



May 3, 2012

National Organic Standards Board  
c/o Ms. Ann Michelle Arsenault, Special Assistant  
National Organic Standards Board  
USDA-AMS-NOP, 1400 Independence Ave. SW.  
Room 2648-S, Mail Stop 0268  
Washington, DC 20250-0268.

Members of the National Organic Standards Board:

Small Planet Foods appreciates the Material Committee's efforts to bring greater clarity to material review and classification, topics foundational to compliance with the organic regulations. Our comments are specific to the two discussion documents presented by the Materials Committee: Significant Residues Definition and Extractants and Solvents.

We ask the committee and the board to table further work on these topics until the National Organic Program draft guidance document on classification of materials has been issued. As a past chair of the Materials Committee, and chair in November 2009 when the NOSB passed (vote -- 12 yes, 1 no, 2 absent) the recommendation on classification, I appreciate the complexity of the topics presented by the Materials Committee and how intertwined the topics are with the rest of classification. I would ask the board to:

1. Review classification of materials as a holistic topic with a well-documented history of discussion and compromise. The two topics covered by the discussion documents are specific parts of the classification topic and their review in isolation can have unintended impacts on the broad topic. My experience is that any discussion of classification must happen in the context of specific materials whose classification has been long established (e.g., pyrethrin). We found it particularly helpful in 2008 and 2009 to rely on the Material Working Group, open to any interested stakeholder, to understand these complicated topics and implications. I would encourage you to do so as well.
2. Refer to the more detailed comments provided by the Organic Trade Association and to the long historical record on this topic including the preamble to the Organic Food Production Act and the Senate Committee Report of July 1990 which has some useful information on congressional intent as it relates to materials compatible with organic production and the use of solvents for their extraction. The OTA comments have a complete list of relevant NOSB, NOP and Material Working Group work related to classification.

Small Planet Foods thanks the National Organic Standards Board for considering our comments.

Sincerely,

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