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April 4, 2019

Ms. Michelle Arsenault, Special Assistant  
National Organic Standard Board  
USDA-AMS-NOP 1400 Independence Ave. SW.,  
Room 2648-So., Mail Stop 0268  
Washington, DC 20250-0268

Re: Docket Number: AMS-NOP-18-0071  
Materials Subcommittee Discussion Document: Assessing Cleaning and Sanitation Materials  
Used in Organic Crop, Livestock, and Handling

Dear Ms. Arsenault:

Thank you for the opportunity to provide comments to the National Organic Standards Board (NOSB) Crops Subcommittee (CS) on the most recent Strengthening the Organic Seed Guidance Proposal. The Accredited Certifiers Association (ACA) is a nonprofit educational organization, and our membership includes 58 certification agencies that are accredited by the USDA or in the process of becoming accredited.

The ACA supports the NOSB's work on developing specific criteria and questions for assessing cleaning and sanitation materials used in all scopes of certification. Cleaning and sanitation materials can be an integral part of Organic System Plans and can often be essential for ensuring compliance with regulations outside of the National Organic Program. The ACA is in favor of the subcommittee's request for a technical review of cleaners and sanitizers. We respectfully offer the following feedback about the information you have requested in this technical review:

- The specific criteria and questions developed in this discussion document and requested in the technical report will allow the NOSB to consistently review cleaners, sanitizers, and disinfectants. However, it is crucial that any criteria and questions developed be based on statutory requirements. We request that the information and evaluation criteria developed be linked to specific criteria listed in the Organic Foods Production Act (OFPA) (7 USC 6517 and 6518).

- This discussion document mentions cleaners, sanitizers, and disinfectants. We request that you consider and clarify which materials you are addressing and include definitions for those materials.
  - The opening summary to this discussion document only refers to sanitation materials on the National List or petitioned to the National List that have **direct contact** with organic crops, livestock, and foods. The ACA requests that this be amended to include sanitation materials that have indirect food contact as well, i.e., those sanitation materials that can be used as no-rinse food contact surface sanitizers, like chlorine and peracetic acid.
  - Equipment cleaners, which are typically rinsed, are not included on the National List; certifiers generally allow any non-persistent compound as an equipment cleaner, provided that it is rinsed. We suggest that you specifically address whether you only intend to look at cleaners, sanitizers, and disinfectants that are or will be listed on the National List, or whether you also intend to include equipment cleaners, which may not be listed on the National List.
  
- The ACA agrees with your request for more information on other regulatory requirements for sanitizers and would find an outline of the framework of regulatory requirements for sanitizers to be very helpful. We would appreciate more guidance on what certifiers should be verifying in terms of compliance with other regulations that apply to sanitizers. For example, should certifiers verify that the use of a product complies with regulations other than those under the National Organic Program? Some certifiers verify that label directions are followed for cleaners and sanitizers, which generally indicates that a product is used in compliance with other applicable regulations, but some certifiers do not verify this. To complicate things, generic product labels often do not contain instructions for use. In addition, how should certifiers handle other regulations that conflict with NOP regulations? For example, often times, quaternary ammonium sanitizers have labels that state that the product should not be rinsed, but certifiers do require a comprehensive removal step, usually including multiple rinses, to comply with NOP regulations.
  
- The review of cleaners and sanitizers was identified by an ACA working group on materials as a topic that needs to be addressed due to inconsistent review criteria of inert/inactive ingredients. The list of evaluation criteria includes “Ancillary ingredients...” We suggest that you amend this to refer to “inactive ingredients” and that you clearly define what is and is not an active ingredient, and what ingredient functions are considered active and inactive. We also request that the NOSB use the information provided on inactive ingredients to give guidance on whether inactive ingredients are required to be reviewed for sanitizers containing compliant active ingredients.
  
- The ACA also requests that the NOSB consider sanitizers used in direct food contact. If a sanitizing agent used in direct food contact is not rinsed, does it become an ingredient in the final product, or is it considered a processing aid?

We appreciate the NOSB’s work on this topic and look forward to future dialog.

Respectfully submitted,

*Jennifer L Berkebile*

Jen Berkebile

ACA Materials Working Group Co-Facilitator