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October 12th, 2010

The National Organic Standards Board
c/o Lisa Ahramjian, Executive Director
1400 Independence Avenue, SW
Room 2646 – So., Ag Stop 0268
Washington D.C. 20250-0268

RE: AMS-NOP-10-0068; NOP-10-08

Petition to Move Yeast from § 205.605 to § 205.606

Dear NOSB Handling Committee members:

Oregon Tilth supports the handling committee’s recommendation to retain yeast on § 205.605(a) and change the annotation to read as follows:

Yeast – When used as food, a fermentation agent, or supplement, yeast must be organic if its end use is for human consumption; nonorganic yeast may be used when equivalent organic yeast is not commercially available. Growth on petrochemical substrate and sulfite waste liquor is prohibited.

We support the Handling Committee’s recommendation for the following reasons:

- It promotes the production of organic yeast resulting in increased organic acreage;
- It recognizes the ability to label certain kinds of yeast as “organic” according to the 95/5 composition standard without categorically classifying all microorganisms as agricultural;
- It recognizes the difference in composition requirements between products intended for human consumption and products intended for livestock consumption; and
- **It’s consistent with the NOP’s Guidance on the Certification of Organic Yeast and Processed Agricultural Products (NOP 5014, effective March 2, 2010) – Attachment A**

Certification of processed agricultural products, which are listed as nonagricultural on § 205.605(a) is not without precedence. For example, NOP previously determined that natural flavors, though they are listed as allowable nonagricultural products in organic production, can be certified organic if processed in compliance with NOP regulations.

The decision to assign commercial availability to yeast using an annotation addresses a larger issue that the industry has been struggling with for over five years. Without surprise, as an industry, we have not been able to agree on whether yeast and other microorganisms are agricultural. They don't resemble the traditional farm animal, and we don't typically raise them out amongst the rows of carrots and beets, at least not intentionally.

While Oregon Tilth cannot point to yeast as being "agricultural" in a traditional sense, we can say yeast are living organisms and their production relies primarily on agricultural material (greater than 95% at formulation). Yeast may not be "grown on a farm" but yeast products can be grown in such a way as to meet the NOP standards for a processed agricultural product, and in fact organic yeast is available in many forms intended for human consumption. We recognize that yeast production has definite agricultural and environmental implications and we feel that these should and can be addressed by applying organic principles to yeast used in organic food. We also recognize that the EU has expressly recognized yeast in food and feed as eligible for organic production, and Article 20 of the new EU Council Regulation No. 834/2007 provides general rules for the production of organic yeast.

For these reasons, we find it appropriate to retain yeast on § 205.605(a) and assign commercial availability if its end use is for human consumption. We support making a distinction between human and livestock consumption requirements for the following reasons:

- Yeast is not universally recognized as agricultural feed. It's allowed under the NOP regulations at § 205.237(a) as a nonsynthetic feed supplement;
- The provisions of § 205.237(a) do not provide for commercial availability as do the human food standards;
- Yeast is not commercially available in the quantity, quality or form needed by the food and feed industry at this time. To require organic in either sector without a commercial availability clause would cause undo hardship;
- We need to start somewhere, and promoting the use of organic yeast in the human food sector will blaze a historic trail.

Thank you for carefully considering Oregon Tilth's comments.

Respectfully submitted,

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Oregon Tilth, Inc.

Oregon Tilth, Inc. is a non-profit 501(c)(3) organization that supports and promotes biologically sound and socially equitable agriculture. Oregon Tilth offers educational events throughout the state of Oregon, and provides organic certification services to organic growers, processors, and handlers internationally. An NOP accredited certifier since 2002, Oregon Tilth currently certifies over 650 farms and ranches and over 600 handlers in more than 35 states affording us a broad perspective of current practices and challenges faced by organic producers and handlers. This perspective also extends to the anticipated successes and challenges that this discussion topic will affect upon them.

