

Oh, Oh Organic, Inc.

510/412-1072

• P.O. Box 70476, Richmond, CA 94807

• www.ohohorganic.com

Oct. 8, 2016

Re: “Green Guides – Organic Roundtable, Project No. P954501”

To Whom It May Concern;

Anecdotal work and a few pieces of research indicate that consumers are assuming that “organic and natural” cosmetics equal “safe” cosmetics. Please see the list of links at the end of this comment.

Our company has worked to supply USDA- NOP certified ingredients to cosmetic manufacturers looking for “organic content” and/or certification. We have done this since 2000 so have sixteen years of intimate experience in this market.

It has recently become clear that this trend is growing at a remarkable rate and, by all predictions, will continue to grow. However, this is currently happening in a very confused market place.

In this industry it is common to see this type of sentence: “[Growth in sales of organic skin, natural hair care products, and chemical-free cosmetics is fueling a global market projected to reach nearly \\$16 billion by 2020,...](#)” *¹ This shows that the category is described in generally “green-washed” terms by people (evidently researchers?) who’ve never taken a chemistry class (really? Chemical-free?). Typically, many consumers are in the same boat: they have a vague idea of what they want (safe products) but they do not understand the science behind it, nor do they have a clear grasp of the regulations that may be at play.

(To be clear to any audience reading this comment: water, H₂O, is a chemical. There are naturally occurring chemicals and synthetic chemicals. In terms of both natural and synthetic chemicals there are safer, less safe, and unsafe chemicals. Everything is made up of chemicals.)

Since the USDA first allowed a synthetic cosmetic to be certified under the Organic Food Production Act (Dr. Bronner’s soaps²) this confusion has prevailed. The USDA has been unable to draw a clear line in the sand between cosmetics and foods. By way of contrast, the EU organic regulation (and, it appears the Canadian regulation)

¹ **Organic Personal Care Market Worth \$15.98 Billion By 2020: Grand View Research, Inc.**

Aug 27, 2015, 06:30 ET from [Grand View Research, Inc.](http://GrandViewResearch.com)

² The Bronner soaps are a lipid (coconut oil) reacted with potassium hydroxide (lye) which form a new molecule (the definition of synthesis) to which is then added aromatic and other oils. This is not food.

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excludes the certification of non-food or feed items (EU Article No 834/2007 Title I, Article 1, Sections a) through d).

This confusion in terms of who is regulating “organic cosmetics” has encouraged retailers and individual brands to create individual schemas. There are multiple retailers, (Whole Foods most notably) that have created their own lists of “allowed and prohibited ingredients” that somehow pass as a “standard”, although there is no transparency nor is there a consistent philosophy or scientific schema assigned to the decision making process used by the creators of these list.

Consumers are left with a mash up of products that may be certified, may not be certified, may or may not contain any organic or natural content³ (so called “natural” ingredients are frequently synthetic chemicals made from plant feedstock and often called “derived from”).

Or, consumers may purchase products that are certified organic by a USDA Accredited Certification Agency (ACA) certifying finished products that are, in fact, regulated by FDA. The ACAs have no knowledge of the safety of the products to which they assign the seal “USDA-NOP Organic”. Consumers believe (incorrectly) that these products have been made under some sort of regulated system that ensures that the products are “safe” in terms of microbiological contamination and other analytical safety measures. The ACAs have no idea if this is true yet an assigned Federal Seal that is perceived of as indicating “safety” is on these products.

Bottom-line: consumers are not protected and the various agencies involved in the verification of ingredients source claims are ignorant of the fundamental safety issues involved in cosmetic production. Food is perishable and is consumers understand that you cannot leave it food out for weeks on end and then eat it. Cosmetics, on the extreme other side, are expected to last for years on a bathroom counter. Cosmetics are not food.

Proposed Solution:

1 - USDA-NOP should prohibit the certification of any “cosmetic” to 7 CFR Part 205. USDA has not regulatory authority and little to no knowledge of the safety issues involved (and I have not even talked about essential oils).

2 – Retailers should require that all cosmetics bearing any organic or natural claim be third party certified to a publically available standard that defines what these claims mean and should present evidence of compliance with cGMPs.

³ “Natural” in this case is being used per the EPA definition of “Naturally Occurring Substances”, (40 CFR 710.4(b)).

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3 – As the various Standards compete and refine and ultimately harmonize their Standards, (which is exactly how we arrived at the USDA-NOP Standard), FDA should convene a committee similar to the USDA-NOP’s NOSB to begin the multi year work to arrive at a transparent, reasonable, safe, and achievable Standard for “Organic and Natural” cosmetics.

Sincerely,

Gay Timmons
President
Oh, Oh Organic, Inc.

Links to some research on consumer perceptions of “organic” cosmetics:

1) <http://www.marketing-trends->

congress.com/archives/2011/Materiali/Paper/Healthcare/Cervellon_Rinaldi_Wernerfelt.pdf

2) <https://karigran.com/greenbeauty>

Consumer purchase intention for organic personal care products

3) <http://www.emeraldinsight.com/doi/abs/10.1108/07363761111101930>

Study: EU and US Market Trends: Organic Monitor
http://www.in-cosmetics.com/RXUK/RXUK_InCosmetics/2016-website/Marketing%20Trends%20Presentations/Amarjit%20Sahota_Organic%20Monitor_InC%20website%200416.pdf?v=635973598661628816