



ORGANIC FARMERS ASSOCIATION

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OFA Recommendations to USDA to Address and Ensure Organic Dairy Integrity and Organic Parity

February 2018

1. NOP immediately issue Guidance on the interpretation of the one-time transition provision

Nationwide there are inconsistencies on the interpretation and enforcement of the transition of livestock to organic, most often the variations are in organic dairy. **Organic Farmers Association (OFA) recommends the NOP act immediately by issuing Guidance based on the language in the Proposed Origin of Livestock Rule published in 2015.** The Guidance would clearly state that the provision for transitioning conventional cows to organic in one year is a one-time allowance and continuous transition of conventional livestock is not permitted. This language is not controversial and mirrors language first published in the 2008 Proposed Rule. This would put organic dairy on the same level as all other organic commodities, would stop the fraud and confusion existing within the organic dairy industry, would stop continual transition of non-organic dairy heifers, and would ensure that all US-based and international-based certifiers are using the same standards.

2. OFA Recommendations for Enforcement of the NOP Access to Pasture for Organic Livestock Rule

The USDA's 2018 Farm Bill & Legislative Principles, released January 23, 2018, under "Marketing and Regulatory Programs," states that it is a priority to "Protect the integrity of the USDA organic certified seal and deliver efficient, effective oversight of organic production practices to ensure organic products meet consistent standards for all producers, domestic and foreign."

The Organic Farmers Association wholeheartedly endorses this principle and encourages the USDA to take effective actions to ensure that organic dairy products meet consistent standards for all producers, large and small, domestic and foreign.

As engaged stakeholders, we join with other members of the organic community to express our deep concern about a lack of consistency in the enforcement of the Access to Pasture rule. There are physical and biological limitations to grazing milking cows daily and bringing the cows back to the milking facility. As herd sizes increase, it becomes increasingly difficult to meet the grazing requirement, "that ruminants derive not less than an average of 30 percent of their dry matter intake (DMI) requirement from pasture grazed over the course of the grazing season." In fact, experienced dairy graziers have pointed out that as milking herds approach 1000 cows, it becomes difficult to meet the NOP grazing rule, especially those operations that practice multiple milkings (more than two per day).

Organic Farmers Association (OFA) recommends that the National Organic Program (NOP) strengthen its enforcement of the Access to Pasture rule by immediately instructing certifying agents to identify high risk dairy operations as those with over 1000 milking and dry cows. OFA recommends that the NOP instructs **its agents that they need to meet the following requirements for the certification of dairy herds of over 1000 milking and dry cows:**

- Certification file review staff and organic inspectors must have documented training and experience in livestock nutrition and grazing on organic dairies with over 1,000 milking and dry cows.
- A calculation matrix will be required for verification of meeting the grazing requirement which includes the following parameters: average animal weight, individual and verifiable unique identification of each animal, milk production, daily dry matter requirement, daily non-pasture dry matter consumption, acres of pasture, forage yield of pasture, and maximum distances cows walk to pasture.
- As stated in the regulation, dry matter intake “shall be calculated as an average over the entire grazing season for each type and class of animal;” therefore, for example dry matter intake of milking cows cannot be averaged with dry matter intake of dry cows.
- Certifiers must conduct two inspections during the grazing season, one announced and one unannounced.

3. OFA Request for FMMO to publish organic milk data

The Federal Milk Marketing Order (FMMO) already has the data to expand their reporting to include organic data. Every region has a monthly statistical report that is published up to 2 months in arrears of the usage. The data for the reports are derived from reports submitted by pooled handlers. The majority of organic milk is processed at plants that process and manufacture conventional milk; and thus, are required to report to the FMMO.

Data currently reported monthly on conventional milk by the FMMO include:

1. Receipts of Fluid Milk Products and Cream
 - Producers
 - Other Sources
 - Fortification and Recon. (Skim Equivalent)
 - Overages
2. Utilization of Fluid Milk Products and Cream from Producer Receipts and Other Sources
 - Reports by Class
3. Utilization of Fluid Milk products and cream by Pool Plants
 - Reports by Class I, II, III, IV by usage
4. Receipts of Producer Milk by state
 - Shows production by pounds and number of producers

OFA requests that all of the FMMO regions monthly statistical reports include:

1. Receipts of Fluid Milk Products and Cream include:
 - a. Producers non-organic
 - b. Producers organic
2. Utilization of Fluid Milk products and cream by Pool Plants
 - a. Class I – include Organic Whole Milk and Organic Reduced-Fat Milk
 - b. Class II and Class III - Listed before Mixes and Shrinkage, Overages & Interhandler Difference should be: Organic Milk
 - c. Class IV - include Organic Butter; Organic Dried Milk Products and Organic Overages
3. Receipts of milk produced by State – have a separate chart for organic which include volumes and number of organic producers the same as the conventional reports