



BEYOND PESTICIDES

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May 1, 2012

National Organic Standards Board
Spring 2012 Meeting
Albuquerque, NM

Re. Petitions for listing curry leaves and Kaffir lime (*Citrus hystrix*) leaves on §205.606

Dear Board Members:

These comments are submitted on behalf of Beyond Pesticides. Beyond Pesticides, founded in 1981 as a national, grassroots, membership organization that represents community-based organizations and a range of people seeking to bridge the interests of consumers, farmers and farmworkers, advances improved protections from pesticides and alternative pest management strategies that reduce or eliminate a reliance on pesticides. Our membership and network span the 50 states and groups around the world.

Thank you for this opportunity to comment on the petition to list curry leaves and Kaffir lime leaves on §205.606. We will also make some general comments regarding the process for such listing.

I. Comment on Petition

1. Is there a need?

Curry leaves and Kaffir lime leaves are ingredients used in Indian and Thai cuisine. The petitions for both, to allow use of nonorganic leaves in organic products, are based on the same problems. There is not enough domestic organic production to supply the demand, and both products are under quarantine for the Asian citrus psyllid (ACP), which can transmit the disease huanglongbing (HLB) to citrus and related trees. It is not clear whether the petitioner could fill his need for lime leaves with imported organic leaves that may be treated with methyl bromide or with domestic conventional leaves that would be treated with cyfluthrin and imadocloprid. It does not appear that the need for organic curry leaves could be met with imported organic leaves.

The shortage of curry and Kaffir lime leaves seems to go beyond the current problems with the ACP, and we hope that there will be organic growers who are able to fulfill the need in the future.

2. What are the human health and ecological impacts?

Both trees are likely to be treated with pesticides for the ACP, cyfluthrin and imidacloprid,

among others. If leaves are imported, they may be fumigated with methyl bromide.¹ Cyfluthrin is neurotoxic, causes organ inflammation in many animal studies, and induces skin paresthesia. It is extremely toxic to bees, fish, and other aquatic organisms. Imidacloprid is a systemic insecticide, which means that residues are contained in tissues throughout the plant, as well as in plant products including pollen and sap. Imidacloprid is linked to reproductive and mutagenic effects and is neurotoxic. It is highly toxic to bees (and is associated with colony collapse disorder) and other beneficial insects, and is toxic to upland game birds. It is generally persistent in soils and can leach to groundwater. Methyl bromide is a highly toxic fumigant which is also a potent ozone depleter banned under the Montreal Protocol in much of the world. Health effects include neurological damage, and developmental and reproductive toxicity.

3. Is it consistent with principles of organic production and handling?

It is not consistent with principles of organic production and handling to use either domestic spices grown using pesticides or to use organic spices fumigated with methyl bromide.

4. Conclusion

We support the listing of curry leaves and *Citrus hystrix* leaves on §205.606. This appears to be a classic case where the lack of availability of certain ingredients could well be met by the time of sunset action.

II. Related Issues and Further Recommendations

The terms of uncertainty in our comments (e.g., “may be treated with methyl bromide”) reflect the failure of the Handling Committee to fully investigate questions relative to the listing of these products.

Evaluation of a petition for listing on §205.606 must include evaluation of the impacts of the chemical-intensive practices used in the item’s production. Even if a technical review of the product’s characteristics is not warranted,² a review of the impacts of *the product as produced in a chemical-intensive system* must be conducted. In this case, certain pesticides have been prescribed for control of the ACP, but we do not know what other pesticides might have been used. This is a question that should be addressed by a TR in the review of a petition for listing on §205.606.

¹ We have actually been unable to determine whether fresh leaves can be imported, and whether the methyl bromide treatments prescribed for interstate movement of leaves when the quarantine was established would apply to imported leaves.

² The Handling Committee said, “Since curry leaves are natural, not reported to be toxic or dangerous and are in fact a common condiment or ingredient in human diets, the Handling Committee chose not to request a TR.”

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Petitions for listing on §205.606 must result in a much more comprehensive investigation into the reasons the petitioner gives for listing. The committee should investigate the reasons that an organic ingredient may not be available from international sources. If the product is not available organically because of quarantine treatments with toxic chemicals, then a Technical Review (TR) should investigate the possibility of replacing those toxic chemical treatments with treatments acceptable in organic production and handling. An example is provided in these petitions, where the petitioner learned that inspection of the leaves followed by freezing would be an acceptable alternative. Another example was the replacement of a hot water dip for with ethylene dibromide (EDB) for imported mangoes.

Finally, if the committee discovers that treatment acceptable in organic production and handling is available for a quarantined product, then the committee should recommend that the board advise the Secretary of the availability of a safer alternative treatment.

Thank you for this opportunity to comment on the petition to list curry leaves and Kaffir lime leaves on the National List and to make general comments regarding the process for listing on §205.606.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Shistar".

Terry Shistar, Ph.D.
Board of Directors