2017 Sunset Handling Materials

NOSB has flagged the following substances listed below and is asking for additional information to help in the sunset review and decision process. A link to the NOSB summary of 2017 sunset materials is provided below along with the link to a survey that can be used to provide comment.

NOSB **handling** sunset summary (PDF)

Materials NOSB has stated that they are considering removing the following:

205.605(b):

- Sodium citrate
- Magnesium carbonate

205.606:

- Chia
- Dillweed Oil
- Galangal, frozen
- Lemongrass
- Orange Pulp, Dried
- Peppers (Chipotle)

NOSB is requesting information about the ancillary substances (e.g. carriers, preservatives, stabilizers) that may be used. Based on the ingredient statement provided in specification sheet that accompanies the pectin product you use, please list any ingredients that are contained in the product. Note: The "ancillary substances" should be listed in the ingredient statement found on the specification sheet.

- Dairy Cultures
- Enzymes
- Waxes
- Yeast
- Nutrient Vitamins and Minerals
- Tocopherols
- Xanthan Gum
- Celery Powder
- Colors
- Fructooligosaccharides
- Lecithin – Deoiled
- Orange Shellac
- Pectin
- Whey Protein Concentrate

205.605(a) – Nonsynthetic Nonagricultural

Algnic Acid

- Please bring forth any information regarding the effect of Alginic Acid and/or Alginates on human digestion.

- Is Alginic acid in use in organic handling and should it have its own National List listing? What are the non-synthetic alternatives in specific handling uses?
- Acid: Alginic

Bentonite and Kaolin

- Are Bentonite and Kaolin Clay essential in organic processing?
- Bentonite
- Kaolin

Dairy Cultures:

The NOSB is considering removing dairy cultures from the national list since the broader listing of microorganisms may cover all currently allowed dairy cultures:

- Is a separate listing for dairy cultures necessary or is the microorganisms listing sufficient to cover all materials used under the current dairy culture listing?
- More information is sought about other ancillary substances that may be in use and not listed, ancillary substances that are listed here but are not in use in formulations approved for organic, and other functional classes of ancillary substances that are not in this chart.
- Information is sought on specifically why any of the ancillary substances in dairy cultures do not meet the review criteria in the organic rule. See Appendix A.
- Dairy cultures

Enzymes

- Below (Appendix A) is a chart of ancillary substances that may be used in enzyme preparations. Please submit spec sheets or names of any ancillary substances that are not listed on the chart.

☐ Enzymes

Flavors

- Supply: Organic flavors of various types are available in the marketplace (extracts, essential oils, compounded natural flavors, essences, distillates, etc.). Is the supply of some specific organic flavors sufficient to warrant the sunset of some specific natural (non-organic) flavors on 205.605 of the National List? If so which ones?
- Commercial Availability: Given the availability of some organic flavors, do you think that commercial availability should apply to the use of natural flavors in organic products (i.e. use organic when commercially available in quantity, quality and form)?
- Would it be appropriate to retain all natural flavors on the National List if organic flavors were required to be used when available? Please explain your reasoning and provide specific examples.
- Essentiality: Are flavors essential to the continued success of the organic sector? Describe the effects to your operation should you no longer be allowed to use non-organic flavors. Specify which flavors you use.
- Would certifiers and Material Review Organizations (MROs) find a standardized industry questionnaire to verify compliance a helpful document?
- Natural Flavors

Magnesium Sulfate

- If you use this material please let us know what you use it for and why, and what would be the impact on your operation if it was removed from the list.
- Could Material Review Organizations (MROs) and certifiers please clarify availability of non-synthetic magnesium sulfate.
- Magnesium sulfate

