

NSF COMMENTS ~ LABELLING

1) CTFA

b. Order of ingredients (7.7.1)

The Draft Standard's order of ingredient listing is not consistent with federal law and may be confusing or potentially misleading. In the Draft, NSF states: Ingredients at a concentration of more than 1% shall be listed on the label in descending order of predominance, in their concentration by weight. Ingredients that are present at a concentration of 1% or less shall be listed in any order after the ingredients present at a concentration of more than 1% or as required by federal regulation.

This ingredient listing conflicts with FDA regulation and mandated by the Fair Package Labeling Act. Legally, a cosmetic product's order of ingredients may appear in one of three ways. The Draft Standard's ordering scheme is inconsistent with federal law and, if followed, may cause a product's label to be misleading.

REJECT: NSF SEEMS CLEAR ENOUGH TO ME.

Labelling

2) CTFA

c. Ingredient Labeling (7.7)

In the Draft Standard, NSF outlines ingredient labeling practices that augment current regulatory and INCI standards. NSF lacks authority to revise regulation or INCI nomenclature. In Section 7.7 of the Draft, NSF states:

Each organic personal care product shall list the ingredients on its label using the International Nomenclature for Cosmetic Ingredients (INCI) labeling system as found in the most recent edition of the International Cosmetic Ingredient (ICI) Dictionary and Handbook as applicable. The list of ingredients shall appear on the outer label of the personal care product. Extra descriptive or marketing terminology, unless specified in 7, shall not be deemed acceptable in the ingredient list.

Emphasis added. The wording in the Standard "unless specified in 7" indicates that there are exceptions to FDA labeling regulations.

Also, in Section 7.5.2 of the Draft Standard, NSF states:

products in packages described in 7 CFR 205.301(c) shall: – In the ingredient statement, identify each organic ingredient with the word "organic" or with an asterisk or other reference mark that is defined below the ingredient statement to indicate that the ingredient is organically produced.

NSF has no authority to make such changes to INCI nomenclature or federal regulation.

REJECT: NSF IS FINE HERE; ASTERISKING INGREDIENTS TO TRUTHFUL INFORMATION IS LEGAL.

Labelling

3) NATRUE

7.5.1 Personal care packaged products labeled "made with organic"

Personal Care products in packages described in 7 CFR 205.301(c) may display on the principal display panel, information panel, and any other panel and on any labeling or market information concerning the product:

– The statement: "Made with organic [specified ingredients or ingredient groups]," provided that the statement does not list more than three organically produced ingredients. The text shall not exceed one-half the size of the largest type size on the panel. This statement shall be made in the same type size, style, and color without highlighting; or **Reason: 'or ingredient groups' added. This allows categorical claims, such as "made with organic oils, fragrances, and colors" if all ingredients in those categories were organically produced. This construction is more consistent with the NOP rule, reducing consumer confusion.**

The appended addition "and ingredient groups" should be deleted.

ACCEPT

LABELLING

4) TERRESENTIALS

7.7. -- Labeling of ingredients

This entire section should be eliminated as it is covered by FDA regulations. Any other sections that contain information that is covered by current FDA regs/guidelines should also be removed.

REJECT: NEED TO REGULATE HOW TO DESCRIBE INGREDIENTS AS

"ORGANIC"

LABELING

5) DAVID BRONNER – DR. BRONNER'S

7.5.2 Agricultural packaged products

Agricultural products in packages described in 7 CFR 205.301(c) shall:

– In the ingredient statement, identify each organic ingredient with the word "organic" or with an asterisk or other reference mark that is defined below the ingredient statement to indicate that the ingredient is organically produced. Water, mined minerals, and salt included as ingredients shall not be identified as organic. For ingredients made with organic materials produced by processes allowed under this Standard but not the NOP, a separate asterisk should refer to the statement "Made with Organic Ingredients".

For example, on the ingredients declaration of a hypothetical NSF certified shampoo:

Ingredients: Water, Aloe Vera*, Sodium Coco Sulfate**, Coco Glucoside**, Soy Protein*, Benzoic Acid

* Organic

** Made with Organic Ingredients

**ACCEPT
LABELLING**

6) Gay Timmons – Oh, Oh Organic, Inc

10 – 7.6 – This section requires more info on a wholesale package than the NOP requires – this means that you are asking companies certified to the NOP to go beyond NOP requirements. Will suppliers be willing to do this? Is it necessary?

**ITS NOT A BIG DEAL, BUT MAY NOT BE NECESSARY
LABELLING**

7) Gay Timmons – Oh, Oh Organic, Inc

11. – 7.7.1 – Is this section parallel to the regulations stated in the US and Canada (the most likely export market for US cosmetics)?

**THIS IS U.S., BUT DON'T KNOW CANADA, JAPAN OR EU (PROBABLY THE
SAME THOUGH)
LABELLING**

8) John Leffel

Comment 1

I did not see the establishment of an expiration date for the product.

Proposal 1

Require the same expiration dates as other organic material to be posted on label
**IF NECESSARY THIS SHOULD BE INSERTED WHEREVER APPROPRIATE
LABELLING**