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August 8, 2006

National Organic Standards Board  
Robert Pooler  
Agricultural Marketing Specialist  
USDA/AMS/TM/NOP  
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**Petition to Add A Substance To The NOP National List**

Petitioner: M. A. Gedney Company  
2100 Stoughton Avenue  
Chaska, MN 55318

Contact: James R. Cook  
Vice President, Technical Services  
952-368-3744  
952-448-1790 Fax  
[jcook@gedneypickle.com](mailto:jcook@gedneypickle.com)

This petition requests that dillweed oil be added to the National List under 205.606 -- Non-organically produced agricultural products allowed as ingredients in processed products labeled as 'organic'. This agricultural substance is not currently available in organic form. This agricultural ingredient is used in very low levels but is the major characterizing flavor in organic dill pickles. It would be impossible to manufacture a dill pickle that did not contain dill.

1. Common Name: Dillweed Oil
2. Manufacturers: Sunwest Ingredients  
P.O. Box 10542  
Yakima, WA 98909  
509-874-2002  
[office@sunwestingredients.com](mailto:office@sunwestingredients.com)

Liberthuth Company  
114 North Center Street  
Bremen, IN 46506  
574-259-7000

3. **Intended Use:** The M. A. Gedney Company currently manufactures four organic dill pickles products sold in retail stores. These four organic items are 99.06% organic. Dillweed oil, which is in the finished product at 0.033%, is the only agricultural ingredient in the recipe that is not organically sourced. Although this ingredient is in the recipe at a very low level, it is a critical ingredient that characterizes the flavor of the product.
4. **Crop Activities:** In the United States, dillweed is planted in the spring and harvested in the fall.
5. **Substance Processing:** After harvest, the dillweed is placed in steam distillation tanks, where it is heated and the dillweed oil removed in the condensate of the distillation. That dillweed oil is then analyzed and standardized by blending different batches to achieve a desired flavor level.
6. **Regulatory Status:** Dillweed oil is GRAS (Generally Recognized As Safe) by the FDA (CFR 21 Section 184.1282).
7. **Safety Information:** An MSDS sheet for dillweed oil is attached to this petition.
8. **Justification Statement:** Dillweed oil is a very critical ingredient in our four organic dill pickle items, giving the products their characterizing flavor. It is impossible to manufacture a dill pickle that does not contain dill. It is the only agricultural ingredient in these products that is not organic. No form of dill is currently available in organic form. We are working with our suppliers to grow an organic dill, but the very earliest an organic dillweed oil would be available would be October, 2007. Our organic cucumbers are available in August and September of 2007. Since this date is after the June, 2007 date when all agricultural ingredients not on the National List must be organic, we would not be in compliance with the new NOP requirements.
9. **Non-availability of organic form:** The Gedney Company did a complete search for an organic form of dillweed oil. The Organic Trade Association's (OTA) Organic Pages Online were searched. In addition, phone contact was made with OTA personnel. All current dillweed oil manufacturers were contacted to see if they currently had an organic dillweed oil, or had plans to manufacture one in the near future. In addition, we contacted our certifying agency (Midwest Organic Services Association) and several other of the certifying agencies. We also did an exhaustive search on the internet trying to locate an organic dillweed oil, either domestic or international. One of our manufacturers is willing to contract with the Gedney Company to produce an organic dillweed oil, but that crop would not be available until October of 2007 at the very earliest. It is the Gedney Company's intent to enter into agreement with this manufacturer such that organic dillweed oil does become available in the future.

10. Conclusion: In order to manufacture organic dill pickles after June, 2007, it is necessary that dillweed oil be added to the NOP National List until such time that this agricultural ingredient becomes available organically. The M. A. Gedney Company plans to do everything in its power to see that an organic dillweed oil does become available in the future.

11. Materials enclosed with this petition:
- A. Dillweed Oil MSDA sheet
  - B. Evaluation Criteria Form, Category 1
  - C. Evaluation Criteria Form, Category 2
  - D. Evaluation Criteria Form, Category 3

If further data is needed to process this petition, please contact me at 952-368-3744 or by e-mail at [jcook@gedneypickle.com](mailto:jcook@gedneypickle.com).

