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February 13, 2012

Toni Strother
Agricultural Marketing Specialist
National Organic Program
USDA-AMS-NOP
1400 Independence Ave. SW.,
Room 2646-So., Ag Stop 0268
Washington, DC 20250

Re: USDA AMS Request for Comments – National Organic Program (NOP); Sunset Review (2012). 77 Fed. Reg. 1996. 12 Jan 2012. Docket No. AMS-NOP-09-0074.

Dear Ms. Strother:

On behalf of the International Association of Color Manufacturers (IACM), we are pleased to submit comments under the United States Department of Agriculture Agricultural Marketing Service (USDA AMS) proposed rule on the National Organic Program (NOP); Sunset Review (2012). 77 Fed. Reg. 1996. 12 Jan 2012. Docket No. AMS-NOP-09-0074.

IACM is the trade association that represents the manufacturers and end-users of coloring substances that are used in foods, including natural and artificial colors. IACM supports the continued use of all synthetic and non-synthetic substances currently allowed as ingredients in or on processed products labeled as “organic” or “made with organic”. These ingredients are approved by the U.S. Food and Drug Administration and thus are deemed safe without environmental concerns. They have also been evaluated previously by the National Organic Standards Board. The NOP has deemed them appropriate for use in “organic” and “made with organic” products. If any of these substances were disallowed, the quality, number and types of “organic” and “made with organic” products available could decrease.

IACM respectfully requests clarification of the proposed amendment for colors derived from agricultural products. Specifically, we are seeking clarification on the intent of the proposed amendment to the NOP National List regarding colors under 205.606. IACM does not support the proposed amendment for colors derived from agricultural products as written in the NOP Docket. As you may know, this action could have a significant impact on some colors that would be impossible to produce without synthetic solvent. In addition, restricting the use of synthetic solvents and carrier systems for the production of these substances is in conflict with the Code of Federal Regulations, which allows such processes. If the proposed amendment is approved, all organic products that contain colors derived through the use of synthetic solvents and carrier systems would be deemed unsafe, and thus could significantly impact the organic food market.

In addition, we would appreciate clarification on whether the use of carbon dioxide as a solvent would still be allowed under this amendment.

IACM appreciates the opportunity to comment. We are available to discuss our comments or any other issues related to the safe use of colors.

Sincerely,

John H. Cox
Acting Executive Director and General Counsel