

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

Date: 6-06-06

Subject: Sunset Deferral Vote for Colors, non-synthetic under 205.605a

Chair: Kevin O'Rell

Recommendation

The NOSB hereby recommends to the NOP the following:

Rulemaking Action: XXXXX

Guidance Statement:

Other:

Statement of the Recommendation (including Recount of Vote):

Recommendation to Defer Colors, non-synthetic 205.605a.

Moved: Julie Weisman Second: Nancy Ostiguy

Yes – 11

No – 1

Abstain – 0

Absent – 2

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

Sunset Material Vote

Response by the NOP:

**National Organic Standards Board
Handling Committee
Final Recommendation for Colors, Non-synthetic**

April 20, 2006

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:

There were many comments recommending the continued allowance of non-synthetic colors in organic handling. The federal register notice regarding Sunset Review asked the public to provide evidence and address concerns for any substance they believed should be discontinued.

There was a comment addressing the concern that colors and flavors were added to the National List without a technical review by the NOSB. The Handling Committee requested and received a technical overview of food color additives on October 14, 2005. This technical review offered no information that would suggest that either non-synthetic colors or flavors are inconsistent with organic practices.

There were numerous comments opposing the renewing the listing of non-synthetic colors. A few commenters requested that they be moved to 205.606, an action which cannot be taken as part of Sunset. Several commenters cited that non-synthetic colors had been placed on the National List without being petitioned and without the recommendation of the NOSB. The Board finds merit in this observation. Colors, non-synthetic requires a petition, a full TAP review before the Board can entertain a recommendation to renew.

III. Board Recommendation

The Board recommends deferring the vote on the following materials until a petition and full TAP review are received. The materials to be deferred are:

Colors, nonsynthetic sources only

NOSB vote:

Moved: Julie Weisman

Second: Nancy Ostiguy

Board vote: Yes – 11

No – 1

Abstain – 0

Absent - 2