

OTA offers the following summary of our comments. Please refer to our considerably more complete and individually submitted comments on each topic at <http://www.regulations.gov/> Docket: AMS-NOP-15-0002.

Sunset Review Process: To help facilitate a thorough comment and review process, OTA created an electronic survey for each input under review for 2016 and 2017. The surveys are user-friendly, available to **every NOP certificate holder**, and include 7-10 questions addressing the **necessity (farm and livestock) or essentiality (handling)** of the National List input under review. The names of the companies submitting the information are confidential (not disclosed to OTA). To ensure wide distribution of the surveys beyond OTA membership, OTA worked with Accredited Certifying Agencies (ACAs) to distribute the survey links to all of their certified clients as well as to targeted clients they know are using the inputs under review. OTA also worked through its Farmers Advisory Council (FAC¹) to help assist in distribution to NOP certified farmers.

The comments below reflect the feedback we received on our 2016 Surveys. OTA hopes these efforts and the feedback gathered from certified farmers and handlers will help and inform NOSB in its review process as it relates to the **necessity or essentiality** of the National List inputs undergoing their five-year Sunset review.

2016 SUNSET: CROPS

Ferric Phosphate: *Survey feedback:* OTA received survey responses from organic farmers representing 633 acres of certified organic ground in the West and Northeast. These farms ranged in size from 1.4 acres to over 400 acres. Crops produced by these farmers include mixed vegetables and herbs and tree fruit. Almost all respondents rated ferric phosphate as “critically essential” to their operations, and **all** respondents indicated that there were no effective alternative products for slug and snail control for commercial-scale production.

Hydrogen Chloride: *Survey feedback:* OTA received survey responses from members of the Texas Organic Cotton Marketing Cooperative who cumulatively produced over 20,000 acres of organic cotton in West Texas. All respondents indicated that hydrogen chloride is “critically essential” to organic cotton production because, without delinting cotton seed, it is not possible to plant using a mechanical seeder. Research into non-chemical delinting processes at USDA-ARS in Lubbock, TX, shows promise, but no commercial-scale mechanical delinting equipment has been manufactured or made available to the industry. Hydrogen chloride remains the only option for delinting cottonseed for the entire cotton industry (both organic and conventional).

2016 SUNSET: HANDLING

L-Malic Acid: *Survey feedback:* Used in a number of different organic products ranging from juices to chips to salsas. Primary uses are for pH control and flavor. Other alternatives include lemon juice and citric acid. However,

¹ OTA’s Farmers Advisory Council was established in 2013 to formalize two-way communication between OTA and member producers as well as regional organic producer organizations across the United States. Through dialog and input, FAC gives organic farmers a voice to directly influence OTA’s policy, and provides an avenue for OTA to share information and advocacy work with this stakeholder group.

based on R & D trials, the taste imparted by the alternatives does not meet the flavor profiles of the products meeting consumer expectation. The use of the alternatives would downgrade the quality of the products and marketability to the established customer base. All responses said this substance is essential to critically essential, and its removal would have a significant and negative impact on the future production of established organic products.

Microorganisms: *Survey feedback:* Used in numerous organic products throughout the country and world including baked goods, miso, pretzels, tempeh, wine, vinegar, cheese, sour cream, yogurt, sauerkraut, and more. Companies responding have been certified organic for 10 to 19 years. The only organic alternatives are organic yeast (required to be used when commercially available), which does not apply to many fermented food applications. Microorganisms are essential to all of the products listed and more. The companies responding would not be able to continue to produce organic products, or would have to drop certain product lines (e.g., products containing cheese). Ancillary substances missing from the NOSB chart include: 1) potassium phosphate; 2) potassium sulfate; and tricalcium phosphate.

Activated Charcoal: *Survey feedback:* Used as a filtering aid for water, refined organic oils and juice beverages. Companies responding have been certified for over 12 years. Products are sold throughout the United States in addition to export to other countries. Several companies replied that without activated charcoal, they would not have any products and/or they would be unacceptable to consumers. No alternatives are known that are more natural or more effective in removing impurities from water. All members rated this material as critically essential.

Peracetic Acid: *Survey feedback:* Used for a number of food processing applications. The only other equally effective alternative is chlorine, which is more difficult to use (e.g. calibrate and maintain application equipment). Chlorine is more caustic to equipment and leaves a residue on fruit and equipment surfaces. Chlorine requires a rinse. Peracetic acid decomposes quickly. Members expressed significant concern for food safety issues, noting increased spoilage and increased risks of exposure to human pathogens. All responses stated that peracetic acid is essential to their operations, and the loss of this input would significantly and negatively impact their business.

Sodium Acid Pyrophosphate (SAP): *Survey feedback:* Used as a leavening agent in organic pancake mixes, cake mixes, cookie mixes and crackers. Companies responding have been certified from 12-20 years. Products are sold in all 50 states as well as in the UK, France, Belgium and Germany. There are no other known alternatives. Cream of tartar and baking soda are used in certain products, but SAP works best in cake and cookie mixes. Loss of this input would result in discontinued mixes and/or poor product performance and lost sales. This substance is also used to make baking powder in place of buying the pre-blended baking powder on the market. This input was rated as essential to critically essential.

Boiler Additives: *Survey feedback:* The survey responses received support the subcommittee's conclusion that Cyclohexylamine, Diethylaminoethanol, and Octadecylamine, when used for packaging sterilization (direct contact with product), are no longer essential to organic handling due to the availability of alternatives that are more compatible with organic production principles. Comments also express the alternative practices require large capital investment that can be extremely costly and sometimes simply cost-prohibitive. We make this point in consideration of timelines that may be needed for organic operations, particularly small operations, to transition and comply with new requirements. OTA supports the Subcommittee's decision to remove these three boiler additives from the National List.