



April 4, 2018

Ms. Michelle Arsenault
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Avenue, SW
Room 2648-So., Ag Stop 0268
Washington, DC 20250-0268

Docket: AMS-NOP-17-0057

RE: Handling Subcommittee (HS) – Sodium dodecylbenzene sulfonate (SDBS) - petitioned

Dear Ms. Arsenault:

Thank you for this opportunity to provide comment on the Handling Subcommittee’s proposal on whether or not to add sodium dodecylbenzene sulfonate (SDBS) to the National List at § 205.605(b) as an allowed synthetic antimicrobial.

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 Summary

The Organic Trade Association conducted outreach on this topic through our member communities (task forces, forums and councils) as well as through direct outreach to our retailer members. Although we received substantial feedback, we did not receive comments expressing the need for this particular antimicrobial. The comments received cited the use of GMPs and the availability of alternatives (primarily peracetic acid, chlorine materials, electrolyzed water and ozone), but also expressed the importance of a robust sanitation program that includes a variety of products to prevent microbial resistance. Comments also expressed that the list of viable antimicrobials allowed for use in organic production and processing (allowed in direct contact with product) is very limited, and that many of the alternatives included in the subcommittee proposal are not widely used because they are not viable options (e.g. ascorbic acid, lactic acid, malic acid).

Public commenters and NOSB members have expressed continued interest in learning more about antimicrobials and the range of available products that are both effective and most appropriate for use in organic production and handling. The Organic Trade Association agrees. It is critical that organic producers and handlers have a tool kit of antimicrobials that will allow them to fully comply with all food safety requirements and have the ability to rotate among several materials to reduce the incidence of microbial resistance. It is also critical that the National List continues to represent the best and least-toxic technology our food system has developed. For this reason, **the Organic Trade Association supports NOSB’s work agenda item to develop questions to assess the essentiality of sanitizer (antimicrobial)**

materials. We also request that an expert panel be convened to assist NOSB in this process and to address the required, appropriate and innovative use of antimicrobials in organic production and handling.

Background on SDBS

SDBS is petitioned by Ecolab, Inc. as a synthetic ingredient that would be used in a formulated product for use as an antimicrobial in the preparation and processing of raw fruit and vegetables in the premises of organic food retail establishments. The synthetic substance is added to fresh produce wash-water as an aid in the removal of surface bacteria. Except for residual SDBS remaining on the produce at produce species dependent levels up to 10 ppm. SDBS does not contribute to the flavor, color, texture or nutritive value of the product. SDBS is one of two active ingredients (the second is lactic acid) in an antimicrobial formulation for use in treating fruits and vegetables. The Ecolab, Inc. branded formulated antimicrobial material is labeled as Antimicrobial Fruit & Vegetable Treatment (AFVT). AFVT is used in food retail environments such as restaurants, cafeterias, food service operations, commissaries and kitchens. The petitioner states its product would help to provide the organic users with a new reliable antimicrobial.

National List Criteria

In order for petitioned substance to be added to the National List for use in organic handling, it must meet the evaluation criteria specified in the Organic Foods Production Act (OFPA). In summary, the following conditions must be met: 1) the substance is consistent with organic handling; 2) the substance is essential because of the unavailability of alternative materials (natural, organic) or practices; and 3) the substance does not have adverse impacts to humans or the environment (OFPA SEC. 2118 [7 U.S.C. 6517 and 6518] National List).

Additionally, for synthetic processing aids or adjuvants to be used in handling, the following criteria must be met as per § 205.600 (Evaluation criteria for allowed and prohibited substances, methods, and ingredients): 1) the substance cannot be produced from a natural source and there are no organic substitutes; 2) the substance's manufacture, use and disposal do not have adverse effects on the environment and are done in a manner compatible with organic handling; 3) The nutritional quality of the food is maintained when the substance is used, and the substance itself or its breakdown products do not have an adverse effect on human health as defined by applicable Federal regulations; 4) The substance's primary use is not as a preservative or to recreate or improve flavors, colors, textures, or nutritive value lost during processing, except where the replacement of nutrients is required by law; 5) the substance is listed as generally recognized as safe (GRAS) by Food and Drug Administration (FDA) when used in accordance with FDA's good manufacturing practices (GMP) and contains no residues of heavy metals or other contaminants in excess of tolerances set by FDA; and 6) The substance is essential for the handling of organically produced agricultural products.

The Organic Trade Association commends the Handling Subcommittee for its thorough review of the above criteria as documented in the proposal using the NOSB National List Review Worksheet questions.

Handling Subcommittee Recommendation

The Handling Subcommittee's is proposing to classify SDBS as a synthetic substance and to add it to the National List as petitioned at 205.605(b) (non-agricultural synthetic substances allowed in or on processed products labeled as "organic" or "made with organic (specified ingredients or food group(s)).

