

## **Regulation Updates** **Code of Federal Regulations, Title 7, Part 205, National Organic Program (NOP)**

The NOP regulations are periodically revised, and changes are published in the Federal Register. For full details of the changes, please always click the Federal Register 'Final Rule' links below. You can view the current regulations at the [Electronic Code of Federal Regulations](#).

Note that you must be in compliance with the regulation changes by the listed effective date or implemented date. Contact OneCert if you have questions or concerns about how the rule changes might impact your operation.

### April 30, 2019

On April 30, 2019, the NOP published a [Final Rule](#) amending the National List of Allowed and Prohibited Substances (National List) within the NOP regulations. The changes are **effective May 30, 2019**. This rule change impacts the following:

- Allows **elemental sulfur** to be used in organic livestock production as a topical treatment to repel mites, fleas and ticks from livestock and their living spaces.
- Reclassifies **potassium acid tartrate** from a nonagricultural substance to an agricultural substance, requiring handlers to use the organic form when it is commercially available. Potassium acid tartrate is currently listed as a nonorganic ingredient allowed in organic products.

The above bulleted summary is provided by the USDA Agricultural Marketing Service.

### December 27, 2018

On December 27, 2018, the NOP published a [Final Rule](#) amending the National List of Allowed and Prohibited Substances (National List) within the NOP regulations. The rule was **effective on January 28, 2019**, except that the amendments for the substances ivermectin, flavors, cellulose, carnauba wax, and glycerin **will be implemented December 27, 2019**.

- **Parasiticides** for livestock production to be allowed for fiber bearing animals when used a minimum of 36 days prior to harvesting of fleece or wool that is to be sold, labeled, or represented as organic. The milk withhold periods for **Fenbendazole** and **Moxidectin** to be reduced to 2 days for cattle 36 days for other species. **Ivermectin** to be prohibited in livestock production.
- **Methionine** for poultry production to be restricted at the following maximum rates as averaged per ton of feed over the life of the flock: Laying chickens—2 pounds; broiler chickens – 2.5 pounds; turkeys and all other poultry —3 pounds.
- **Flavors** in processing and handling to be restricted so that organic flavors are required when commercially available
- **Carnauba wax** and **Glycerin** in processing and handling to be re-classified as agricultural, thereby requiring the use of organic forms when commercially available

- **Lidocaine** and **Procaine** in livestock production to be restricted at shorter withdrawal periods: 8 days for slaughter stock and 6 dairy for dairy stock
- **Rotenone** to be prohibited in crop production.
- New allowed materials:
  - **Magnesium oxide** and **Squid by-products** to be allowed in crop production
  - **Activated charcoal, Calcium borogluconate, Calcium propionate, Kaolin pectin, Mineral Oil, Injectable nutrients, Propylene glycol, Acidified sodium chlorite, and Zinc sulfate** to be allowed in livestock production
  - **Hypochlorous Acid** to be allowed as chlorine material for crops, livestock, handling
  - **Potassium lactate** and **Sodium lactate** to be allowed in processing and handling
- Other amendments:
  - **Micronutrients** (Crops): allows alternative methods for documenting a deficiency
  - **Chlorhexidine** (Livestock): allows for medical uses
  - **Xylazine** (Livestock): allows for non-emergency uses
  - **Excipients** (Livestock): allows APHIS-approved substances
  - **Chlorine** (Handling): clarifies restriction in accordance with NOP guidance
  - **Alginate Acid** (Handling): reclassifies as synthetic
  - **Cellulose** (Handling): clarifies that microcrystalline forms are prohibited
  - **Colors** (Handling): replaces CAS#s with binomial nomenclature

The above bulleted summary is provided by the Organic Trade Association (OTA).