Waxes - Carnauba

- Would changing this substance to an agricultural designation is a good idea? Comments are sought on this paragraph from the 2014 Technical Report: "However, it is possible that carnauba wax could be considered agricultural based on the definition of "agricultural product" at §205.2. It is derived from a plant, the carnauba palm, and does have intended uses for "human consumption." FDA regulations permit its use on food, and certified organic carnauba wax is available in the marketplace. There are seven operations in Germany, Brazil, and the U.S. that produce or handle organic carnauba wax according to the 2012 list of certified USDA organic operations (National Organic Program, 2012)." (TR page 7, lines 340-345)
- Input is requested on ancillary substances that may be part of wax formulations. Note that all the nonsynthetic waxes are often used in combination with each other, but these are not considered ancillary to each other. Potential ancillaries identified in the TR include residues of processing aids such as sodium carbonate, emulsifiers, plasticizers, coloring and de-colorization agents, surfactants and preservatives. Potential ancillaries identified in the TR include emulsifiers (fatty acids such as oleic, linoleic, palmitic, myristic or lauric acid), basic counterions (hydroxides of sodium, potassium salts, or ammonium, morpholine), and anti-foam agents. Additional components in Table 3 of the TR (page 7) that may function as ancillaries include alkaline agents, emulsifiers, and protective colloids, as well as plant extracts and vegetable oils.
- Waxes (Carnauba wax; and Wood resin)

Waxes – Wood Rosin

- Whether there will be any adverse impacts to the organic community from making a technical correction. See the TR for a detailed discussion of the identification of rosin.
- It is not known if there are any wood rosin based waxes that are combined with substances on the National list available on the market. The public is requested to submit brand names and specification sheets for any such products. (TR lines 155-156, page 4).
- Input is requested on ancillary substances that may be part of wax formulations. Note that all the nonsynthetic waxes are often used in combination with each other, but these are not considered ancillary to each other. Potential ancillaries identified in the TR include coumarone indene resin (synthetic resins of low molecular weight), emulsifiers, plasticizers, anti-foam agents, surfactants and preservatives. Additional components in Table 3 of the TR (page 4) that may function as ancillaries include alkaline agents, emulsifiers, and protective colloids, as well as plant extracts and vegetable oils. Without knowing of any products in use, it is unknown whether any of these may have been reviewed by materials review organizations for use in organic handling.
- Waxes (Carnauba wax; and Wood resin)

Yeast

- Since the change to this listing in 2010, has organic yeast become available in all forms, including

extracted ("autolysate") yeast?

- The Handling Subcommittee is seeking more information about others that may be in use, which of the many defoaming agents are used in formulations approved for organic, and other functional classes that are not in this chart.
- The Handling Subcommittee is seeking more information on why, specifically, any of the ancillary substances in yeast do not meet the review criteria in the organic rule. See Appendix A.
- Yeast

205.605(b) – Synthetic Nonagricultural
Acidified sodium Chlorite

- Is the substance essential for organic food production? Since the material was last reviewed, have additional commercially available alternatives emerged? The Handling Subcommittee encourages current users of acidified sodium chlorite to provide detailed comments describing the situations in which it is the most appropriate or effective antimicrobial for a given application.
- Acidified sodium chlorite

Calcium Phosphates (mono, di and tri)

- Have there been any changes in the sources of the raw materials from which the calcium or the phosphate are derived from? Any changes in the manufacturing process?
- Calcium phosphates

Chlorine Materials

- Is the substance essential for organic food production? Since the material was last reviewed, have additional commercially available alternatives emerged? The Handling Subcommittee encourages current users of chlorine materials to provide detailed comments describing the situations in which they are the most appropriate or effective antimicrobial for a given application.
- Chlorine materials

Ethylene

- The subcommittee is considering editing the annotation and removing its allowed use for the de-greening of citrus. If you use this material for the de-greening of citrus please let us know why you need to use it, and what the impact on your operation would be if it was removed from the List.
- Ethylene

Glycerides (mono and di)

- The subcommittee would like to better understand the extent of use of glycerides (mon- and di-) in drum drying. Are glycerides essential to organic food production? Describe the effects on your operation if glycerides were removed from the National List
- There appear to be many alternatives to use of glycerides for drum drying of foods, such as spray drying, freeze drying, fluidized bed dryers, air lift dryers, etc. Freeze drying is said to be an acceptable alternative to drum drying. Which of these alternatives have you found to be effective in your business?
- Glycerides

Glycerin

- The Handling subcommittee requests public comment regarding the current use and essentiality of

glycerin as a filter aid.

