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Bob Pooler
Agricultural Marketing Service
National Organic Program
USDA-AMS-TMP-NOP
1400 Independence Ave., SW
Room 4008 - So., Ag Stop 0268
Washington, DC 20250
Via E-mail: National.List@usda.gov

Dear Mr. Pooler;

Pursuant to the notice of proposal rulemaking found at 71 Fed. Reg. 37854 (July 3, 2006), the Center for Food Safety provides the following comments. CFS is a non-profit, membership organization that works to protect human health and the environment by curbing the proliferation of harmful food production technologies and by promoting organic and other forms of sustainable agriculture. See generally <http://www.centerforfoodsafety.org>. CFS and its True Food Network represents over 40,000 members of the public.

In the final rulemaking amending the National List, CFS requests that the National Organic Program (NOP) provide further clarification that is consistent with the Program's determination that use of chitosan as an adhesive adjuvant is already allowed consistent with the inert provision found at §205.601(m). CFS notes that both the NOSB recommendation and this NOP's inert determination is conditioned upon a specific use of chitosan at specific application rates. As the program is aware, § 205.601(m) does not provide for any limitations on how allowed inert ingredients are used so long as that they are used as an inert. Consistent with the NOP's determination and the limitations of §205.601(m) that an inert can only be used as an inert (i.e. not as an active ingredient), CFS requests that the final rulemaking affirmatively state that the use of chitosan as a plant defense booster and plant growth enhancer would be viewed as using chitosan as an active ingredient and as such that the NOP's determination does not allow such use under §205.601(m). Further, CFS requests that NOP summarize all other information that it received from its EPA consultation indicating any other uses of chitosan (i.e. not as an adhesive adjuvant) that would be consider allowable as an inert use under §205.601.

Respectfully submitted,
/s/
Joseph Mendelson III
Legal Director