



# National Organic Coalition

*[www.NationalOrganicCoalition.org](http://www.NationalOrganicCoalition.org)*

December 22, 2008

Richard H. Mathews, Chief, Standards Development and Review Branch,  
National Organic Program, Transportation and Marketing Programs  
USDA–AMS–TMP–NOP, 1400 Independence Ave., SW.  
Room 4008– So., Ag Stop 0268  
Washington, DC 20250

**RE: Docket Number AMS–TM–06–0198; TM–05–14**

Dear Richard:

The National Organic Coalition, (NOC) is a national alliance of organizations representing farmers, environmentalists, other organic industry members, and consumers concerned about the integrity of national organic standards. The goal of the coalition is to assure that organic integrity is maintained, that consumers' confidence is preserved and that policies are fair, equitable and encourage diversity of participation and access.

We would like to thank the Department for the release of the long anticipated proposed rules tightening the pasture requirements for organic livestock. This is a strong proposal that, with appropriate changes and strong enforcement, will guarantee that organic milk production meets consumer expectations for livestock raised in an organic system that preserves environmental sustainability, and the natural behavior of animals.

While this proposal maintains strong recommendations for pasture, it needs to be improved to remove overly prescriptive language that will cause problems for the health and safety of animals, may have negative impacts on the environment, and place extensive record keeping burdens on farmers. These changes can be made while preserving the requirement that organic ruminants be on pasture as much as possible during the grazing season.

The National Organic Coalition proposes the following general points to strengthen the proposed rule. We also note that **it is imperative that USDA NOP enforce the current regulation in regards to pasture** while the proposed rule goes through the process of becoming a Final Rule:

- Support the requirement for a minimum 30% dry matter intake (DMI) from pasture, averaged over the full growing season, with the growing season ranging from 121 -365 days, but substitute “grazing season” for “growing season,” to take into account the reality of the grazing seasons in different areas.
- Require that ruminants are managed on pasture only during the grazing season, (not year round) to take into account different farming conditions, to protect pastures from damage, and to protect the health and safety of the livestock during adverse weather conditions.
- NOP must provide needed exemptions for ruminants from pasture and outdoor access during periods of inclement weather and to protect soil and water quality.
- Revise the definition of “inclement weather” so that any condition that causes physical harm to animals is a valid reason for limiting pasture and outdoor access.
- Dry lots and feed lots, where animals are confined and there is little or no vegetation, should be explicitly banned for ruminants. However, clean well-managed feeding pads (barn yards) are essential facilities needed for exercise and outdoor access during the non-grazing season, and as a supplement to pasture during the grazing season.
- Modify the definition of “sacrificial pasture” to indicate this can be used during the non-grazing season to provide outside access, and make use of this practice optional, as the practice may be detrimental to the environment, including to soil and water quality, and to animal health when operations do not have well drained land that is accessible for livestock or during winter weather or excessive rain conditions.
- Streamline the proposed record keeping requirements for livestock operations so that farmers can document their pasture feed rations in various ways that are acceptable to certifiers.
- NOP must drop proposed language regarding replacement dairy animals. As proposed, it will allow certain farms to buy non-organic animals, and require others to buy or raise only organic young stock. We strongly advocate for the immediate publication of a proposed rule on Origin of Livestock to stop the continuous transition of conventional animals as dairy replacements, which undermines the integrity of the Organic Seal. The National Organic Coalition has long supported the need for changes in the Origin of Livestock rule, so that the economic and production playing field can truly be level for all producers.
- Permit grain finishing of beef slaughter stock, such that these animals may be exempt from the 30% pasture DMI requirement during the finishing period, not to exceed 120 days, but must not be denied access to pasture during that period.
- Remove "bee" and "fish used for food" from the definition of "livestock" until proposed standards are issued for those production systems.

The National Organic Coalition also fully supports the detailed comments of the Federation of Organic Dairy Farmers (FOOD Farmers) in their submittal entitled: “National Organic Program

Regulatory Text Livestock Sections Updated to Include October 24, 2008 Proposed Pasture Rule and FOOD Farmers suggested language changes and comments.” These very specific suggestions would accomplish the goal of a strong pasture requirement in a manner that is useable for farmers in a variety of geographic conditions, verifiable for certifiers to varying conditions, enforceable by the Department, and in keeping with the basic principles of organic management.

Once in effect and with implementation by 2010, we urge NOP to enforce the new regulation and work with producers and certifiers to educate them on the requirements of the new rules. With these changes, a final rule can be written that can safeguard the long-term integrity of organic farming.

Thank you for the opportunity to comment.

Sincerely,



Liana Hoodes (Policy Organizer), on behalf of the  
***National Organic Coalition:***

Beyond Pesticides  
Center for Food Safety  
Equal Exchange  
Food & Water Watch  
Maine Organic Farmers and Gardeners Association  
Midwest Organic and Sustainable Education Services  
National Cooperative Grocers Association  
Northeast Organic Dairy Producers Alliance  
Northeast Organic Farming Association, Interstate Council  
Rural Advancement Foundation International USA  
Union of Concerned Scientists