NSF COMMENTS ~ COMPOSITION

1) CTFA

The Draft Standard references sources that are not authoritative. For example, NSF's reference to EWG reports is not appropriate. To the extent that data or opinions are referenced, the source of the data or the opinions should be by a recognized, authoritative body. Environmental Working Group ("EWG") is not an authoritative body; but rather a nonprofit organization that synthesizes data from primary references in a way that is not necessarily consistent with the conclusions of authoritative bodies, such as the Cosmetic Ingredient Review or Europe's Scientific Committee for Cosmetic Products.

REJECT: THIS IS IN THE ANNEX, AND THE SAFE CAMPAIGN FOR COSMETICS IS A MARKETPLACE REALITY AND DYNAMIC CTFA NEEDS TO DEAL WITH. THE CITATION TO THE SAFE CAMPAIGN'S JUDGEMENT ON INGREDIENTS SAFETY, IN ALMOST EVERY CASE SHOW THAT THE INGREDIENTS ARE OF MINIMAL CONCERN TO THE SAFE CAMPAIGN, WHICH IS HELPFUL TO EXPLAIN WHY A GIVEN PROCESS HAS BEEN ALLOWED TO NAÏVE CONSUMERS. HOWEVER, THE LINKS ARE OLD AND BROKEN, AND SHOULD BE UPDATED TO REFER TO THE NEW SKIN DEEP DATABASE.
Composition

2) Cognis

First, under the "made with organic" classification outlined in table G.2, we propose that Decyl Glucoside and Lauryl Glucoside be added to the "ingredients temporarily permitted in conventional form" category so that they are in line with the classification of Coco-Glucoside. The rationale being that these products derive from the same approved Glucosidation process outlined in Table 5.1 of the Standard and represent surfactants made from natural-renewable raw materials. Once sufficient 100% organic feedstocks to produce the glucosides are available, the products would then be moved to the "Ingredients available in organic form" list.

KIND OF ACCEPT: I THINK THIS WHOLE SECTION SHOULD BE MODIFIED PER MY COMMENT BELOW RE ADDING A BDIH TYPE POSTIVE LIST, AND AGREE THAT ALKYL GLUCOSIDES GENERALLY SHOULD BE ALLOWED.
COMPOSITION

3) Cognis

Second, confirmation of non-GMO material should be substantiated by PCR Analysis and the associated absence of GMO material in line with other natural/organic certification organizations. This modification would help address the issue of commercial availability of key raw materials for production, while still guaranteeing GMO-free products.

REJECT: THIS CAN'T BE DONE… NON-GM IS MORE ABOUT THE AGRICULTURAL PRACTICE OF USING GM SEEDS, NOT HEALTH RISKS PRESENTED IN END PRODUCTS BY GM ALTERED SUBSTANCES.
COMPOSITION

4) Cognis

Add Decyl Glucoside and Lauryl Glucoside to the "ingredients temporarily permitted in conventional form" category
ACCEPT: BUT I THINK THIS WHOLE SECTION SHOULD BE REPACED WITH A BDIH TYPE POSTIIVE LIST.
COMPOSITION

5) Cognis

Use PCR analysis to substantiate non-GMO material
REJECT: AFFIDAVIT IS NECESSARY, BUT PER NATRUE'S COMMENT, SHOULD APPLY ONLY TO INGREDIENTS OF CONCERN. EG. CORN AND SOY ARE OF CONCERN AS SOURCE FEEDSTOCKS, BUT THERE NO GM COCONUT YET
COMPOSITION

6) NATRUE

3.4 allowed synthetic: *A substance that is included on the National List (National Organic Program, 7 CFR Part 205) of synthetic substances allowed for use in organic production or handling, and/or that is further allowed within this Standard for use in specific situations.*

3.36 National List: *A list of allowed and prohibited substances as provided for in National Organic Program, 7 CFR 205.600-606.*

3.39 non-synthetic (natural): *A substance that is derived from mineral, plant, animal matter and does not undergo a synthetic process as defined in section 6502(21) of the Act (7 U.S.C. 6502(21)). For the purposes of this part, non-synthetic is used as a synonym for natural as the term is used in the Act. (National Organic Program, 7 CFR Part 205).*

3.66 synthetic:
A substance that is formulated or manufactured by a chemical process or by a process that chemically changes a substance extracted from naturally occurring plant, animal, or mineral sources. This term shall not apply to substances created by naturally occurring biological processes permitted under the NOP, nor does it apply to Ecological Agricultural-Based Oleochemical Ingredients defined and allowed in this Standard for products labeled "made with organic".

7.1 Use of the term "organic"

The term "organic" shall only be used on labels and in labeling of raw or processed agricultural products, including ingredients, that have been produced and handled in accordance with the requirements of this Standard. The term "organic" shall not be used in a product name unless the product meets USDA-NOP criteria or criteria defined in this Standard.

In the draft version at these points (where it is not simply a selection that is being dealt with) reference is made to the NOP/the National List. There are various reasons which would make the development of a separate positive list desirable:

a) A reference to the NOP entails a dependency (e.g. any future changes in the NOP).
b) The NOP is a state program. The development of a separate positive list would give the NFS standard more the character of an international standard. This would be very desirable from the point of view of the producers as well as the consumers.
c) Only a positive list of the permissible raw materials and manufacturing processes makes it possible to clearly define what may be used and what not. And it is only thus that transparency is created for the consumers who are otherwise forced to collect information themselves from various programmes and lists.

