



January 14, 2026

Daniel B. Whitley  
Administrator  
Foreign Agricultural Service  
U.S. Department of Agriculture

**Re: RFI – Refined Sugar Study, Impacts on the Domestic Sugar Industry Docket ID: FAS-25-0034**

Dear Administrator Whitley:

The Organic Trade Association (OTA) appreciates the opportunity to provide input in response to USDA's Request for Information regarding whether additional terms and conditions on refined sugar imports are necessary and appropriate, and the potential impacts of such modifications on the domestic sugar industry.

The Organic Trade Association (OTA) is the leading membership-based business association representing the U.S. organic sector. Our members span the entire organic supply chain, including growers, processors, certifiers, retailers, and others dedicated to advancing organic agriculture and trade. Our mission is to grow and protect organic through a unified voice that serves and engages our diverse membership from farm to marketplace. Our members, including companies producing final products ranging from yogurt and granola bars to cereals and beverages, rely on a stable and predictable supply of organic sugar to manufacture USDA-certified organic products in the United States, consistent with the Organic Foods Production Act (OFPA) and the National Organic Program (NOP).

**OTA has concerns with adopting a minimum polarization threshold of 99.8 degrees for refined sugar unless USDA simultaneously establishes a clear and durable pathway for organic and other specialty sugars that are edible, food grade, and lawfully used by U.S. manufacturers but may not consistently achieve that threshold.** The U.S. organic sector is structurally dependent on imports due to limited domestic production capacity. According to USDA data, only about 8 percent of organic sugar supply is produced domestically, up from roughly 2 percent a decade ago, representing a sixfold increase over that period, yet still remains insufficient to meet demand as the organic sector has expanded<sup>1</sup>. USTR recognized organic refined sugar as a specialty sugar in 1996 because it is distinct from conventional refined sugar and not produced in sufficient quantities domestically, allowing imports to meet legitimate market demand without undermining broader U.S. sugar policy objectives. As a result, U.S. food manufacturers rely on imported organic sugar to produce certified organic products as required by USDA regulations, and this reliance cannot change quickly given the three-year transition required for organic production and the limited domestic processing infrastructure dedicated to organic. Restricting access to organic sugar imports would increase costs for U.S. manufacturers and consumers and in turn reduce demand for other U.S.-grown agricultural inputs used in organic products, including dairy, grains, and other commodities.

Below, OTA responds directly to the elements identified in the RFI.

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<sup>1</sup> Abadam, V. & Diaby, S. (2025). Sugar and sweeteners outlook: May 2025 (Report No. SSS-M-441). U.S. Department of Agriculture, Economic Research Service

## A. Need for Additional Definitions, Terms, or Conditions

### A.1. Defining “refined sugar” as having a minimum polarization of 99.8 degrees or higher

OTA has concerns with adopting a minimum polarization threshold of 99.8 degrees for refined sugar unless USDA simultaneously establishes a clear and durable pathway for organic and other specialty sugars that are edible, food grade, and lawfully used by U.S. manufacturers but may not consistently achieve that threshold. The proposed definition is incompatible with the National Organic Program. U.S. manufacturers are legally required to use certified organic sugar in products bearing the USDA Organic seal, and organic sugar is not fungible with conventional domestic sugar stocks.

Under current U.S. sugar policy, imports are classified primarily as raw or refined, with specialty and organic sugars treated as subsets of those categories for tariff- rate quota administration. Organic sugar is not raw sugar under USDA’s definition, which describes raw sugar as sugar “not suitable for human consumption without further refinement, regardless of polarity.”<sup>2</sup> Organic sugar also does not meet the Harmonized Tariff Schedule (HTS) definition of raw sugar, which refers to sugar with a sucrose content corresponding to a polarimeter reading of less than 99.5 degrees<sup>3</sup>. USDA defines refined sugar as centrifugal, crystalline sugar “which is not to be further refined or improved in quality.”<sup>4</sup> While the HTS does not independently define refined sugar, USTR’s administration of the refined sugar tariff- rate quota, including through Federal Register allocation notices, has long treated organic sugar as eligible refined sugar for quota purposes through the specialty sugar framework.

Organic sugar does not require further refining to be edible, yet it is distinct from highly refined conventional sugar and may not consistently meet a minimum polarization threshold of 99.8 degrees or higher. Narrowing the refined sugar definition without a specialty carve out would create a regulatory gap that misclassifies essential food grade ingredients and makes organic sugar permanently subject to high-tier tariff treatment despite legitimate market need and longstanding policy recognition. Any such changes should be addressed holistically so as not to impose undue regulatory or economic burdens on U.S. manufacturers that rely on ingredients not produced domestically in sufficient supply.

### A.2. Establishing a color or reflectance based standard such as ICUMSA units

OTA does not oppose the use of objective analytical tools such as ICUMSA methods where appropriate. However, color or reflectance standards should not be used as a proxy to reclassify edible organic or specialty sugars as raw or otherwise non qualifying, particularly where those sugars already meet food grade safety and organic certification requirements. Any analytical standard must recognize that organic sugars may retain certain natural characteristics while remaining fully edible and compliant with USDA organic regulations.