- Glycerin

Hydrogen Peroxide

- Is hydrogen peroxide essential for organic food production? Since the material was last reviewed, have additional commercially available alternatives emerged? The Handling Subcommittee encourages current users of hydrogen peroxide to provide detailed comments describing the situations in which it is the most effective antimicrobial for a given application.
- Hydrogen peroxide

Magnesium carbonate

- The subcommittee is considering removing this material from the National List. If you use this material please let us know what you use it for and why, and what would be the impact on your operation if it was removed from the List.
- Magnesium carbonate

Magnesium Chloride

- If you use this material please let us know what you use it for and why, and what would be the impact on your operation if it was removed from the List.
- If this material continues to be allowed should it be reclassified as Non-synthetic because it is derived from seawater by brine drying or should the annotation be changed?
- If this material continues to be allowed should its uses be limited to production of tofu?
- Is Nigari an FDA allowed food ingredient?
- Magnesium chloride

Magnesium Stearate

- The CCFA in 2010 recommended that magnesium stearate be deleted from Codex. Presently magnesium stearate is only allowed in the "made with organic" category. The Handling subcommittee may be recommending that magnesium stearate be removed from the National List. If magnesium stearate was removed from the National List what impact would this have on your operation?
- Since last review are there alternatives to the use of this material? If so which ones are most effective in your operation.
- Since the last review what health impacts have been clearly associated with magnesium stearate?
- Magnesium stearate

Nutrient Vitamins and Minerals

- Since the technical review document was not back in time for review, the Handling subcommittee urges input regarding ancillary substances used with these materials.
- Nutrient vitamins and minerals

Ozone

- Is ozone essential for organic food production? Since the material was last reviewed, have additional commercially available alternatives emerged? The Handling Subcommittee encourages current users of ozone to provide detailed comments describing the situations in which it is the most effective antimicrobial for a given application.

- Ozone

Phosphoric Acid

- Is the substance essential for organic food production? Since the material was last reviewed, have additional commercially available alternatives emerged? The Handling Subcommittee encourages current users of phosphoric acid to provide detailed comments describing the situations in which it is the most effective cleaner for a given application .
- Phosphoric acid

Potassium Acid Tartrate

- Is clarification needed as to precisely which material is allowed?
- If you use this material please let us know what you use it for and why, and what would be the impact on your operation if it was removed from the List.
- Potassium acid tartrate

Potassium carbonate

- If you use this material please let us know what you use it for and why, and what would be the impact on your operation if it was removed from the List.
- Potassium carbonate

Potassium phosphate

- If you use this material please let us know what you use it for and why, and what would be the impact on your operation if it was removed from the List.
- Potassium phosphate

Sodium citrate

- The subcommittee is considering removing this material from the National List based on availability of alternatives that include citric acid and potassium citrate. If you use this material please let us know if an alternative material would be sufficient in your operation and if Sodium Citrate is removed from the National List please let us know if this would have an impact on your operation:
- Sodium citrate

Sodium Hydroxide

- If you use this material please let us know what you use it for and why, and what would be the impact on your operation if it was removed from the List.
- Sodium hydroxide

Sodium Phosphate

- If you use this material please let us know what you use it for and why, and what would be the impact on your operation if it was removed from the List.
- Sodium phosphates

Sulfur dioxide

- If you use this material please let us know what you use it for and why, and what would be the impact on your operation if it was removed from the List.
- Sulfur dioxide

Tocopherols

- The following table shows ancillary substances used in common tocopherol formulations. Please provide information as to whether these ancillary substances or others are also used in organic tocopherol formulations. See Table.
- Tocopherols

Xanthan Gum

- Are there any ancillary substances used in xanthan gum such as carriers or solvent remaining in the final product?
- Xanthan gum

§205.606 – Non-organic Agricultural Allowed when Organic Forms are Commercially Unavailable

Casings

- Are there any companies manufacturing casings made from certified organic livestock?
- What chemicals other than salt are used to process animal intestines into casings?
- Casings, from processed intestines

