



# BEYOND PESTICIDES

701 E Street, SE ■ Washington DC 20003  
202-543-5450 phone ■ 202-543-4791 fax  
info@beyondpesticides.org ■ www.beyondpesticides.org

September 17, 2018

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

## Re. HS: Japonese pepper petition

These comments to the National Organic Standards Board (NOSB) on its Fall 2018 agenda are submitted on behalf of 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, Beyond Pesticides 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 the world.

The Handling Subcommittee (HS) notes (2017) say, “The HS did not request a TR as the only aspect in question is about organic supply, which the TR will not answer.”<sup>1</sup> However, materials listed on §205.606 are nonorganic agricultural ingredients that are allowed to be used as ingredients as part of the 5% of organic processed foods that is not required to be organic, which OFPA allows to be used in organic food under limited conditions, including this from §6517(c)(1):

The National List may provide for the use of substances in an organic farming or handling operation that are otherwise prohibited under this chapter only if—

(A) the Secretary determines, in consultation with the Secretary of Health and Human Services and the Administrator of the Environmental Protection Agency, that the use of such substances—

- (i) would not be harmful to human health or the environment;
- (ii) is necessary to the production or handling of the agricultural product because of the unavailability of wholly natural substitute products; and
- (iii) is consistent with organic farming and handling.

---

<sup>1</sup> HS Notes for July 18, 2017.

## **Organic agriculture can supply japones peppers.**

Materials should not be listed on §205.606 if they can be supplied organically. A lesson from the experience with hops is that the organic production may not sufficient until the demand is present. The Handling Subcommittee needs to ask the question of potential suppliers, “Could you supply the need if the organic form is required?” Since it may take years before japones peppers appear on the National List, a quicker solution would be to encourage organic producers to grow them.

## **The production of nonorganic japones peppers poses dangers to farmworkers and the environment.**

The following information about pesticide use on nonorganic hot peppers is derived from the Beyond Pesticides web-based database Eating with a Conscience.<sup>2</sup>

**Pesticide Tolerances —Health and Environmental Effects:** The database shows that while hot peppers grown with toxic chemicals show low pesticide residues on the finished commodity, there are 91 pesticides with established tolerance for hot peppers, 35 are acutely toxic creating a hazardous environment for [farmworkers](#), 83 are linked to chronic health problems (such as cancer), 18 contaminate streams or groundwater, and 76 are poisonous to wildlife.

**Pollinator Impacts:** In addition to habitat loss due to the expansion of agricultural and urban areas, the database shows that there are 34 pesticides used on hot peppers that are considered toxic to honey bees and other insect pollinators. For more information on how to protect pollinators from pesticides, see Beyond Pesticides' [BEE Protective webpage](#).

**The evaluation of japones peppers must take into consideration the use of pesticides in the non-organic production of japones peppers and the availability of organic japones peppers for this purpose, as well as their potential availability if the demand existed.**

**It is time to stop adding listings to §606. Organic production is grown up now, and any agricultural commodity can be produced organically. Listing on §606 only stifles organic production of new organic crops and promotes chemical-intensive production. Finally, in the time that it takes to add new regulations, petitioners could develop the demand for the organic product.**

Thank you for your consideration of these comments.

Sincerely,



Terry Shistar, Ph.D.  
Board of Directors

---

<sup>2</sup> <http://www.beyondpesticides.org/organicfood/conscience/index.php?pid=610>.

