

National Organic Standards Board

Formal Recommendation for Sunset Review of Materials on § 205.605a

May 22, 2008

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 groups.”

(a) Nonsynthetics allowed

II. Committee Summary:

Public notice of the sunset of these materials, which was embedded in the Federal Register Notice of the Fall 2007 NOSB meeting, had elicited no public comments by early October when this committee was due to give its recommendation on the continued use of Agar-Agar, Animal Enzymes, Calcium Sulfate, Carrageenan and Glucono Delta Lactone. An additional ANPR for materials due to Sunset in the Fall of 2008, was published on December 28, 2007.

Review of the original TAP's did 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 TAP reviews which were the basis for previous NOSB decisions to list these substances.

Even though these materials appeared not to present a risk to the environment, the sunset process requires public comment to support the continuation of this regulation. For this reason the initial recommendation of the Handling Committee in early October for the re-listing of these materials failed.

In the eight weeks prior to the Board meeting, numerous comments were received requesting that these materials be re-listed and there had been no comments received opposing their continued use in organic handling. Motion for the Handling Committee to reconsider their earlier votes was made and seconded prior to discussion at the November NOSB meeting where the full Board voted to recommend these materials for re-listing.

The ANPR in December elicited numerous additional comments in favor of and none opposing the re-listing each of these materials.

III. Board Recommendation(s):

The Board re-affirms its recommendation of November 2007 for the re-listing of the following substances in this use category as published in the final rule:

Agar- Agar
Animal Enzymes
Calcium Sulfate
Carrageenan
Glucono Delta Lactone

Moved: Julie Weisman

Second: Jennifer Hall

Yes: 14

No: 0

Abstain: 0

Absent: 1