COULD GO EITHER WAY: THE NOP LIST IS PRETTY STABLE POST HARVEY. HOWEVER IT COULD BE COPIED INTO NSF 305 AND REFERENCED AS THE NSF LIST, INCLUSIVE OF ALL SUBSTANCES FROM THE NOP LIST SPRING 2008 PLUS WHAT IS ALLOWED UNDER NSF. ONE OF MY COMMENTS IS TO CREATE SUCH AN NSF LIST OF NSF SPECIFIC SUBSTANCES ACCEPTABLE FOR PROCESSING. I ALSO SEE THE NSF STANDARD EVENTUALLY BECOMING ENSHRINED WITHIN THE USDA NOP 070 REGS SPECIFIC TO PERSONAL CARE

COMPOSITION

7) NATRUE

In Germany a committee of experts, working for the BDIH, spent several years compiling a list of raw materials which may be used in the production of natural cosmetics. In our opinion a similar positive list made available to the NSF standard as quickly as possible by NaTrue would be the simplest solution.

ACCEPT: I AGREE THIS WOULD BE GOOD, BUT NOTE THIS IS AN ALL COMPREHENSIVE FINAL LIST OF INGREDIENTS PRODUCED BY ALLOWED PROCESSES, NOT SIMPLY A LIST OF ALLOWED REAGENTS/PROCDESSING AIDS AND RAW MATERIALS FOR PROCESSING.

COMPOSITION

8) NATRUE

4.2.1 Non-organic ingredients

The non-organic ingredients shall not be produced using excluded methods, sewage sludge, ionizing radiation or genetically engineered organisms (GEOs) or its product, nor shall they contain any petroleum compounds except as allowed for specifically in this Standard. ***Reason: 'genetically engineered organism or its product' added. It is important to exclude not only GEOs but their products as well.***

ACCEPT SOUNDS GOOD

COMPOSITION

9) NATRUE

4.2.2.1 *The labeling of whole products or ingredients as organic is prohibited if those products or ingredients are created using any of the following:*

(…)

– Ingredients that have been made using any GEOs or its product;

C.3.1 First suggested screening method

Non-organic materials for "made with" products should be supplied with:

– an affidavit that a product is not from a GE (genetically engineered)/GMO (genetically modified organism) source or process;

The formulation should be changed to:

The use of genetically manipulated plants is forbidden. For certain raw materials it would have to be proved, using PCR, that they contain no genetically modified ingredients.

Rationale:

The aim is to protect the consumer against GMO s. This will be ensured by the requirement, which has to be fulfilled, that the raw ingredients be PCR negative.

This requirement should in any case be regulated according to raw materials. The problem of GMO only exists for some individual raw materials. It requires a great deal of effort if a GMO certificate is demanded for each and every raw material. For BDIH the target of only demanding such a certificate for critical raw materials (e.g. soya) has proved very effective.

REJECT IN PART / ACCEPT IN PART: AFFIDAVIT IS SUFFICIENT. BUT AGREE THAT ONLY FEEDSTOCK/MATERIALS/INGREDIENTS OF CONCERN SHOULD BE TARGETED, WHERE THERE IS THE POSSIBILTY OF GM. EG. TOCOPHEROLS FROM SOY

COMPOSITION

10) NATRUE

3.38 nonagricultural substance: *A substance that is not a product of agriculture, such as a mineral.*

Non-agricultural covers a great deal more (salt, water, wild-crafted plants etc.). It would be more precise to offer a definition of "agricultural".
REJECT: NON-ISSUE
COMPOSITION / DEFINITION

11) NATRUE
3.40 organic: *A term used to describe a finished product or ingredients within a product that have been produced and or processed according to this Standard or the NOP regulations.*

This formulation should definitely be changed to:
A term used to describe a finished product or ingredient that has been produced and/ or processed according to this Standard, the NOP regulations or equivalent organic regulations (e.g. the European "COUNCIL REGULATION (EEC) N° 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs").

Rationale:
Most of the producers of agricultural raw materials outside the USA are not certified according to NOP. If the only raw materials that count as "organic" are those which were cultivated according to NOP then US-American firms will only be able to draw on very few agricultural raw materials that have been cultivated in other countries. It would still be the case that no European natural cosmetic articles could be labelled with the NSF label since they primarily utilize organic raw materials that that are cultivated according to the European standards for organic farming.
CHANGE TO ACCEPT: THIS IS THE SAME SITUATION FOR FOODS, AND IS PART OF THE LARGER HARMONIZATION ISSUE
COMPOSITION.

12) NATRUE
See note on *3.4*. Under *4.2.2.1* a very limited selection of processes are described. It would be more consumer-friendly to integrate a comprehensible list of the manufacturing processes allowed and the raw materials allowed, as an appendix to the NSF Standard.
ACCEPT: BDIH TYPE POSITIVE LIST, AND AN NSF PROCESS AID/REAGENT LIST
COMPOSITION

13) NATRUE
Table 5.1 &
6.5 Organic percentage of a reacted ingredient
The values in table 5.1 shall be used in calculating the organic percentage of a final product using reacted ingredients. Although most of the products of the specified

reactions are likely to be restricted to the "made with" label category, the percentage listed shall not be the final determinant of that category.

