FORMAL RECOMMENDATION EXECUTIVE SUMMARY BY THE NATIONAL ORGANIC STANDARDS BOARD (NOSB) TO THE NATIONAL ORGANIC PROGRAM (NOP)					
Chair: <u>Rigoberto Delgado</u> Final Vote Date: <u>May 22, 2008</u>					
Subject: <u>Re-Affirmation of Recommendation for Agar-agar, Animal Enzymes, Calcium Sulfate</u> and Carrageenan for re-listing on § 205.605a					
Type of Recommendation (Petitioned Materials should use Materials Recommendation Form): Sunset Material(s): X Non-Material:					
The NOSB hereby recommends to the NOP the following: Rulemaking Action: X Guidance Statement:					
Summary Statement of the Recommendation (including Vote) and attach more complete narrative, and/or original committee narrative and recommendation, if sufficient:					
The Board Re-affirms it's recommendation made at it's Fall 2007 Meeting for the continuation of Agar- Agar, Animal Enzymes, Calcium Sulfate and Carrageenan on the National List under section 205.605a Nonagricultural (non-organic) substances allowed as ingredients in or on processed products labeled as "organic" or "made with organic (specified ingredients or food group(s))."					
NOSB Vote:					
Motion: Julie Weisman Second: Jennifer Hall					
Board vote: Yes - 13 No - 0 Abstain - 1 Absent- 1 Recuse - 0					
Summary Rationale Supporting Recommendation (cite consistency with OFPA and NOP) and attach with more complete narrative:					
Demonstrated continued use in handling. No organic substitute available at this time. An additional ANPR for the continued listing on § 205.605a of Agar-Agar, Animal Enzymes, Calcuim Sulfate, Carrageenan and Glucono Delta Lactone published after the Fall 2007 meeting elicited a number of public comments in support and none opposing the re-listing of these materials on the National List.					

Response by the NOP:

National Organic Standards Board

Formal Recommendation for Sunset Review of Materials on § 205.605a

May 22, 2008

I. List: 205.605 Nonagricultural (nonorganic) substances allowed as ingredients in or on processed products labeled as "organic" or "made with organic (specified ingredients or food groups."

(a) Nonsynthetics allowed

II. Committee Summary:

Public notice of the sunset of these materials, which was embedded in the Federal Register Notice of the Fall 2007 NOSB meeting, had elicited no public comments by early October when this committee was due to give its recommendation on the continued use of Agar-Agar, Animal Enzymes, Calcium Sulfate, Carrageenan and Glucono Delta Lactone. An additional ANPR for materials due to Sunset in the Fall of 2008, was published on December 28, 2007.

Review of the original TAP's did not reveal unacceptable risks to the environment, human or animal health as a result of the use or manufacture of these materials. There is no new information contradicting the original TAP reviews which were the basis for previous NOSB decisions to list these substances.

Even though these materials appeared not to present a risk to the environment, the sunset process requires public comment to support the continuation of this regulation. For this reason the initial recommendation of the Handling Committee in early October for the re-listing of these materials failed.

In the eight weeks prior to the Board meeting, numerous comments were received requesting that these materials be re-listed and there had been no comments received opposing their continued use in organic handling. Motion for the Handling Committee to reconsider their earlier votes was made and seconded prior to discussion at the November NOSB meeting where the full Board voted to recommend these materials for re-listing.

The ANPR in December elicited numerous additional comments in favor of and none opposing the re-listing each of these materials.

III. Board Recommendation(s):

The Board re-affirms it recommendation of November 2007 for the re-listing of the following substances in this use category as published in the final rule:

Agar- Ag	gar			
Animal B	Enzymes			
Calcium	Sulfate			
Carragee	nan			
Glucono	Delta Lactone			
Moved:	Julie Weisman		Second:	Jennifer Hall
Yes: 14	No: 0	Abstain: 0	Absent:	1