

We are COSMOS

Together for organic
and natural cosmetics

12th October 2016

COSMOS-standard AISBL
Rue du Commerce, 124
1000 Brussels
Belgium

Tel : + 44 (0)7973 955429
info@cosmos-standard.org
www.cosmos-standard.org

Federal Trade Commission
600 Pennsylvania Avenue NW
Washington DC, 20580
USA

Green Guides – Organic Roundtable – Project No. P954501

Thank you for the opportunity to comment on the Green Guides – Organic Roundtable Project, concerning organic claims for non-agricultural products, such as personal care products.

COSMOS-standard AISBL is an international non-profit association based in Belgium. It was formed in 2010 by the five leading standards organisations in organic and natural personal care products worldwide – covering between them some 85% of all certified organic and natural personal care products. Setting aside their differences, they recognised that both the market for such products and their manufacture were international in scope, and therefore a single, international, harmonised standard was the best approach to uphold clarity and integrity in the market, to maintain consumer trust and to facilitate innovation and manufacturing efficiency.

The COSMOS-standard is becoming well established throughout the World and is increasingly recognised as the benchmark for organic and natural cosmetics and personal care products. It sets strict but realistic requirements for organic and other ingredients (based on national and international regulations), chemical modifications (based on Green Chemistry), packaging and environmental management (based on sustainability and responsible practice), labelling (based on clarity and transparency), and on third party certification and control (based on independent accreditation).

As that is our specialisation, our comments are directed at the personal care products category, though we appreciate there is much commonality between this and, eg textiles.

As FTC's and other market research has shown, consumers buying organic foods also buy organic non-food products, and their expectations are similar for both. Therefore, it is imperative that they can trust organic non-food products as they can organic foods.

We appreciate that a sound foundation for the organic market as a whole has been provided by the various regulatory initiatives around the world, for example the USDA NOP and the EU "Organic" Regulation. We recognise that controls directed at

organic non-food products are equally important, for reasons of fair competition and consumer trust, though they need to be appropriate to these sectors.

Agriculture tends to be more region-, climate-, and (to a certain extent) culture-specific, so it is fitting that regulations address this on a more national/regional basis. However, the production of non-food products is not bounded by geography in the same way – the same products are both manufactured and marketed all over the world. Therefore, national legislation is not the most appropriate answer to regulating this international industry and market. Rather, it needs a properly international system. We submit the COSMOS-standard as fulfilling this function.

The question then arises, what should the FTC and USDA recommend to expedite this approach? We understand it is difficult for government agencies to vest responsibility in non-governmental institutions. On the other hand, we also recognise the extreme complexity in developing standards for personal care products (as evidenced by the founding organisations of COSMOS, all experts in this field, taking eight years to agree the COSMOS-standard). Furthermore, there is no point in 'reinventing the wheel' which might risk adding more confusion and cost, rather than reducing them.

We therefore recommend to FTC:

- As a start, to recommend to consumers only products that either are NOP certified (in the few cases where this is possible), or are subject to third-party certification to independent standards (such as the COSMOS-standard), and provide a list of such standards;
- As a follow up, to introduce stronger guidance that only products subject to third party certification to specified standards (such as the COSMOS-standard) may be sold as organic or containing organic ingredients (this is similar to NOP's Policy Memorandum, no. 11-14, "Labeling of Textiles that Contain Organic Ingredients" which identifies the Global Organic Textile Standard in this way);
- Finally and more generally, to exercise its consumer protection authority to enforce the use of the term "organic" on non-food products along the lines above in order to maintain the integrity of all organic claims and thereby protect consumers of all organic products.

On behalf of those responsible companies that have already submitted their products to third party certification to independent standards, and of those consumer and professional associations that are members of COSMOS-standard AISBL, we hope that FTC will be able to find common currency with these recommendations.

Francis Blake
Chairman, COSMOS-standard AISBL