

**FORMAL RECOMMENDATION BY THE
NATIONAL ORGANIC STANDARDS BOARD (NOSB)
TO THE NATIONAL ORGANIC PROGRAM (NOP)**

Date: April 29, 2010

Subject: §205.605(a) Sunset Materials Review

Chair: Daniel G. Giacomini

Recommendation

The NOSB hereby recommends to the NOP the following:

Rulemaking Action: X

Guidance Statement:

Other:

Summary Statement of the Recommendation (including Recount of Vote):

The following materials listed on §205.605(a) of the National List and scheduled to sunset off the list in 2012 were reviewed and discussed, and a motion was made for relisting on the National List, at the April 2010 National Organic Standards Board meeting:

Acids (Alginic; Citric – produced from microbial fermentation of carbohydrate substances; and Lactic)

Bentonite

Calcium Carbonate

Calcium Chloride

Carageenan

Dairy cultures

Diatomaceous earth – food filtering aid only

Kaolin

Nitrogen – oil free grades

Oxygen – oil free grades

Perlite – for use only as a filter aid in food processing

Potassium chloride

Sodium bicarbonate

Sodium carbonate

Waxes – nonsynthetic (Carnauba wax; and Wood resin)

The Handling Committee's recommendations covering these materials are attached. There were no public written or verbal comments opposing the committee's recommendations, and all were recommended for relisting by the full NOSB as detailed below.

NOSB Vote:

Motion: Steve DeMuri

Second: Tracy Miedema

Board vote: Yes: 14; No: 0; Abstain: 0; Absent: 1

The motion to relist the above materials passes

Response by the NOP:

**National Organic Standards Board
Handling Committee Sunset Recommendation for §205.605(a)**

March 2, 2010

I. List:

§205.605 Nonagricultural (nonorganic) substances allowed as ingredients in or on processed products labeled as “organic” or “made with organic (specified ingredients or food group(s)).”

(a) Nonsynthetics allowed

II. Committee Summary:

Federal Register notice of the sunset of these materials elicited no public comments against re-listing.

Review of the original recommendations, historical documents, and public comments does not reveal unacceptable risks to the environment, human, or animal health as a result of the use or manufacture of these materials. There is no new information contradicting the original recommendation which were the basis for the previous NOSB decisions to list these materials.

III. Committee Recommendation(s):

The handling committee recommends the renewal of the following substances in this use category as published in the final rule:

Acids (Alginic; Citric – produced by microbial fermentation of carbohydrate substances; and Lactic)

Bentonite

Calcium carbonate

Calcium chloride

Carageenan

Dairy cultures

Diatomaceous earth – food filtering aid only

Kaolin

Nitrogen – oil-free grades

Moved: Steve DeMuri Second: John Foster

Yes: 6 No: 0 Abstain: 0 Absent: 1

**National Organic Standards Board
Handling Committee Sunset Recommendation for §205.605(a)**

March 2, 2010

I. List:

§205.605 Nonagricultural (nonorganic) substances allowed as ingredients in or on processed products labeled as “organic” or “made with organic (specified ingredients or food group(s)).”

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Review of the original recommendations, historical documents, and public comments does not reveal unacceptable risks to the environment, human, or animal health as a result of the use or manufacture of these materials. There is no new information contradicting the original recommendations which were the basis for the previous NOSB decisions to list these materials.

III. Committee Recommendation(s):

The handling committee recommends the renewal of the following substances in this use category as published in the final rule:

Oxygen—oil-free grades

Perlite—for use only as a filter aid in food processing

Potassium chloride

Sodium bicarbonate

Sodium carbonate

Waxes—nonsynthetic (Carnauba wax; and Wood resin)

Moved: Joe Dickson

Second: John Foster

Yes: 6

No: 0

Abstain: 0

Absent: 1