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Important bulletin on NOP Vitamins, Minerals and Accessory Nutrients

Good Afternoon Valued QAI clients,

The National Organic Program (NOP) issued a correction to the policy on accessory nutrients in Organic and Made With Organic products. In 2006, the NOP issued a decision that DHA, ARA and other substances were allowed as “accessory nutrients” under the National List § 205.605(b) Nutrient Vitamins and Minerals. On April 27, 2010, the NOP announced that decision was an incorrect interpretation of 21 CFR 104.20, Nutritional Guidelines for Foods.

The NOP intends to publish draft guidance through Federal Register procedures later this year which clarifies only Vitamins and Minerals listed in 21CFR 104.20(d)(2) and as specified in the standards of identity 21CFR 130-169 may be used in organic products. The draft guidance will provide a transition time for businesses to reformulate products to comply with the regulations. There will be a 60-day comment period for the draft guidance, review of public comments, then publication of final guidance.

Clients wishing to continue the use of nutrients not specifically listed on the National List or on the table in 21 CFR 104.20(d) (3) may petition to have their nutrient(s) added directly to the National List. This process takes 1-2 years and QAI encourages our clients to immediately file their petitions with the NOSB.

QAI would like to ensure our clients that products certified under the previous NOP decision remain in full compliance during this transition period.

AMS Press Release:

<http://www.ams.usda.gov/AMSV1.0/ams.printData.do?template=printPage&navID=&page=printPage&dDocId=STELPRDC5084118&dID=130819&wf=false&docTitle=National+Organic+Program+Announces+Re-Interpretation+of+Allowable+Accessory+Nutrients+to+Strengthen+Program+Integrity%2C+Transparency>

Memorandum from the NOP:

<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5084068&acct=nosb>

How to File a Petition for Adding Materials to the National List

<http://www.ams.usda.gov/AMSV1.0/ams.fetchTemplateData.do?template=TemplateN&navID=NationalOrganicProgram&leftNav=NationalOrganicProgram&page=NOPFilingaPetition&description=Filing%20a%20Petition&acct=nopgeninfo>

Organic Trade Association Press Release:

http://www.organicnewsroom.com/2010/04/organic_products_containing_ac.html

If we can be of any assistance, please don't hesitate in contacting your QAI Certification Project Manager.