

# NOSB RECOMMENDED DECISION FORM

Form NOPLIST2. Full Board Transmittal to NOP

<b>For NOSB Meeting:</b> May 2008	<b>Substance:</b> Fortified Cooking Wine - Marsala																								
<b>A. Evaluation Criteria</b> (Applicability noted for each category; Documentation attached) <span style="float: right;"><b>Criteria Satisfied? (see B below)</b></span>																									
1. Impact on Humans and Environment	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>																								
2. Essential & Availability Criteria	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>																								
3. Compatibility & Consistency	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>																								
4. Commercial Supply is Fragile or Potentially Unavailable as Organic (only for 606)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>																								
<b>B. Substance fails criteria?</b>	<b>C. Proposed Annotation:</b> None																								
Criteria category: N/A	Basis for annotation:																								
Comments:	To meet criteria above: ____ Criteria: _____																								
	Other regulatory criteria: ____ Citation: _____																								
<b>D. Final Board Action &amp; Vote (State Actual Motion): To include Fortified Cooking Wine - Marsala, to section 205.606 - Nonorganically produced agricultural products allowed as ingredients in or on processed products labeled as "organic".</b>																									
Motion: <u>Julie Weisman</u> Second: <u>Tracy Meidema</u> Yes: <u>14</u> No: <u>0</u> Abstain: <u>0</u> Absent: <u>1</u>																									
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Agricultural</td> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 25%;">Nonagricultural</td> <td style="width: 10%; text-align: center;"><input type="checkbox"/></td> <td style="width: 20%;">Crops</td> <td style="width: 10%; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Synthetic</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Not synthetic</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Livestock</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Allowed<sup>1</sup></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Prohibited<sup>2</sup></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Handling</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>No restriction</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Deferred<sup>4</sup></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Rejected<sup>3</sup></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>		Agricultural	<input checked="" type="checkbox"/>	Nonagricultural	<input type="checkbox"/>	Crops	<input type="checkbox"/>	Synthetic	<input type="checkbox"/>	Not synthetic	<input checked="" type="checkbox"/>	Livestock	<input type="checkbox"/>	Allowed <sup>1</sup>	<input checked="" type="checkbox"/>	Prohibited <sup>2</sup>	<input type="checkbox"/>	Handling	<input checked="" type="checkbox"/>	No restriction	<input checked="" type="checkbox"/>	Deferred <sup>4</sup>	<input type="checkbox"/>	Rejected <sup>3</sup>	<input type="checkbox"/>
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<b><u>The petition for Fortified Cooking Wine - Marsala was complete and showed the material met all evaluation criteria for consideration to be listed in 205.606 of the NOP regulations. (See attached) The material was recommended for listing by a vote of the Handling Committee, and subsequently by a vote of the NOSB at it's May 2008 meeting.</u></b>																									
1—substance voted to be added as "allowed" on National List on National List to § 205.606 with Annotation (if any): <u>No annotation.</u>																									
2—substance to be added to "prohibited" paragraph of National List to § 205.____ Describe why a prohibited substance: _____																									
3—substance was rejected by vote for amending National List to § 205.____ Describe why material was rejected: _____																									
4—substance was recommended to be deferred § 205.____ Describe why deferred; if any follow-up is needed. If follow-up needed, who conducts follow-up _____																									
<b>E. Approved by NOSB Chair to transmit to NOP</b>																									
<u>Rigoberto Delgado</u>	<u>July 10, 2008</u>																								
Chair	Date																								
<b>F. NOP Action: Include in FR to amend National List:</b>																									
Return to NOSB Reason: _____																									
_____	_____																								
	Date																								

# National Organic Standards Board

## Final Recommendation for

**Date: May 22, 2008**

### I. List:

**National Organic Program Subpart G: The National List of Allowed and Prohibited Substances. §205.606 Nonorganically produced agricultural products allowed as ingredients in or on processed products labeled as “organic” or “made with organic (specified ingredients or food groups(s)).”**

### II. Board Summary:

The Board considered the petitioner’s statement that this fortified cooking wine, Marsala, has unique flavor and fragrance characteristics needed for prepared foods made by the petitioner. The Board has also considered the fact that the petition presented detailed information on organic wine producers, none of whom make fortified wines and fortified wine producers, none of whom make organic versions of their products. The petitioner appears to have done an exhaustive search for a supply of an organic form of this material. The Board was satisfied that this ingredient is not commercially available as organic at this time.

The consideration of this material prompted a general discussion about the extent to which conventionally grown agricultural products may have an adverse effect on the environment. However, since it is fortified cooking wine, and not conventionally grown grapes that is being petitioned, the question was deemed not applicable.

The Board reached the conclusion that Fortified cooking wine, Marsala meets the criteria in all four categories required for listing on §205.606 of the National List.