Respectfully submitted,



James R. Cook  
Vice President, Technical Services

enc: 4

LEBE: 50-6102-03 OIL, DILLWEED 32%

DATE MODIFIED: 08/30/2000



# THE LEBERMUTH COMPANY, INC.

BOTANICALS • FRAGRANCES • ESSENTIAL OILS • HERBS • SPICES  
 14000 McKinley Highway, Mishawaka, Indiana 46545

## MATERIAL SAFETY DATA SHEET

24 HOUR EMERGENCY TELEPHONE NO. (CHEMTREC): 800-424-9300  
 INTERNATIONAL EMERGENCY NO. (CHEMTREC): 703-527-3887  
 OTHER INFORMATION: 574-259-7000 / 574-546-4942

### IDENTIFICATION

LABEL NAME:	OIL, DILLWEED 32%	CAS NUMBER:	8006-75-5
CODE NUMBER:	50-6102-03	FEMA NUMBER:	2383
		FDA NUMBER:	184.1282

### PHYSICAL DATA

APPEARANCE:		COLORLESS LIQUID	
SPECIFIC GRAVITY:	0.897	REFRACTIVE INDEX:	1.482
MELTING POINT:	N/F	BOILING POINT:	N/F
VAPOR DENSITY:	N/F	VAPOR PRESSURE:	N/F
(AIR=1)		EVAPORATION RATE:	N/F
SOLUBILITY IN WATER:		INSOLUBLE	

### FIRE, EXPLOSION AND REACTIVITY

FLASHPOINT:	71.1 DEGREES C. CLOSED CUP
STABILITY:	STABLE UNDER NORMAL CONDITIONS

### EXTINGUISHING MEDIA

       WATER/FOG   X   CARBON DIOXIDE   X   FOAM   X   DRY CHEMICAL

### SPECIAL FIRE FIGHTING PROCEDURE/UNUSUAL FIRE AND EXPLOSION HAZARDS

NONE KNOWN. USE SELF CONTAINED BREATHING APPARATUS AND PROTECTIVE CLOTHING

HAZARDOUS COMBUSTION/DECOMPOSITION PRODUCT: **BURNING PRODUCES CARBON MONOXIDE AND CARBON DIOXIDE**

HAZARDOUS POLYMERIZATION PRODUCT; **WILL NOT OCCUR**

CONDITIONS AND MATERIALS TO AVOID; **ELEVATED TEMPERATURES ABOVE 60 DEGREES CENTIGRADE, AVOID STRONG OXIDIZING AGENTS**

### PROTECTION INFORMATION

RESPIRATORY PROTECTION:	<b>NOT USUALLY NECESSARY, BUT APPROVED RESPIRATOR CAN BE USED IF DESIRED</b>
EYE PROTECTION:	<b>USE SPLASH GOGGLES</b>
SKIN PROTECTION:	<b>USE CHEMICAL RESISTANT GLOVES</b>
VENTILATION:	<b>LOCALIZED EXHAUST CAN BE USED TO REMOVE VAPORS</b>
OTHER:	<b>EYE WASH STATION AND SAFETY SHOWER RECOMMENDED IN AREA</b>

### OCCUPATIONAL EXPOSURE LIMITS

THRESHOLD LIMIT VALUE (TLV):	N/F
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EFFECTS OF OVEREXPOSURE:

REDNESS OF SKIN AND/OR EYES

OSHA PERMISSIBLE EXPOSURE LIMIT (PEL):

N/F

HAS SUBSTANCE BEEN LISTED AS A CARCINOGEN:

\_\_\_ YES \_\_\_ X \_\_\_ NO

**HEALTH HAZARD INFORMATION**

- MAY BE IRRITATING TO SKIN AND EYES
- VAPOR MAY BE IRRITATING TO THROAT AND LUNGS
- BREATHING HIGH CONCENTRATIONS OF VAPOR MAY CAUSE ANESTHETIC EFFECTS
- REPEATED CONTACT MAY CAUSE ALLERGIC DERMATITIS

