



# Accredited Certifiers Association, Inc.

*Accredited certifying agents working together to ensure the integrity of organic certification in the United States*

June 24, 2014

Melissa Bailey, Ph.D., Director, Standards Division  
National Organic Program, USDA-AMS-NOP  
1400 Independence Ave., SW.  
Room 2646 So., Ag Stop 0268  
Washington, DC 20250-0268

Re: AMS-NOP-14-0012; NOP-14-03

Notice of Draft Guidance on Substances Used in Post-Harvest Handling of Organic Products

Dear Dr. Bailey:

The Accredited Certifiers Association (ACA) would like to thank the National Organic Program (NOP) for publishing the Draft Guidance on Substances Used in Post-Harvest Handling of Organic Products. We believe that this guidance document will enhance the consistency among certification agencies and ensure the integrity of organic products.

The Accredited Certifiers Association (ACA) represents 49 foreign and domestic USDA accredited certifying agents. Our comments were developed through a Working Group of interested ACA members with input solicited from our entire membership.

The ACA offers the following comments on the Draft Guidance.

## **A. Definitions**

We believe that the key to the consistent application of this Draft Guidance are definitions that are clear and complete. We are suggesting that the definition of *Post-harvest handling* be revised to:

*Post-harvest handling.* The act of handling raw agricultural commodities without further processing. This includes activities that preserve the essential form of the product, such as flotation, washing, sanitizing, cooling, packing, separation from foreign objects or plant parts (e.g., cleaning grain), removal of stems, leaves or husks, and storage and pest control practices. “Further processing” includes activities that change the essential form of the product, such as chopping, peeling, cutting, waxing, coating, drying or combining with other ingredients.

We believe that the statement activities that preserve the essential form of the product (adapted from the Crops Organic System Plan Template/Post-Harvest Handling section, pg. 10, in the Program Handbook) clarifies the allowed activities.

In addition, we suggest including the “further processing” descriptors from the *Post-Harvest Substances* definition in the Post-harvest handling definition for additional clarity. The definition of *Post-harvest Substances* would be revised to read:

*Post-harvest substances.* Substances used in the post-harvest handling of raw agricultural commodities either on farm or in handling facilities. (e.g. insecticides used in grain storage; sanitizers used to wash produce)

The second and third sentences of the proposed definition of *Post-harvest substances* are not substances used in post harvest handling, but are considered activities. The included example of insecticides used in grain storage and sanitizers used to wash product provide examples of post-harvest substances.

#### **B. Policy Section 3.1**

*Synthetic substances that are listed in § 205.601 of the National List specifically for post-harvest use may be used for handling raw agricultural commodities, either on farms or in handling facilities. (E.g., lignin sulfonate, or sodium silicate.)*

The ACA agrees that substances on §205.601 of the National List specifically for post-harvest use may be used for handling raw agricultural commodities, either on farms or in handling facilities.

We note that this section of the policy would then exclude the use of several commonly used substances such as chlorine, hydrogen peroxide and peracetic acid as they are not listed for post-harvest handling. We suggest that this section also allow substances on §205.601 without an annotation that specifically restricts the use of the substances to activities that are not considered post-harvest handling.

#### **C. Policy Section 3.2**

*Substances listed in § 205.605 of the National List may be used for post-harvest handling of raw agricultural commodities either on farms or in handling facilities, provided that there is no restriction limiting their use. (E.g., ethylene, or nitrogen gas.)*

This section, with the examples cited, does not provide clarity. Ethylene is restricted to specific post-harvest activities, so it allowed only for that use. Nitrogen gas has no annotation, so it allowed for any post-harvest use. However, substances such as chlorine (restricted to disinfecting and sanitizing food contact surfaces) and Diatomaceous earth (restricted to food filtering aid only) do not appear to comply with 3.2 and would not be permitted for post-harvest handling. This is further complicated by the example in Appendix A, of Diatomaceous earth being allowed for post-harvest handling despite the restriction of

food filtering only. We request further clarification on this section to include the specific §205.605 substances permitted for post-harvest use.

**D. Policy Section 3.3**

*Natural (nonsynthetic) substances allowed for use in crop production that are not restricted or prohibited in § 205.602 of the National List may be used for post-harvest handling of raw agricultural commodities, either on farms or in handling facilities.*

The ACA agrees with this section.

**E. Policy Section 3.5**

*All inert ingredients used in post-harvest pest control substances on raw agricultural commodities must be either nonsynthetic and not prohibited in § 205.602 of the National List, or allowed by § 205.601(m) of the National List.*

The ACA agrees that inerts should be reviewed in pest control materials that are used in direct contact with organic products.

**F. Policy Section 3.6**

*Facility Pest Management*

ACAs believe that §205.271 applies to crop production facilities, livestock production facilities (e.g. barns, milking facilities, poultry houses) and handling facilities. All certified operations are required to manage pests. Section 3.6.4. appears to apply to only handlers.

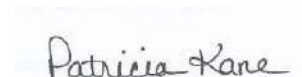
**G. Effect on the “100% Organic” Label Claim**

There are varying interpretations among certifiers regarding the use of the “100% Organic” label claim if post-harvest handling substances are utilized. We request that the NOP address this issue in the Final Guidance Document. Specifically, if a substance is used in post-harvest handling, in compliance with the National List requirements and this Guidance Document, is the raw agricultural product excluded from the “100% organic” label category?

We believe that this clarification is extremely important for the implementation of this Guidance.

We appreciate the efforts of the National Organic Program in providing additional information through the use of Instruction and Guidance documents, and look forward to receiving information on the clarifications we have requested.

Sincerely,



Patricia Kane  
ACA Coordinator