

From: JFoster@ebfarm.com
Sent: Monday, December 07, 2009 5:22 PM
To: McEvoy, Miles
Subject: compost and bifenthrin and tigers, oh my!

Hi Miles,

I've been pondering the likely policy regarding bifenthrin in compost. Tough spot you're in. We're in.

I get the need to have a policy, but this precedent is frightening. Once codified in policy, I'd have to expect that any time any prohibited material is found in any farm input--organic input included--in any amount, we'll have to stop using that input until an acceptable amount is determined. Given the number of compounds we are likely to find once we seek them, we'll be stopping early and often.

That leads me to wonder how proactive growers & livestock producers, and handlers for that matter, will need to be...anytime we suspect a contaminant might be present? Given our ability to detect things now, its pretty sure we'll always find one any time we test almost any input. Who makes the decision when that is necessary...to test something for a suspected contaminant? Whenever any level of any contaminant is found? Grower? Certifier? NOP? USDA? EPA? FDA? At minimum, the policy should limit and specify what compounds will be subject to this kind of protocol in the future. Producers are owed at least that amount of predictability.

One could pretty much guarantee one would find heavy metals in conventional poultry litter in excess of what's allowed in food for human consumption.

What happens when we find a contaminant is present for which there is no EPA tolerance in any food crop? Then there's hormones and antibiotics in manure--these would no doubt be considered contaminants as well. Seek and ye shall find.

Yikes.

I'd prefer to see an *interim* policy that recognizes we live in an impure world and that organic production seeks to minimize those impurities in process and product. The policy should note that when impurities are present but are not included as processing aids or ingredients in an otherwise acceptable input, the certified operator will act to find alternative sources or otherwise mitigate the use of the inputs--the earnestness of these attempts would be determined by the certifying agent as part of the OSP--but that the input would not be prohibited outright. Obviously, human and animal health concerns would trump that as would demonstrable negative effects on natural resources. It would also be easy to include a clause wherein the impurity/contaminant would have to be at a level where the activity of the original compound as formulated was not expressed at the levels found in the otherwise acceptable input. The latter would prevent the unscrupulous organic grower from buying chlorpyralid-infused compost as an herbicidal mulch in orchards, for example. The final policy should be the product of a longer process that includes public comment, some science, some economics, etc. and fully reflects 205.600 considerations.

The assumption that we can test our way in or out of compliance should be the **very last resort**. I don't think we're there yet.

Thanks for listening. Best of luck.

I'll just be following that yellow brick road,
John

John Foster

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