Celery Powder

- The handling subcommittee believes sufficient supply may be available to remove this material from 205.606. The Handling Subcommittee requests that the public provide comment regarding the current use of and commercial demand for celery powder in organic products and provide comments on the impact that removing it from 205.606 would have on organic business and/or organic products.
- Has the industry attempted to locate organic sources of celery powder and with what degree of success?
- Are there other ingredients with suitable flavor profiles that could be used in place of celery powder, given adequate transition time for ingredient inventory and label depletion?
- In what organic products is non-organic celery powder currently used, and what are the specific reasons for its necessity in these products?
- Celery powder

Chia

- The handling subcommittee believes sufficient supply may be available to remove this material from 205.606.
- Has the industry attempted to locate organic sources and with what degree of success?
- Are there other ingredients with suitable flavor profiles that could be used in place of this ingredient, given adequate transition time for ingredient inventory and label depletion?
- In what organic products is this non-organic ingredient currently used, and what are the specific reasons for its necessity in these products?
- Chia (Salvia hispanica L.)

Colors

- Has the availability of organic colors increased?
- Are there ancillary substances associated with the manufacture of colors? If so describe and explain their uses.
- Beet juice extract color
- Beta-carotene extract color
- Black currant juice color
- Black/Purple carrot juice color
- Blueberry juice color
- Carrot juice color
- Cherry juice
- Chokeberry—Aronia juice color
- Elderberry juice color
- Grape juice color
- Grape skin extract color
- Paprika color
- Pumpkin juice color
- Purple potato juice
- Red cabbage extract color
- Red radish extract color
- Saffron extract color
- Turmeric extract color

Dillweed oil

- The handling subcommittee believes sufficient supply may be available to remove this material from 205.606.
- Has the industry attempted to locate organic sources and with what degree of success?
- Are there other ingredients with suitable flavor profiles that could be used in place of this ingredient, given adequate transition time for ingredient inventory and label depletion?
- In what organic products is this non-organic ingredient currently used, and what are the specific reasons for its necessity in these products?
- Dillweed oil

Fish Oil

- What are the primary geographic sources of Fish oil and primary fish species harvested for purpose of oil extraction?
- Are there conservation and environmental issues surrounding harvest of wild caught fish for fish oil?
- What is the manufacturing and purification process?
- Is there a mandatory standard for fish oil purity with limits on contaminants dioxins and PCB's for example? How is purity assessed?
- Is the Voluntary Standard from the Council of Responsible Nutrition (CRN) for contaminant limits still in effect?

- What is the most current research on plant-derived alternatives such as flax and chia and how comparable are they to the Omega 3 in fish and algal oils?
- Fish oil (Fatty acid CAS #'s: 10417-94-4, and 25167-62-8)

Fructooligosaccharides

- Input is requested on ancillary substances that may be part of fructooligosaccharides formulations. Potential ancillaries identified in the TR include residues of processing aids such as glucose, sucrose, calcium gluconate, glucose oxidase enzyme, catalase enzyme, or ethyl alcohol. Manufacturers of fructooligosaccharides, organic handlers and material review organization are urged to send in brand names and specification sheets of products in use so that specific ancillary substances can be identified.
- Fructooligosaccharides

Galangal, frozen

- As of February 2014, the website www.606organic.com listed no suppliers of organic frozen galangal but the OTA Organic Pages list 1 supplier of organic frozen galangal. Based on this information the handling subcommittee believes sufficient supply may be available to remove this material from 205.606.
- Has the industry attempted to locate organic sources and with what degree of success?
- Are there other ingredients with suitable flavor profiles that could be used in place of this ingredient, given adequate transition time for ingredient inventory and label depletion?
- In what organic products is this non-organic ingredient currently used, and what are the specific reasons for its necessity in these products?
- Galangal, frozen

Gums

- The HS is aware of organically grown Guar and Locust Bean Gums. Is there enough source of these organic gums to remove them from the list?
- Has the industry attempted to locate organic sources and with what degree of success?
- Are there other ingredients with suitable flavor profiles that could be used in place of this ingredient, given adequate transition time for ingredient inventory and label depletion?
- In what organic products is this non-organic ingredient currently used, and what are the specific reasons for its necessity in these products?
- Gums—water extracted only (Arabic; Guar; Locust bean; and Carob bean)

