

USDA Amends National List of Allowed and Prohibited Substances for Organic Handling or Production

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- The United States Department of Agriculture's (USDA's) Agricultural Marketing Service (AMS) is responsible for maintaining the National List of Allowed and Prohibited Substances (the "National List") for organic handling and production as part of the National Organic Program (NOP) under the Organic Foods Production Act of 1990 (OFPA; Public Law 101-624, Nov. 28, 1990). The National List, codified at [7 CFR 205.601 through 205.606](#), identifies synthetic substances that may be used and natural substances that may not be used in organic crop and livestock production as well as a limited number of non-organic substances that may be used in or on organic processed products. The National Organic Standards Board (NOSB), a Federal Advisory Board, considers and makes recommendations to the NOP regarding the National List. For more on the NOP, OFPA, the National List, and NOSB, see our blog posts [here](#), [here](#), [here](#) and USDA [resources](#).
- On April 30, 2018, USDA published a proposed rule to implement recommendations submitted to the Secretary of Agriculture by the NOSB. [83 FR 18744](#). Those recommendations were adopted by USDA in a final rule, published on April 30, 2019, which adds elemental sulfur to the National List for use in organic livestock production and reclassifies potassium acid tartrate from a non-agricultural substance to an agricultural substance and requires the organic form of the ingredient when commercially available. [84 FR 18133](#).

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