



# National Organic Program

U.S. Department of Agriculture

## Petitioned Materials Update

*Organic Integrity from Farm to Table,  
Consumers Trust the Organic Label*

### National Organic Standards Board Meeting

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Albuquerque, New Mexico



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## Update – Petitioned Material Status Crops Committee

### This meeting

- Sunset 2013 (List 3 Inerts)

### Petitions to Remove

- Ferric Phosphate

### Petitions for Inert Ingredients

- 1,1-Difluoroethane
- Manganese sulfate monohydrate

### Petitions to Add a Substance

- Bioplastic mulch
- Oxidized lignite
- Polyoxin D Zinc salt
- Propylene glycol monolaurate

### Technical Reports in Development

- Bioplastic mulch
- Ferric phosphate (limited scope)
- Oxidized lignite
- Polyoxin D Zinc salt



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## Update – Petitioned Material Status Livestock Committee

### This Meeting

- None

### Petition to Amend Annotation

- Methionine

### Petitions to Add a Substance

- Nonanoic acid (pelargonic acid)
- Pet Food Amino Acids

### Technical Reports in Development

- Pet food amino acids

Petitions and technical reports are available to the public on the NOP website



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## Update – Petitioned Material Status Handling Committee

### This Meeting

- Choline (2 petitions)
- Citrux hystrix
- Curry leaf
- Gibberellic acid
- Inositol
- Sunset 2013 (4 listings)
  - Agar-agar
  - Carrageenan
  - Calcium sulfite
  - Cellulose

### Waiting for Petitioner Response

- Caramunch malt

### Petitions Withdrawn

- Dextrin

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## Update – Petitioned Material Status Handling Committee

### Petitions to Add a Substance to §205.605 (Non-Agricultural)

- Ascorbyl palmitate
- Beta-carotene (nutrient)
- L-Methionine
- Lycopene
- Nucleotides
- Sodium gluconate
- Sulfuric acid
- Taurine

### Petitions to Add a Substance to §205.606 (Agricultural)

- Barley betafiber
- Bergamot bitter orange powder
- Lutein
- Sugar beet fiber

Technical reports for petitioned nutrients have been provided to Handling Committee





# Update – Aquaculture Petitioned Materials

## Aquatic **Animal** Production

- Chlorine
- Lignin sulfonate\*\*
- Tocopherols \*\*
- Trace minerals\*\*
- Vaccines, biologics\*\*
- Vitamins

## Aquatic **Plant** Production

- Carbon dioxide
- Chlorine
- Lignin sulfonate\*\*
- Micronutrients
- Vitamins\*\*

\*\* Petition under review by NOP



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## Material Review Process

### *National List Criteria*

- Organic Foods Production Act 1990 – as amended (7 U.S.C. 6518(m))
- NOP Regulations (§205.600)



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## National List Criteria

1. The potential of such substance for detrimental chemical interactions with other materials used in organic farming systems;
2. The toxicity and mode of action of the substance and of its breakdown products of any contaminants, and their persistence and areas of concentration in the environment;
3. The probability of environmental contamination during manufacture, use, misuse, or disposal of such substance;
4. The effect of the substance on human health;
5. The effect of the substance on biological and chemical interactions in the agroecosystem, including the physiological effects of the substance on soil organisms (including the salt index and solubility of the soil), crops and livestock;
6. The alternatives to using the substance in terms of practices or other available materials; and
7. Its compatibility with a system of sustainable agriculture.





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# National List Criteria: Processing Aid or Adjuvant

The synthetic substance cannot be produced from a natural source and there is no organic substitute;

The substance's manufacture, use and disposal do not have adverse effects on the environment and are done in a manner compatible with organic handling;

The nutritional quality of the food is maintained when the substance is used, and the substance itself, or its breakdown products do not have an adverse effect on human health as defined by applicable Federal regulations;

The substance's primary use is not as a preservative or to recreate or improve flavors, colors, textures, or nutritive value lost during processing, except where the replacement of nutrients is required by law;

The substance is listed as generally recognized as safe (GRAS) by Food and Drug Administration (FDA) when used in accordance with FDA's good manufacturing practices (GMP) and contains no residues of heavy metals or other contaminants in excess of tolerances set by FDA; and

The substance is essential for the handling of organically produced agricultural product

--§205.600 (b)



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# National List Criteria: § 205.606 – AGRICULTURAL AND POTENTIALLY COMMERCIALY UNAVAILABLE

The NOSB will consider:

- A. Why the substance should be permitted in the production or handling of an organic product;
- B. The current industry information regarding availability of and history of unavailability of an organic form in the appropriate form, quality, or quantity of the substance. Industry information includes, but is not limited to the following:
  1. Regions of production, including factors such as climate and number of regions;
  2. Number of suppliers and amount produced;
  3. Current and historical supplies related to weather events such as hurricanes, floods, and droughts that may temporarily halt production or destroy crops or supplies;
  4. Trade related issues such as evidence of hoarding, war, trade barriers or civil unrest that may temporarily restrict supplies; and
  5. Other issues which may present a challenge to a consistent supply.



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## Sunset Review Criteria

**Sunset Provision** -- No exemption or prohibition contained in the National List shall be valid unless the National Organic Standards Board has reviewed such exemption or prohibition as provided in this section within 5 years of such exemption or prohibition being adopted or reviewed and the Secretary has renewed such exemption or prohibition.

-OFPA §2118(e)

**Exemptions** (National List listings) were accepted because the evidence available showed that the:

- Material was found not harmful to human health or the environment,
- Material was necessary because of the unavailability of wholly nonsynthetic alternatives, and
- Use of the material was consistent and compatible with organic practices



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## Voting Procedure

### For Petitioned Substances:

- First motion is for classification (synthetic or nonsynthetic; agricultural or nonagricultural)
- Second motion is for listing
- Listing motion is made in the affirmative (i.e., to list...)
- 2/3 majority required to pass a motion

### For Sunset Substances:

- Classification vote not needed, unless proposing a change
- Relisting motion is made in the affirmative (i.e., to relist...)
- If proposing a change, vote on the proposed annotation change first
- If proposing a change, vote on existing listing as a back-up
- 2/3 majority required to pass a motion



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Thank you!

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