



CCOF

Organic Certification

Education & Outreach

Political Advocacy

Promotion

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

Docket: AMS-NOP-15-0085; NOP-15-16
Re: Handling Subcommittee: Nutrient Vitamins and Minerals Annotation Change

April 13, 2016

Ms. Michelle Arsenault and NOSB:

CCOF thanks the National Organic Standards Board (NOSB) for the opportunity to comment on the Handling Subcommittee's discussion document to consider changing the annotation for nutrient vitamins and minerals.

CCOF (California Certified Organic Farmers) is a nonprofit organization founded in 1973 that advances organic agriculture for a healthy world through organic certification, education, advocacy, and promotion. CCOF is based in Santa Cruz, California, and represents more than 3,000 certified organic members in 42 states and three countries.

Historically, CCOF has supported allowing vitamins and minerals to be used in organic foods for fortification with essential nutrients. Our implementation of allowing accessory nutrients has been conservative. We have attempted to avoid fortification of "junk food" or the overuse of novel "nutrients."

As an accredited certification agency (ACA), CCOF supports Option 2 because it will allow for succinct and clear standards. Clear implementable standards are critical for ensuring long-term compliance and the ability to explain standards to operators, employees, and the public.

CCOF is concerned that Option 1 is not possible to implement because it has three separate annotations, as well as refers to numerous additional statutes. An annotation with too many variables could lead to conflicting interpretations by different certifiers. Specifically, the reference to materials "required by law or to meet an FDA standard of identity" in Proposed Annotation #1 puts a significant burden on certifiers to be familiar with laws that govern addition of materials to food products, supplements, and other agricultural products that are currently certified under the NOP.

The notes to Proposed Annotation #1 state "we can now spell out which exact fortifications and enrichments are required by law." However, the title of the table "Examples of other specific regulations include the following" suggests that not all specific regulations are included in the table.



Proposed Annotations #2 and #3 would cause more confusion than clarification and would place additional burdens on ACAs to look up external information: “ACA’s would have to determine which forms meet a non-synthetic allowance ...” Additionally, the creation of a materials-related “Made with organic...” annotation is confusing for consumers, as well as costly for manufacturers who would have to redesign and reprint labels. Consumers looking to choose products without vitamins and minerals can, and do, review the labels because products list vitamins and minerals as ingredients.

Of the proposed annotations, CCOF thinks that #4 in option 2 best aligns with the 2012 proposed rule and is the best basis for moving forward on this issue. It is the most likely to be consistently enforced by certifiers because it clearly cites where to find the list of allowed essential nutrients.

One concern with each of the proposed options is the notation “for food.” CCOF and other ACAs have allowed supplement and personal care product manufacturers to add vitamins and minerals to their products when the products are consumed by mouth. The annotation “for food” could preclude certification of these products, as they are not considered food. CCOF certifies 39 supplement and/or personal care manufacturers who use vitamins and minerals in their products. The supplement industry is a purchaser of organic products and helps increase demand for organic products and organic acreage. **CCOF recommends that the annotation identify organic products generally, not only food.**

CCOF has been conservative in approving accessory nutrients; thus CCOF’s clients would not be significantly affected by the proposed changes. However, it could be a challenge for the industry at large and for certain sectors such as organic pet food. The list of approved materials does not include the essential cat nutrient taurine or choline, a nutrient that NOSB voted to add to the National List in June 2015 but which has not yet been added by NOP, nearly a year later.

CCOF supports giving organic processors a reasonable phase-in time to allow for product reformulation or adequate time to petition for these ingredients to be reviewed, voted on, and finally added to the National List.

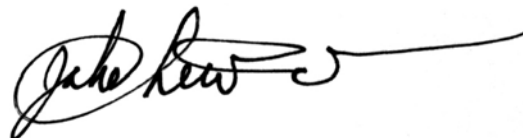
CCOF joins with other commenters in calling for NOP to proceed with rulemaking on this annotation to provide guidance to organic manufacturers whose products will be affected by these changes.

Thank you for taking the time to review our information. Please contact us if you would like further information or clarifications.

Sincerely,



Cathy Calfo, Executive Director/CEO



Jake Lewin, President, CCOF Certification Services LLC