We would like to question why the use of certain processes means that certification as "organic" should no longer be possible.
Consumers see the difference between "made with organic xxx" and "95% organic" only as an expression of the organic material it contains, and not as a reflection of the manufacturing process of the raw materials.
We are of the opinion that for all those processes allowed under the NSF Standard the labelling as "organic" must be possible.
As already described above, for the calculation of "organic" that amount of the substance that has the potential to be organic (e.g. in glucosidation 98%) should be taken.
REJECT: PROCESSES AND INGREDIENTS LIKE SULFATION/SULFATED SURFACTANTS, SYNTHETIC PRESERVATIVES, ETC. SHOULD NOT BE IN "ORGANIC" PRODUCTS.
COMPOSITION CALCULATION

14) NATRUE
5.3. Cooking vegetable oils or animal fats with NOP-allowed alkali to make soap
Only vegetable fats should be allowed here.
REJECT: I'M VEGAN BUT THERE'S "ORGANIC" BEEF AND SHOULD BE "ORGANIC" TALLOW FOR SOAPS ETC.
COMPOSITION

15) NATRUE
5.3.2 Mined Ingredients

The wording should be changed to: Ingredients of mineral origin
Table 5.4. is far from complete. A great many mineral dyes are missing. So e.g. Mica CI 77019, Blue CI 77510, White CI 77163, Chlorophyll Copper CI 75810, Iron Oxides…
In the positive list of the BDIH over 20 mineral dyes and a great many other mineral raw materials are listed. Here too, it is apparent that a positive list which creates transparency for the consumer is necessary.
ACCEPT: WE SHOULD JUST BRING IN THE BDIH LIST, BUT REVIEW FOR ANY INGREDIENTS WE HAVE NOT IMPLIICTLY OR EXPLICITLY APPROVED (EG. BDIH LIST INCLUDES VARIOUS ALUMINUM COMOUNDS THAT WE WOULDN'T' WANT)
COMPOSITION

16) NATRUE
Annex G
The selection of raw materials in the appendices (particularly in appendix G2) is, in some cases, not comprehensible. Why should the use of a raw material such as "decyl

glycoside" not be permissible unless it is available in organic quality, while this restriction does not apply to a great many comparable raw materials?
Regulation of the raw materials allowed via a positive list, as described in the commentary on 3.4., would offer a great deal more transparency to consumers.
ACCEPT PER ABOVE
COMPOSITION

17) Judith Bernabe – Arch Chemicals
The NSF's list of preservatives acceptable for "made with organic ingredients" products is quite limited. The following is a list of preservatives approved for use in certified "Made With Organic" products:
1. Benzoic Acid
2. Grapefruit Seed Extract
3. Potassium Lactate
4. Potassium Sorbate
5. Sodium Benzoate
6. Sorbic Acid
7. Benzyl Alcohol

This list is constricting to most, if not all, formulators and suppliers striving to create certified organic cosmetics.

Proposal:

Cosmocil CQ is a globally approved synthetic preservative with a low toxicity profile. It is not a paraben, isothiazolone, nor a formaldehyde donor and does not contain iodine. Made up of 20% solution of polyaminopropyl biguanide (PHMB), Cosmocil CQ is currently used in eye care (contact lens cleaner), baby products, and many other personal care products. In addition to its excellent safety profile, Cosmocil CQ is a broad spectrum, fast acting bactericide effective against both Gram negative and Gram positive bacteria, including Staphylococcus aureus and E. Coli, as well as the antibiotic resistant bacteria (MRSA and VRE) and other odor causing bacteria.

Arch Chemicals, Inc. proposes that Cosmocil CQ be included in the Preservatives Allowed in "Made With Organic" Products within the NSF Standard for Organic Personal Care Products.
NOT SURE: WHOLE FOODS HAS INDICATED THERE IS SUSTAINABILITY CONCERNS IN THEIR PREMIUM STANDARD
COMPOSITION

18) Siiri Vikari - Finnfeeds Finland (Part of Danisco)
Comments:

We have recently noticed that betaine is on the list of prohibited ingredient types in the NSF Standard for Organic Personal Care Products.

Our understanding is that this is a mistake and we would like to introduce our product Betafin BP and Natural Extract AP more in detail. Our product is very often mixed with the synthetic type of surfactant betaines, alkya amido betaine etc. The INCI name of our product is betaine

Our product trade names are Betafin BP 20 and Natural Extract AP. They are both trimethylglycine, that is betaine, in crystalline form in anhydrous and in monohydrate forms, respectively. The chemical formula of our product is C5H11NO2, monohydrate form contains also one H2O molecule attached. The CAS numbers of our products are 107-43-7 and 590-47-6.
This betaine occurs in many plants and animals even in humans. We separate it from Sugar Beet molasses. The process is essentially simple. The molasses is extracted from sugar beet with water, then it is chromatographicly separated using water as eluent and then it is crystallised. There is no chemical reactions involved nor there is any solvents used in this process. The raw materail comes from nature.
Infact, many of our clients have Ecocert for their products containing betaine.

We hope this infomation will help to explain this confusion.

