

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

Date: 11/05/2009

Subject: Activated Charcoal (CAS #s 7440-44-0; 64365-11-3) Sunset Review

Chair: Jeff Moyer

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):

Activated Charcoal, with it's annotation, was reviewed for sunset by the NOSB at the November 2009 meeting. A summary of the Handling committee's recommendation is attached. No comments were received during the meeting that disagreed with the committee's recommendation.

The NOSB voted to recommend relisting of Activated Charcoal – only from vegetative sources for use only as a filtering aid on §205.605(b) with 13 voting yes, 0 no votes and 2 absent.

NOSB Vote: **Motion:** DeMuri **Second:** Giacomini

Board vote: Yes - 13 No- 0 Abstain- 0 Absent - 2

Summary Rationale Supporting Recommendation (including consistency with OFPA and NOP):

Response by the NOP:

National Organic Standards Board
Handling Committee Recommendation for §205.605(b)
Activated Charcoal- Sunset Review

September 1, 2009

I. List:

National Organic Program Subpart G: The National List of Allowed and Prohibited Substances. §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)).”

(b) Synthetics allowed

II. Committee Summary:

Activated charcoal was first petitioned on 5/20/02 and added to the National List §205.605(b) with annotation “only from vegetative sources; for use only as filtering aid” effective on September 12, 2006 by Final Rule TM-04-01FR based on the NOSB recommendation of September 19, 2003

The TAP report of August 14, 2002 reviewed activated charcoal. It determined that activated charcoal was synthetic, met fully the criteria for §205.605b and should be included on the National List with restrictions. One of the three reviewers maintained that the petitioned use of the material to filter grape juice to improve clarity and flavor would not comply with §205.600(b)4 of the Rule and suggested a use restriction for filtering of water only. The TAP did not identify any unacceptable risks to the environment, human or animal health resulting from the use or manufacture of activated charcoal as annotated.

The NOSB has received 6 public comments in support of the relisting activated charcoal in response to the Federal register notice of the sunset of activated carbon (AMS-TM-07-0136). No public comments have been received opposing the continued use of activated charcoal in organic handling. There was no new information presented to the committee that would call the material into question and prompt more extensive review.

(c) Committee Recommendations

The Handling Committee recommends the re-listing of ‘Activated Charcoal- only from vegetative sources; for use only as filtering aid’ on §205.605(b).

Moved: Gerald Davis

Second: Julie Weisman

Committee Vote: Yes- 5

No- 0

Absent- 1

Abstain- 0

Recuse- 0