



September 30, 2013

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-13-0049

RE: Handling Subcommittee – Glycerin

Dear Ms. Arsenault:

Thank you very much for this opportunity to provide comment on the Handling Subcommittee's Proposal on Glycerin. The Handling Subcommittee is proposing to remove glycerin from the National List as an allowed non-agricultural synthetic for use in or on processed products labeled "organic" or "made with organic (specified) ingredients."

In summary, the Organic Trade Association (OTA)¹ is in support of the National List process, and we are committed to the use of organic ingredients in NOP certified products. We are also supportive of the petition to remove organic glycerin from the National List provided sufficient organic alternatives are available. However, based on the feedback we have collected from our membership, it's our understanding that the supply of organic glycerin may not be adequate at this time. Unless additional public comment proves otherwise, we encourage NOSB to adopt a solution that would require the use of organic glycerin in organic products when commercially available in the quantity, quality and form needed.

In addition to commercial availability issues, there is also lack of clarity on the classification of glycerin. Glycerin derived from fats and oils is currently classified on the National List as an allowed non-agricultural synthetic. However, draft NOP guidance clarifies that substances derived from agricultural products may be "agricultural" or "non-agricultural" depending on how the substance is processed. It must be made clear that the removal of non-agricultural synthetic glycerin from the National List does not preclude the allowance of nonorganic (**non-synthetic**) **agricultural** forms in

¹ 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 organic businesses across 49 states. Its members include growers, shippers, processors, certifiers, farmers' associations, distributors, importers, exporters, consultants, retailers and others. OTA's Board of Directors is democratically elected by its members. OTA's mission is to promote and protect the growth of organic trade to benefit the environment, farmers, the public and the economy.

NOP certified “made with” products, or in NOP-compliant ingredients such as natural flavors.

We offer the following more detailed comments:

Commercial availability

Insufficient supply of organic glycerin

Based on feedback collected from OTA members, there does not appear to be sufficient supply to meet the current demand for organic glycerin. The petition cites the ability to produce between 260 and 400 thousand pounds annually. Data on demand collected from membership surpass that by two to three times. OTA urges NOSB to explore the option of adding glycerin to § 205.606 of the National List. This would require the use organic glycerin in “organic” products when commercially available, and it would clarify the use of agricultural (non-synthetic) forms of glycerin in certain types of products and ingredients as allowed for under the NOP Product Composition requirements. See additional comments below under “classification of glycerin.”

Suppliers do not currently meet industry food safety standards

Feedback from our membership also informs us that the suppliers of organic glycerin, at this time, do not have sufficient third-party food safety audits required by some companies. While organic glycerin is food-grade, third-party food safety verifications (i.e., GFSI, NSF, AIB, Silikier, etc.) are critical to ensuring the safety of the ingredients. They have also become the industry norm. With the continued promulgation of the Food Safety Modernization Act, these standards are becoming stricter, and will call into question the ability to use the current organic glycerin supply chain in food products unless additional food safety verifications are met.

Lack of clarity of on the classification of glycerin

Currently, glycerin produced by hydrolysis of fats and oils is listed on section 205.605(b) of the National List as a **non-agricultural synthetic** substance allowed in or on processed products labeled as “organic” or “made with (specified organic ingredient(s)).” A significant amount of non-organic glycerin is being used in “made with organic” products either as an allowed synthetic or as an allowed non-organic **agricultural** ingredient. Glycerin is also commonly used as an allowed carrier in natural flavors.

If **non-agricultural synthetic** glycerin is removed from the National List, certifiers and industry will need clear guidance on the **non-organic (non-synthetic) agricultural** forms that would still be allowed under the NOP regulations.

NOP released draft guidance on classification of materials in April 2013. However, final guidance is pending. The draft guidance clarifies that the classification of a material does not determine the eligibility of a substance for organic certification. Materials derived from agricultural sources may be classified as agricultural or non-agricultural, depending on the manufacturing and processing methods used. OTA agrees. Provided final NOP guidance is unchanged on this point, it must be made clear that the removal of non-agricultural synthetic glycerin from the National List does not preclude the allowance of non-organic (non-synthetic) agricultural forms in NOP certified products when allowed for under the regulations.

A potential solution

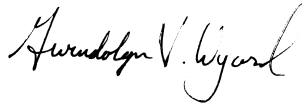
Given the commercial availability issue and the lack of clarity on the classification of glycerin, one solution would be to list glycerin (agricultural forms) on § 205.606 (non-organic agricultural ingredients allowed in organic products when organic forms are unavailable) of the National List. This

would recognize agricultural and non-synthetic forms of glycerin, and, accordingly, allow for the use of non-organic agricultural glycerin in “made with products” and non-synthetic glycerin in natural flavors. At the same time, it would require the use of organic glycerin in “organic” products unless commercially unavailable.

Again, on behalf of our members across the supply chain and the country, OTA supports the National List process, and we’re committed to decisions that will both encourage the development and use of organic ingredients and support the use of the organic label. We recognize the complexity of this issue, and we’re confident that a listing on § 205.606 is a solution that will meet everyone’s needs.

OTA thanks the National Organic Standards Board for the opportunity to comment and for your commitment to furthering organic agriculture.

Respectfully submitted,



Gwendolyn Wyard
Regulatory Director of Organic Standards and Food Safety
Organic Trade Association (OTA)

CC: Laura Batcha
Executive Vice President
Organic Trade Association (OTA)