

NOSB COMMITTEE RECOMMENDATION

Form NOPLIST1. Committee Transmittal to NOSB

For NOSB Meeting: <u>March 2007</u>	Substance: <u>Dillweed Oil</u>
-------------------------------------	--------------------------------

Committee: Crops Livestock Handling Petition is for: _____
on the National List § 205.606

A. Evaluation Criteria (Applicability noted for each category; Documentation attached)	Criteria Satisfied? (see B below)
1. Impact on Humans and Environment	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
2. Essential & Availability Criteria	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
3. Compatibility & Consistency	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
4. Commercial Supply is Fragile or Potentially Unavailable as Organic (only for 606)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

B. Substance Fails Criteria Category: 2 & 4 Comments: Category 2: Sufficient information was not provided by the petitioner demonstrating that use of dillweed oil is essential for organic production. Category 4: Testimony from the petitioner indicated that industry information and research was conducted. However, substantiating documentation was not provided.

C. Proposed Annotation (if any): _____

 Basis for annotation: To meet criteria above: _____ Other regulatory criteria: _____ Citation: _____

D. Recommended Committee Action & Vote (State Actual Motion): The Handling Committee recommends listing of Dillweed Oil on § 205.606

Motion by: Julie Weisman Seconded: Andrea Caroe Yes: 0 No: 5 Absent: 0 Abstain: 0

Crops		Agricultural	<input checked="" type="checkbox"/>	Allowed ¹	
Livestock		Non-Synthetic		Prohibited ²	
Handling	<input checked="" type="checkbox"/>	Synthetic		Rejected ³	X
No restriction		Commercially Un-Available as Organic ¹	<input checked="" type="checkbox"/>	Deferred ⁴	

1) Substance voted to be added as "allowed" on National List to § 205. _____ with Annotation (if any) _____

2) Substance to be added as "prohibited" on National List to § 205. _____ with Annotation (if any) _____

Describe why a prohibited substance: _____

3) Substance was rejected by vote for amending National List to § 205. _____ Describe why material was rejected: _____

4) Substance was recommended to be deferred because _____

_____ If follow-up needed, who will follow up _____

E. Approved by Committee Chair to transmit to NOSB:

Julie Weisman
Committee Chair

February 19, 2007
Date

NOSB EVALUATION CRITERIA FOR SUBSTANCES ADDED TO THE NATIONAL LIST

Category 1. Adverse impacts on humans or the environment? Substance - Dillweed Oil

Question	Yes	No	N/A ¹	Documentation (TAP; petition; regulatory agency; other)
1. Are there adverse effects on environment from manufacture, use, or disposal? [§205.600 b.2]		x		Sufficient information was not provided in the August 8, 2006 petition
2. Is there environmental contamination during manufacture, use, misuse, or disposal? [§6518 m.3]		X		Sufficient information was not provided in the August 8, 2006 petition
3. Is the substance harmful to the environment? [§6517c(1)(A)(i);6517(c)(2)(A)i]		X		Sufficient information was not provided in the August 8, 2006 petition
4. Does the substance contain List 1, 2, or 3 inerts? [§6517 c (1)(B)(ii); 205.601(m)2]			X	Material is not a pesticide formulation.
5. Is there potential for detrimental chemical interaction with other materials used? [§6518 m.1]				Unknown
6. Are there adverse biological and chemical interactions in agro-ecosystem? [§6518 m.5]				Unknown
7. Are there detrimental physiological effects on soil organisms, crops, or livestock? [§6518 m.5]			x	This substance is not applied to soil, crops or livestock
8. Is there a toxic or other adverse action of the material or its breakdown products? [§6518 m.2]				Unknown
9. Is there undesirable persistence or concentration of the material or breakdown products in environment?[§6518 m.2]				Unknown
10. Is there any harmful effect on human health? [§6517 c (1)(A)(i) ; 6517 c(2)(A)i; §6518 m.4]		x		MSDS dated 8/30/2000 submitted by petitioner lists negligible hazards (pages 4-5 of petition)
11. Is there an adverse effect on human health as defined by applicable Federal regulations? [205.600 b.3]		x		MSDS dated 8/30/2000 submitted by petitioner lists negligible hazards (pages 4-5 of petition)
12. Is the substance GRAS when used according to FDA's good manufacturing practices? [§205.600 b.5]	x			21 CFR 184.1282
13. Does the substance contain residues of heavy metals or other contaminants in excess of FDA tolerances? [§205.600 b.5]		x		

¹If the substance under review is for crops or livestock production, all of the questions from 205.600 (b) are N/A—not applicable.

