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Organic Materials Review Institute (OMRI)  
P.O. Box 11558  
Eugene OR 97440-3758



Re: Complaint - Product Misrepresentation

Mr. Rhoades,

We have no comments on the green manure conversion to compost; instead, we desire to draw attention to a parallel problem to the categorization of manures. The miscategorization of manures and their decomposition status highlights the same underlying issue as our previous complaint with plant extracts claiming to be fulvic acid and the need for clear, accurate categorizations to prevent consumer deception and maintain the integrity of OMRI's review process.

I am writing to formally lodge a complaint regarding ingredient misrepresentation on multiple products listed by OMRI. Product Misrepresentation is described in Section 2.5 of the Policy Manual. OMRI has failed to enforce product misrepresentation on those products indicating they contain the ingredient fulvic acid but do not qualify under USDA NOP rules as fulvic acid. They are incorrectly listed in other categories, such as Plant Extracts.

USDA NOP guidance leaves no room for interpretation; fulvic acid must come from a mined mineral. See NOP 5034-1, Guidance Materials for Organic Crop Production.

**Fulvic acids** are the fractions of humates soluble at neutral to acid pH. They may be extracted from allowed humates with water or nonsynthetic acids. See also Humates. Reference: 7 CFR 205.203(d)(2).

In this case, products in the Plant Extracts categories claim to be fulvic acid or contain this ingredient but are not a mined substance of low solubility, as described in 7 CFR 205.203(d)(2).

Fulvic acid is created through complex natural processes in soil and water. Just like compost is created through microbial degradation, fulvic acid is similarly created through a natural degradation and polymerization process. We see OMRI clearly recognizes the conversion issue in the manure category through the recent discussion of adding the Partially Composted Materials. Clearly, raw manure is not mature compost. Similarly, plant extracts need further conversion and polymerization to become fulvic acids.

OMRI is allowing plant extract suppliers to misrepresent their products described in literature and labels as containing fulvic acid. This abuse is deceptive to the consumer and degrades the integrity of OMRI's review policy.

Our complaint includes an attached list of products in the Plant Extracts category falsely claiming to be fulvic acid products or contain fulvic acid. See attached list.

This misrepresentation problem was created when OMRI categorized those products listed in the Fulvic Acid category and moved them to the Plant Extracts category that did not comply

with USDA mined mineral requirements. Changing a product to another category on the OMRI certificate from Fulvic Acids to Plant Extracts only partially satisfies USDA NOP rule and violates Section 2.5 of the stated OMRI policy. Will OMRI allow the same misrepresentation with manures? Or is this problem unique to the misrepresentation of fulvic acids?

Our request is for OMRI to follow its written policy. If a product label describes the contents as fulvic acid, then Section 2.5 should be applied to prevent "... misrepresenting their product, its ingredients, the manufacturing process." Because the label misrepresents the ingredients, Section 2.5 should be enforced on all fulvic-named products that do not contain fulvic acid listed in other categories like Plant Extracts.

We urge OMRI to take a consistent and rigorous approach in addressing these categorization issues to uphold the trust and accuracy of the organic certification process.

Sincerely,

A handwritten signature in blue ink, appearing to read "Russell Taylor".

Russell D. Taylor  
President  
Humic Products Trade Association

Product Name	COMPANY	PRODUCT CODE	CATEGORIES	Fulvic Claim
ACORP FULVIC95	AGRO CIVIL CORP SA DE CV	aju-20306	Plant Extracts	Yes
BIOTVER FULVIG 90 Fertilizante Orgánico	BIOTECNOLOGIA BIOTVER S.A. DE C.V.	bau-14515	Plant Extracts	Yes
CITYMAX FulvoMax	Xi'an CityMax Agrochemical Co., Ltd.	xcm-6144	Plant Extracts	Yes
CITYMAX Max SpecialFulvic70	Xi'an CityMax Agrochemical Co., Ltd.	xcm-4984	Plant Extracts	Yes
EZ-Gro 0-0-3 Fulvic Acid (70%)	EZ-Gro	hgi-10545	Plant Extracts	Yes
EZ-GRO 15% Fulvic 0-0-0.45 Liquid	EZ-Gro	hgi-13207	Plant Extracts	Yes
Fame 2-2-1 Organic Garden Fertilizer	CYC Solutions Co.	cys-12987	Plant Extracts	Yes
Ferti-Organic Ferti-Fulvic Plus	Ferti-Organic, Inc.	fog-6979	Plant Extracts	Yes
Ferti-Organic Soluble Fulvic Acid	Ferti-Organic, Inc.	fog-3442	Plant Extracts	Yes
FITOCHEM FULVI 300 Fertilizante Orgánico (Líquido)	FITOCHEM S.A. DE C.V.	fib-12952	Plant Extracts	Yes
FITOCHEM FULVI 75 Fertilizante Orgánico (Sólido)	FITOCHEM S.A. DE C.V.	fib-12759	Plant Extracts	Yes
FITOCHEM FULVI 750 Fertilizante Orgánico de Aplicación Foliar (Líquido)	FITOCHEM S.A. DE C.V.	fib-12954	Plant Extracts	Yes
FUL-PROOF Fulvic Acid	CYC Solutions Co.	cys-11930	Plant Extracts	Yes
Fulvic Acid 70 Plus fine powder	Xi'an Gmax Crop Science Co., LTD	xgc-12332	Plant Extracts	Yes
Fulvic Acid GPlus	Xi'an Gmax Crop Science Co., LTD	xgc-14243	Plant Extracts	Yes
Fulvic Acid GPlus 95 Fine Powder	Xi'an Gmax Crop Science Co., LTD	xgc-10111	Plant Extracts	Yes
Fulvic Acid Plus	Xi'an Gmax Crop Science Co., LTD	xgc-14244	Plant Extracts	Yes
Fulvic Electrolyte by Enviro Consultant Service, LLC	Enviro Consultant Service, LLC	esl-9077	Plant Extracts	Yes
FULVI-GREEN ORG Ácido Fúlvico Fertilizante orgánico Polvo soluble	Green Import Solutions SA de CV	gis-8269	Plant Extracts	Yes
FulviNova Fertilizante Orgánico Polvo	Zare Agrhos	zar-4369	Plant Extracts	Yes
FULVIWASE Fertilizante Orgánico Polvo	WASSERDRIP DE MEXICO	waa-12540	Plant Extracts	Yes
MycoEvolution Humin 330 Ácidos Fúlvicos Biofertilizante orgánico de USO agrícola Líquido soluble	MycoEvolution	gax-19426	Plant Extracts	Yes
MycsaAg Fulvic Acid	Mycsa Ag, Inc.	mys-1673	Plant Extracts	Yes
MycsaAg Fulvic Acid 90%	Mycsa Ag, Inc.	mys-6825	Plant Extracts	Yes
Quimobiol Fulvimax	QUIMOBIOLOGIA INNOVATECH SA DE CV	qub-12438	Plant Extracts	YES
ULTRAFULVI FERTILIZANTE ORGÁNICO LÍQUIDO	AGRHUSA AGROBIOLOGICOS	adh-2561	Plant Extracts	YES