If you have any additional questions please contact me or our Business manager Kirsti Jutila (kirsti.jutila@danisco.com, tel. +358104314336)

Proposal:

We would like to propose a solution that the natural product with INCI name Betaine wouldn't be on the list of prohibited common ingredient types.
REJECT MOSTLY: NATURAL BETAINES ARE CERTAINLY ALLOWABLE, BUT BETAINES PRODUCED FOR REACTING WITH FATTY MATERIAL TO MAKE SURFACTANTS ARE ALWAYS SYNTHETIC. BUT A NOTE TO THE EFFECT THAT NATURAL NON-SYNTHETIC BETAINE IN ITSELF IS FINE, MIGHT BE GOOD.
COMPOSITION

19) Bob Hamilton – Access Business Group

- Within Annex E which is provided as "informative", there are judgements for each of the reference chemical processes under E.2. These judgements exceed the bounds of the standard as following the NOP guidance. Additional notes are provided which are interpretive and do not cite an official source, for example "SLS is controversial". Also there is uneven use of reference bodies. EWG is cited when that organization is providing an interpretation of ingredient safety and is not subject in there report to external review. BDIH is cited when that is the collective judgement of an industry association. Ecocert is cited and is representative of a certifying organization which does endeavor to qualify under the certifying organization criteria in appendix 3. this uneven citing of

organizations without noting qualification is unacceptable and there should be a standard of acceptance if any such interpretive judgement is to be presented. Within the scope of the standard as presented, I propose that any such information be limited to NOP recognition.

REJECT: REFERENCING OTHER EXISTING STANDARDS' PRECEDENT AND THE SAFE CAMPAGN'S JUDGEMENT ON INGREDIENT SAFETY, ARE RELEVANT AND FINE

Composition

20) DAVID HERBST - BERJE

2 - I do not believe the document is cosistent with the intent of NOP O95

2 - harmonize with O95

REJECT: I THINK THERE'S SPACE FOR THE PROCESSES AND ALLOWANCES IN NSF 305, AND IS MORE IN LINE WITH NOP 070

Composition

21) DAVID HERBST - BERJE

3 - I do not believe the document propoerly addresses the consequences of the Harvey decision and its ramificactions as to how this standard was drafted.

3 - take out the restrictive consequences of the Harvey decision

REJECT: HARVEY'S A FINISHED ISSUE, THE USDA NOP LIST REMAINS EXACTLY THE SAME. THERE ARE NO CONSEQUENCES.

Composition

22) DAVID HERBST - BERJE

4 - the balance between allowing for significant chemical reactions to be carried out on "organic" starting materials v. the prohibition of other "natural" products needs to be revisited

4 - allow natural products.

UNSURE WHAT'S AT ISSUE

Composition?

23) Curt Valva - Aubrey Organics, Inc.

Comment 2:

I do believe that at the time the standard was written, it was fairly up to date. Some time has passed and because it is assumed (I HOPE) that this is a LIVING DOCUMENT, some of the allowed ingredients and processes at the MW level need current sub-committee reviews. New ingredients are coming to light each and every day.

Proposal 2:

Some of the information needs current review and revision. I encourage sub-committee involvement in this task asap and NSF needs to spearhead this involvement asap.
ACCEPT: LET'S REVIEW AND INCORPORATE THE BDIH LIST
COMPOSITION / ALSO NSF ISSUE RE STANDING COMMITTEE

24) TERRESSENTIALS
Comment:

We believe that there should NOT be a separate, different, standard for personal care products other than the USDA NOP.

Numerous studies have shown that consumers are very confused by the various organic categories under the NOP and also by "organic" standards from other countries. Adding other "organic" standards further confuses consumers.
REJECT: WHILE I CERTAINLY SYMPATHIZE WITH THIS POSITION, I ALSO BELIEVE THE O70 SPACE SHOULD MAKE ROOM FOR THE PROCESS ALLOWANCES IN NSF 305
COMPOSITION

25) TERRESSENTIALS
4.2.1 -- NO petroleum compounds whatsoever should be allowed.
I'M WILLING TO TOLERATE THE LIMITED PRESERVATIONS ALLOWANCES. EG. POTASSIUM SORBATE
COMPOSITION

26) TERRESSENTIALS
5.1 -- (In describing the allowed processes of organic ingredients, the term "otherwise manufacturing" is a meaningless escape clause that opens the door for, essentially, any manufacturing process.) This section should be identical to the NOP.
REJECT. NSF OPEN TO ADDITIONAL DEFINED PROCESS
COMPOSITION
5.3 -- Under "allowed processes," "cooking" processes that result in new compounds that are clearly synthetic should be disallowed.
REJECT. NOP ALLOWS COOKING TO PRODUCE NEW SUBSTANCES: EG. FLOUR AND WATER TURN INTO BREAD.
COMPOSITION

27) TERRESSENTIALS
5.3.1 -- Chemical preservatives, including "grapefruit/citrus seed extract," should NOT be allowed.
REJECT: LIMITED ALLOWANCES LIKE SULFITES IN O70 WINE UNDER NOP
COMPOSITION

28) TERRESSENTIALS
5.3.4 -- Commercial availability should go beyond the NOP, in that any manufacturer claiming an exemption for an agricultural ingredient as "commercially unavailable" should implement a plan, in writing, to grow that agricultural product so that they will have it for their manufactured product or re-formulate that product so as to not have any "unavailable" ingredients.
REJECT ALTHOUGH IT'S A GOOD IDEA
COMPOSITION

29) TERRESSENTIALS
6.4.2 -- Essential oils should NOT be "extracted" with solvents.
REJECT: ETHANOL IS A "SOLVENT" SO IS WATER
COMPOSITION

