

NOSB RECOMMENDED DECISION FORM

Form NOPLIST2. Full Board Transmittal to NOP

For NOSB Meeting: May 2009	Substance: Myrrh (Commiphora myrrha) essential oil																										
A. Evaluation Criteria (Applicability noted for each category; Documentation attached)		Criteria Satisfied? (see B below)																									
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. Substance fails criteria?	C. Proposed Annotation: NONE																										
MEETS criteria.	Basis for annotation:																										
Comments: none	To meet criteria above: ____ Criteria: _____																										
	Other regulatory criteria: ____ Citation: _____																										
D. Final Board Action & Vote (State Actual Motion): To add Myrrh (Commiphora myrrha) essential oil to the National List in section 205.606																											
Motion: Steve DeMuri	Second: Julie Weisman	Yes: 11	No: 2 Abstain: 1 Absent: 1																								
<table border="1" style="margin: auto;"> <tr> <td>Agricultural</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Nonagricultural</td> <td></td> <td>Crops</td> <td></td> </tr> <tr> <td>Synthetic</td> <td></td> <td>Not synthetic</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Livestock</td> <td></td> </tr> <tr> <td>Allowed¹</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Prohibited²</td> <td></td> <td>Handling</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>No restriction</td> <td></td> <td>Deferred⁴</td> <td></td> <td>Rejected³</td> <td></td> </tr> </table>	Agricultural	<input checked="" type="checkbox"/>	Nonagricultural		Crops		Synthetic		Not synthetic	<input checked="" type="checkbox"/>	Livestock		Allowed ¹	<input checked="" type="checkbox"/>	Prohibited ²		Handling	<input checked="" type="checkbox"/>	No restriction		Deferred ⁴		Rejected ³				
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<p>Provide a summary narrative here or attach a more complete narrative, and attach the original committee recommendation that includes the evaluation criteria checklist:</p> <p>All criteria for listing this substance were met. The petition made a case that organic forms of myrrh are not commercially available, and independent research by the Handling Committee confirmed that assertion. The primary uses for this oil are as ingredients in personal care products, but it is conceivable that it could be used in organic food products as well. There are references in the literature to its' occasional use as an ingredient in beverages, and it has FDA approval for food use. The oil is extracted from the plant sap with steam. There are no synthetic solvents used in it's manufacture.</p> <p>1—substance voted to be added as "allowed" on National List on National List to § 205.606 with Annotation (if any) No annotation</p> <p>2—substance to be added to "prohibited" paragraph of National List to § 205.____ Describe why a prohibited substance: _____</p> <p>3—substance was rejected by vote for amending National List to § 205. 606. Describe why material was rejected:</p> <p>See summary narrative in Section D above and attached Committee Recommendation documentation.</p> <p>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 _____</p>																											
E. Approved by NOSB Chair to transmit to NOP																											
Jeff Moyer _____ Chair		May 6, 2009 _____ Date																									
F. NOP Action: Include in FR to amend National List: Return to NOSB Reason: _____ _____ <div style="text-align: right;">Date _____</div>																											

NOSB COMMITTEE RECOMMENDATION

Form NOPLIST1. Committee Transmittal to NOSB

For NOSB Meeting: May 2009

Substance: Myrrh essential oil (Commiphora myrrha)

Committee: Crops Livestock Handling Petition is for: The inclusion of myrrh essential oil (Commiphora myrrha) for use in perfume on the National List § 205.606

A. Evaluation Criteria (Applicability noted for each category; Documentation attached)	Criteria Satisfied? (see B below)		
4. Impact on Humans and Environment	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
5. Essential & Availability Criteria	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
6. Compatibility & Consistency	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
7. 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. Substance Fails Criteria Category: _____ Comments: _____

C. Proposed Annotation (if any): _____

Basis for annotation: To meet criteria above: _____ Other regulatory criteria: _____ Citation: _____

D. Recommended Committee Action & Vote (State Actual Motion): To include myrrh essential oil (Commiphora myrrha) for use in perfume on the National List §205.606

Motion by: G.Davis Seconded: S. DeMuri Yes: 4 No: 0 Absent: 2 Abstain: 0

Crops		Agricultural	X	Allowed ¹	X
Livestock		Non-Synthetic		Prohibited ²	
Handling	X	Synthetic		Rejected ³	
No restriction		Commercially Un-Available as Organic ¹	X	Deferred ⁴	

1) Substance voted to be added as "allowed" on National List to § 205.606. with Annotation (if any) No annotation

2) Substance to be added as "prohibited" on National List to § 205. _____ with Annotation (if any) _____

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 because _____

_____ If follow-up needed, who will follow up _____

E. Approved by Committee Chair to transmit to NOSB:

Steve DeMuri
Committee Chair

March 16, 2009
Date

NOSB EVALUATION CRITERIA FOR SUBSTANCES ADDED TO THE NATIONAL LIST

Category 1. Adverse impacts on humans or the environment?

