

guidance on what excluded methods are prohibited and how far back in the production process should excluded methods be verified.

4) The recommendation would allow animals treated with GMO vaccines during a declared emergency to keep their organic status. Is that not saying that the organic integrity of the treated animal is not affected by the use of a GMO vaccine? If there were any indication that the use of GMO vaccines adversely affects the organic integrity of the animal, then treated animals would not be allowed to stay in organic production regardless of a declared emergency. Also, it is telling that the Non-GMO Project, an organization committed to preserving non-GMO products in the marketplace, does not exclude the use of GMO vaccines. The committee may benefit from more research into the real affect (or lack thereof) that the use of GMO vaccines has on the organic integrity of animals and animal products.

5) The committee states on pg. 14 that it is not the intent of this recommendation to “preclude the possibility of successful future petitions to the NOSB for specific GMO vaccines or for GMO vaccines as a class for specific animal diseases”. However, this recommendation is effectively stating that GMO vaccines as an entire class of materials is not compatible with organic production. It is hard to imagine that any individual vaccine from excluded methods would be found to be compatible, since this recommendation declares that the entire class of vaccines from excluded methods is not compatible. Clarification is needed on how the committee believes that this recommendation does not preclude GMO vaccines from being successfully petitioned for inclusion on the National List.

Sanitizers and “100% Organic” Products

PCO would like to contribute to the discussion on sanitizers used in the production and processing of products labeled as “100% organic”, by answering the questions posed in the CAC committee’s discussion document. PCO suggests that the National Organic Standards Board consider the merger of the 100% organic and >95% organic categories, and all products with >95-100% organic content would be labeled as “organic”. It may be the solution to this particular issue concerning the use of sanitizers on 100% organic products, among others.

1. Does the 100% Organic label claim hold value for you?

Products in the “100% organic” category hold value simply by being composed of and processed with only organic ingredients. Products in the >95% organic category have just as much organic integrity as a product in the “100% organic” category. The use of an NOP-approved non-organic processing aid or ingredient does not diminish the organic integrity with which the raw agricultural products were produced.

Assuring the Integrity of Organic Products in the Marketplace

2. Do you feel that contact with a non-organic processing aid should prevent an item from being 100% organic and why?

As the regulations are currently written, the use of a non-organic processing aid does prevent an item from being labeled as “100% organic”. It is confusing and misleading to consumers when a product composed of 100% organic raw agricultural ingredients is excluded from being labeled as “100% organic”. This confusion could be eliminated if the use of a non-organic processing aid that is not itself present in the final product did not affect the label category of the final category.

3. Do you feel that contact with a non-organic food contact sanitizer should prevent an item from being 100% organic and why?

The heading of 205.605 does not include the “100% organic” label category, and sanitizers are on that list. So, as the regulations are currently written, the use of a sanitizer on 205.605(a) is only allowed to be used on “organic” products and not allowed on “100% organic” products. The use of a sanitizer is in some cases required by the FDA; in these cases, some products could never be labeled as “100% organic” because they are required by other FDA regulations to use a sanitizer that prevents the product from being labeled in the “100% organic” category, even though the product may be composed of 100% organic raw agricultural ingredients. For example, processors of eggs and poultry meat are required to use a food contact sanitizer, and therefore automatically disqualified from the “100% organic” category. The fact that these single ingredient products cannot be labeled as “100% organic” is confusing to the consumer.

4. How do you distinguish a processing aid from a food contact sanitizer?

As it pertains to organic certification, PCO considers food contact sanitizers as processing aids. The use of a food contact sanitizer (including a sanitizer used post-harvest) would disqualify a product from the “100% organic” label category.

5. Does your organic certifier provide guidance on what is a processing aid versus a food contact sanitizer? If so, what is that guidance?

PCO provides guidance to our producers on food contact sanitizers that specifies what materials are allowed for this use and any applicable restrictions. PCO does not have a document that specifically addresses processing aids, but the PCO Organic System Plan for Processors requires operators to list food contact sanitizers in addition to any processing aids.

