



CCOF

Organic Certification

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Promotion

Ms. Michelle Arsenault
Advisory Committee Specialist
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Ave. SW.
Room 2642-So., Mail Stop 0268
Washington, DC 20250-0268

Docket: AMS-NOP-15-0037; NOP-15-11

Re: Handling Subcommittee Sunset 2017 Reviews and Proposals on Sodium Lactate and Potassium Lactate, Flavors, and Ancillary Substances – Microorganisms and Dairy Cultures, Pectin, Yeast

October 7, 2015

Dear Ms. Arsenault and NOSB:

CCOF thanks the National Organic Standards Board (NOSB) for the opportunity to comment on various agenda items being considered by the Handling Subcommittee. CCOF advances organic agriculture for a healthy world through organic certification, education, advocacy, and promotion. Founded in 1973, CCOF certifies more than 3,000 certified operations in 41 states and three countries, covering 2.1 million acres of productive farmland.

Sunset Review of Celery Powder

Celery powder should remain on the National List because it is used as a source of nitrates and nitrites in organic sausage and cured meat production. Celery powder is a critically important material for the three sausage/cured meat producers certified by CCOF.

Proposal: Sodium Lactate and Potassium Lactate--Petitioned

CCOF supports the proposal to add sodium lactate and potassium lactate to the National List at 205.605(b) for use as an antimicrobial agent only. The 2004 NOP decision that a petition was not required to approve these two materials for use has caused confusion among certifiers and certified organic processors. This change will ensure that the National List remains the sole source of identifying which nonorganic materials are approved for use in processed products. CCOF members are not currently using either of these materials, but lack of use may be due to the confusion surrounding approval. Two CCOF clients have inquired about these materials in the past.

Proposal: Flavors--Petitioned

CCOF supports requiring organic commercial availability verification for all materials on 205.605, including flavors. The proposed annotation change would ensure that manufacturers and processors search for organic starting materials. CCOF also supports requiring commercial availability verification for "Organic" as well as "Made with Organic" products because it will help increase the availability of organic flavors in the marketplace.

To verify that our members search for organic alternatives, CCOF requires that producers describe their search for organic sources and have an annual plan for continued efforts to locate organic sources. CCOF verifies that the producer implements the plan through annual inspections. CCOF will see a minor increase in paperwork to verify commercial availability requirements for flavors. However, CCOF has a well-defined system for verifying commercial availability for other materials and adding flavors to the commercial availability process is a straightforward, feasible practice.

Moreover, the commercial availability requirement will eventually reduce the overall burden on producers and certifiers to verify use of flavors. To use a nonorganic flavor, a producer completes significantly more paperwork than to use organic flavors. If producers are required to search for available flavors, then they will very likely increase demand for organic flavors and more organic flavors will be available. Thus, the overall burden of verifying flavors will decrease as more CCOF members transition to organic flavors.

CCOF has members who rely on flavors as an important tool because it helps create products that meet consumer expectations of novel taste experiences. The success of organic processed foods in the marketplace leads to greater organic crop acreage because more organic raw materials must be grown to fulfill manufacturing needs. Adding a commercial availability requirement to flavors would incentivize the development and greater availability of organic flavors and further support organic crop production.

Proposals: Ancillary Substances for Microorganisms (including Dairy Cultures), Pectin, and Yeast

CCOF supports the proposals regarding ancillary substances in microorganisms and dairy cultures, pectin, and yeast. The NOSB approach of categorizing allowed functional classes of ancillary materials and providing examples of possible allowed ancillaries is a sound and sensible approach to material review and will improve certifier consistency.

CCOF urges NOSB to allow all ancillary substances currently listed in the proposals. CCOF does not support any additional National List annotation to limit the ancillary substances allowed in National List materials.

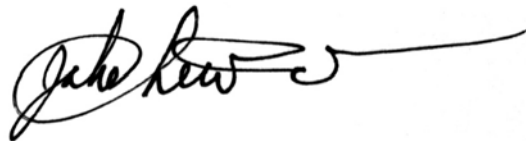
For reference, attached is the comment on handling materials that CCOF submitted for the spring 2015 NOSB meeting, which includes CCOF's input on other materials undergoing sunset review for 2017.

Thank you for taking the time to review this material. Please contact us for further information or clarifications.

Sincerely,



Cathy Calfo, Executive Director/CEO



Jake Lewin, President, CCOF Certification Services LLC





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Docket: AMS-NOP-15-0002

Re: NOSB Handling Subcommittee, Sunset 2017 Review Summary

April 7, 2015

Dear Ms. Arsenault and NOSB:

Thank you for the opportunity to comment on the sunset 2017 handling materials. In our comments below we note substances that we support to remain on the National List and substances that should be removed from the National List. We provided specific answers to questions posed by the subcommittee to the best of our ability. Additionally, next to each material we list the number of CCOF members who include the material on their Organic System Plans (OSP).