**EMERGENCY AND FIRST AID PROCEDURES**

- |               |   |
|---------------|---|
| INHALATION:   | REMOVE TO FRESH AIR                                       |
| EYE CONTACT:  | FLUSH WATER FOR 15 MINUTES                                |
| SKIN CONTACT: | REMOVE CONTAMINATED CLOTHING AND WASH WITH SOAP AND WATER |
| INGESTION:    | DRINK WATER OR MILK TO DILUTE, CONTACT POISON CONTROL     |

**SPILLS LEAKS AND DISPOSAL PROCEDURE**

IF MATERIAL SHOULD BE SPILLED OR RELEASED: ELIMINATE FLAMES AND SOURCES OF IGNITION, WIPE UP SMALL SPILLS WITH A CLOTH, LARGER SPILLS USE PORUS ABSORBANT

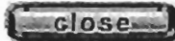
WASTE DISPOSAL METHODS: FOLLOW STATE, LOCAL AND FEDERAL LAWS

**HANDLING AND SHIPPING PROCEDURES**

HANDLE ACCORDING TO GOOD SAFETY PROCEDURES AVOIDING UNNECESSARY EXPOSURE. STORE IN FULL CLOSED CONTAINERS AWAY FROM HEAT, LIGHT AND SOURCES OF INGITION. STORE IN COOL AREA.

THE INFORMATION CONTAINED IN THIS MATERIAL SAFETY DATA SHEET WAS OBTAINED FROM CURRENT AND RELIABLE SOURCES. THIS DATA IS SUPPLIED WITHOUT WARRANTY, EXPRESSED OR IMPLIED, REGARDING ITS CORRECTNESS OR ACCURACY. IT IS THE USER'S RESPONSIBILITY TO DETERMINE SAFE CONDITIONS FOR USE OF THIS PRODUCT AND TO ASSUME LIABILITY FOR LOSS, INJURY, DAMAGE OR EXPENSE RESULTING FROM IMPROPER USE OF THIS PRODUCT.

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E-mail: [bob.pooler@usda.gov](mailto:bob.pooler@usda.gov)

Re: Response to USDA letter dated November 2, 2006 requesting additional information on the Gedney petition to the NOSB to have dillweed oil added to the NOP National List (Petition dated August 8, 2006)

Dear Bob,

As per your November 2, 2006 letter and per our phone conversation on the afternoon of November 7, 2006, the M. A. Gedney Company is furnishing the following information on Gedney Company's search for dillweed oil in an organic form in the United States, Mexico and in Europe. This information is in addition to that supplied in numbers 8, 9 and 10 in the Gedney petition dated August 8, 2006:

Availability of organic dillweed oil inventories from 2006 crops:

1. The Gedney Company has manufactured dill pickles for 125 years, and has utilized dillweed oil in its products ever since that ingredient has been available in the marketplace.
2. The Gedney Company contacted every dillweed oil manufacturer it has ever purchased that ingredient from to determine if those companies currently manufacture organic dillweed oil, or if they are aware of any company that currently manufactures organic dillweed oil. Not one of these companies currently manufactured organic dillweed oil, but three companies (Sun West Ingredients, Libermuth Company, and Citrus & Allied) were interested in becoming manufacturers of organic dillweed oil.
3. The Gedney Company contacted its association, Pickle Packers International, 1620 I Street NW, Suite 925, Washington, DC 20006 and inquired if the association was aware of any manufacturers of organic dillweed oil. PPI was not aware that the ingredient was available currently.

