

United States Department of Agriculture  
Agricultural Marketing Service | National Organic Program  
Document Cover Sheet

<https://www.ams.usda.gov/rules-regulations/organic/national-list/petitioned>

Document Type:

☒ **National List Petition or Petition Update**

A petition is a request to amend the USDA National Organic Program's National List of Allowed and Prohibited Substances (National List).

Any person may submit a petition to have a substance evaluated by the National Organic Standards Board (7 CFR 205.607(a)).

Guidelines for submitting a petition are available in the NOP Handbook as NOP 3011, National List Petition Guidelines.

Petitions are posted for the public on the NOP website for Petitioned Substances.

☐ **Technical Report**

A technical report is developed in response to a petition to amend the National List. Reports are also developed to assist in the review of substances that are already on the National List.

Technical reports are completed by third-party contractors and are available to the public on the NOP website for Petitioned Substances.

Contractor names and dates completed are available in the report.

January 14, 2020

RE: Transmittal of petitioner's responses; petition to add red jalapeño chili pepper (*Capsicum annuum* L.) to section (§) 205.606

The Handling Subcommittee's questions (sent to petitioner by NOP on November 20, 2019) and responses from petitioner (received by NOP via email on January 14, 2020) are below:

1. The petition lists two potential suppliers who were contacted, why aren't other suppliers available given that jalapeños are widely grown? Green Jalapenos are widely grown but PEVEG is a supplier has a supplier that grow perfect Red Jalapeno that maintain the bright red color opposed to other growers in Mexico. The amount of pungency and taste is much better than many that PVEG have sampled and analyzed.
2. What are the barriers to organic production of these peppers? PVEG is compliant with FDA regulations, KOSHER product, Non-GMO and has many client certifications. Most clients search for different quality standards versus cost.
3. Have you tried to contract with other organic growers, who have the capacity to grow enough volume, for organic red jalapeño production? Price is a major barrier because providers require land, time and guarantee to purchase PVEG has attempted to obtain but consistently can not meet the current requirements of quality, standards and price to be competitive with the market.
4. It seems there are sources for organic chipotle pepper powder. Wouldn't the supply for organic chipotle peppers be the same as red jalapeño peppers? NO, there are major differences between Chipotle and Red Jalapeno peppers. The flavor is much different. PVEG has tried blending but have found that it changes drastically and not accepted by clients.
5. Provide research as to why red jalapeños are not produced in large quantities. The growers I contacted mentioned in previous document always tell me they need to plant and they have many clients for green and some for conventional. They must wait for the Jalapeno to ripen more for red and to have Organic increases the risk. If the timing is not exact they have decay and they can not sell. They say if we have a good supplier for conventional, we need to maintain. They say it is not worth the risk and the cost to grow Organic.