

Important News on CFR 7 Part 205 – National Organic Program (NOP)

On June 27th 2007 the NOP has published the interim NOP Final Rule with the adaptation on the National List Subpart §205.606. After the change in the Standard made necessary by the court decision in the "Harvey-case" the USDA included new allowed (under certain circumstances) non-organically produced agricultural ingredients in processed organic products in the National List.

Various new products are now eligible for use in processed organic products if it is documented that the ingredients are not available in organic quality.

These ingredients can be allowed as minor ingredients, which do not comprise more than 5% in an organic "processed" product.

There is a 60 day period for comments on the interim Rule before it becomes final.

Subpart 205.606 now reads as below otherwise you may find the whole NOP Interim Rule by copying the links below into your web browser and getting to the e-CFR.:

- <http://www.ams.usda.gov/nop/NOP/standards.html>
- <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr;sid=11fd57b422b6314d866dc4b02f1a101d;rgn=div5;view=text;node=7:3.1.1.9.30;idno=7;cc=ecfr>

§ 205.606 Nonorganically produced agricultural products allowed as ingredients in or on processed products labeled as "organic."

Only the following nonorganically produced agricultural products may be used as ingredients in or on processed products labeled as "organic," only in accordance with any restrictions specified in this section, and only when the product is not commercially available in organic form.

- (a) Casings, from processed intestines.
- (b) Celery powder.
- (c) Chia (*Salvia hispanica L.*).
- (d) Colors derived from agricultural products.
 - (1) Annatto extract color (pigment CAS # 1393–63–1)—water and oil soluble.
 - (2) Beet juice extract color (pigment CAS # 7659–95–2).
 - (3) Beta-carotene extract color, derived from carrots (CAS # 1393–63–1).
 - (4) Black currant juice color (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).
 - (5) Black/Purple carrot juice color (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).

- (6) Blueberry juice color (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).
- (7) Carrot juice color (pigment CAS # 1393–63–1).
- (8) Cherry juice color (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).
- (9) Chokeberry—Aronia juice color (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).
- (10) Elderberry juice color (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).
- (11) Grape juice color (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).
- (12) Grape skin extract color (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).
- (13) Paprika color (CAS # 68917–78–2)—dried, and oil extracted.
- (14) Pumpkin juice color (pigment CAS # 127–40–2).
- (15) Purple potato juice (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).
- (16) Red cabbage extract color (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).
- (17) Red radish extract color (pigment CAS #'s: 528–58–5, 528–53–0, 643–84–5, 134–01–0, 1429–30–7, and 134–04–3).
- (18) Saffron extract color (pigment CAS # 1393–63–1).
- (19) Turmeric extract color (CAS # 458–37–7).
- (e) Dillweed oil (CAS # 8006–75–5).
- (f) Fish oil (Fatty acid CAS #'s: 10417–94–4, and 25167–62–8)—stabilized with organic ingredients or only with ingredients on the National List, §§205.605 and 205.606.
- (g) Fructooligosaccharides (CAS # 308066–66–2).
- (h) Galangal, frozen.
- (i) Gelatin (CAS # 9000–70–8).
- (j) Gums—water extracted only (Arabic; Guar; Locust bean; and Carob bean).
- (k) Hops (*Humulus lupulus*).
- (l) Inulin-oligofructose enriched (CAS # 9005–80–5).
- (m) Kelp—for use only as a thickener and dietary supplement.
- (n) Konjac flour (CAS # 37220–17–0).
- (o) Lecithin—unbleached.
- (p) Lemongrass—frozen.

(q) Orange shellac-unbleached (CAS # 9000-59-3).

(r) Pectin (high-methoxy).

(s) Peppers (Chipotle chile).

(t) Starches.

(1) Cornstarch (native).

(2) Rice starch, unmodified (CAS # 977000-08-0)—for use in organic handling until June 21, 2009.

(3) Sweet potato starch—for bean thread production only.

(u) Turkish bay leaves.

(v) Wakame seaweed (*Undaria pinnatifida*).

(w) Whey protein concentrate.

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