

Definitions

Classification of Materials for Use in OCal Cannabis Production

1. Purpose

Guidance documents 5033 and 5033-1 describe the procedure used to classify materials as synthetic or nonsynthetic under the National Organic Program (NOP) regulations' National List of Allowed and Prohibited Substances (National List), starting at 7 CFR 205.600.

This instruction provides definitions of terms used in those documents.

2. **Definitions** (bolded terms are in OCal regulations, title 3 § 10000 of the California Code of Regulations)

Agricultural inputs. means all substances or materials used in the production or handling of OCal cannabis or nonmanufactured cannabis products.

Agricultural product. Any agricultural commodity or product, whether raw or processed, that is marketed in the United States for human or livestock consumption.

Allowed synthetic. A substance that is included on the National List of Allowed and Prohibited Substances (National List) at § 205.60, Synthetic substances allowed for use in organic production or handling, found in title 7 of the Code of Federal Regulations (7 CFR).

Chemical change. A process (i.e. chemical reaction) whereby a substance is transformed into one or more other distinct substances.

Enzyme. A protein that catalyzes a chemical reaction.

Extraction. A process by which cannabinoids are separated from cannabis plant material through chemical or physical means (found in California commercial cannabis licensing regulations for manufacturers).

Formulate. To combine different materials according to a recipe or formula.

Generic. The common and familiar non-proprietary name.

Manufacture. To compound, blend, extract, infuse, or otherwise make or prepare a cannabis product.

Natural source. Naturally occurring mineral or biological matter.

Naturally occurring biological process. A process that occurs due to the action of biological organisms or subcomponents of biological organisms, such as enzymes. Examples of naturally occurring biological processes include, but are not limited to, fermentation, composting, manure production, enzymatic processes, and anaerobic digestion.

Nonagricultural substance. A substance that is not a product of agriculture, such as a mineral or a bacterial culture, that is used as an ingredient in an agricultural product. For the purposes of this part, a nonagricultural ingredient also includes any substance, such as gums, citric acid, or pectin, that is extracted from, isolated from, or a fraction of an agricultural product so that the identity of the agricultural product is unrecognizable in the extract, isolate, or fraction.

Nonsynthetic (natural). a substance that is derived from mineral, plant, or animal matter and does not undergo a synthetic process. For the purposes of this document, nonsynthetic is used as a synonym for natural.

Substance. A generic type of material, such as an element, molecular species, or chemical compound, that possesses a distinct identity (e.g. having a separate Chemical Abstracts Service (CAS) number, Codex International Numbering System (INS) number, or FDA or other agency standard of identity).

Process. All activities associated with the drying, curing, grading, trimming, rolling, storing, packaging, and labeling of cannabis or nonmanufactured cannabis products (found in California commercial cannabis licensing regulations cultivators).

Synthetic. A substance that is formulated or manufactured by a chemical process or by a process that chemically changes a substance extracted from naturally occurring plant, animal, or mineral sources, except that such term shall not apply to substances created by naturally occurring biological processes.

3. Classification resources

OCal Handbook

OCal 3012 Material Review. The criteria and process registered certifying agents must follow when approving substances for use in OCal production.

OCal 5033 Classification of Unique Materials. Clarifies how materials that are the result of naturally occurring biological processes, separation and extraction, and burning and combustion are classified.

OCal 5033-1 Decision Tree for Classification of Materials. Describes the procedure used to classify input materials for OCal cannabis production as nonsynthetic (natural) or synthetic.

OCal 5034 Classification of Materials. Catalogues and describes resources that help to determine whether an input material is allowed for use in OCal production.

OCal 5034-1 List of Materials for OCal Cannabis Production. An illustrative list of allowed nonsynthetic (natural) and synthetic materials for OCal cannabis production.

OCal 5034-2 List of Materials Prohibited for Use in OCal Cannabis Production. An illustrative list of synthetic materials prohibited for use in OCal cannabis production.

NOP regulations. Title 7 Code of Federal Regulations (7 CFR)

7 CFR § 205.601. Synthetic substances allowed for use in organic crop production.

7 CFR § 205.602. Nonsynthetic substances prohibited for use in organic crop production.

4. References

National Organic Standards Board

NOSB Formal Recommendation, Classification of Materials, April 29, 2011

NOSB Formal Recommendation, Classification of Materials, May 24, 2010

OCal 5033-2 Definitions for Classification of Materials, April 6, 2020

NOSB Formal Recommendation, Classification of Materials, November 5, 2009

NOSB Formal Recommendation, NOSB guidance for the review of synthetic and non-synthetic substances, August 27, 2005

NOP Memorandum to the National Organic Standards Board, Request for Clarification of “Other Ingredients” in Processed Organic Products

(<https://www.ams.usda.gov/sites/default/files/media/NOSB%20Memo%20Request%20for%20Clarification%20of%20Other%20Ingredients.pdf>), November 23, 2011;