6. If your certifier allows you to use a processing aid, how do you show that the processing aid “is present in the finished food at insignificant levels and does not have any technical or functional effect in that food?”

The regulations do not distinguish if non-organic materials on 205.605 are to be used as ingredients or processing aids, but only that processing aids are not included in product composition calculations. PCO Organic System Plan for Processors requires the operator list non-organic materials as either a processing aid or ingredient, and PCO uses this information to verify product composition.

Assuring the Integrity of Organic Products in the Marketplace

7. *Should there be a category/list of NOP allowed food contact sanitizers and non-organic processing aids that are approved to be used in the 100% organic category? (e.g. Chlorine, peracetic acid, diatomaceous earth, etc.)*

Not allowing the use of NOP-allowed food contact sanitizers and processing aids to disqualify a product from the “100% organic” category would eliminate some confusion, it would be a complicated process to separate out the specific materials that should be allowed. Sanitizers and non-organic processing aids that are not present in the final product would be appropriate for use on a 100% organic product. Annotations would need to be specific enough to address process-specific situations, which would be challenging. There may be too many other variables for a list or annotation to capture. To reach the same goal, the 100% organic and >95% organic categories could be merged, and all products with >95-100% organic content would be labeled as “organic”. This alternative may be easier than to identify which processing aids would be allowed for which categories.

8. *At what concentration, if any, do you consider a sanitizer/disinfectant to have disqualified an item from the 100% organic category?*

PCO considers any concentration of a sanitizer in contact with organic products, even chlorine added at SDWA levels, to disqualify that product from the “100% organic” category, based on the current regulations.

9. *Should food contact sanitizers be allowed in the 100% organic category if it is proven that no residue from the treatment remains in the finished good?*

It would be inappropriate to monitor residues of materials that are already NOP-approved and allowed for use in or on organic products.

10. *Do you certify items to the 100% organic category? If so, how many?*

Out of the 100 operations certified for Processing/Handling by PCO, 27 operations are producing a total of more than 240 products labeled as “100% organic”. This number only reflects the labeling category at retail level; it does not include products that may qualify as “100% organic” but are being labeled as “organic”.

11. *Do you feel that food contact sanitizers are necessary for food safety concerns?*

Food contact sanitizers are absolutely necessary for food safety concerns. For some, the choice to use a sanitizer does not exist; the FDA requires the use of food contact sanitizers on some products. Any producer or processor should be able to ensure their product’s safety by using a sanitizer without forsaking the label category that accurately reflects the content of their 100% organic product.

12. *If food contact sanitizers could be used while still allowing for a 100% organic claim would you certify more products with the organic claim? If not, why not?*

PCO would absolutely certify more products as “100% organic” if food contact sanitizers were allowed for that label category. All of the egg and meat processors would qualify, as well as some produce operations that use post-harvest sanitizers.

Assuring the Integrity of Organic Products in the Marketplace

13. Do you have customer requests/demand for products in the 100% organic category?
Some certified operations have asked that their 100% organic products are listed on their certificate as “100% organic”, even if they choose to label the product as “organic”, so that product composition can be accurately calculated if one of their products is used in another multi-ingredient product.

Criteria for Material Review by Material Review Organizations

PCO appreciates the CAC committee for addressing the NOP’s request for review criteria and processes to be used by certifying agencies to determine approval of input substances used in organic production and processing. The recommendation is successful in highlighting the specific areas of material review where guidance is needed.

However, this recommendation can only be effective in bridging the gaps between the many certifiers and material review organizations if the NOP is able to respond with guidance in a timely manner. PCO encourages the NOSB to pass the recommendation and allow the NOP to move forward in providing detailed material review criteria to be followed consistently across all certifiers and material review organizations. Consistent material review is critical to providing quality certification services to all producers and processors, regardless of the certifier.

Pennsylvania Certified Organic appreciates the opportunity to provide comments to the National Organic Standards Board on these challenging and important issues.

Sincerely,



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