30) TERRESSENTIALS
G.2 -- There should be NO synthetic ingredients temporarily permitted in conventional form!
REJECT: "ECOLOGICAL OLEOCHEMICALS" MADE FROM ORGANIC AG MATERIAL SHOULD NOT BE REJECTED UNDER NSF 305 LIKE PETROCHEMICALS. THIS IS MORE OR LESS THE POINT OF NSF 305'S EXISTENCE. BUT COMMERCIAL AVAILABLITY NEEDS TO BE STRONG, AND THERE SHOULD BE A VOLUME CREDIT PROGRAM
COMPOSITION

31) TERRESSENTIALS
Proposal:
Use the USDA NOP standard only.
REJECT, PLACE FOR NSF IN O70 SPACE
COMPOSITION

32) Tim Schaeffer – Natural Resource Group
Comments:

To me, the standard has two goals: 1) Support organic agriculture by creating a marketplace for such goods and 2) Uniformity in organic label claims.

I believe great progress has been made with this standard, but I feel the standard can be strengthened in how it supports organic agriculture. Namely, I'm not confident that the labeling system and allowed ingredients will create products that have above-average appeal to the consumer. While the standard could likely help normalize the industry with

respect to uniform label claims, without heightened appeal I don't see the standard contributing to the growth of organic agriculture. To me, it only satisfies half of the equation.

Proposal:

While I originally voted to use the USDA 095 for personal care, I've come to believe that was a mistake. I think we should revisit an organic (95%) category specifically tailored to personal care. Moreover, I believe we should allow an organic label claim.

Combined, these two change allow manufacturers to make stronger claims (within reason) and utilize more organic ingredients.
REJECT: HYDROGEANTION, SULFATION, SYNTHETIC PRESERVATION AS ALLOWED UNDER THE NSF 305 STANDARD FOR 'MADE WITH" CLAIMS CANNOT BE IN OUTRIGHT "ORGANIC" PRODUCTS.
COMPOSITION

33) CRAIG MINOWA - OCA
1) Nanoparticles are not even addressed under this standard. Nanoparticles should be restricted at a size not less than 100 nanometers.
ACCEPT: SAFE CAMPAIGN IS NOW SAYING 300 NANOMETERS
COMPOSITION

34) CRAIG MINOWA – OCA
5) The Commercial Availability clause is a slippery slope. Currently, the majority of proposed processes would result in synthetic ingredients that are not currently allowed under the NOP. This is confusing to consumers, as indicated by results of surveys of organic consumers developed by the subsommittee last year (contact me if you would like a copy of those results).

On the issue of Commercial Availability, subcommittee votes resulted in a 50/50 split between those that thought the standard should allow conventional agriculturally derived feedstock (from genetically engineered and pesticide laden plants) and those that indicated that processed ingredients not allowed under the NOP should be required to be derived from organic feedstock. Our consumer surveys showed conclusively that people buying a product labeled as "Made with organic" would expect it to be in accordance with the NOP, or, at the very least, have the highly processed synthetic ingredients derived from organic feedstock. Despite this 50/50 split on the original vote, the proposed standard reflects the weaker side of that vote. I still feel this should be opened up for a wider vote when the committee addresses comments made on the standard.

If a Commercial Availability clause is the result of that vote, then this document needs to have more elaborate definitions of the criteria for assessing what specifically should be considered "Commercially Available" and what is not as well as who monitors the

industry for changes to the current list. The current 3.11 definition of “Commercial Availability” is insufficient and vague. To note, it's next to impossible to remove something from the current NOP National List, and I suspect, this standard will be no different unless more verbiage is added --- assuming the majority of the committee even wants the Commercial Availability clause, which is questionable at this point, given the past vote. To exemplify, if this is not better defined, an ingredient that is considered in high enough quantity and commercially available to a modest sized manufacturer may not be considered “commercially available” to the Wal-marts of the world, thus creating zero impetus for a company to produce or use one of these synthetic ingredients made from an organic feedstock. In short, with the current ambiguity, what’s currently on this list will likely permanently remain on this list, which is a deep concern.
ACCEPT IN PART: I THINK WITH A VOLUME CREDIT PROGRAM, WE CAN GENERATE MOST RELEVANT HIGH VOLUME SURFACTANTS FATTY ALCOHOL AND EMULSIFERS FROM ORGANIC MATERIAL . WE ALSO WILL NEED A STANDING COMMITTEE.
COMPOSITION /

35) DAVID BRONNER – DR. BRONNER’S
David Bronner – Dr. Bronner’s Magic Soaps

Comment 1:

Section 5.3 notes that:
"Table 5.1 specifies Ecological Agricultural-Based Botano-chemical Processes that make ingredients that are not permitted under the NOP but are allowed for “Made with Organic” products under this Standard. The organic content contribution of the resulting ingredient to a finished product is also specified. Organic forms of ingredients made by these processes shall be used in “Made with Organic” products, if commercially available."

This is a straightforward requirement to use organic forms of ingredients produced by these processes, if commercially available. If they are not, then conventional may be used. However, in the Appendix, in table G2, is a position that is even more strict, in noting many ingredients that may never be used in conventional form, only organic form, regardless of whether that ingredient is commercially available. This stricter version reflects debates within the Composition Committee that went back and forth how strict to make things.

