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April 30, 2012

National Organic Standards Board
Spring 2012 Meeting
Albuquerque, NM

Re. Sanitizers and 100% Organic

Dear Board Members:

These comments are submitted on behalf of Beyond Pesticides. Beyond Pesticides, founded in 1981 as a national, grassroots, membership organization that represents community-based organizations and a range of people seeking to bridge the interests of consumers, farmers and farmworkers, advances improved protections from pesticides and alternative pest management strategies that reduce or eliminate a reliance on pesticides. Our membership and network span the 50 states and groups around the world.

Before we address the questions raised by the discussion document, we would like to make one general comment. Food safety is an area that should be prioritized for research. Often we see the NOSB *assuming* a need for strong chemicals as cleaners or disinfectants when none may be needed. We have seen this in our own investigations with personal care products using the biocide triclosan. Research has shown that washing with ordinary soap and water is as effective as using soap containing triclosan. Furthermore, as pointed out by a 2010 report of EPA's Office of Inspector General (OIG), this problem is widespread —the OIG found that approximately 40% of all antimicrobial products have not been tested for efficacy, and one third of all products tested each year fail, without notification of users.[1] We need research into effective means of cleaning food contact surfaces and food containers with organic and natural cleaning methods, such as hot water or steam or materials more compatible with organic processing, including hydrogen peroxide or ozone. We need research on organic systems, including growing, harvesting, storing, and transporting crops in ways that avoid the need for rinsing in highly chlorinated water.

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

The 100% Organic label was created by regulators when the original "organic" category was interpreted to allow synthetic ingredients to be used in the 5% category of allowed non-organic ingredients. While this interpretation was later found to violate the Organic Foods Production Act (OFPA) and then the law was subsequently amended by Congress to allow synthetics in the 5%, the 100% organic category has taken on new importance and establishes the gold standard.

[1] U.S. EPA Office of Inspector General, 2010. EPA Needs to Assure Effectiveness of Antimicrobial Pesticide Products, http://www.epa.gov/oig/reports/2011/20101215-11-P-0029.pdf

It makes it especially important that the 100% Organic label claim is interpreted literally and stringently.

The 100% Organic label creates an important incentive in the marketplace to eliminate synthetic ingredients and ultimately meet the expectations of those consumers who are seeking to avoid synthetics, including those with chemical sensitivities. These consumers want to know that the 100% Organic label means what it says —that the product is all organically produced food and nothing else.

In addition, the 100% Organic label has value as a goal for the continuous improvement that should be part of every organic enterprise. As seemingly insignificant processing aids and food contact substances are removed, it lessens the negative impact on the entire ecosystem.

2. Do you feel that contact with a non-organic processing aid should prevent an item from being 100% organic and why?
Yes. If the 100% Organic label is to mean anything, it should mean that all ingredients meet standards for organic products, and that everything about the product is consistent with organic production standards. Nothing about the product should require further examination to see whether it meets OFPA criteria. Use of a non-organic processing aid, on the other hand, should trigger the examination of the impacts of producing, using, and disposing of that material.

3. Do you feel that contact with a non-organic food contact sanitizer should prevent an item from being 100% organic and why?
Yes. If the 100% Organic label is to mean anything, it should mean that all ingredients meet standards for organic products, and that everything about the product is consistent with organic production standards. Nothing about the product should require further examination to see whether it meets OFPA criteria. Use of a non-organic processing aid, on the other hand, should trigger the examination of the impacts of producing, using, and disposing of that material. Furthermore, many sanitizers are chlorine compounds, which should be removed from organic production and handling as much as possible.

4. How do you distinguish a processing aid from a food contact sanitizer?
We are not sure that the distinctions being made are the most helpful. “Processing aids” are defined by function and the nature of residues in foods. “Sanitizers” are defined by function, and as “food contact substances.” Evidently, however, materials called “sanitizers” are applied to food directly to control microbial growth. We would call this use a “food use pesticide,” not a “food contact substance.” We do not believe it is appropriate to apply a biocide to an organic food product under the guise of a “food contact substance.” Toxic chemicals applied to foods may be absorbed by the food. We believe that this use should be examined and listed

separately from the "sanitizer" use. The key, however, is that the use of these substances may cause residuals in finished food commodities and the manufacture and use may result in adverse environmental effects.

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.)**

No, for the reasons given in #2-3 above.

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

Any concentration above that allowed by the Safe Drinking Water Act in drinking water. (That is, organic handlers should not need to filter the chlorine out of drinking water, but they should not add more.)

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?**

No. Residue in the food is only one factor. 100% Organic food should not be causing adverse health and environmental effects by virtue of the manufacture, use, or disposal of any of its components.

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

No. Ordinary cleaning procedures have not been shown to be inadequate.

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?**

Thank you for this opportunity to comment on sanitizers and the 100% organic category.

Sincerely,

Terry Shistar, Ph.D.
Board of Directors