



March 30, 2017

Ms. Michelle Arsenault
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Avenue, SW
Room 2642-So., Ag Stop 0268
Washington, DC 20250-0268

Docket: AMS-NOP-16-0100

RE: Handling Subcommittee – Annotation Change for the Listing of Tocopherols to §205.605(b) (Proposal)

Dear Ms. Arsenault:

Thank you for this opportunity to provide comment on the Handling Subcommittee’s Proposal on a annotation change for the listing of tocopherols to §205.605(b) of the National List (non-agricultural, synthetic substances allowed in “organic” and “made with” products).

The Organic Trade Association (OTA) is the membership-based business association for organic agriculture and products in North America. OTA is the leading voice for the organic trade in the United States, representing over 9,500 organic businesses across 50 states. Our members include growers, shippers, processors, certifiers, farmers' associations, distributors, importers, exporters, consultants, retailers and others. OTA's mission is to promote and protect organic with a unifying voice that serves and engages its diverse members from farm to marketplace.

OTA supports the Handling Subcommittee’s proposal to change the annotation for tocopherols listed at §205.605(b) of the National List from: “Derived from vegetable oil when rosemary extracts are not a suitable alternative,” to the following:

“Derived from plant oils. Non-synthetic or organic tocopherols are to be used when commercially available.”

We support the proposal as written and we urge NOSB to pass it at this spring 2017 meeting.

Tocopherols are currently listed on the National List as an allowed “**nonagricultural, synthetic.**” However, tocopherols may be “organic,” “non-synthetic,” or “synthetic” depending on their source (plant vs. petroleum) and the processing method and processing aids used to isolate the tocopherol compound. The requirement to use an available organic or natural alternative instead of a synthetic form is a foundational part of the organic standards. However, any ingredient or processing aid listed as a NON-AGRICULTURAL substance on § 205.605 of the National List is unfortunately not subject to this requirement unless an annotation expressly requires that an organic/natural alternative be used.

OTA strongly supports this proposal because we believe that organic processors should be incentivized to manufacture and use organic and non-synthetic (natural) forms of tocopherols when they are available.



The requirement to derive tocopherols from plant oils makes non-synthetic and organic processed forms possible. We also recognize that the commercial availability of “non-synthetic” tocopherols are insufficient and organic forms are completely unavailable at this time. Given the potential for development and growth of both forms, we believe this proposal is a step in the right direction because it will, for the first time, require industry to at least source natural and/or organic forms. We hope this will in turn incentivize more organic production.

Given the possibility of organic forms becoming available and the existing availability of non-synthetic forms, OTA believes this is a forward-thinking proposal that should be passed at this meeting.

Conclusion

OTA appreciates the time NOSB is taking to improve the organization and accuracy of the National List and to propose regulatory changes that will both encourage the development and use of organic ingredients and support the use of the organic label. We support these efforts and offer our assistance in any way that is helpful.

On behalf of our members across the supply chain and the country, OTA thanks the National Organic Standards Board for the opportunity to comment, and for your commitment to furthering organic agriculture.

Respectfully submitted,

Gwendolyn Wyard
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Organic Trade Association

cc: Laura Batcha
Executive Director/CEO
Organic Trade Association