I. Handling Substances to Retain on the National List

CCOF supports retaining the below listed sunset 2017 handling materials on the National List.

A. Handling Substances §205.605(a)

Bentonite and kaolin (40 Organic System Plans [OSPs]) Bentonite is essential to the wine industry as a processing aid added to clarify wine. Consumers expect a clear wine without cloudiness or sediment. Agricultural alternatives do not perform the same essential function.

Bentonite is used by organic body care producers to absorb oil from skin. CCOF is unaware of any alternatives to bentonite or kaolin clay for personal care products.

Enzymes (37 OSPs) In addition to the ancillary substances listed, CCOF has also seen sodium sulfate used in enzyme preparations.

Flavors (69 OSPs) Specific responses to the subcommittee's questions:

1./2. CCOF is unaware of specific organic flavors that are commercially available in sufficient supply to warrant the sunset of any flavors from the National List. CCOF supports requiring



organic commercial availability verification for all materials on 205.605, including flavors. Manufacturers sometimes make organic flavors by mixing nonorganic flavors with organic ethanol to meet the 95% requirement for "organic" products. NOSB should modify the listing for flavors to require that any flavor sold as organic be produced with an organic flavoring component(s).

1./3. Common industry practice is to formulate proprietary flavors for the company purchasing the flavor. Listing specific natural flavors on the National List would significantly reduce the variety of flavors available for organic producers. Retaining a listing for all natural flavors on the National List with a commercial availability requirement would support organic food manufacturers while also incentivizing the development and greater availability of organic flavors.

4. Flavors are an important tool for organic processed food producers and create products that meet consumer expectations of novel taste experiences. The success of organic processed food in the marketplace leads to greater organic crop acreage because more organic raw materials must be grown to fulfill manufacturing needs.

5. CCOF has developed a questionnaire for flavor manufacturers to assess compliance. Our document is in line with questionnaires used by other certifiers and the flavor industry itself. Providing optional tools such as questionnaires to certifiers and materials review organizations (MROs) can be helpful, especially to smaller certifiers. All certifiers and MROs operate differently, so each should adapt the document to meet their own operational needs that match their specific internal document flow and review processes.

Carnauba wax and wood rosin Regarding the subcommittee's question #2 on carnauba wax and #3 on wood rosin regarding ancillary substances in wax formulations, please see CCOF's comment regarding ancillary substances. CCOF does not support any additional National List annotation to limit the ancillary substances allowed in carnauba wax or wood rosin.

Yeast (66 OSPs) Specific responses to the subcommittee's questions:

1. Yeast is critical to producing many organic products such as bread, wine, spirits and beer. While organic yeast has started to become available, varieties are limited to a handful of products. Some CCOF clients report that organic yeasts do not produce the same quality of product as nonorganic varieties, especially in winemaking. As yeast additions in winemaking happen only once per year for a single wine, it follows that improvements to organic yeast strains through selective breeding will be slow in response to winemaker trials. CCOF is encouraged by the increased use of organic yeast and supports the continued listing of nonorganic yeast while the yeast industry expands the variety of its offerings.



2. We do not have additional information on defoaming agents used in yeast.
3. Please see CCOF's ancillary substance comment below. CCOF does not support any additional National List annotation to limit the ancillary substances allowed in yeasts.

B. Handling Substances §205.605(b)

Chlorine materials: calcium hypochlorite, chlorine dioxide, sodium hypochlorite (>200 OSPs)

CCOF supports continued inclusion of these materials on the National List. Chlorine materials are widely used by organic processors. Chlorine is used in direct contact with organic products via wash water to ensure that food is safe to eat. Chlorine is also used to sanitize equipment, which ensures sanitary conditions to produce food that meets food safety requirements.

Additionally, CCOF requests that electrolyzed water be added to the list of allowed chlorine materials on the National List or that the NOP reconsider their previous memorandum regarding electrolyzed water. When chlorine materials were first considered by the NOSB in 1995, the three listed materials were added to the annotation by USDA as the most commonly available forms of chlorine. Since then, the process of sending an electrical current through water that contains salt (sodium chloride) forming "electrolyzed water," a chlorine-containing compound, has become more widespread in the U.S. This material is inexpensive, non-toxic, and is even more effective than the NOP-approved chlorine materials in its disinfectant properties. An article in Food Safety Magazine points out that use of electrolyzed water reduces the use of harsher chemicals and urges regulators to embrace the technology (Powitz 2010). Thus, electrolyzed water should be allowed under the current chlorine listing.

Ethylene (22 OSPs) At least six of CCOF's members who use ethylene use it for the purpose of citrus degreening. CCOF supports retaining the use of ethylene for this purpose and leaving the annotation unchanged.

