

**FORMAL RECOMMENDATION BY THE
NATIONAL ORGANIC STANDARDS BOARD (NOSB)
TO THE NATIONAL ORGANIC PROGRAM (NOP)**

Date: April 29, 2010
Subject: §205.606 Sunset Materials Review
Chair: Daniel G. Giacomini

Recommendation

The NOSB hereby recommends to the NOP the following:

Rulemaking Action: X
Guidance Statement:
Other:

Summary Statement of the Recommendation (including Recount of Vote):

The following materials listed on §205.606 of the National List and scheduled to sunset off the list in 2012 were reviewed and discussed, and a motion was made for relisting on the National List at the April 2010 National Organic Standards Board meeting:

Casings – from processed intestines

Celery powder

Chia (*Salvia hispanica* L.)

Dillweed Oil (CAS # 8006-75-5)

Fish Oil (fatty acid CAS #'s 10417-94-4 and 25167-62-8) stabilized with organic ingredients or only with ingredients on the National List 205.605 and 205.606

Galangal, frozen

Gelatin (CAS # 9000-70-8)

Gums – water extracted only (Arabic, Guar, Locust bean, and Carob bean)

Konjac flour (CAS # 37220-17-0)

Lemongrass – frozen

Orange shellac – unbleached (CAS # 9000-59-3)

Pepper, chipotle pepper

Kelp – for use only as a thickener and dietary supplement

Sweet potato starch – for bean thread production only

Turkish bay leaves

Wakame seaweed (*Undaria pinnatifida*)

The Handling Committee's recommendations covering these materials are attached. There were no public written or verbal comments opposing the committee's recommendations, and all were recommended for relisting by the full NOSB as shown below.

NOSB Vote:

Motion: Steve DeMuri

Second: Joe Smillie

Board vote: Yes – 13 No- 0 Abstain- 0 Absent - 1 Recusal - 1

The motion to relist the above materials passes.

Response by the NOP:

**National Organic Standards Board
Handling Committee Sunset Recommendation for §205.606**

March 2, 2010

I. List:

§205.606 Nonorganically produced agricultural products allowed as ingredients in or on processed products labeled as “organic.”

II. Committee Summary:

Federal Register notice of the sunset of these materials elicited no public comments against re-listing.

Review of the original petitions and recommendations, historical documents, and public comments does not reveal unacceptable risks to the environment, human or animal health as a result of the use or manufacture of these materials. There is no new information contradicting the original recommendation which were the basis for the previous NOSB decisions to list these materials. As 205.606 listed materials, all are subject to commercial availability scrutiny for use in organic products.

III. Committee Recommendation(s):

The handling committee recommends the renewal of the following substances in this use category as published in the final rule:

Casings, from processed intestines

Celery Powder

Chia (*Salvia hispanica* L.)

Dillweed Oil (CAS # 8006-75-5)

Fish Oil (Fatty acid CAS #'s 10417-94-4 and 25167-62-8) stabilized with organic ingredients or only with ingredients on the National List 205.605 and 205.606.

Galangal, frozen

Gelatin (CAS # 9000-70-8)

Gums – water extracted only (Arabic, Guar, Locust bean, and Carob bean)

Konjac flour (CAS # 37220-17-0)

Lemongrass – frozen

Orange shellac - unbleached (CAS # 9000-59-3)

Pepper, chipotle chile

