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NOP Proposed Rule: Amendments to the National List of Allowed and Prohibited Substances (Crops, Livestock, and Handling)

Public comment deadline is October 25, 2021

Dear PCO Certified Operators, Members, and Inspectors,

The National Organic Program (NOP) published a proposed rule that would amend the organic regulations at §§205.600- 205.606, The National List of Allowed and Prohibited Substances (the National List). The comment period for this draft rule is now open; comments will be accepted until October 25, 2021. Full text of this document is available in hard copy by contacting the PCO office, or at the following link: <https://tinyurl.com/wpj3steb>

This proposed rule would remove:

- Two substances currently allowed in organic crop production.
- Three substances currently allowed in organic livestock production.
- Fourteen nonorganic ingredients (including eight nonorganic colors) currently allowed in organic handling.

Proposed Removals the National List - comments due October 25, 2021

Crops:

- Sucrose Octanoate Esters – This rule proposes to remove Sucrose Octanoate Esters from 205.601(e), where it is currently allowed for use as an insecticide
- Vitamin B₁ – This rule proposes to remove Vitamin B₁ from 205.601(j), where it is currently allowed for use a plant or soil amendment

Livestock:

- Oxytocin – This rule proposes to remove Oxytocin from 205.603(a), where it is currently allowed for use as a livestock medical treatment for use in use in postparturition therapeutic applications.
- Procaine – This rule proposes to remove Procaine from 205.603(b), where it is currently allowed for use as a local anesthetic in organic livestock production
- Sucrose Octanoate Esters – This rule proposes to remove Sucrose Octanoate Esters from 205.603(b), where it is currently allowed for use as an external parasiticide.

Handling:

- Alginic acid – This rule proposes to remove Alginic Acid from 205.605(b), where it is currently allowed for use as an ingredients in or on processed products labeled as “organic” or “made with organic (specified ingredients or food group(s)).”
- Colors (black currant juice color, blueberry juice color, carrot juice color, cherry juice color, grape juice color, paprika color, pumpkin juice color, turmeric extract color), Kelp, Konjac flour, Sweet potato starch, Turkish bay leaves, Whey protein concentrate – This rule proposes to remove Colors (black currant juice color, blueberry juice color, carrot juice color, cherry juice color, grape juice color, paprika color, pumpkin juice color, turmeric extract color), Kelp, Konjac flour, Sweet potato starch, Turkish bay leaves, and Whey protein concentrate from 205.606, where nonorganic versions of these ingredients are currently permitted for use s 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.

Instructions for Submitting Public Comment - comments due October 25, 2021

Written public comments must be received by 11:59PM ET October 25, 2021. Submit written comments online at <https://tinyurl.com/z779knp3>, or by mail to Jared Clark, Standards Division, National Organic Program, USDA-AMS-NOP, 1400 Independence Ave. SW, Room 2642-So., Ag Stop 0268, Washington, DC 20250-0268. All comments received must include the docket number AMS-NOP-19-0106; NOP-19-03, and/or Regulatory Information Number (RIN) 0581-AD98 for this rulemaking.

Effective comments help others understand your perspective and how proposals will impact your organic farm or business. Clearly indicate the topic and section number of the proposed rule to which your comment refers, state your position(s), offer any recommended language change(s), and include relevant information and data to support your position(s). You can learn more about writing an effective comment at <https://tinyurl.com/as2w3rd4>.

Please reach out to Jen at the PCO office, 814-422-0251, jen@paorganic.org, with any questions or for assistance submitting your comments. Thank you.

Sincerely,
Jen Berkebile
Materials Program Manager
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