

This is a **Sunset Preliminary Review** by a Subcommittee of the National Organic Standards Board (NOSB). Sunset preliminary reviews are posted for public comment and the NOSB will refer to them to complete the sunset review process. They are not final Board recommendations or NOP policy. For more information, see [the Sunset Review and Renewal Process](#) fact sheet, and [Federal Register notice of Sept. 16, 2013](#).

**Sunset 2015 Review**  
**Meeting 2 - October 2014**  
**Handling Subcommittee Review**  
**Marsala**  
**August 22, 2014**

As part of the National List Sunset Review process, the NOSB Handling Subcommittee has evaluated the need for the continued allowance for or prohibition of the following substances for use in organic handling.

**Marsala**

*Agricultural*

**Use** – As nonorganically produced agricultural product allowed as ingredient in or on processed products

**Listing:** Fortified cooking wines. (1) Marsala

**Technical Report:** none

**Petition(s):** [Marsala, \(2007\)](#)

**Past NOSB Actions:** NOSB review and recommendation for addition to the National List [11/30/07](#)

**Regulatory Background:**

Proposed for addition to National List 6/3/09 ([74 FR 26591](#))

Added to National List 12/13/2010 ([75 FR 7751](#))

**Sunset Date:** 12/14/2015

Reference: 7 CFR 205.606(g)(1)

**Subcommittee Review**

**Summary:**

This is the second posting for the Sunset 2015 review for Fortified Cooking Wine – Marsala, which was added to the National list in 2010; please refer to the questions answered in Category 4.

Marsala was originally petitioned in 2007 for addition to 205.606 because it was considered a unique flavor ingredient that was not commercially available as organic. At present, there appears to be very few if any organic entrees utilizing Marsala as an ingredient. This could be an indication of low consumer product demand. The Handling Subcommittee proposes to remove Marsala from 205.606, and we request that the public provide comment regarding the following: the commercial demand for both conventional and organic Marsala, and the impact that the removal of Marsala from 205.606 would have on your business. During the first comment period, in spring 2014, the original petitioner, did not comment and the Subcommittee could not find current contact information for them.

**Motion to Remove:**

This proposal to remove will be considered by the NOSB at its public meeting.

Based on the Subcommittee's review, the Subcommittee proposes removal of this substance from the National List based on the following criteria in the Organic Foods Production Act (OFPA) and/or 7 CFR 205.600(b) if applicable: **205.600(b)(6) the substance is essential for the handling of organically produced agricultural products.**

In an informal 2013 survey of a handful of stores and certifiers, no products containing Marsala were

encountered. It appears that there is limited to zero use of Marsala in organic entrees in the US; this might be an indication of low demand or little interest in Marsala as an ingredient in organic entrees. Additionally, no organic or conventional Marsala was found to be available on any of the 30 websites listed on the original 2007 Sherry Petition Organic Fortified Cooking Wine Source List. With low demand, the limited availability of organic Marsala in the U.S. may not be an issue. Without input from the original petitioner, it's difficult to assess the impact of a decision to de-list Marsala.

The Handling Subcommittee believes that the full board should have the opportunity to complete the review of each sunset material by voting. The NOP has stated that to do this a motion to remove should be brought from the subcommittee for each substance. If the Subcommittee motion to remove fails to receive a majority, the motion will still be put forward to the full board for review. The motion to remove is voted by the full board and needs to receive a 2/3 majority to recommend removal.

**Motion: Remove Marsala from the National List at 205.606(g)(1)**

**Motion by:** Tracy Favre

**Seconded by:** Zea Sonnabend

Yes: 6 No: 0 Abstain: 0 Recuse: 0 Absent: 2

**NOSB Evaluation Criteria for Substances Added To the National List (Optional Checklist)**

**Category 4. Is the commercial supply of an organic agricultural substance fragile or potentially unavailable?**

[\$6610, 6518, 6519, §205.2, § 205.105(d), §205.600(c)] **Substance: Marsala cooking wine**

Question	Yes	No	N/A	Comments/Documentation. (TAP; petition; regulatory agency; other)
1. Is the comparative description as to why the non-organic form of the material /substance is necessary for use in organic handling provided?	x			2007 original Petition (pg.1-2)-Marsala is a key flavor ingredient in organic entrees. In 2007, there were no sources of organic fortified cooking wine available in the quantity and form necessary for their products.
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 <b>form</b> to fulfill an essential function in a system of organic handling?		x		In an informal 2013 survey of a handful of stores and certifiers, no products containing marsala were encountered. It appears that there is limited to zero use of marsala in organic entrees in the US; this might be an indication of low demand or little interest in marsala as an ingredient in organic entrees. Additionally, no organic or conventional marsala was found to be available on any of the 30 websites listed on the original 2007 Sherry Petition Organic Fortified Cooking Wine Source List.
3. Does the current and historical industry information, research, or evidence provided explain how or why the material /substance		x		See question # 2.

cannot be obtained organically in the appropriate <b>quality</b> to fulfill an essential function in a system of organic handling?				
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 <b>quantity</b> to fulfill an essential function in a system of organic handling?		x		See question # 2.
5. Does the industry information about unavailability include (but is not limited to) the following?:		x		
a. Regions of production (including factors such as climate and number of regions);				
b. Number of suppliers and amount produced;		x		
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;		x		
d. Trade-related issues such as evidence of hoarding, war, trade barriers, or civil unrest that may temporarily restrict supplies; or		x		
e. Other issues which may present a challenge to a consistent supply?		x		If there is no demand for marsala, there will be no incentive to produce organic marsala.