

November 10, 2022  
Erin Healy, MPH., Director, Standards Division  
National Organic Program  
USDA-AMS-NOP  
Room 2646-So., Ag Stop 0268  
1400 Independence Ave. SW  
Washington, DC 20250-0268

**Re:** Organic Livestock and Poultry Standards Proposed Rule  
**Docket:** AMS-NOP-21-0073

*Submitted electronically*

Dear Ms. Healy,

The Organic Farmers Association (OFA) is a membership organization that represents U.S. certified organic farmers. Our organization was founded by and is controlled by certified organic farmers, and only domestic certified organic farmers vote on OFA's policies and leadership. Organic farmers and ranchers are the backbone of the organic movement whose production activities contribute to building strong rural communities, mitigating climate change, and protecting our natural resources and biodiversity. Organic farmers typically argue for strong and meaningful standards, to continually improve organic practices and protect the integrity of the organic label. Following the organic regulation to access the organic marketplace is voluntary. Organic producers and consumers both expect that all operations selling under the organic label are following the same requirements and that the standards are equitably enforced across the nation.

Organic consumers are educated, and because they pay more for organic foods they pay attention to make sure they are getting what they pay for. Consumer belief in the integrity of the organic label has allowed the organic sector to enjoy tremendous growth and provided a path to economic viability for many family farms. But when organic products do not reflect consumers' expectations for organic production, they lose faith in the whole organic label. The USDA has considerable work to do to maintain the standing of the organic label with consumers and ensure a level playing field for organic farmers. This includes finishing long-delayed regulations and increasing the agency's focus on enforcement.

Finalizing a strong, enforceable Livestock and Poultry Standards (OLPS) rule is important for the future of the entire organic label. The Organic Farmers Association would like to thank Secretary Vilsack and the National Organic Program for bringing back this rule for new consideration after its withdrawal by the Trump administration. The "market failure" noted in the OLPS preamble has gone on too long. After nearly 20 years of discussion and public input to the USDA on organic animal welfare, it is time for all organic operations to implement the same animal welfare standards, and provide true outdoor access for all organic livestock.

OFA requests a swift implementation of this rule. However, there is some language that is vague and could lead to uneven interpretations. Our comments will illustrate where improvement is needed to provide operators with clear requirements and certifiers with enforceable language.

Because organic farmers have already suffered economic harm caused by the long delay of finalizing organic animal welfare regulations, the Organic Farmers Association cannot support the implementation of this rule if the option to allow a fifteen-year implementation of the avian outdoor access requirements is chosen. The great majority of current operators, consumers, retailers, handlers and other stakeholders want a swift implementation to shorten the economic suffering they have experienced due to uneven interpretations and market confusion. Many organic farmers are bearing the financial and paperwork burden of additional humane certifications to differentiate themselves in the marketplace from operations that carry the same organic label, but do not meet the intent of our current rule which encourages natural livestock behaviors and access to the outdoors. The organic label must have consistent meaning in the marketplace based upon equivalent production activities and infrastructure requirements for all operations.

Organic farmers are known for “thinking outside the box.” Successful organic systems do not simply replace conventional inputs with organically approved ones. The membership of the Organic Farmers Association knows that modified practices and approaches that improve ecosystem function and services also provide benefits in growing and raising crops and livestock. Some current organic livestock operations have maintained their nonorganic management systems, and simply switched to organic feed and organic approved health management substances. However, this type of substitution is often not enough to meet the organic standards because conventional management practices regularly rely on band-aid medications or inputs to override failures in a management system that does not mimic natural systems. In order to thrive, organic livestock must be allowed to fully express their natural behaviors and have true access to quality outdoor forage areas. Soil with dense vegetative cover provides the diversity of biological life that animals, and especially poultry, need to be healthy.

## **RECOMMENDED CHANGES FOR CLARITY**

To provide operators, certifiers and consumers a strong unambiguous rule, OFA believes there are a few places where improved language is essential in providing for a practical and meaningful rule.