Category 2. Is the Substance Essential for Organic Production? Substance - Dillweed Oil

Question	Yes	No	N/A ¹	Documentation (TAP; petition; regulatory agency; other)
1. Is the substance formulated or manufactured by a chemical process? [6502 (21)]		x		The dillweed oil is extracted from dill through steam distillation a process allowed under OFPA (page 2, item 5 of petition submitted 8/8/06)
2. Is the substance formulated or manufactured by a process that chemically changes a substance extracted from naturally occurring plant, animal, or mineral, sources? [6502 (21)]		x		See question #1 above
3. Is the substance created by naturally occurring biological processes? [6502 (21)]		x		See question #1 above
4. Is there a natural source of the substance? [§205.600 b.1]	x			Dill is natural in origin
5. Is there an organic substitute? [§205.600 b.1]				Petitioner did not provide documentation to validate the unavailability of dill
6. Is the substance essential for handling of organically produced agricultural products? [§205.600 b.6]				Unknown
7. Is there a wholly natural substitute product? [§6517 c (1)(A)(ii)]	x			Fresh dill
8. Is the substance used in handling, not synthetic, but not organically produced? [§6517 c (1)(B)(iii)]	x			
9. Is there any alternative substances? [§6518 m.6]		x		Submitted petition of 8/8/06 page 2, item 9 – “The (petitioner) did a complete search for an organic form of dillweed oil. . . One of (the petitioner’s) manufacturers is willing to contract with the (the petitioner) to produce an organic dillweed oil, but that crop would not be available until October of 2007 at the very earliest.
10. Is there another practice that would make the substance unnecessary? [§6518 m.6]		x		While fresh dill is a possible alternative, information was not provided by the petitioner as to the viability of this option.

¹If the substance under review is for crops or livestock production, all of the questions from 205.600 (b) are N/A—not applicable.

Category 3. Is the substance compatible with organic production practices? Substance - Dillweed Oil

Question	Yes	No	N/A ¹	Documentation (TAP; petition; regulatory agency; other)
1. Is the substance compatible with organic handling? [§205.600 b.2]			X	
2. Is the substance consistent with organic farming and handling? [§6517 c (1)(A)(iii); 6517 c (2)(A)(ii)]			X	
3. Is the substance compatible with a system of sustainable agriculture? [§6518 m.7]			X	
4. Is the nutritional quality of the food maintained with the substance? [§205.600 b.3]			X	
5. Is the primary use as a preservative? [§205.600 b.4]		X		
6. Is the primary use to recreate or improve flavors, colors, textures, or nutritive values lost in processing (except when required by law, e.g., vitamin D in milk)? [205.600 b.4]	x			Submitted petition of 8/8/06, page 2, item 8 – “Dillweed oil is a very critical ingredient in our four organic dill pickle items, giving the products their characterizing flavor.”
7. Is the substance used in production, and does it contain an active synthetic ingredient in the following categories: a. copper and sulfur compounds;		X		Petitioned substance is not a crop material
b. toxins derived from bacteria;		X		
c. pheromones, soaps, horticultural oils, fish emulsions, treated seed, vitamins and minerals?		X		
d. livestock parasiticides and medicines?		X		
e. production aids including netting, tree wraps and seals, insect traps, sticky barriers, row covers, and equipment cleaners?		X		

¹If the substance under review is for crops or livestock production, all of the questions from 205.600 (b) are N/A—not applicable.

Category 4. Is the commercial supply of an agricultural substance as organic, fragile or potentially unavailable? [§6610, 6518, 6519, 205.2, 205.105 (d), 205.600 (c) 205.2, 205.105 (d), 205.600 (c)]

Substance - Dillweed Oil

Question	Yes	No	N/A	Comments on Information Provided (sufficient, plausible, reasonable, thorough, complete, unknown)
1. <u>Is the comparative description provided</u> as to why the non-organic form of the material /substance is necessary for use in organic handling?	x			Submitted petition of 8/8/06, page 2, item 8 – “Dillweed oil is a very critical ingredient in our four organic dill pickle items, giving the products their characterizing flavor.”
2. Does the current and historical industry information, research, or evidence provided explain how or why the material /substance cannot be obtained organically in the appropriate form to fulfill an essential function in a system of organic handling?				Testimony from the petitioner indicated that industry information and research was conducted. However, substantiating documentation was not provided.
3. Does the current and historical industry information, research, or evidence provided explain how or why the material /substance cannot be obtained organically in the appropriate quality to fulfill an essential function in a system of organic handling?				See Category 4, question 2 above
4. Does the current and historical industry information, research, or evidence provided explain how or why the material /substance cannot be obtained organically in the appropriate quantity to fulfill an essential function in a system of organic handling?				See Category 4, question 2 above
5. Does the industry information provided on material / substance non-availability as organic, include (but not limited to) the following: a. Regions of production (including factors such as climate and number of regions);				See Category 4, question 2 above
b. Number of suppliers and amount produced;				See Category 4, question 2 above
c. Current and historical supplies related to weather events such as hurricanes, floods, and droughts that may temporarily halt production or destroy crops or supplies;				See Category 4, question 2 above
d. Trade-related issues such as evidence of hoarding, war, trade barriers, or civil unrest that may temporarily restrict supplies; or				See Category 4, question 2 above
e. Are there other issues which may present a challenge to a consistent supply?				See Category 4, question 2 above