### A.3. Prescribing specifications for packaging type for refined sugar

Packaging type is a logistical consideration and does not determine whether sugar is edible further refined or lawfully marketed.

### A.4. Prescribing specifications for transportation modes for refined sugar

Transportation mode is similarly a logistical consideration and does not determine whether sugar is edible further refined or lawfully marketed.

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<sup>2</sup> USDA, Farm Service Agency, *Sugar Glossary* (June 2006), available at [https://www.fsa.usda.gov/Internet/FSA\\_File/sugar\\_glossary.pdf](https://www.fsa.usda.gov/Internet/FSA_File/sugar_glossary.pdf)

<sup>3</sup> Harmonized Tariff Schedule of the United States, **Chapter 17**, Subheading Note 1.

<sup>4</sup> USDA, Farm Service Agency, *Sugar Glossary* (June 2006)

A.5. Requiring affidavits or evidence that refined sugar will not undergo further refining in the United States  
OTA recognizes USDA's interest in ensuring that refined sugar imports are accurately classified. Any affidavit or evidentiary requirement should be narrowly tailored and coordinated with existing systems including USDA issued specialty sugar certificates and USDA organic certification to avoid duplicative or conflicting requirements. Organic sugar imported for use in certified products is already subject to USDA accredited third party certification traceability and audit requirements under the NOP which could be utilized for additional oversight if needed.

A.6. Prescribing terms and conditions to avoid unlawful sugar imports

OTA supports enforcement measures that directly target unlawful imports including misclassification or diversion. There is no evidence that organic sugar imported under specialty provisions is being unlawfully diverted into the conventional market. In the case of specialty organic sugar imports OTA supports USDA exploring the use of existing organic oversight mechanisms to trace organic sugar imports and verify that they are utilized by certified organic operations.

A.7. Establishing other definitions terms or requirements

If USDA proceeds with changes to refined sugar definitions OTA strongly recommends establishing a distinct classification or treatment for organic and specialty sugars that are edible and food grade not produced domestically in sufficient quantities required by regulation for certified organic manufacturing and eligible for specialty sugar designation and treatment under the Specialty Sugar Quota. Absent such a classification changes to refined sugar definitions this action would disrupt U.S. manufacturing without advancing domestic production objectives.

B. Potential Impacts on the Domestic Sugar Industry

For purposes of this RFI USDA defines the domestic sugar industry as domestic sugar beet producers and processors producers and processors of sugar cane and refiners of raw cane sugar. USDA data indicate that there is only one domestic producer of organic sugar and that domestic organic production supplies approximately 8 percent of total organic sugar demand in the United States. Modifications to refined sugar definitions particularly in the context of the effective elimination of the FY2026 Specialty Sugar Quota would exacerbate existing market imbalances. Manufacturers are increasingly required to rely on high tier tariff imports to secure organic sugar inputs which functions as a direct cost increase on U.S. manufacturing rather than an incentive for domestic production. Given the limited domestic organic growing base these policies do not redirect volume to U.S. growers but instead increase costs for manufacturers and prices for consumers without measurable benefit to domestic organic agriculture.

Impacts on the Organic Sector and U.S. Manufacturing and Farming

While most organic sector participants do not fall within USDA's definition of the domestic sugar industry organic sugar is a critical input for U.S. based food manufacturing that utilizes other domestically produced agricultural commodities. Modifications to refined sugar definitions particularly in the context of the effective elimination of the FY2026 Specialty Sugar Quota would exacerbate existing market imbalances. Manufacturers are increasingly required to rely on high tier tariff imports to secure organic sugar inputs which functions as a direct cost increase on U.S. manufacturing rather than an incentive for domestic production. Given the limited domestic organic growing base these policies do not redirect volume to U.S. growers but instead increase costs for manufacturers and prices for consumers without measurable benefit to domestic organic agriculture.

USDA regulations require the use of organic sugar in certified organic products and manufacturers cannot substitute conventional sugar during supply shortages. Organic sugar is a necessary ingredient in a wide range of products manufactured in the United States including yogurt cereal snack bars baked goods chocolate beverages and dairy based products. These products support demand for other U.S. grown organic ingredients

including milk, grains and eggs.

Restricting access to organic sugar imports through refined sugar definitional changes without providing an alternative classification would increase input costs for U.S. manufacturers raise prices for consumers reduce demand for other U.S. grown organic agricultural products and introduce supply instability without increasing domestic organic sugar production in the near term. Because conversion to organic production requires a minimum three-year transition period under USDA regulations any potential domestic supply response would lag well behind the immediate impacts on manufacturers and consumers.

#### Conclusion

U.S. sugar policy has historically balanced support for domestic producers with the needs of U.S. manufacturers. Adopting a refined sugar definition that excludes organic sugar without providing an alternative classification would undermine that balance. OTA urges USDA to ensure that any additional terms or conditions preserve access to organic sugar needed for U.S. manufacturing while maintaining the integrity of domestic sugar policy objectives.

Thank you for the opportunity to comment.

Respectfully submitted,



Tom Chapman  
Co-CEO  
Organic Trade Association

cc: Dylan Daniels, Senior Policy Advisor, Multilateral Affairs/Foreign Agricultural Service