### **Proposed OLPS preamble for implementation approach and timeframes**

*AMS seeks comment on the following implementation approach and timeframes:*

*(a) One year for all proposed changes, except for the indoor space requirements for broiler operations and the outdoor space requirements for layer operations;*

*(b) Three years for the indoor space requirements for broilers; and*

*(c) Outdoor space requirements for layers (three options):*

*Option 1: Layer operations certified at the time of the rule’s effective date (typically 60 days after publication) or within three years of the effective date will have five years to comply with the rule’s outdoor space requirements concerning stocking density, exit doors, soil, and vegetation. Those operations certified more than three years after the rule’s effective date will need to comply with all of the rule’s outdoor access requirements immediately; or*

*Option 2: Layer operations certified at the time of the rule’s effective date will have 15 years to comply with the rule’s outdoor space requirements concerning stocking density, exit doors, soil, and vegetation. Fifteen years was selected in order to allow previously built facilities to fully depreciate under the Internal Revenue Service (IRS) depreciation schedule. New entrants certified within three years of the rule being effective must comply with the outdoor space requirements within five years of the effective date. Those operations certified more than three years after the rule’s effective date will need to comply with all of the rule’s outdoor access requirements immediately.*

*Option 3: AMS seeks comments on alternative timeframes to those presented above for the outdoor space requirements for layer operations, including justification for alternatives and data on the costs and benefits.*

### **OFA Recommendation**

Organic producers have been waiting and preparing for this rule for over a decade. OFA recommends option 3, an alternative timeframe for the outdoor space for layer operations. Three years is sufficient time for existing organic layer operations to come into compliance with this rule. Consumers have been misled for years that all organic poultry actually are foraging on plants and living soil, outdoors in the sunshine. This rule has been decades in the making and existing operations should have worked towards coming into compliance when it was first finalized five years ago, as many operations did. Indeed, the majority of organic livestock producers already meet this rule, with the exception of a few who have chosen not to.

**Rationale:** Three years is the transition timeframe for new operations to make investments in infrastructure and management skills to achieve organic certification. It is understood by bankers and operators that there is a cost to transition to organic, with every sector from vegetable and row crop producers to dairy, beef and poultry operations understanding that they will need to make an investment during their transition years in order to use the organic label once they are eligible to become certified organic.

The overall U.S. livestock product marketplace, as well as several states, are moving towards providing consumers the humanely-treated livestock products they demand, as well as prohibiting some of the worst animal welfare practices through state regulations. Existing organic laying hen operations that make a financial investment to improve their operations to meet OLPS, are making an investment to meet the animal welfare regulatory and market pressures coming in the future.

Three years is sufficient time for existing operations to provide the avian outdoor access required in the regulation, without causing undue hardship. They have had ample time to prepare and modify buildings to come into compliance and those who have chosen not to do so should not be given an extension that would further burden the marketplace and undercut the investments already made by the majority of livestock producers. A three year timeline more speedily levels the playing field with consistent costs between all organic operations and will provide consumers with a meaningful organic label.

### **Proposed Regulations: Definitions**

#### **§ 205.2 Terms Defined**

#### **Proposed OLPS: Add definition for Maximal Vegetative Cover**

The OLPS does not specifically define “maximal vegetative cover”, and OFA recommends this definition be added to § 205.2.

The phrase “maximal vegetative cover” is found in §205.241 (c) (2)

*At least 50 percent of outdoor space must be soil. Outdoor space with soil must include maximal vegetative cover appropriate for the season, climate, geography, species of livestock, and stage of production.*

### **OFA Recommendation**

OFA recommends the below definition be added to § 205.2:

**Maximal vegetative cover- Vegetation at the height and density that provides quality species-appropriate foraging opportunities and is managed to prevent damage to the extent that it cannot regenerate. Use of rotation, reseeding, renovation, mowing and irrigation can be part of the organic system plan to install and maintain this vegetation.**

**Rationale:** Adding a clear definition for “maximal vegetative cover,” is necessary to provide consistency between operations and will ensure all operations are actively providing for species-appropriate quality forage areas. OFA is concerned that the “appropriate to the climate, geography, species of livestock and stage of production” noted in §205.241 (c) (2) can be used as a loophole to allow sparse, non meaningful, forage areas. It was noted in the preamble to OLPS that in “dry” climates, there may not be significant vegetation, which we find insufficient to support animals’ ability to express their natural instincts. Every farm, no matter its geography, must invest in and manage appropriate vegetative cover as defined above. If species-appropriate vegetative cover cannot be managed appropriately because of the farm location’s geography then it should not be allowed to carry the voluntary organic seal. Outdoor forage areas must be managed as an important aspect of the livestock operation, and given the same attention as other “crop” areas on the farm.