4. The Gedney Company contacted its organic association, The Organic Trade Association, 60 Wells Street, Greenfield, Massachusetts 01302 to determine if the OTA was aware of an organic dillweed oil manufacturer. In addition, the Gedney Company searched OTA's 'The Organic Pages Online' for an organic dillweed oil manufacturer. None were found.
5. The Gedney Company did an internet search for 'organic dillweed oil'. No current manufacturer was found.
6. The Gedney Company discussed the search for an organic dillweed oil with its organic certifying agency, Midwest Organic Services Association (MOSA) and asked for suggestions to extend the search. Steve Walker of MOSA suggested the Gedney Company look at other certifying agencies for that information.
7. The Gedney Company went to the NOP website and downloaded the list of the 55 certifying agencies listed on that site. Several were contacted. None were aware of any current manufacturer of organic dillweed oil.
8. The Gedney Company contacted several of its current suppliers of dry spicing to determine if they were aware of the availability of organic dillweed oil. One company was able to obtain about a 5 ml sample of an organic dillweed oil from the United Kingdom. Working with that company, it was learned that the sample was from a test plot and the product was not currently available and probably would not be available in the foreseeable future. In addition, this sample did not have adequate attributes to be used in a Gedney dill pickle products.
9. The Gedney Company contacted its three Mexican growers of cucumbers to determine if they were aware of a Mexican source of organic dillweed oil. They were not aware of a Mexican manufacturer of dillweed oil in any form, let alone organic.

Time Frame when organic dillweed oil needed for Gedney Organic Dill Pickle products:

1. After June 9, 2007, as per the clarification made by USDA/NOP following the Harvey lawsuit, wherein all agricultural ingredients in an organic product must either be certified organic, or be on the NOP National List.
2. Gedney crop of organic cucumbers are harvested from mid-July to the first week in September, 2007. The cucumbers are grown in the state of Washington. They are hydrocooled and shipped in refrigerated trucks to the production facility in Minnesota. The cucumbers must be manufactured into pickles immediately upon arrival at the Minnesota facility. They have no keeping quality.

Time Frame when organic dillweed is harvested:

1. The three companies that indicated they were interested in manufacturing organic dillweed oil have their growing areas in Indiana, New York and Washington. Each of these areas start harvesting dill weed in early September. Processing of the dill into oil would occur in late September and the finished organic dillweed oil would be available around October 1, 2007. This would be too late for the July through first week of September time frame when the Gedney Company would be harvesting its organic cucumbers.
2. The three manufacturers did not have any organic dill growers available in Mexico or the southern United States such that organic dillweed oil could be available by July 15, 2007 to be able to be used in the Gedney Company's organic cucumber crop.

Based on all of the above data, NO organic dillweed oil is available or will be available for the Gedney Company's organic pickle manufacturing season starting July, 2007 and ending around the first week in September, 2007.

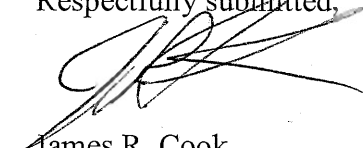
#### Future Organic Pickle Manufacture

The Gedney Company is contracting with two dillweed oil manufacturers, Sun West in Yakima, Washington, and Citrus & Allied in Ontario, Canada for two crops of organic dillweed oil. The organic dillweed oil will be arriving in October, 2007 and should be available for all organic dill pickle production after October, 2007. The next organic crop of cucumbers after October, 2007 are available from the Gedney Company's Mexican grower in April, 2008. That entire organic crop should utilize organic dillweed oil.

Dillweed oil is only in Gedney pickle products at a level of .03%. However, it is a critical characterizing flavor. Dill pickles CANNOT be manufactured without dill! The Gedney Company must have dillweed oil added to the NOP National List for its July-August-September 2007 crop. After that time, the Company will have organic dillweed oil available for future productions.

If further data is needed to process this petition, please contact me at 952-368-3744 or by e-mail at [jcook@gedneypickle.com](mailto:jcook@gedneypickle.com).

Respectfully submitted,

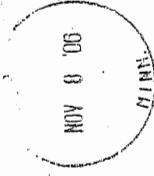


James R. Cook  
Vice President, Technical Services





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Washington, D.C. 20090-6456

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EVALUATION CRITERIA FOR SUBSTANCES ADDED TO THE NATIONAL LIST

Category 1. Adverse impacts on humans or the environment?