Kelp

- The HS is considering removing the annotation, since some types of kelp are used as flavoring and there appears to be little basis for the reason for the annotation. In light of separate listings for Kombu and Wakame, does this annotation make sense?
- Kelp—for use only as a thickener and dietary supplement

Konjac flour

- Is organically grown Konjac flour available?
- In what unique situations is Konjac flour a better choice than an organic alternative such as potato flour?
- Konjac flour

Lecithin – de-oiled

- Has the supply of dry forms of organic unbleached lecithin increased sufficiently since 2009 that this can be removed from the list?
- The 2009 Technical Report refers to at least several ancillary substances: vegetable oil as a carrier and other "fluidizing additives". Please submit spec sheets or names of any ancillary substances that may be used with de-oiled lecithin formulations.
- Lecithin—de-oiled

Lemongrass

- As of February 2014 a review of the USDA list of certified operations (2013 data) showed 73 organic crops certificates listing lemongrass but no organic handling certificates listing frozen lemongrass specifically. As of February 2014 606organic.com and the OTA Organic Pages do not list any suppliers of organic frozen lemongrass but did list 8 suppliers of other organic lemongrass products. Based on this information the handling subcommittee believes sufficient supply may be available to remove this material from 205.606.
- Has the industry attempted to locate organic sources and with what degree of success?
- Are there other ingredients with suitable flavor profiles that could be used in place of this ingredient, given adequate transition time for ingredient inventory and label depletion?
- In what organic products is this non-organic ingredient currently used, and what are the specific reasons for its necessity in these products?
- Lemongrass—frozen

Orange pulp, dried

- As of February 2014 a review of the USDA list of certified operations (2013 data) showed 304 organic crops certificates listing oranges and 13 organic handling certificates listing orange pulp or dried oranges. No organic handling certificates specifically listed dried orange pulp. As of February 2014 606organic.com and the OTA Organic Pages do not list any suppliers of organic dried orange pulp. Based on this information the handling subcommittee believes sufficient supply may be available to remove this material from 205.606.
- Has the industry attempted to locate organic sources and with what degree of success?
- Are there other ingredients with suitable flavor profiles that could be used in place of this ingredient, given adequate transition time for ingredient inventory and label depletion?
- In what organic products is this non-organic ingredient currently used, and what are the specific reasons for its necessity in these products?
- Orange pulp, dried

Orange shellac

- Input is requested on ancillary substances that may be part of shellac formulations. Potential ancillaries identified in the TR include residues of processing aids such as sodium carbonate, emulsifiers, plasticizers (such as vegetable oils and fatty acids), coloring agents, and de-colorization agents. Organic handlers and Material Review Organization are urged to send in brand names and specification sheets of products in use so that specific ancillary substances can be identified.
- Orange shellac-unbleached

Pectin

- Are there any ancillary substances used in pectin?
- Pectin (non-amidated forms only)

Peppers (Chipotle chile)

- As of February 2014 a review of the USDA list of certified operations (2013 data) showed 618 organic crops certificates listing peppers or chilies (although only 1 specifically listed chipotle) and 20 organic handling certificates listing chipotle products. . As of February 2014 606organic.com listed no suppliers of organic chipotle peppers but the OTA Organic Pages list 3 suppliers of chipotle and 17 suppliers of chilies or peppers. Based on this information the handling subcommittee believes sufficient supply may be available to remove this material from 205.606.
- Has the industry attempted to locate organic sources and with what degree of success?
- Are there other ingredients with suitable flavor profiles that could be used in place of this ingredient, given adequate transition time for ingredient inventory and label depletion?
- In what organic products is this non-organic ingredient currently used, and what are the specific reasons for its necessity in these products?
- The Handling Subcommittee requests that the public provide comment regarding the current use of and commercial demand for chipotle chile pepper in organic products and provide comments on the impact that removing it from 205.606 would have on organic business and/or organic products.
- Peppers (Chipotle chile)

Starches, cornstarch, sweet potato

- The HS is would like to know if organic cornstarch is available.
- Has organic sweet potato starch become commercially available since the last sunset review?
- Cornstarch (native)
- Sweet potato starch