Maximal vegetative cover should mean there are plants growing, both to provide plant matter, insects and living soil for the birds, as well as protecting the area from soil erosion and damage to water and air quality. Outdoor areas that are either fully or mostly denuded of plant cover provide very little enticement for the birds to go outdoors, can easily erode from rain and wind, and do not support sufficient biodiversity. Large areas of bare soil often result in dust that can blow around the farm containing dried fecal matter, resulting in food safety concerns if crops for human consumption are grown in proximity to this area. Many organic farmers currently manage these outdoor access areas for their poultry with sufficient vegetative cover by installing and maintaining the appropriate height and density of vegetation through rotation, reseeding, renovation, mowing, and irrigation.

This aspect of the regulation needs to be clearly defined, in order to ensure consistent implementation and enforcement, which will create a level playing field for all producers operating under the national standards.

#### ***Proposed OLPS: Soil definition***

Defining soil is incredibly important for organic agriculture as it is the basis of the entire system. We feel the definition must be strengthened and clarified. *Soil: The outermost layer of the earth comprised of minerals, water, air, organic matter, fungi and bacteria in which plants may grow roots.*

#### **OFA Recommendation**

OFA recommends that the NOP use the definition of soil recommended for national organic programs<sup>1</sup> by the International Federation of Organic Agricultural Movements (IFOAM) to provide consistency among national organic standards and better support global organic markets. We suggest replacing the definition with:

***Soil: The natural living ecosystem that develops on the surface of the earth as a result of the influence of climate, topography, biological activity, time, and sometimes cultivation, on the***

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<sup>1</sup> IFOAM - Organic International, “National Organic Standard Template: for countries with an emerging organic sector,” Organic Regulation Toolkit for Governments, 2018, page 6. ([https://www.ifoam.bio/sites/default/files/2020-04/national\\_standard\\_template.docx](https://www.ifoam.bio/sites/default/files/2020-04/national_standard_template.docx)[https://www.ifoam.bio/sites/default/files/2020-04/national\\_standard\\_template.docx](https://www.ifoam.bio/sites/default/files/2020-04/national_standard_template.docx)).

***mineral parent material. Soil is composed of air, water, minerals, organisms and organic matter and is connected to the outermost layer of the earth.***

**Rationale:** The definition for soil should be more comprehensive as it is the primary principle of organic agriculture and an important component of climate change mitigation. Soil is a living ecosystem and its natural nature is fundamental to organic agriculture. Gravel and concrete can, at times, allow some grass and other plants to grow, but while these materials are minerals, they are NOT soil and do not offer the same qualities soil with living roots offers for foraging poultry. Because we have seen loopholes established in past rulemaking, OFA asks that the NOP be very clear in its definition of soil to ensure that the definition clarifies soil is a natural living ecosystem that must be in connection with the subsoil and bedrock so that gravel and concrete are never considered soil and not calculated as part of the 50% of the outdoor access area for poultry that is set aside for soil and maximal vegetative cover.

OFA requests specificity and an over-abundance of clarity on an organic definition of soil and urges USDA to align the NOP definition of soil with other global partners like IFOAM, EU, and Soil Association that celebrate soil as a living ecosystem and specify soil must be in connection with the subsoil and bedrock. We do not want unintended interpretations that could confuse other mediums, like gravel and concrete, to be considered the same as soil. Placing dirt on top of a concrete slab does not offer the same soil biological life that soil composed of air, water, minerals, organisms and organic matter connected to the outermost layer of the earth provides. OFA urges clarity on the soil definition so that poultry are provided the quality forage areas that they need to scratch, dust bathe, find insects and consume vegetative matter, in order to fully express their natural behaviors.

