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USDA revised NOP guidelines on National List

On 28 December 2006 the US Department of Agriculture (USDA) announced that it had revised the National Organic Program (NOP) guidelines on the submission of petitions of substances for inclusion or removal from § 205.606 of the National List of Substances Allowed and Prohibited in Organic Production and Handling. The National List identifies the synthetic substances that may be used and the non-synthetic substances that may not be used.

The new guidelines include modifications on the information that has to be included in petitions to review a non-organic agricultural product. Anyone may submit a petition requesting a substance to be reviewed by NOP and the National Organic Standards Board (NOSB). Each substance must be submitted in a separate petition. Petition information that is not categorised and accepted by USDA as Confidential Business Information (CBI) is open for public for inspection.

The review was based on misinterpretations by some producers, handlers and certifiers of § 205.606. In some

stances it was understood to mean that non-organic agricultural substances could be used in organic products, even without being individually listed pursuant to the National List procedures, if it was determined by an accredited certifying agent that the organic form was not commercially available. Such an interpretation became invalid after the First Circuit decision in the Harvey vs. Johann case, held in January 2005.

A series of final rule revision of §205.606, published by NOP, clarified that the section shall be interpreted to mean the use of a non-organically produced agricultural products are permitted only if the product has been listed in the § 205.606 pursuant to the National List procedures and when an accredited certifying agent has determined that the organic form of the agricultural product is not commercially available. ■

Source: AMS

For more information please see www.ams.usda.gov/nop/Newsroom/FedReg01_18_07NationalList.pdf

THE ORGANIC STANDARD

‘IOIA members frequently comment that *The Organic Standard* is one of the best membership services IOIA provides. More than a quarter of IOIA members receive TOS through a special arrangement between IOIA and Grolink.’

Margaret Scoles, Executive Director of IOIA