Magnesium chloride (3 OSPs) Magnesium chloride is used in production of tofu to coagulate the bean curd. Alternative coagulants include calcium sulfate and magnesium sulfate. All three CCOF clients using this material produce tofu. Without magnesium chloride or calcium sulfate, organic tofu cannot be produced. Continuing to allow this material expands organic acreage and maintains a high demand for organic products by ensuring that value-added organic products are produced and can compete with conventional products in the marketplace.

Magnesium stearate (3 OSPs) This material is used by three CCOF certified dietary supplement manufacturers as a flow agent to help ensure a consistent "dose" of product in each capsule so that each capsule has the same amount of active ingredients. CCOF supports its continued inclusion on the list as we are not aware of feasible alternatives.



Nutrient vitamins and minerals CCOF does not support any additional National List annotation to limit the ancillary substances allowed in nutrient vitamins and minerals. Please also see CCOF's comment on ancillary substances.

Potassium acid tartrate (21 OSPs) Potassium acid tartrate, commonly known as potassium bitartrate and cream of tartar, is used by the wine industry to adjust acidity. Potassium bitartrate is a natural byproduct of the winemaking process, precipitating out of wine to produce tartrate crystals. Potassium bitartrate may be added to wines to adjust acidity to ensure that wine meets consumer expectations for flavor. CCOF supports its continued inclusion on the National List.

Potassium carbonate (18 OSPs) It is used by the wine industry to reduce acidity, especially in red wines. High acid content of grapes can occur in cooler years, when fruit matures more slowly. Consumers find high acidity undesirable in red wines. Allowing this material expands organic acreage and maintains a high demand for organic products by ensuring that value-added organic products are produced and can compete with conventional products in the marketplace.

Sodium citrate (1 OSP) Sodium citrate is used in a personal care product (lubricant). We have no information as to whether the alternatives listed are practical replacements or not.

Sodium hydroxide (4 OSPs) Sodium hydroxide is used in the production of liquid evaporated sugar syrup to adjust pH as well as in the production of soap.

Tocopherols CCOF does not support any additional National List annotation to limit the ancillary substances allowed in tocopherols. Please also see our comment on ancillary substances.

C. Handling Substances §205.606

Celery powder (2 OSPs) Celery powder is used as a source of naturally occurring nitrates and nitrites in organic sausage production. It is a critically important material for the two sausage producers certified by CCOF.

Kelp CCOF supports removing the annotation so that kelp may be used as a flavoring.

Pectin (7 OSPs) CCOF has reviewed and approved use of pectins standardized with the ancillary ingredients sucrose and dextrose.

Whey protein concentrate CCOF has reviewed and approved use of two whey protein concentrates manufactured by Glanbia Nutritionals with soy lecithin added as an "instantizing" ancillary ingredient.



II. Handling Substances to Remove from the National List

Compelling reasons do not exist to retain the following materials on the National List:

Chia Sufficient amounts of organic chia are commercially available and inclusion of this ingredient on the National List is no longer necessary.

Dairy cultures The Handling Subcommittee is correct—the listing of microorganisms is sufficient and a separate listing of dairy cultures is not necessary. CCOF thus supports removing dairy cultures from the National List.

Magnesium sulfate Magnesium sulfate can be used in the production of tofu. Alternative coagulants include calcium sulfate and magnesium chloride. CCOF does not have any clients using magnesium sulfate; all three tofu producers we certify use calcium sulfate or magnesium chloride. CCOF has no knowledge of availability of non-synthetic magnesium sulfate.

III. Comment on Ancillary Substances

We did our best to disclose ancillary substances; however, it is likely that we may miss ancillary substances because it is challenging to retrieve that information. We surveyed original ingredient disclosure documents, and CCOF policy requires complete ingredient statements from material manufacturers. However, sometimes we may have incomplete documents because manufacturers are not always legally required to disclose all ingredients. For example, manufacturers only disclose potentially hazardous materials in material safety data sheets, and they may omit ancillary substances not required to be listed on the final product label on the Technical Data Sheets. Thus, CCOF urges NOSB to allow all ancillary substances currently listed in the proposals. CCOF does not support any additional National List annotation to limit the ancillary substances allowed in National List materials.



Thank you for the opportunity to comment on these materials and for the subcommittee's work to maintain organic integrity. We are available to answer any questions or provide further clarification.

Sincerely,



Cathy Calfo, Executive Director/CEO



Jake Lewin, President, Certification Services LLC

CCOF is a nonprofit organization founded in 1973. CCOF serves as a trade association for more than 2,900 certified organic producers in 42 of the United States and three countries.

Citation: Powitz, R. W. 2010. Activated and hydrolyzed water: a brief review of a new generation of cleaners and sanitizing agents. Food Safety Magazine August/September 2010. Online at <http://www.foodsafetymagazine.com/magazine-archive1/augustseptember-2010/activated-and-electrolyzed-water-a-brief-review-of-a-new-generation-of-cleaners-and-sanitizing-agents/>