**Proposed OLPS: Livestock Care and Production Practices - Physical Alterations**

**§ 205.238 Livestock care and production practices standard**

*(a)(5) Physical alterations may be performed to benefit the welfare of the animals, for identification purposes, or for safety purposes. Physical alterations must be performed on livestock at a reasonably young age, with minimal stress and pain and by a competent person.*

*(i) The following practice may not be routinely used and must be used only with documentation that alternative methods to prevent harm failed: needle teeth clipping (no more than top one third of the tooth) in pigs and tail docking in pigs.*

**OFA Recommendation**

OFA recommends that physical alterations in § 205.238 (a)(5)(i) be prohibited. We recommend adding the clarification in bold and deleting the portion that is struck.

*(i) The following practices **are prohibited** ~~may not be routinely used and must be used only with documentation that alternative methods to prevent harm failed:~~ needle teeth clipping ~~(no more than top one third of the tooth)~~ in pigs and tail docking in pigs.*

**Rationale:** The natural instinct of pigs is not to chew tails and hurt one another with biting, these behaviors can be avoided with good management, making these alterations unnecessary. Prevention of overstocking, providing for environmental enrichments such as having substrates for rooting both indoors and outdoors, changes to the feeding regime and specific attention made to having quality sow and piglet housing are used on operations where these invasive physical alterations are not performed. This contributes to less stress on the animals which, in turn, also contributes to lessen the need for these invasive procedures. The current language “alternative methods to prevent harm failed” is too vague and could lead to routine use of these alterations that are not universally accepted within humane certifications. Organic management systems are typically different from nonorganic systems,

and when good organic management, housing, and feeding are implemented, there is no need for these physical alterations. They should be prohibited from organic swine management.

OFA has reviewed the OLPS and finds it lacks enough detail to address the many areas of swine management typically covered in humane standards and other national organic standards. Third-party certifications that address animal welfare and humane treatment have details that include a variety of issues such as: lighting, housing ventilation, restricted feeding, weaning, wallowing, farrowing, outdoor area requirements, housing temperatures, reduction of heat stress strategies, ear notching, nose rings, and both indoor and outdoor stocking rates. Since these issues have not been fully discussed with all stakeholders able to participate in the development of these standards for organic swine, we ask the NOP and NOSB to place this issue on the NOSB work agenda. To expand the organic pork industry and better serve consumers and producers of organic pork, more clarity is needed to promote high quality animal welfare for swine on organic farms and clearly communicate to consumers how organic pork is differentiated from other labels.

**Proposed OLPS: Artificial Light**

*§205.241 (b) (3) For layers and fully feathered birds, artificial light may be used to prolong the day length, to provide up to 16 hours of continuous light. Artificial light intensity must be lowered gradually to encourage hens to move to perches or settle for the night.*

**OFA Recommendation**

Conventional management of ducks, geese and turkeys use single spectrum lighting, very low light intensity or darkness to promote feeding and faster weight gain in meat birds, and to lessen acts of cannibalism in laying flocks. However, low to no light does not mimic a natural system nor does it allow birds to express their natural instincts and thus is not appropriate for organic management. While OLPP did address this, OLPS does not specifically address this type of light manipulation and OFA recommends the following in bold be added.

*§205.241 (b) (3) For layers and fully feathered birds, artificial light may be used to prolong the day length, to provide up to 16 hours of continuous light. Artificial light intensity must be lowered gradually to encourage hens to move to perches or settle for the night. **Lighting, other than at the end of the day, must not be manipulated through darkness, low intensity or less than full spectrum for any reason, such as to encourage weight gain.***

**Rationale:** This recommendation clarifies the appropriate light manipulation in the production of ducks, geese and turkeys as well as a specific health concern in laying hens. While the organic market for organic geese and ducks is not well developed at this time, the lengthy rulemaking process should prepare for organic market development and specify light manipulation for all fully feathered birds. Environmental manipulation to encourage more than normal feeding to speed up weight gain, does not promote animal welfare and causes stress in the flock. Organic meat birds must not be subject to this type of light manipulation. If there is cannibalism in a laying chicken flock, this is a symptom of overcrowding and must be addressed by other management methods, not light manipulation.

