

Types of Lecithin Allowed in Organic Processed Products Questions and Answers

On February 14, 2012, the USDA National Organic Program (NOP) published a Final Rule in the Federal Register (77 FR 8089) that impacted two listings for lecithin on the National List (National List) of Allowed and Prohibited Substances. Lecithin is currently used in organic processed products as a natural mixing agent (emulsifier) or lubricant. The National List formerly allowed the following types of non-organic lecithin:

§ 205.605: Nonagricultural (nonorganic) substances allowed as ingredients in or on processed products labeled as “organic” or “made with organic (specified ingredients or food groups(s)).”

(b) Synthetics

Lecithin – bleached

§ 205.606: Nonorganically produced agricultural products allowed as ingredients in or on processed products labeled as “organic.”

(p) Lecithin – unbleached

Effective March 15, 2012, the listing for bleached lecithin at § 205.605(b) above is removed. The following type of lecithin on § 205.606 is allowed (subject to commercial availability):

§ 205.606: Nonorganically produced agricultural products allowed as ingredients in or on processed products labeled as “organic.”

(p) Lecithin—de-oiled

Do these changes mean that only organic lecithin can be used in organic processed products?

The change to the listings for lecithin means that organic forms of lecithin must be used in organic processed products, with one exception. Non-organic de-oiled lecithin may be used **only** when an organic form of de-oiled lecithin is not commercially available.

Under the changes, what forms of lecithin can be used?

There are two forms of lecithin: de-oiled and fluid. Under the changes, the following requirements apply to each of these forms if they are used in organic processed products:

- De-oiled: Nonorganic or organic de-oiled (also called powdered or granular) forms may be used. However, the non-organic form may only be used **if** organic de-oiled forms are not commercially available. De-oiled forms may either be bleached or unbleached.
- Fluid: Fluid lecithin must be organic. Fluid lecithin may be unbleached or bleached with hydrogen peroxide, a bleaching agent, allowed in processed products under § 205.605(b).

What about types of lecithin from non-soy sources? Can non-organic non-soy based lecithin be used?

While most lecithin is derived from soybean oil, other types of lecithin from non-soy sources are available (e.g. derived from sunflower oil) and used in organic processed products. De-oiled forms of non-organic lecithin may be used only *if* organic forms of de-oiled lecithin are not commercially available. Fluid forms of lecithin from non-soy sources (e.g. sunflower) *must* be organic.

What about organic processed products currently in the stream of commerce that include forms of lecithin which will not comply with these changes?

- Organic products already in stream of commerce prior to March 15, 2012 (e.g. those manufactured, in storage, or on shelves) can still be sold as organic after the March 15, 2012 effective date.
- Organic products manufactured after March 15, 2012 need to comply with new requirements.

What about organic ingredients currently in the stream of commerce that contain forms of lecithin which will not comply with these changes?

- Organic ingredients that were produced prior to March 15, 2012 that contain these forms of lecithin may be used in organic processed products after March 15, 2012.
- Organic ingredients produced on or after March 15, 2012 that contain lecithin must use organic lecithin or comply with the listing for lecithin – de-oiled at § 205.606.

Do the changes mean that bleached forms of lecithin are no longer allowed after March 15, 2012?

No. The single listing for lecithin – de-oiled at § 205.606 does not prohibit the use of non-organic forms of bleached, de-oiled lecithin (subject to commercial availability).

In addition, bleaching of organic fluid lecithin with hydrogen peroxide, a bleaching agent listed at § 205.605(b), is also still allowed in organic processed products.

Can non-organic, de-oiled lecithin be used if it is produced from genetically modified sources?

No. All ingredients used in products labeled “organic”, “100% organic”, or “made with organic (specified) ingredients or food group(s)” must be produced without the use of excluded methods as per § 205.105(e).