I believe though, that the position that is reflected in the actual body of the standard, is the correct and better version, in being more straightforward, and that the G2 table in the Appendix should remove the category designation "Ingredients currently not available in organic form, and not allowed in conventional form, but allowed once organic form is available". There should simply be a representative list of ingredients available in organic form, and not yet available in organic form.
ACCEPT

COMPOSIITON

36) DAVID BRONNER – DR. BRONNER'S
As a separate matter, the JC should consider the addition of a statement restricting the size of nano particles to not less than 100 nanometers for Zinc Oxide and Titanium Dioxide, per general accepted cutoffs. This is an issue that has emerged in the past year especially.
ACCEPT, BUT SAFE CAMPAGIN NOW ADVISING A 300 NANOMETER LIMIT
COMPOSITION

37) DAVID BRONNER – DR. BRONNER'S
5.3 Allowed Processes and Ingredients
Table 5.1
Add the term 'hydrolysis' between catalyzed and esterification in the third row. The proposed sentence should read: Mineral Acid-catalyzed hydrolysis, esterification or transesterification
ACCEPT
COMPOSITION

38) DAVID BRONNER – DR. BRONNER'S
See Annex E.2. for clarification of particular ecological agricultural-based botano-chemical processes. The reagents and catalysts allowed under NSF that individually or in various combinations enable the more intensive NSF-allowed processes to happen are:

Potassium/Sodium Hydroxide
Metal Catalysts (Nickel, Platinum, Palladium)
Copper Chromite
Zinc Oxide
Strong Mineral Acids (Sulfuric, Phosphoric, HCl)
Strong Hybrid ChlorSulfonic Acid
Methanol
Phosphorous Trichloride or Thionyl Chloride
Hydrogen
Sulfur/Sulfur Trioxide
ACCEPT, SHOULD BE INSERTED BY PROCESSES
COMPOSITION

39) DAVID BRONNER – DR. BRONNER'S
5.3.1 Preservatives.
The following row should be added to Table 5.2:
Salycylic Acid and its salts
ACCEPT

COMPOSITION

40) DAVID BRONNER – DR. BRONNER'S
The following language should be added to 5.3.1

Any other ingredient with anti-microbial activity may be used, insofar as it is made by approved processes allowed under this standard. See Annex G. (E.g. Glyceryl Caprate).
ACCEPT
COMPOSITION

41) DAVID BRONNER – DR. BRONNER'S
Proposed change for 5.3.2:

ALLOWED MINED & PROCESSED MINERALS

Chalk, Clays, Pumice, Titanium Dioxide, Zinc Oxide and any others specified in Annex G.
NOTE – A restriction of minimum 100 nanometers should be observed for nanoparticles.
ACCEPT, EXCEPT NOT FOR ALUMINUM COMPOUNDS
COMPOSITION

42) DAVID BRONNER – DR. BRONNER'S
NSF'S POSITIVE INGREDIENT LIST
The NSF Positive List mirrors the German natural BDIH standard Positive List, supplemented with the NOP list, since the BDIH standard has identical restrictions on allowed processes as NSF. The NSF Positive List is a clear comprehensive reference for certifiers and manufacturers to determine what is and is not allowed in NSF certified products. Any ingredient not on the Positive List that is made by an NSF allowed process can be petitioned to the NSF Joint Committee for placement on the Positive List. Should a notable safety or environmental issue arise for a given ingredient on the list, that ingredient may be de-listed under a sunset review. Organic forms of ingredients made by processes described in 5.3 shall be used when commercially available.

.ACCEPT, EXCEPT ALUMINUM COMPOUNDS
COMPOSITION

43) DAVID BRONNER – DR. BRONNER'S
ANNEX G
NSF POSITIVE INGREDIENT LIST

The NSF Positive List mirrors the German natural BDIH standard Positive List, supplemented with the USDA NOP list, since the BDIH standard has identical

restrictions on allowed processes as NSF. The NSF Positive List is a clear comprehensive reference for certifiers and manufacturers to determine what is and is not allowed in NSF certified products. Any ingredient not on the Positive List that is made by an NSF allowed process can be petitioned to the NSF Joint Committee for placement on the Positive List. Should a notable safety or environmental issue arise for a given ingredient on the list, that ingredient may be de-listed under a sunset review. Organic forms of ingredients made by processes described in 5.3 shall be used when commercially available.
ACCEPT
COMPOSITION

44) DAVID BRONNER – DR. BRONNER'S
Hello All:

A big stumbling block for the development of the surfactants allowed under NSF from organic material, is the problem of scale in getting fatty alcohols produced from certified organic oils; fatty alcohols are the basic surfactant building block/sub-ingredient for various surfactants. Fatty alcohols are also utilized extensively in their own right, in lotions and hair conditioners allowed under the NSF standard. To make fatty alcohols, triglyceride oils are transesterified with methanol to make methyl esters, which then need to be hydrogenated at extremely high pressure to produce fatty alcohols. The operations that do this are very capital-intensive huge-volume operations, and impossible to get a small dedicated batch run with certified organic oil exclusively within any reasonable cost/efficiency structure. I believe something like 300 MT minimum runs is what we were looking at, as we have an all-purpose cleaning product based on coco glucoside and SCS, and so have spent time looking into this.