OFA prefers that during daylight hours, natural light be provided to all poultry indoors. However, in cases where this is difficult to accomplish, the lighting must be full spectrum to mimic a natural system.

**Proposed OLPS: Exit Areas**

§205.241 (b) (4) Exit areas—poultry houses must have sufficient exit areas that are appropriately distributed to ensure that all birds have ready access to the outdoors; producers subject to requirements in 21 CFR part 118 Production, Storage, and Transportation of Shell Eggs must take steps to prevent stray poultry, wild birds, cats, and other animals from entering poultry houses.

#### **OFA Recommendation**

OFA recommends the following sentence in bold be added.

§205.241 (b) (4) Exit areas—poultry houses must have sufficient exit areas that are appropriately distributed to ensure that all birds have ready access to the outdoors; **exit areas for birds to have access to the outdoors must have a combined length of at least 12 ft per 1,000 ft<sup>2</sup> area of the house and be designed so that more than one bird at a time can pass through the opening.** Producers subject to requirements in 21 CFR part 118 Production, Storage, and Transportation of Shell Eggs must take steps to prevent stray poultry, wild birds, cats, and other animals from entering poultry houses.

**Rationale:** This further clarification brings the organic regulation in line with various humane certifications, and clearly states what is required. This clarification is necessary to have consistent enforcement and implementation of the rule, providing for equal investments between operations, and meaningful access no matter what size or shape of the poultry housing. Poultry will not access doors if the birds are in the middle of a large building, unless there are sufficient exit areas in relation to the square footage of the building. Clarifying what “sufficient exit areas” means is necessary, since “sufficient” can be subjective and this rule is intended to provide clear animal welfare regulations. This added clarification would provide operators and certifiers the detail needed to uniformly implement and enforce the rule.

#### **Proposed OLPS: Poultry Indoor Stocking Density**

##### **§205.241 (b) (8), (b) (9), (b) (10), (b) (11)**

(8) For layers (*Gallus gallus*), indoor stocking density must not exceed (live bird weight):

(i) Mobile housing: 4.5 pounds per square foot.

(ii) Aviary housing: 4.5 pounds per square foot.

(iii) Slatted/mesh floor housing: 3.75 pounds per square foot.

(iv) Floor litter housing: 3.0 pounds per square foot.

(v) Other housing: 2.25 pounds per square foot.

(9) For pullets (*Gallus gallus*), indoor stocking density must not exceed 3.0 pounds of bird per square foot.

(10) For broilers (*Gallus gallus*), indoor stocking density must not exceed 5.0 pounds of bird per square foot.

(11) Indoor space includes flat areas available to birds, excluding nest boxes.

The preamble has further clarification for these stocking rates:

*Although older and heavier birds require more space, natural mortalities over time may result in compliance with the space requirements over a production cycle.*

#### **OFA Recommendation**

OFA recommends the sentence below in bold be added to §205.241 (b) (11).

(11) Indoor space includes flat areas available to birds, excluding nest boxes. **The square footage of poultry housing must be determined at the weight of the fully mature birds, and not at the weight of**

***younger and lighter birds with an expectation that there will be natural mortalities over time to bring the operation into compliance.***

OR

OFA recommends striking the preamble sentence, “*Although older and heavier birds require more space, natural mortalities over time may result in compliance with the space requirements over a production cycle.*”

***Rationale:*** This OFA recommendation clarifies that an operation should not overstock their organic poultry houses with an expectation of mortalities that will bring their stocking density into compliance. With the desire for OLPS to provide clear regulations that allow for uniform implementation and enforcement, OFA suggests clarifying that density is to be determined by the actual weight and density of the birds at maturity to prevent houses from having higher stocking densities than allowed for a significant portion of the birds’ lives. Planning for mortalities is not a recommended management practice, and operators should be doing all they can to keep their birds healthy and alive. Certifiers cannot verify mortality predictions, and this would leave unnecessary lack of clarity around stocking density and undermine their ability to consistently enforce the rule.

