

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

Date: March 18, 2005

Subject: Status of Bitter Orange

Chair: Jim Riddle
(sign)

Recommendation

The NOSB hereby recommends to the NOP the following:

Rulemaking Action: _____

Guidance Statement: _____

Other: X

Statement of the Recommendation (including Recount of Vote):

The NOSB recommends that the ingredient, bitter orange, needs to be petitioned. A certified organic source of bitter orange would be allowed under the regulations.

Adopted March 2, 2005 by NOSB vote: 9 yes, 0 no, 4 abstain, 1 absent

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

Not enough information has been provided to determine if bitter orange is agricultural or nonagricultural, or, if agricultural, if it might be commercially available in an organic form. In addition, the claim has been made that the substance is "solvent-free." The substance needs to be reviewed to determine, among other things, if solvents are used in its manufacture and then burned off, leaving it "solvent-free", or if the manufacturing process does not use solvents.

Section 205.105(c) prohibits the use of "nonagricultural substances used in or on processed products, except as otherwise provided in 205.605, and 205.105." Section 205.105(d) prohibits the use of "nonorganic agricultural substances used in or on processed products, except as otherwise provided in 205.606." Because "bitter orange" does not appear on the National List, it must be petitioned.

Response by the NOP:

**NOSB Recommendation
Bitter Orange Q&A
Adopted March 2, 2005**

Introduction

The USDA National Organic Program (NOP) has requested the NOSB to provide recommended guidance concerning a question of what needs to be petitioned in a specific formulated product. The NOP can review and distribute this recommendation to accredited certifying agents and post on the NOP website.

Background

The following scenario has been presented to the National Organic Program (NOP) for clarification:

A manufacturer of a formulated product has asked whether his product has to be petitioned for inclusion on the National List of Allowed and Prohibited Substances in order to be used in organic processing. His product is comprised of Bitter orange (flower and peel, water extracted, solvent-free) which is listed under the Food and Drug Administration's 21 CFR 182.20, Citric acid (listed under 205.605), Malic acid (will be listed under 205.605 once rulemaking is finalized), Ascorbic acid (listed under 205.605), Glycerin (listed under 205.605), and de-mineralized water (excluded under 205.302(a)). The intended use for his product is to serve as an anti-microbial wash for fresh fruit, vegetables and seafood as either a raw agricultural commodity or fresh cut. Raw product is dipped, sprayed or fogged with his solution.

Specific Questions

(1) Considering that the product in question is formulated with a number of ingredients (some are allowed on the National List, others are not), the NOP requests the NOSB to provide input on which of the following substances must be petitioned under the NOP regulations? Please provide your rationale with your response.

- Bitter Orange
- Citric Acid
- Malic Acid
- Ascorbic Acid
- Glycerin
- De-mineralized Water

Recommendation

The NOSB recommends that the ingredient, bitter orange, needs to be petitioned. A certified organic source of bitter orange would be allowed under the regulations.

Rationale

Not enough information has been provided to determine if bitter orange is agricultural or nonagricultural, or, if agricultural, if it might be commercially available in an organic form. In addition, the claim has been made that the substance is "solvent-free." The substance needs to be reviewed to determine, among other things, if solvents are used in its manufacture and then burned off, leaving it "solvent-free", or if the manufacturing process does not use solvents.

Section 205.105(c) prohibits the use of “nonagricultural substances used in or on processed products, except as otherwise provided in 205.605, and 205.105.” Section 205.105(d) prohibits the use of “nonorganic agricultural substances used in or on processed products, except as otherwise provided in 205.606.” Because "bitter orange" does not appear on the National List, it must be petitioned.

NOSB Vote: 9 yes, 0 no, 4 abstain, 1 absent