Accoring to "Branded! How the Certification Revolution is Transforming Global Corporations" the FSC implemented a change to the straight % FSC claim that, one, allowed a "volume-credit" as I outlined below to happen, while two, implementing tighter controls on the non-certified content (no GMO, no old growth, no illegal harvested wood, no "social turmoil"/trampling of worker/indigenous rights). This was to respond to the fact that Sweden had the largest proportion of FSC certified forest, but Swedish processors were not bothering to certify much actual output product.

Page 89-90: "The volume-credit system allowed companies to place an FSC logo on products coming out of a mill in direct proportion to the FSC-certified inputs going into the mill over a defined period of time. For example, if the mill could show that 50 percent of the pine or fir it purchased for making the windows during a given month or quarter came from FSC-certified forests, it could place the FSC logo on 50 percent of the windows produced with that wood during that period.

"From the point of view of some FSC stakeholders, this change came with a high psychological cost. If you purchased a window with the FSC logo on it, you could no longer be absolutely certain that the wood in that window actually came from trees

harvested from an FSC-certified forest. You could, however, be confident that by purchasing that window you were providing direct support to the improvement of forest management worldwide. It required trust in the system. To bolster that trust, environmental advocacy groups agreed to the introduction of the volume-credit system only if a system for improving the control of uncertified wood was strengthened….

"The volume-credit system proved to be useful in unexpected places. Representatives of the social chamber argued, at the 2005 general assembly, that small-scale indigenous and community based certified forests were finding it easier to convince local mills to become CoC (Chain of Custody) certified because the standards no longer required that they implement costly physical segregation for small batches of certified timber."

(Me aain) In a similar vein, buying "green energy" off the grid doesn't deliver any dedicated green energy different from the brown energy everyone else gets off the grid. You still get the same brown energy, but your funds are allocated to and enable scale-up of green energy sources that are feeding energy into the overall grid.

I'd like to propose under NSF that for fatty alcohols made from certified organic oils, and potentially steam-splitting organic oils to make glycerin and fatty acids too (the other main basic sub-ingredients for NSF processes) which also has similar scale issues, that on a temporary basis that sunsets after enough market volume is reached, that the NSF standard enable certification of a fatty alcohol output volume (and potentially fatty acids and glycerin) proportional to the certified organic oil input that's diluted into a larger conventional oil input volume. So for instance, if 50 MT certified organic coconut oil is mixed with 250 MT of conventional coconut oil feeding into a fatty alcohol operation, than 50 MT of the resulting fatty alcohols and glycerin would be certified under NSF as "Coco Alcohol/Glycerin made with Organic Coconut Oil", even though the actual certified fatty alcohol would be diluted per the input organic/conventional oil ratio of the overall run. The certified Coco Alcohol could then be sulfated, or combined with organic glucose in a glucosidation reaction, to produce "Sodium Coco Sulfate / Coco Glucoside made with Organic Coconut Oil".

I think this is the advantage of the "made with Organic" nature of the NSF standard, that we can build in this kind of flexibility. A straight "Organic" product designation would require the high-bar NOP standard of complete authenticated/certified purity, free of any commingling of conventional material. But under the NSF "made with" standard, I think we can be flexible here, and address the fundamental chicken/egg problem of getting certified fatty alcohol, fatty acid and glycerin produced efficiently from certified organic material. This accords with the realities that FSC and green energy schemes have to deal with as well. And this allowance would hopefully be sunsetted after a couple years under a sunset review, that will determine whether market volumes are able to justify dedicated certified runs at the scale fatty alcohol/acid/glycerin manufacturers work at.

This isn't without controversy but is similar to green energy purchasing, and USDA certifiers can easily certify that the certified output volumes correspond to certified

organic input volumes. (USDA certifiers generally certify the much more strict total segregation of organic versus conventional in production).

Depending on the scale of the actual downstream sulfation and glucosidation operations of major players like Cognis, that make alkyl glucoside surfactants (eg. Decyl glucoside, coco glucoside, etc.), we might want to implement a similar scheme for them as for the fatty alcohol/acid/glycerin producers.

To the issue that organic consumers associate “organic” products and ingredients with a higher degree of health and safety, this isn’t really an issue with the more intense NSF-allowed “made with Organic” processes we’re talking about. The degree of processing and use of intermediate reagents like methanol that is fossil-fuel-based/non-renewable/toxic, makes the “health” of actual organic versus conventional feedstock pretty moot in the case of fatty alcohols. Ie Whatever trace pesticide residuals are present and of concern in the source material, is swamped by the processing intensity and synthetic inputs of the process itself. Also “made with Organic” products generally use conventional ag material anyway in the non-organic allowance. The progressive consumer interest here is more focused on promoting the organic health/sustainability/ecology of the agricultural practices and farms that provide the feedstock for core processed ingredients in NSF “made with Organic” certified products.

The USDA NOP “organic” category of personal care provides consumers with the ideal of comprehensive pure pesticide-residue-free organic ingredients with limited processing.

Best, David Bronner

Proposal 3:

In a relevant part of Section 5.3, insert a statement something like:

"For production of fatty alcohols, fatty acids and glycerin from certified organic material, the basic sub-ingredients for esters and surfactants as well as extenviely used in personal care in their own right, in recognition of the prohibitive scale of a dedicated certifeid organic feedstock run for producers that run extremely large batch or continuous operations, a "volume-credit" systme will apply.

