

August 10, 2026

MEMORANDUM TO THE NATIONAL ORGANIC STANDARDS BOARD

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SUBJECT: Response to National Organic Standards Board Recommendations
(Spring 2026 Meeting)

This memorandum responds to recommendations from the National Organic Standards Board (Board) to the U.S. Department of Agriculture (USDA), Agricultural Marketing Service (AMS), National Organic Program (NOP) at its meeting in Omaha, Nebraska from May 12 - 14, 2026. This memo also provides an update on NOP's current and upcoming regulatory priorities.

Summary of Board Recommendations and AMS Responses

National List Petitions

Within the USDA organic regulations ([7 CFR part 205](#)) is the National List of Allowed and Prohibited Substances (or "National List"). The National List identifies the synthetic substances that may be used in organic production and the nonsynthetic (natural) substances that may not be used in organic production. It also identifies the nonorganic substances that may be used in, or on, processed organic products. This list provides the organic industry with tools for organic production, handling, and manufacturing.

At its May 2026 meeting, the Board completed its review of three petitions to amend the National List. [Table 1](#) lists these petitions and their outcomes. More information on the National List, including how and why substances are added or removed, is available on the [National List webpage](#).

Table 1: Recommendations responding to National List petitions

Substance	National List Section (§)	Petitioner Request	Recommendation
Crops - § 205.601 Synthetic substances allowed for use in organic crop production.			
Pear ester	§ 205.601(f)	The 2023 petition requested adding pear ester to the National List so it can be used by organic crop producers to manage codling moth, an insect pest.	The Board classified pear ester as synthetic and recommended its addition to the National List, to be allowed for use in organic crop production as a lure for traps and as part of passive dispenser formulations. The Board recommended including the annotation " <i>microencapsulated formulations prohibited</i> " to prohibit spray-on formulations. If implemented, organic crop producers would be allowed to use this synthetic substance in passive dispensers.

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Substance	National List Section (§)	Petitioner Request	Recommendation
Livestock - § 205.603 Synthetic substances allowed for use in organic livestock production.			
Chlorine materials	§ 205.603(a)(10)	The 2024 petition requested clarification regarding the use of chlorine materials in livestock drinking water.	The Board recommended amending the National List annotation for chlorine materials from “...disinfecting and sanitizing facilities, and equipment...” to “...disinfecting and sanitizing facilities, equipment, and livestock drinking water...” If implemented, this would clarify that chlorine materials can be used in organic livestock drinking water.
Handling - § 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)).”			
Chitosan	§ 205.605(b)	The 2024 petition requested the addition of chitosan derived from <i>Aspergillus niger</i> to the National List for use as a processing aid in organic wine production.	The Board classified chitosan as petitioned as synthetic and did not recommend its addition to the National List. Synthetic chitosan as petitioned remains prohibited for use in organic handling.

Total petitioned substances recommended for rulemaking: 2

AMS Response: AMS thanks the Board for its recommendations to allow pear ester in organic crop production and to amend the annotation for chlorine materials in organic livestock production. AMS is reviewing these recommendations and will consider rulemaking to update the National List. Certifying agents should continue current allowances until any rulemaking efforts are finalized.

AMS also thanks the Board for its continued work reviewing petitions to change the National List and for its recommendation on the chitosan petition.

Sodium Bicarbonate Reclassification

Nonagricultural nonsynthetic (natural) forms of sodium bicarbonate (baking soda) are allowed for use as an ingredient in, or on, processed organic or “made with organic” products at § 205.605(a)(26). A 2025 technical report explained that sodium bicarbonate is produced through various methods. These methods include extraction from nahcolite deposits, chemical synthesis from trona ore, and chemical synthesis through the Solvay process. Trona-derived sodium bicarbonate had been classified as natural for many years. Based on new technical information in the report, the Board classified sodium bicarbonate from nahcolite as natural and sodium bicarbonate from trona ore or the Solvay process as synthetic. The Board recommended adding the synthetic trona ore form to § 205.605(b) so organic operations may continue its use. Sodium bicarbonate produced through the Solvay process would remain prohibited, and the natural, nahcolite extracted form would continue to be allowed.

AMS Response: AMS thanks the Board for its recommendation to update the regulations and support the continued allowance of sodium bicarbonate in organic handling. AMS is reviewing the recommendation and will consider rulemaking to update the National List in accordance with

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the recommendation. Certifying agents should continue current allowances until any rulemaking efforts are finalized.

E-Commerce Labeling

AMS received a petition for rulemaking in April 2025. The petition asked AMS to amend the USDA organic regulations to require online retailers to show an image of a certified organic product's information panel or to provide a clear statement that identifies the product's organic certifier. During its review of the petition, AMS asked the Board to provide feedback. The Board completed its review at its May 2026 meeting.

