

This is a **Sunset Preliminary Review** by a Subcommittee of the National Organic Standards Board (NOSB). Sunset preliminary reviews are posted for public comment and the NOSB will refer to them to complete the sunset review process. They are not final Board recommendations or NOP policy. For more information, see [the Sunset Review and Renewal Process](#) fact sheet, and [Federal Register notice of Sept. 16, 2013](#).

**Sunset 2015 Review**  
**Meeting 2 - October, 2014**  
**Handling Subcommittee Review**  
**Gellan Gum**  
**August 20, 2014**

As part of the National List Sunset Review process, the NOSB Handling Subcommittee has evaluated the need for the continued allowance for or prohibition of the following substances for use in organic handling.

**Gellan Gum**

*Agricultural*

**Use** - As a nonagricultural (nonorganic) substance allowed as ingredient in or on processed products

**Listing:** Gellan gum (CAS # 71010-52-1) - high acyl form only.

**Technical Report:** [2006](#)

**Petition(s):** [Gellan gum \(2004\)](#)

**Past NOSB Actions:** NOSB review and recommendation for addition to the National List - [04/22/08](#)

**Regulatory Background:**

Proposed for addition to National List 6/3/09 ([74 FR 26591](#))

Added to National List 12/13/2010 ([75 FR 77521](#))

**Sunset Date:** 12/14/2015

Reference: 7 CFR 205.605(a)

**Subcommittee Review**

**Summary:**

Gellan gum is a polysaccharide gum produced as a fermentation product of the microbe *Sphingomonas elodea*. This bacterium produces a gum which is useful as a thickening and gelling agent in food products, including bakery fillings, confections, dairy products, dessert gels, frostings, icings, glazes, jams, etc.

Gellan gum was petitioned for addition to 205.605(b) in 2004. In 2006, a technical evaluation report was completed for the Handling Committee. The committee recommended the addition to 205.205(b) in April, 2007. However, detailed discussion among the board, the NOP and the petitioner at that meeting led to the conclusion that gellan gum is in fact non-synthetic, and accordingly should be added to 205.605(a). The Handling Committee made an updated recommendation in December 2007, and it was passed by the full NOSB at the April, 2008 meeting.

The 2007 and 2008 discussions weighed heavily the question of whether gellan gum provided sufficiently unique properties other than those afforded by gums already listed on 205.606. Based on the petition, the 2006 TAP review, and testimony from the petitioner and other stakeholder, the board concluded that gellan gum was in fact essential:

The Board considered what constitutes “essential” for organic handling of a finished retail product and how that may be different from that of a material used in crop or livestock production. It was agreed that certain materials might be essential for creating a product that meets consumer expectations of taste or texture. A

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number of commenters cited gellan gum would greatly enhance the organic consumer products they make for this reason. One commenter stated that gellan gum has unique functionality that is not offered by similarly produced gums that are currently allowed in organic handling. There were no public comments specifically opposing the listing of gellan gum on 205.605.

An extensive search of relevant medical and food science literature since 2007 shows no significant new data or findings that would impact the evaluation of this substance. We were unable to locate any relevant regulatory changes related to this ingredient among the world's regulatory bodies.

The current listing is for: Gellan Gum – high acyl only

This is significant because low acyl gellan gum has been determined to be synthetic; only high acyl is non-synthetic and should be listed on 605(a).

At the Spring 2014 NOSB meeting, two commenters noted that low-acyl gellan gum should be on 605(b), not (a). We wish to clarify that low acyl gellan gum is synthetic and isn't being considered in this recommendation. The existing listing and the sunset proposal is only for the high acyl gellan gum, which is non-synthetic.

Numerous other commenters confirmed that the material remains essential in the production of non-dairy beverages and other foods.

The 2007 and 2008 discussions also focused on the role of the isopropyl alcohol used to separate the finished gellan gum from the fermentation materials. According to the 2006 TR, the FDA limits the amount of isopropyl alcohol in the finished gellan gum to .075 %. Regardless, the presence of the isopropyl alcohol was acknowledged in the petition, TR and recommendation and factored into the evaluation of the material.

#### **Motion to Remove:**

This proposal to remove will be considered by the NOSB at its public meeting.

Based on the Subcommittee's review, the Subcommittee proposes removal of this substance from the National List based on the following criteria in the Organic Foods Production Act (OFPA) 7 U.S.C. 6158(m)(6) the alternatives to using the substance in terms of practices or other available materials; (7) its compatibility with a system of sustainable agriculture.

#### **Subcommittee Review**

**The Handling Subcommittee believes that the full Board should have the opportunity to complete the review of each sunset material by voting. The NOP has stated that to do this a motion to remove should be brought from the Subcommittee for each substance. If the Subcommittee motion to remove fails to receive a majority, the motion will still be put forward to the full board for review. The motion to remove is voted by the full Board and needs to receive a 2/3 majority to recommend removal.**

#### **Motion to Remove Gellan gum from §205.605(a)**

**Motion by:** Joe Dickson

**Seconded:** John Foster

Yes: 0 No: 6 Abstain: 0 Recuse: 0 Absent: 2