

USDA Publishes Two Proposed Rules Regarding Ingredients in Organic Food Products

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Today the United States Department of Agriculture's (USDA) Agricultural Marketing Service (AMS) published two proposed regulations that will affect companies that produce and market organic food products. One [proposed rule](#) would clarify which vitamins and minerals are permitted for use in organic food and infant formula, while the other [proposed rule](#) would renew the status of a number of substances as allowed or prohibited for use in organic food products.

Specifically, the USDA's proposed rule regarding vitamins and minerals would prohibit the use of vitamins and minerals in products labeled as "organic" unless the vitamin or mineral has been classified as essential by the Food and Drug Administration (FDA) or is otherwise listed on the USDA's National List of Allowed and Prohibited Substances (National List) for organic products. The National List dictates which non-organic ingredients and processing aids may be used in the processing and handling of organic food products. The proposed rule for vitamins and minerals covers organic food products, as well as organic infant formula, and allows synthetic forms of vitamins and minerals to be used in these products so long as the vitamin or mineral is identified as essential by FDA regulations.

The USDA's second proposed rule would renew regulations regarding whether certain substances are permitted for use in organic food production. Under the Organic Foods Production Act of 1990, the National Organic Standards Board (NOSB), an independent board of organic industry stakeholders, must review a substance's status every five years to ensure that the National List reflects current conditions and information related to organic food. Based on the NOSB's recommendations, the USDA is renewing the listing for over 200 allowed or prohibited substances. The rule also would clarify or restrict the allowances for several substances currently permitted in organic products, such as chlorine materials, lignin sulfonate, sulfur dioxide, and yeast.

Comments regarding the USDA's proposed rule for vitamins and minerals are due by March 12, 2012, while comments regarding substances subject to the USDA's second proposed rule are due by February 13, 2012.