- The motion to CLASSIFY this material as synthetic PASSED (yes: 5, No: 0, Abstain: 0, Absent: 2, Recuse: 0).
- The motion to ADD this material to the National List FAILED (yes: 0, No: 5, Abstain: 0, Absent: 2, Recuse: 0).

In support of its decision, the subcommittee notes the availability of allowed natural and synthetic alternatives to this substance. Available synthetic options include electrolyzed water, sodium and calcium hypochlorite and peroxyacetic acid. Non-synthetic alternatives include organic acids (ascorbic acid, citric acid, lactic acid, lactates, tartaric acid, malic acid) and organic vinegar (acetic acid).

The subcommittee also recognizes and notes the importance of having the ability to rotate among several materials in an antimicrobial regime to reduce the incidence of microbial resistance. However, in the absence of significant public comment advocating for the addition of SDBS to the National List and the availability of alternatives, the subcommittee does not see this material as **essential** to organic handling.

Handling Subcommittee Questions

The Organic Trade Association collected and summarized the following responses we received to the questions the Handling Subcommittee included in its proposal:

1. *What are retailers currently using to address food safety concerns?*

- To address food safety concerns, retailers use many of the same measures required for GMPs (regular cleaning, removal of debris, pest management, etc.). In terms of materials, commonly used, sanitizers include peracetic acid, chlorine materials, electrolyzed water, and ozone. However, peracetic acid is very expensive and sold in large quantities and often not practical for small retailers. Quaternary ammonium may also be used on food contact surfaces when followed by an intervention step/procedure that effectively removes residue and contact with organic product.

NOTE: A common misunderstanding is that all cleaners and sanitizers used in organic production and handling must appear on the National List. Phosphoric acid is an example of a cleaning agent that may be used on food contact surfaces and equipment according to label instructions. Peracetic acid is an example of a sanitizer that may be used in direct contact with organic produce according to FDA limitations. In general, cleaners, sanitizers and other antimicrobials may be used on food contact surfaces, per label use requirements, provided they are rinsed/removed from the surface and do not come in contact with organic product at any stage in the process. Cleaners and sanitizers that are used in direct contact with organic product or on food contact surfaces without a rinse (or according to limitations) must be on the National List (e.g. peracetic acid, chlorine, electrolyzed water, ozone). However, cleaners and/or sanitizers that are used on food contact surfaces that are rinsed/removed do not need to be on the National List. This is an area where industry needs guidance.

2. *Are any of the alternatives mentioned in the petition currently used at the retail level, and if so, are they effective in addressing these areas of food safety concerns?*

- Yes, some of the alternatives noted in the petition proposal are currently used, specifically electrolyzed water, chlorine materials, and peracetic acid. However many of the non-synthetic discussed in the petition proposal are not viable alternatives.

- When used for sanitation, citric acid is often used for pH control in conjunction with other materials.
- Similarly the other organic acids mentioned (ascorbic acid, lactic acid, lactates, tartaric acid, malic acid) are not widely used. When they are used, it is usually in conjunction with other more robust materials.
- Organic vinegar and essential oils are not viable alternative because they are also pest attractants.

3. *Is this a material that your company would like to use? It is essential? Or, do the current alternative suffice?*

- Either the material is not used or it has not yet been evaluated in a sanitation program. Alternatives are in use. However, a robust sanitation program should include a variety of materials to prevent antimicrobial resistance. As such, it is essential that handlers, including retailers, have multiple alternatives.

4. *Do you think that retailers need a more diverse "tool kit" of sanitizers to prevent microbial resistance?*

- In general, yes retailers and food handlers should have more alternatives. A robust sanitation program should include a variety of sanitizers and disinfectants. The list of materials, which are actually viable, is very limited. It is especially important that the National List include a variety of sanitizers that can be used directly in fresh produce wash water since these foods are often consumed raw and without a kill step.

OTA request for an expert panel on cleaners, sanitizers, and other antimicrobials

As stated in our summary, public commenters and NOSB members have expressed continued interest in learning more about antimicrobials and the range of available products that are both effective and most appropriate for use in organic production and handling. The Organic Trade Association agrees. It is critical that organic producers and handlers have a tool kit of antimicrobials that will allow them to fully comply with all food safety requirements and have the ability to rotate among several materials to reduce the incidence of microbial resistance. It is also critical that the National List continues to represent the best and least-toxic technology our food system has developed.

For this reason, **the Organic Trade Association supports NOSB's work agenda item to develop questions to assess the essentiality of sanitizer (antimicrobial) materials. We also request that an expert panel be convened to assist NOSB in this process and to address the required, appropriate and innovative use of antimicrobials in organic production and handling.**

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 maintaining the National List and advising on other standards topics.

Respectfully submitted,





Gwendolyn Wyard
Vice President of Regulatory and Technical Affairs
Organic Trade Association

cc: Laura Batcha
Executive Director/CEO
Organic Trade Association