The Board's recommendation summarized current e-commerce labeling practices and explained the statutory and regulatory requirements that apply to organic products sold online. The Board also described food labeling activities conducted by the U.S. Food and Drug Administration (FDA) and FDA's current efforts to develop guidance for e-commerce labeling. The Board recommended that the NOP issue guidance instead of pursuing rulemaking. The goal of this guidance would be to improve clarity and consistency in how online retailers present organic claims. The Board explained in their recommendation that NOP guidance would align with FDA's approach and avoid requirements that could conflict with FDA's authority.

AMS Response: AMS thanks the Board for its recommendation. AMS is reviewing both the petition and the Board's recommendation to determine next steps.

2026 Research Priorities

Each year, the Board identifies research priorities as they relate to the organic industry's needs and questions that arise at the Board meetings. The Board's recommendation from its May 2026 meeting identifies priorities for research in organic crop production (*e.g.*, assessing impacts of agricultural plastic on soil health), organic livestock production (*e.g.*, identifying the barriers to increasing organic pork production), organic food handling and processing (*e.g.*, assessing impacts of various types of food packaging on organic on organic products), and other interdisciplinary organic topics (*e.g.*, increasing consumer access to organic foods).

AMS Response: AMS has shared the Board's recommendation with USDA's National Institute of Food and Agriculture (NIFA) program leader.

Policy and Procedure Manual (PPM) Updates

The Board recommended updates to its Policy and Procedures Manual (PPM), which was last revised in April 2024. The recommended updates would clarify several Board processes, including:

- How the Board should respond when a member does not participate.
- When the Board should request technical reports for petitioned substances. Clarifies that all newly petitioned substances should receive a technical report, as well as petitioned substances with an existing report over ten years old.

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- How members may propose annotation changes for a National List substance undergoing a sunset review.

AMS Response: AMS will update the Board's PPM to implement this recommendation. We encourage the Board to continue inviting public comments as part of their process for updating its Policy and Procedures Manual.

NOP Regulatory Priorities

NOP's current and upcoming regulatory priorities include:

- **Rulemaking to update the National List.** On March 23, 2026, AMS published a proposed rule with a 60-day comment period. The rule proposed implementing Board recommendations from the Fall 2021, Fall 2022, and Fall 2024 meetings, including: adding meloxicam for organic livestock pain management; expanding the allowance for methionine in organic poultry production; adding synthetic carbon dioxide for use in organic crop production; and reaffirming the allowance of natural sodium nitrate in organic crop production. AMS is reviewing the comments received on the proposed rule. Any final rule will be announced in an Organic Insider email.
- **Rulemaking for Inert Ingredients in Pesticides for Organic Production.** NOP is developing a proposed rule to replace obsolete listings for inert ingredients on the National List. Any proposed rule will include an opportunity for public comment and be announced in an Organic Insider email.
- **Advance Notice of Proposed Rulemaking (ANPR) on Compost.** The 2026 Office of Management and Budget's (OMB) [Unified Regulatory Agenda](#) has announced that AMS plans to develop an ANPR on the topic of compost in organic agriculture. This action responds to a 2023 petition for rulemaking and multiple Board recommendations related to compost. AMS is developing an ANPR to describe possible options and invite information and comments. For more background, visit the [rule overview](#).
- **Sunset Renewal:** A notice to renew 50 substances on the National List, reflecting the outcome of the 2027 sunset review process from the Fall 2025 Board meeting.
- **Handbook:** Continuing to work on updates to the NOP Handbook, with a focus on technical residue testing instructions and other updates that support consistent and effective implementation of the Strengthening Organic Enforcement rule.
- Continuing to work with the Administration to determine and implement its priorities.

NOP will continue to keep the community updated with advances in NOP activities and priorities using the following methods:

- Regular program updates presented during the Board's public meetings;
- [Organic Insider](#) emails to announce the publication of proposed or final rules and notices in the *Federal Register*;
- NOP response memorandums to recommendations (like this one), following each public Board meeting. These are also posted on the [AMS website](#);

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- Regular updates to the existing [Recommendations Library](#) document posted on the AMS website, with explanations of changes where appropriate;
- The Office of Management and Budget's (OMB) [Unified Regulatory Agenda](#) lists rules that the Administration plans to advance; and
- The [Petitioned Substances Index](#) on the AMS website links key documents for substances, including Board recommendations, technical reports, and rulemaking activities.

Acknowledgements

AMS acknowledges and appreciates the many hours the Board devoted to developing its recommendations.

AMS thanks **Sherry Vinton**, Director of the Nebraska Department of Agriculture, who provided welcoming remarks for the Spring 2026 Board meeting. AMS thanks the panel of experts on seeds, including **Dr. James Myers**, **Dr. Thomas Lübberstedt**, and **Dr. Julie Dawson**. AMS also thanks the Transition to Organic Partnership Program (TOPP) participants that presented information about organic agriculture in the Plains region and nationally, including **Amanda Brewster**, **Esteve Giraud**, and **Elora Bevacqua**.