Turkish Bay Leaves

- As of February 2014 a review of the USDA list of certified operations (2013 data) showed 5 organic crops certificates listing bay leaves and 19 organic handling certificates listing bay leaves. Of the previously mentioned operations, 7 certificates specifically listed *Laurus Nobilis* the scientific name for Turkish bay leaves. As of February 2014 the website 606organic.com listed no suppliers of organic bay leaves but the OTA Organic Pages list 5 suppliers of bay leaves (but none specifying "Turkish"). Based on this information the handling subcommittee believes sufficient supply may be available to remove this material from 205.606.
- Has the industry attempted to locate organic sources and with what degree of success?
- Are there other ingredients with suitable flavor profiles that could be used in place of this ingredient, given adequate transition time for ingredient inventory and label depletion?
- In what organic products is this non-organic ingredient currently used, and what are the specific reasons for its necessity in these products?
- Turkish bay leaves

Whey protein concentrate

- Input is requested on ancillary substances that may be part of whey protein concentrate formulations. Manufacturers of whey protein concentrate, organic handlers and material review organization are urged to send in brand names and specification sheets of products in use so that specific ancillary substances can be identified.
- Input is requested on the current use of and commercial demand for whey protein concentrate in organic products and comments on the impact that removing it from 205.606 would have on organic business and/or organic products.
- A review of 2013 USDA database of certified organic operations reveled 8 sources whey protein concentrate and 32 sources of whey. The websites theorganicpages.com and 606organic.com accessed in February 2015 revealed 8 sources whey products (1 specifically listing whey protein concentrate) and 2 sources of whey protein concentrate respectively. Is there sufficient supply of whey protein concentrate and what has the industry attempted to develop organic sources of whey protein concentrate and with what degree of success?
- Are there other ingredients with suitable functionality and sufficient supply that could be used in place of whey protein concentrate, given adequate transition time for ingredient inventory and label depletion? In what organic products is non-organic whey protein concentrate currently used, and what are the specific reasons for its necessity in these products?
- Whey protein concentrate

Appendix A - Ancillary substances by functional class:

Microorganisms/Dairy Cultures

Functional Class	Substance Name
Anti-caking & anti-stick agents	magnesium stearate, calcium silicate, silicon dioxide
Carriers and fillers, agricultural or nonsynthetic	Lactose, maltodextrins, sucrose, dextrose, potato starch, non-GMO soy oil, flour, milk, autolyzed yeast, inulin, cornstarch, sucrose.
Carriers and fillers, synthetic	Micro-crystalline cellulose, propylene glycol, stearic acid, dicalcium phosphate.
Preservatives	sodium benzoate, potassium sorbate, ascorbic acid
Stabilizers	Maltodextrin
Cyroprotectants used to freeze-dry dairy cultures	liquid nitrogen, maltodextrin, magnesium sulfate, dimethyl sulfoxide, sodium aspartate, mannitol, sorbitol
Substrate that may remain in final product	milk, lactose, grain (rice, barley, wheat) flour, brewed black tea and sugar, soy

Enzymes

Functional Class	Substance Name
Anti-caking & anti-stick agents	Magnesium stearate, calcium silicate, silicon dioxide
Carriers and fillers, agricultural or nonsynthetic	Lactose, maltodextrins, sucrose, dextrose, potato starch, non-GMO soy oil, rice protein, grain (rice, wheat, corn, barley) flour, milk, autolyzed yeast, inulin, cornstarch, sucrose, glycerol, potassium chloride, ammonium sulfate
Carriers and fillers, synthetic	Micro-crystalline cellulose, propylene glycol, stearic acid, dicalcium

	phosphate.
Preservatives	sodium benzoate, potassium sorbate, ascorbic acid
Stabilizers	maltodextrin

Yeast

Functional class	**Substance name**
Antioxidants	butylated hydroxyanisole (BHA), butylated hydroxytoluene (BHT), propyl gallate (PG)
Preservatives	ascorbic acid
Emulsifiers	soybean oil, cottonseed oil, sorbitan monostearate, sorbitan tristearate, sorbitan monolaurate, sorbitan monooleate, sorbitan monpalmitate, sorbitol
Carriers	Malt Syrup
Defoaming agents	many in TR
Substrate that may remain in final product	Food waste, microorganisms, molasses