Substance Dillweed Oil

Question	Yes	No	N/A <sup>1</sup>	Documentation (TAP; petition; regulatory agency; other)
1. Are there adverse effects on environment from manufacture, use, or disposal? [§205.600 b.2]		X		
2. Is there environmental contamination during manufacture, use, misuse, or disposal? [§6518 m.3]		X		
3. Is the substance harmful to the environment? [§6517c(1)(A)(i);6517(c)(2)(A)i]		X		
4. Does the substance contain List 1, 2, or 3 inerts? [§6517 c (1)(B)(ii); 205.601(m)2]		X		
5. Is there potential for detrimental chemical interaction with other materials used? [§6518 m.1]		X		
6. Are there adverse biological and chemical interactions in agro-ecosystem? [§6518 m.5]		X		
7. Are there detrimental physiological effects on soil organisms, crops, or livestock? [§6518 m.5]		X		
8. Is there a toxic or other adverse action of the material or its breakdown products? [§6518 m.2]		X		
9. Is there undesirable persistence or concentration of the material or breakdown products in environment?[§6518 m.2]		X		
10. Is there any harmful effect on human health? [§6517 c (1)(A)(i) ; 6517 c(2)(A)i; §6518 m.4]		X		
11. Is there an adverse effect on human health as defined by applicable Federal regulations? [205.600 b.3]		X		
12. Is the substance GRAS when used according to FDA's good manufacturing practices? [§205.600 b.5]	X			21 CFR 184.1282
13. Does the substance contain residues of heavy metals or other contaminants in excess of FDA tolerances? [§205.600 b.5]		X		

<sup>1</sup>If the substance under review is for crops or livestock production, all of the questions from 205.600 (b) are N/A—not applicable.

Category 2. Is the Substance Essential for Organic Production? Substance Dillweed Oil

Question	Yes	No	N/A <sup>1</sup>	Documentation (TAP, petition, regulatory agency, other)
1. Is the substance formulated or manufactured by a chemical process? [6502 (21)]		X		
2. Is the substance formulated or manufactured by a process that chemically changes a substance extracted from naturally occurring plant, animal, or mineral, sources? [6502 (21)]		X		
3. Is the substance created by naturally occurring biological processes? [6502 (21)]	X			
4. Is there a natural source of the substance? [§205.600 b.1]	X			Dillweed is of natural origin
5. Is there an organic substitute? [§205.600 b.1]		X		
6. Is the substance essential for handling of organically produced agricultural products? [§205.600 b.6]			X	
7. Is there a wholly natural substitute product? [§6517 c (1)(A)(ii)]			X	
8. Is the substance used in handling, not synthetic, but not organically produced? [§6517 c (1)(B)(iii)]			X	
9. Is there any alternative substances? [§6518 m.6]		X		
10. Is there another practice that would make the substance unnecessary? [§6518 m.6]		X		

<sup>1</sup>If the substance under review is for crops or livestock production, all of the questions from 205.600 (b) are N/A—not applicable.

**Category 3. Is the substance compatible with organic production practices?**

Substance Dillweed Oil

Question	Yes	No	N/A <sup>1</sup>	Documentation (TAP; petition, regulatory agency; other)
1. Is the substance compatible with organic handling? [§205.600 b.2]			X	
2. Is the substance consistent with organic farming and handling? [§6517 c (1)(A)(iii); 6517 c (2)(A)(ii)]			X	
3. Is the substance compatible with a system of sustainable agriculture? [§6518 m.7]			X	
4. Is the nutritional quality of the food maintained with the substance? [§205.600 b.3]			X	
5. Is the primary use as a preservative? [§205.600 b.4]		X		
6. Is the primary use to recreate or improve flavors, colors, textures, or nutritive values lost in processing (except when required by law, e.g., vitamin D in milk)? [205.600 b.4]	X			
7. Is the substance used in production, and does it contain an active synthetic ingredient in the following categories:				
a. copper and sulfur compounds;		X		
b. toxins derived from bacteria;		X		
c. pheromones, soaps, horticultural oils, fish emulsions, treated seed, vitamins and minerals?		X		
d. livestock parasiticides and medicines?		X		
e. production aids including netting, tree wraps and seals, insect traps, sticky barriers, row covers, and equipment cleaners?		X		

<sup>1</sup>If the substance under review is for crops or livestock production, all of the questions from 205.600 (b) are N/A—not applicable.