Substance - Myrrh essential oil

Question	Yes	No	N/A ¹	Documentation (TAP; petition; regulatory agency; other)
1. Are there adverse effects on environment from manufacture, use, or disposal? [§205.600 b.2]		X		Petition
2. Is there environmental contamination during manufacture, use, misuse, or disposal? [§6518 m.3]		X		Petition
3. Is the substance harmful to the environment? [§6517c(1)(A)(i);6517(c)(2)(A)i]		X		Petition
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		Not intended for crop use
7. Are there detrimental physiological effects on soil organisms, crops, or livestock? [§6518 m.5]		X		Not intended for crop use
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			Undiluted material may be irritant to the eyes
11. Is there an adverse effect on human health as defined by applicable Federal regulations? [205.600 b.3]		X		FDA approved as a food flavor.(petition)
12. Is the substance GRAS when used according to FDA's good manufacturing practices? [§205.600 b.5]	X			Petition
13. Does the substance contain residues of heavy metals or other contaminants in excess of FDA tolerances? [§205.600 b.5]		X		

¹If 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 – Myrrh essential oil

Question	Yes	No	N/A ¹	Documentation (TAP; petition; regulatory agency; other)
1. Is the substance formulated or manufactured by a chemical process? [6502 (21)]		X		Essential oil produced by steam distillation of oleoresin material exuded as sap from the plant Commiphora myrrha.
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		Substance is extracted from natural plant source without chemical change.
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	Substance is natural.
5. Is there an organic substitute? [§205.600 b.1]		X		Petitioner claims that no organically produced myrrh oil is available. HC member internet search produced no organic sources.
6. Is the substance essential for handling of organically produced agricultural products? [§205.600 b.6]	X			Petitioner claims substance is a vital component of certain perfumes.
7. Is there a wholly natural substitute product? [§6517 c (1)(A)(ii)]		X		Fragrance is specific to this plant material.
8. Is the substance used in handling, not synthetic, but not organically produced? [§6517 c (1)(B)(iii)]	X			See question 10
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			Fair trade marketing efforts to work more directly with indigenous harvesters could potentially produce a certified organic (wild harvested) product.

¹If 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?
Myrrh essential oil

Substance -

Question	Yes	No	N/A ¹	Documentation (TAP; petition; regulatory agency; other)
1. Is the substance compatible with organic handling? [§205.600 b.2]	X			As long as the substance used as a component of organically certified perfumes is part of the 5% non-organic portion and resultant perfume product is not designated with myrrh in the name.
2. Is the substance consistent with organic farming and handling? [§6517 c (1)(A)(iii); 6517 c (2)(A)(ii)]	X			As a wild harvested material and extracted and/or diluted with natural solvents only.
3. Is the substance compatible with a system of sustainable agriculture? [§6518 m.7]	X	X		Limited information raises concern of potential over-harvesting of the native shrubs from which myrrh is derived.
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: 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	

¹If 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 - Myrrh essential oil

Question	Ye s	No	N/A	Comments on Information Provided (sufficient, plausible, reasonable, thorough, complete, unknown)
1. Is the comparative description provided as to why the non-organic form of the material /substance is necessary for use in organic handling?	X			Plausible
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 form to fulfill an essential function in a system of organic handling?		X		
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 quality to fulfill an essential function in a system of organic handling?		X		
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 quantity to fulfill an essential function in a system of organic handling?	X			Plausible
5. Does the industry information provided on material / substance non-availability as organic, include (but not limited to) the following:	X			Plausible
a. Regions of production (including factors such as climate and number of regions);		X		
b. Number of suppliers and amount produced;		X		
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			Petitioner makes the case for the difficulty of establishing a certified organic supply due to the inherent civil unrest of the main regions of production such as Somalia, Yemen, etc.

e. Are there other issues which may present a challenge to a consistent supply?

X