This means that if 50 MT of certified organic coconut oil is fed into an operation along with 250 MT conventional, that 50 MT of fatty alcohols and glycerin output may be certified under NSF as "made with Organic Coconut Oil" with an organic content of 98% as specified in 5.3 (versus 300 MT of fatty alcohols certified to have less than 20% organic content which won't work for downstream NSF manufacturers).
ACCEPT: I HOPE PEOPLE TAKE THE TIME TO THINK THIS THROUGH, AS THIS IS I THINK CRUCIAL TO JUMP STARTING ORGANIC FEEDSTOCKS FOR MAJOR CLEANSING AND MOISTURIZING INGREDIENTS IN NSF 305 PERSONAL CARE
COMPOSITION / CALCULATIONS

45) GAY TIMMONS – OH, OH, ORGANIC
1 – 5.3.2 – I have, as a distributor of "organic and organic compliant" cosmetic materials been unable to find a clay that is not irradiated.
ACCEPT: NATRUE MADE THE SAME POINT ABOVE
COMPOSITION

46) GAY TIMMONS – OH, OH ORGANIC
2 – Table 5.2 - "Natural Source" is used to describe preservatives, however it is not defined. What is "natural sourced"?
THIS WOULD BE PRODUCED FROM NATURAL FEEDSTOCK, NOT PETROCHEMICAL (EG. CINNAMIC ALDEHYDE FROM CASSIA OIL FOR BENZOIC ACID AND BENZYL ALCOHOL)
COMPOSITION

47) GAY TIMMONS – OH, OH ORGANIC
4 – 6.3.2 – Which "National List"?
NOP
COMPOSITION

48) GAY TIMMONS – OH, OH ORGANIC
5 – 6.4.3.2 – What does "fully organic" mean? Is this 100%, 95% . . .??
"FULLY" CAN BE DELETED
COMPOSITION

49) GAY TIMMONS – OH, OH ORGANIC
6 – 7.2 – These statements do not appear to discriminate between NOP certified materials and NSF certified materials. Is there any difference?
THE O70 "MADE WITH ORGANIC" COULD BE EITHER
COMPOSITION

50) GAY TIMMONS – OH, OH ORGANIC
7 – 7.2.1 – Does this section apply to NOP compliant materials? If a product is certified organic to the NOP, why should there be any obligation to disclose the process?
ACCEPT: THIS CAN BE LIMITED TO NSF SPECIFIC PROCESSED INGREDIENTS
COMPOSITION

51) GAY TIMMONS – OH, OH ORGANIC
17 – Annex G – Organic glycerin is now available.
GOOD POINT

COMPOSITION

52) GAY TIMMONS – OH, OH ORGANIC
18 – Annex G – Org. maltodextrin is available.
GREAT
COMPOSITION

53) GAY TIMMONS – OH, OH ORGANIC
19 – Annex G –2 – why is tocopherol acetate allowed? There is non-gmo mixed tocopherol that fill the need of a effective anti- oxidant for personal care products.
IT'S AN ESTER PRODUCED BY AN NSF ALLOWED PROCESS.
COMPOSITION

54) JOHN LEFFEL
Comment 2

there was no definition for potable water and this may be more appropriate to substutute potable water for tap water

Proposal 2

substiture potable water for tap water in document
REJECT: "TAP" IS USED TO DISTINGUISH REGULAR NON-AG NON-PLANT NON-ORGANIC WATER, VERSUS "PLANT" OR "AGRICUTLRUAL MATERIAL" WATER/JUICE THAT IS ORGANIC, IN WATER EXTRACTS. IT'S NOT REALLY ABOUT POTABILITY
COMPOSITION

55) Ernest Julian – Rhode Island Department of health

Personal care products may be kept in the home for long periods of time. If preservatives are not used due to the organic nature of these products, a concern arises as to the microbiological safety of these products. Could they become a source of bacterial or fungal infections, etc.?

If preservatives are not present, the products should be tested at the end of the shelf life, as part of the standard, to make certain that the products do not present a hazard to the users.

The consumer is purchasing these products under the assumption that they are safer. The NSF seal with "Live Safer" also implies safety. We need to make certain that these products are not, in fact, hazardous.

THERE ARE SPECIFIC ANTI-MICROBIAL SYSTEMS ALLOWED THROUGH THE PROCESS ALLOWANCES THAT ARE NOT OTHERWISE SPELLED OUT (MY COMMENT WOULD DO THIS). FOR INSTANCE, GLUCOSE, GLUCOSE OXIDASE AND LACTOSE PEROXIDASE AS A SYSTEM USED BY BURT'S BEES, IS ALLOWED UNDER THE NSF PROCESS ALLOWANCES, BUT SHOULD BE SPECIFICALLY LISTED. REGARDLESS, BDIH AND USDA NOP PERSONAL CARE CAN AND ARE MADE WITH ROBUST PRESERVATION WITHOUT POWERFUL ANTI-MICROBIALS. PERHAPS A PRE-MARKET USB CHALLENGE TEST REQUIREMENT SHOULD BE IN PLACE? I'M GOING TO BE MEETING WITH SOIL ASSOCIATION NEXT WEEK, AND I'LL SEE WHAT "HARMONIZED" PRESERVATIVES ARE MAKING THE CUT THAT WE MAY NOT HAVE CONSIDERED.

COMPOSITION