



## Accredited Certifiers Association, Inc.

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**To: An Open Letter to the Organic Food Community**

**From: Accredited Certifiers Association, Inc.**

Dear Friends,

The Accredited Certifiers Association (ACA) is pleased to see that the USDA has published an interim final rule regarding additions to the National List (for nonorganic agricultural ingredients), and also extended the comment period for another 60 days. This will provide an opportunity for further review by the public and consideration of additional information by USDA.

We have become concerned that recent media coverage about the changes to the USDA organic regulations is missing the point that these changes are a tightening of the regulations. Although it would appear that the listing of 38 non-organic, agricultural “minor” ingredients to the National List is an expansion of what is allowed, it actually reduces the number of such ingredients that may be allowed. Section 205.606 of the National List provides a list of non-organic ingredients that may comprise up to 5% of the content of a product. These ingredients are permitted only when the organic equivalent is unavailable commercially.

Prior to the new interim rules publication, organic processors could use ANY nonorganic agricultural ingredient they needed, at less than 5% of an organic product, provided they could document that it was not commercially available in organic form. These new rules actually greatly restrict the possible use of non-organic ingredients in processed organic food. While 38 new items on the list may sound like a lot, it is a very short list compared to the thousands of possible ingredients that are now prohibited.

The new limitations on non-organic ingredients occurred as a result of a court order issued in January 2005. Since this time, certifiers, organic farmers, organic food processors, and other organic community members have worked hard to meet the strong consumer demand for organic products. Perhaps the most formidable challenge facing the organic community involves increasing the supply of organic agricultural commodities. Does listing of an ingredient under 205.606 give organic food manufacturers a green light to use nonorganic ingredients? – absolutely not! As certifying agents accountable to the public, we require manufacturers to document their efforts to source organic ingredients when using the non-

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*USDA-accredited certifying agents working together to ensure the integrity of organic certification in the United States*

organic forms that are approved, and monitor their progress in obtaining organic sources as they become available. The ACA is currently working on a project to standardize the criteria for determining commercial non-availability, to assure that the commercial availability requirement is strictly upheld, and to develop a system of notification that provides incentive for development of organic sources.

We are concerned that only having part of the story of the proposed changes to the National List may create doubt about the integrity of the organic label and, in turn, reduce the demand for organic products, and ultimately damage the livelihood of all organic producers, surely not a outcome that benefits organic consumers or the environment. Clearly all of us in the organic community are vitally interested in preserving the prestige of organic labeling, which is why we stress the need to share full and accurate information when discussing organic standards. This latest change in the regulations should not be cast as a basic “weakening” of the standards, but rather explained as what it is, a new limitation that actually strengthens the standards for processed organic food.

Although segments of the organic community involved in the production and certification of organic products have been working on the changes to 205.606 since January of 2005, it is clear from the recent comments that many consumers were not aware of the impending changes. The ACA is pleased that the USDA is expected to address concerns over the proposed regulatory changes prior to their final implementation. To date, those concerns have come from a diverse group of interests in the form of comments to the USDA, numbering over 1225 even in the short 7 day comment period for the proposed changes. It is inspiring and encouraging to see such attentiveness, concern, and care expressed for the organic standards that we daily work to protect and properly interpret. It is good that the USDA has allowed another 60 day comment period from the date the interim final rule change was published on June 27, 2007.

Each of us has an important role to play in upholding the credibility of the organic standard. An informed public is one that can participate fully in the inevitable debates that arise. These are a healthy and integral part of the acceptance and continuing success of organically certified food.

We believe that it is important to review the organic labeling requirements as established by the USDA. These regulations permit organic food products to be sold and labeled in three distinct categories:

- As “100% Organic” – which means just that, all ingredients in the product must be certified organic.
- As “Organic” – which means that at least 95% of the ingredients must be certified organic. The remaining ingredients must be included on the National List (part of the USDA regulations) either as a food additive or as a non-organic food ingredient. All non-organic ingredients must be produced without the use of genetic engineering, sewage sludge or irradiation.

- As “Made with Organic Ingredients” – which means that at least 70% of the ingredients must be certified organic, only additives that appear on the National List may be used, but may contain other non-organic food ingredients. All non-organic ingredients must be produced without the use of genetic engineering, sewage sludge or irradiation.

Only products that are “100% Organic” or “Organic” may carry the USDA green and white organic seal. All organic ingredients must be identified in the ingredients list for each product. Consumers concerned about use of non-organic ingredients have the option to search for, and reward producers with their purchase of 100% Organic products.

The Accredited Certifiers Association (ACA) is a non-profit organization founded in 2004 that is dedicated to ensuring the integrity of organic products. The ACA counts 31 USDA accredited certification agencies as members. The ACA plays a key role in fostering communication among certifiers, which is a crucial element in the ongoing effort to maintain our high standards – as well as the public’s respect for the certifications we provide. We have a keen interest in ensuring the accurate, complete, and responsible exchange of viewpoints, among ourselves and with the community at large. As accredited certification agents, our primary responsibility is to protect and ensure the legitimacy of the organic label. Our professional standing, which rests on USDA accreditation, incurs immense privilege and responsibility; and we take our role extremely seriously. Chief among our obligations is maintaining the public trust and, in the course of fulfilling our commitments, we strive to consider the public’s interests, rights, and wishes.

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