

Protecting the Integrity of the Organic Pet Food Marketplace

Prepared by Pet Food Institute

8/6/2010

The Pet Food Institute (PFI) is actively cooperating with the U.S. Department of Agriculture's National Organic Program (NOP) to prevent any disruption to the growing market for organic pet food.

PFI's involvement was promoted by a communication earlier this year from the NOP advising certification agencies that the NOP was intending to reverse its previous position on the use of certain nutrients, vitamins and minerals in organic human food. Organic pet food is currently required to be certified under the human food regulations. Because some nutrients considered accessory in human diets are essential to pet health, this new position created a significant barrier for organic certification of complete and balanced diets as recognized by AAFCO.

PFI met with the NOP Deputy Administrator in early April to discuss the issue, its direct impact on the organic pet food market and indirectly on the organic human food market given the amount of co-products purchased for organic pet food. Following that meeting, the Deputy Administrator issued a memorandum and delivered an oral presentation to the National Organic Standards Board that provides valuable guidance and clarification as all parties work to establish the specific regulations for the formal certification of organic pet food.

In that memorandum and report, the NOP:

- Announced that rulemaking for pet food, based on the NOSB 2008 recommendation (sourced from the Organic Pet Food Task Force's report which can be found at <http://www.ams.usda.gov/AMSV1.0/ams.fetchTemplateData.do?template=TemplateC&navID=NationalOrganicProgram&leftNav=NationalOrganicProgram&page=NOPTaskForces&description=Task%2520Forces>), will be included in the NOP's priority work plan for FY 2011.
- Acknowledged that certifiers and manufacturers of organic pet food have been playing by the rules as those rules were interpreted and administered by the NOP in 2006.
- Announced that the agency will follow a defined procedure for drafting guidance allowing for certifiers and manufacturers to transition to the Program's new interpretation of aligning the requirements of §205.605(b) (materials allowed for use in products certified as "organic" or "made with organic") with the FDA's Interpretation of 21 CFR §104.20; and will work closely with the affected sectors as they do so.

We are encouraged that this announcement and acknowledgment by certifiers provide an environment to address our request that the USDA National Organic Program allow organic certification of pet food to continue under the previous guidance while the Program also moves to initiate rulemaking procedures that will eliminate future confusion and contradictions. This request meets all tests for maintaining the integrity of organic certification

and will prevent disruption in the broader organic marketplace. Successful resolution of this issue will require the cooperation of all parties on three elements:

- Rulemaking – The NOP must move forward as soon as possible to initiate formal rulemaking procedures in accordance with the NOSB’s November 2008 recommendation for establishing organic regulations specific to pet food certification.
- Materials – The organic pet food community and its suppliers will initiate the work to formally petition for nutrients required by AAFCO for fully balanced pet food that are not currently on the approved NOP list.
- Transition period – We are working directly with the NOP and its certifiers to make certain adequate time is allowed for the rule making and petitioning described above.

PFI is confident that with the cooperation and initiatives described above all interested parties can avoid any disruption to this emerging market.