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## Notice for National List Change - Natural Flavors

### March 15, 2019

Dear OTCO Clients,

**Please review the enclosed information carefully as it may affect your certification. This letter addresses the annotation [to flavors published by the National Organic Program \(NOP\)](#) on December 27, 2018.**

#### **Overview:**

In December 2018, the NOP published the final rule that updated several [National List](#) items, including an annotation for flavors to now require commercial availability searches for organic flavors. The change is intended to encourage the manufacture and use of organic flavors.

The new flavors annotation on the National List reads:

Flavors: § 205.605(a) — nonsynthetic flavors may be used when organic flavors are not commercially available. All flavors must be derived from organic or nonsynthetic sources only and must not be produced using synthetic solvents and carrier systems or any artificial preservative.

Implementation of the final rule for flavors will take effect on December 27, 2019 at which time all certified operations must have a system in place to search for and use organic flavors when commercially available. However, OTCO will require certified operations to prepare for compliance with the change prior to December 27.

#### **Who is impacted by the annotation change**

The regulatory change impacts all certified operations whom source, produce and/or use any non-organic flavors in products labeled as “organic.”

#### **What you will need to do**

During your 2019 inspection and certification review, OTCO will assess your plan for coming into compliance before the effective date, December 27, 2019. Inspectors and certification officers completing a review of your file will look for an implementation plan and evaluate any steps/actions you have already taken. Key parts of your compliance plan should include:

- How your operation identifies all non-organic flavors used (e.g., catalogued on the Master Ingredient List)
- How your operation verifies the commercial availability for an organic form of the specific flavor (or flavoring ingredient for flavor manufacturers)



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- How often your operation updates and verifies the commercial availability for all non-organic flavors used

Operators may use OTCO's [Commercial Availability Form](#) or complimentary form that provides all of the necessary information for documentation.

If you do not have a compliance plan at the time of your inspection and review, OTCO will issue a reminder for compliance to be revisited during inspection and review in 2020. If a plan is either not developed or not implemented at the time of inspection in 2020, noncompliances will be issued accordingly.

Please note, we wish to support your operation's ability to plan and adopt a procedure for compliance well in advance of the December 27, 2019 deadline. OTCO is prepared to assist, answer questions, and ensure your procedure (and actions) meet all of the new requirements. If you would like OTCO to review a draft procedure please contact us or email your draft to [organic@tilth.org](mailto:organic@tilth.org) and our team will be able to assist.

We understand that this change may have a significant impact on your operation. Please do not hesitate to contact our Processor Hotline at (541) 368-7645 with questions. We also have updated our [Help Center](#) to provide step-by-step information and sample documents for use.

Sincerely,  
Oregon Tilth