only other widely-used sanitizers permissible under the National Organic Program, and reliance on a single sanitizer can lead to resistance development by pathogens. It is estimated that nearly all organic tree fruit packers use this product.

The NHC understands that the NOSB will also be considering a discussion document, entitled “Assessing Cleaning and Sanitizing Materials Used in Organic Crop, Livestock, and Handling,” relating to future consideration of sanitizers. We emphasize the critical need for organic growers, packers, and processors to have access to multiple effective sanitizers, both now and into the future. The number of food-borne pathogen outbreaks related to fresh produce has increased in recent years, and cross-contamination of produce from food contact surfaces has often been identified as the primary contributor. Access to effective sanitizers is vital to preventing food-borne pathogens from becoming established in packinghouses or processing environments, which in turn leads to cross-contamination onto product. The ability to rotate sanitizers, as well as to use different sanitizers on orchard tools versus packinghouse food contact surfaces, is necessary to prevent pathogens from developing a resistance. In addition, under the implementing regulations for the Food Safety Modernization Act (FSMA) that are now in effect, growers, packers, and processors are required by law to adequately sanitize food contact surfaces.

We are pleased that Congress recognized these facts and, in the Conference Report of the Agriculture Improvement Act of 2018 (Farm Bill) signed into law in December, directed the NOSB “...*while following the material review requirements established in the Organic Foods Production Act, to establish procedures for timely consideration and review of materials directly related to food safety compliance for inclusion on the National List.*” We further ask you to consider additional language from the Conference Report directing the NOSB to:

“...be transparent and adhere to the best science and technical assistance available, including from other science agencies, to provide certainty and predictability to the agricultural community and consumers.”

We strongly encourage the NOSB to formally consult with FDA subject matter experts regarding the sanitizer needs of growers, packers, and processors before taking any further action on this discussion document. Both public health and the regulatory requirements under FSMA must be paramount as you consider the inclusion of any current or proposed sanitizer on the National List, both now and into the future.

Conclusion

The products referenced in these comments are important – and in some cases critical – to organic tree fruit production. The loss of these products would negatively impact our organic tree fruit growers and packers and could consequently force our local tree fruit growers and packers out of organic production. We ask that members of the board consider their decision carefully while recognizing the importance of these materials, both for the role each plays in organic tree fruit production but also to preserve management options necessary to respond to food safety concerns and operational needs in organic production and packing.

Thank you for your careful consideration of these comments.

Sincerely,

NORTHWEST HORTICULTURAL COUNCIL



Marisol Oviedo
Regulatory Information Specialist

CC: NHC Science Advisory Committee’s Organic Subcommittee
NHC Science Advisory Committee Chairman Harold Austin