

**§ 20.6 Submission of reports.**

(a) \* \* \* If the reporting exporter determines that the report forms cannot be received in the office specified in “20.10 by the time specified in paragraph (k) of this section, the exporter shall transmit the information contained in the report forms by the use of FAX, telephone, or electronic submission. The required form must be subsequently submitted in accordance with § 20.6(k)(2). Exporters have the option to submit the weekly reports using an electronic reporting system (forms 97e, 98e, and 100e) which may be accessed via a secured Internet website. Reporting exporters should contact the Export Sales Reporting staff to obtain passwords and access to the Internet reporting site. Exporters also have the option of satisfying the requirements of Forms FAS–97, FAS–98, and FAS–100 by submitting ASCII comma delimited files via e-mail to the ESR mailbox at [esr@fas.usda.gov](mailto:esr@fas.usda.gov).

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(k) *Manner and time of reporting—(1) Manner.* An original of all report forms, other than electronic forms and ASCII comma delimited files, must be filed with the office specified in § 20.10.

\* \* \*

(2) *Time of filing reports.* Information required to be reported weekly (either via fax, telephone, or electronically) must be received in the office specified in § 20.10 no later than 11:59 p.m. eastern time, on each Monday or such other time as may be approved in advance by that office. \* \* \*

■ 5. Section 20.7 is amended by revising the third sentence of the paragraph to read as follows:

**§ 20.7 Confidentiality of reports.**

\* \* \* Information from daily reports filed by exporters will be made available to the public on the following business day at 9 a.m., eastern time. \* \* \*

**§ 20.10 [Amended]**

■ 6. Section 20.10 is amended by adding the phrase “FAX: (202) 690–3270 or (202) 690–3273” after “office”.

Signed at Washington, DC, on October 22, 2003.

A. Ellen Terpstra,

Administrator, Foreign Agricultural Service.

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**DEPARTMENT OF AGRICULTURE****Agricultural Marketing Service****7 CFR Part 205**

[Docket Number TM–03–02]

RIN 0581–AC27

**National Organic Program;  
Amendments to the National List of  
Allowed and Prohibited Substances**

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the U.S. Department of Agriculture’s (USDA) National List of Allowed and Prohibited Substances (National List) to reflect recommendations submitted to the Secretary by the National Organic Standards Board (NOSB). Consistent with recommendations from the NOSB, this final rule adds four substances, along with any restrictive annotations, to the National List, and revises the annotation of one substance.

**EFFECTIVE DATE:** This rule becomes effective November 4, 2003.

**FOR FURTHER INFORMATION CONTACT:** Richard H. Mathews, Program Manager, National Organic Program, Telephone: (202) 720–3252; Fax: (202) 205–7808.

**SUPPLEMENTARY INFORMATION:****I. Background**

On December 21, 2000, the Secretary established, within the National Organic Standards (NOS) [7 CFR part 205], the National List (§§ 205.600 through 205.607). The National List is the Federal list that identifies synthetic substances and ingredients that are allowed and nonsynthetic (natural) substances and ingredients that are prohibited for use in organic production and handling. Since established, the National List has not been amended. However, under the authority of the Organic Foods Production Act of 1990 (OFPA), as amended (7 U.S.C. 6501 *et seq.*), the National List can be amended by the Secretary based on proposed amendments developed by the NOSB.

This final rule amends the National List to reflect recommendations submitted to the Secretary by the NOSB from November 15, 2000, through September 17, 2002. Between the specified time period, the NOSB has recommended that the Secretary add five substances to § 205.605 of the National List based on petitions received from industry participants. These substances were evaluated by the NOSB using the criteria specified in OFPA (7 U.S.C. 6517 and 6518) and the

NOS. The NOSB also recommended that the Secretary revise the annotation of one substance included within § 205.605.

The NOSB has recommended that the Secretary add additional substances to §§ 205.605 and 205.606 that have not been included in this final rule but are under review and, as appropriate, will be included in future rulemaking.

**II. Overview of Amendments**

The following provides an overview of the amendments made to designated sections of the National List:

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

This final rule amends paragraph (a) of § 205.605 by adding animal enzymes—without Lysosyme, calcium sulfate—mined, and glucono delta-lactone. This final rule also amends paragraph (b) of § 205.605 by adding cellulose.

This final rule revises current paragraph (b) of § 205.605 by amending an annotation to read as follows:

Potassium hydroxide—prohibited for use in lye peeling of fruits and vegetables except when used for peeling peaches during the Individually Quick Frozen (IQF) production process.

**III. Related Documents**

Eight notices were published regarding the meetings of the NOSB and its deliberations on recommendations and substances petitioned for amending the National List. Substances and recommendations included in this final rule were announced for NOSB deliberation in the following **Federal Register** Notices: (1) 65 FR 64657, October 30, 2000, (Animal enzymes); (2) 66 FR 10873, February 20, 2001, (Calcium sulfate); (3) 66 FR 48654, September 21, 2001, (Cellulose, and Potassium hydroxide); and (4) 67 FR 54784, August 26, 2002, (Glucono delta-lactone, and Tetrasodium pyrophosphate).

**IV. Statutory and Regulatory Authority**

The OFPA, as amended (7 U.S.C. 6501 *et seq.*), authorizes the Secretary, at § 6517(d)(1), to make amendments to the National List based on proposed amendments developed by the NOSB. Sections 6518(k)(2) and 6518(n) of OFPA authorize the NOSB to develop proposed amendments to the National List for submission to the Secretary and establish a petition process by which persons may petition the NOSB for the purpose of having substances evaluated for inclusion onto or deletion from the