### III. Board Recommendation

Fortified Cooking Wine - Marsala for inclusion on §205.606 of the National List

*Moved: Julie Weisman      Second: Tracy Miedema*

*Board vote:    Yes-14      No- 0      Absent- 1    Abstain-0      Recuse-0*

# NOSB COMMITTEE RECOMMENDATION

Form NOPLIST1. Committee Transmittal to NOSB

For NOSB Meeting: <u>May 2008</u>	Substance: <u>Fortified Cooking Wine, Marsala</u>																								
Committee: Crops <input type="checkbox"/> Livestock <input type="checkbox"/> Handling <input checked="" type="checkbox"/> Petition is for: <u>Inclusion of Fortified Cooking Wine, Marsala, on the National List § 205. 606</u>																									
<b>A. Evaluation Criteria</b> (Applicability noted for each category; Documentation attached) <span style="float: right;"><b>Criteria Satisfied? (see B below)</b></span>																									
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<b>B. Substance Fails Criteria Category:</b> _____ <b>Comments:</b> _____ _____																									
<b>C. Proposed Annotation (if any):</b> _____ _____ Basis for annotation: To meet criteria above: _____ Other regulatory criteria: _____ Citation: _____																									
<b>D. Recommended Committee Action &amp; Vote (State Actual Motion):</b> <u>For addition of Fortified Cooking Wine, Marsala to § 205.606 of the National List</u> Motion by: <u>Tracy Mediema</u> Seconded: <u>Steve DeMuri</u> Yes: <u>6</u> No: <u>0</u> Absent: <u>0</u> Abstain: <u>0</u>																									
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<b>E. Approved by Committee Chair to transmit to NOSB:</b> <u>Julie Weisman</u> <span style="margin-left: 200px;"><u>March 31, 2008</u></span> Committee Chair <span style="margin-left: 200px;">Date</span>																									

**NOSB EVALUATION CRITERIA FOR SUBSTANCES ADDED TO THE NATIONAL LIST**

**Category 1. Adverse impacts on humans or the environment?**      Substance Fortified cooking Wine, Marsala

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		Item B #5 of Petition

Grapes are crushed which consists of separating the berries and juice from the grape stems. The berries and juice are placed in a tank where they are allowed to form a cap. The tank is then drained and grapes are pressed which removes the juice from the skins and seeds. The skins and seeds are discarded and the juice is then placed in a tank. Yeast is added to the tank and allowed to ferment under fermentation to the desired sugar level. Grape spirits are then added to the wine to stop the fermentation. A centrifuge and filter then cleans the sweet white wine. The sweet wine is then heated at a specific temperature and maintained for a specific length of time to produce Marsala wine. The wine is then chilled and filtered. Salt is added to the wine at 1.5% by volume. It then receives a bentonite treatment for heat stability, filtered, and made ready for shipping. No SO<sub>2</sub> is added during processing.

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	
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 -Fortified cooking Wine, Marsala**

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	fermentation
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	
5. Is there an organic substitute? [§205.600 b.1]		x		Not currently commercially available
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	The petitioned material is wholly natural.
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 - Fortified cooking Wine, Marsala**

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			It is consistent with organic handling.
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:		X		
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.

**Category 4. Is the commercial supply of an agricultural substance as organic, fragile or potentially unavailable?** [§6610, 6518, 6519, 205.2, 205.105 (d), 205.600 (c) 205.2, 205.105 (d), 205.600 (c)]

**Substance - Fortified cooking Wine, Marsala**

Question	Yes	No	N/A	Comments on Information Provided (sufficient, plausible, reasonable, thorough, complete, unknown)
1. <u>Is the comparative description provided</u> as to why the non-organic form of the material /substance is necessary for use in organic handling?	x			Key flavor ingredient, Petition, Item B #3
2. Does the current and historical industry information, research, or evidence provided explain how or why the material /substance cannot be obtained organically in the appropriate <b>form</b> to fulfill an essential function in a system of organic handling?		x		No explanation but thorough listing of fortified wine producers (w/ out organic available) and organic wine producers (w/out fortified available) ON SHERRY PETITION
3. Does the current and historical industry information, research, or evidence provided explain how or why the material /substance cannot be obtained organically in the appropriate <b>quality</b> to fulfill an essential function in a system of organic handling?		x		No explanation but thorough listing of fortified wine producers (w/ out organic available) and organic wine producers (w/out fortified available) ON SHERRY PETITION
4. Does the current and historical industry information, research, or evidence provided explain how or why the material /substance cannot be obtained organically in the appropriate <b>quantity</b> to fulfill an essential function in a system of organic handling?		x		No explanation but thorough listing of fortified wine producers (w/ out organic available) and organic wine producers (w/out fortified available) ON SHERRY PETITION
5. Does the industry information provided on material / substance non-availability as organic, include ( but not limited to) the following: a. Regions of production (including factors such as climate and number of regions);		x		
b. Number of suppliers and amount produced;	x			Thorough listing of fortified wine producers (w/ out organic available) and organic wine producers (w/out fortified available) ON SHERRY PETITION
c. Current and historical supplies related to weather events such as hurricanes, floods, and droughts that may temporarily halt production or destroy crops or supplies;		x		
d. Trade-related issues such as evidence of hoarding, war, trade barriers, or civil unrest that may temporarily restrict supplies; or		x		
e. Are there other issues which may present a challenge to a consistent supply?		x		