**Proposed OLPS: Access to Vegetative Cover**

The proposed regulation requires soil for only 50% of the outdoor access area for poultry, and OFA recommends more specificity for the distance of the soil area from the exit doors of the poultry housing, and where concrete and gravel areas are located. If soil areas are too far from the doors, poultry will not be enticed to exit and find it.

**§205.241 (c) (2)**

*At least 50 percent of outdoor space must be soil. Outdoor space with soil must include maximal vegetative cover appropriate for the season, climate, geography, species of livestock, and stage of production. Vegetative cover must be maintained in a manner that does not provide harborage for rodents and other pests.*

**OFA Recommendation**

OFA recommends adding this sentence in bold at the end of this section of the rule.

*At least 50 percent of outdoor space must be soil. Outdoor space with soil must include maximal vegetative cover appropriate for the season, climate, geography, species of livestock, and stage of production. Vegetative cover must be maintained in a manner that does not provide harborage for rodents and other pests. **The vegetated and soil areas cannot be more than 30 feet from the outdoor access doors of the housing area. Gravel, concrete, or other non-vegetative material in the outdoor space must be limited to areas of high soil erosion, high traffic, or pest management only.***

***Rationale:*** It is important that the outdoor space is not only provided, but also positioned to make sure the birds see the soil and vegetated areas as they exit. Poultry will typically avoid moving long distances through a barren landscape for fear of predators, yet will be incentivized to move to vegetative cover in search of plants and insects to eat if they can see it. The intent of this regulation is to provide organic poultry with access to living soil with vegetation so they can express their natural instincts, diversify their diet, and spend time outdoors. This further clarification is necessary to ensure that all operations and certifiers can uniformly implement and enforce outdoor access that allows for natural poultry behavior outdoors.



### **Proposed OLPS: Temporary Confinement**

*§205.241 (d) Temporary confinement. The producer of an organic poultry operation may temporarily confine birds. Confinement must be recorded. Operations may temporarily confine birds when one of the following circumstances exists:*

- (1) Inclement weather, including when air temperatures are under 40 degrees F or above 90 degrees F.*
- (3) Conditions under which the health, safety, or well-being of the animal could be jeopardized.*

### **OFA Recommendation**

OFA recommends the following changes in bold:

- (1) Inclement weather, including when air temperatures are under ~~40~~ **32** degrees F or above ~~90~~ **95** degrees F.*
  - (3) Conditions under which the health, safety, or well-being of the animal could be jeopardized.*
- Physical harm does not include conditions that would simply reduce poultry production yields or result in growth rates below the maximum achievable rates.***

**Rationale:** Many poultry producers allow their birds access to the outdoors year-round, even in cold and hot climates, allowing the birds to choose whether they want to go outside or not. These operations do not have significant loss of production nor harm to the health of their animals. 40 degrees is too high a minimum temperature and could result in many operations in colder climates keeping their birds inside for more than six months of the year. Likewise, 90 is too low a maximum temperature and could result in many operations in warmer climates keeping their birds inside for months at a time. The rule already requires organic animals to be temporarily confined to prevent harm, so if it is snowing and 33 degrees, the operation could still confine the birds if needed to protect the health of the animals. Poultry need to scratch, take dust baths, exercise outdoors, and have access to fresh air and sunshine as much as possible and for this reason OFA recommends the temperature for the temporary confinement allowance be lowered to 32 degrees F and increased to 95 degrees.

In many cases, poultry are confined as a way to increase production of eggs or encourage faster weight gain. OFA recommends this sentence be added ***“Physical harm does not include conditions that would simply reduce poultry production yields or result in growth rates below the maximum achievable rates.”*** to clarify that temporary confinement is allowed only to protect the health, safety, or well-being of the animal, and is not to be used as a yield enhancing method. Inclusion of this statement will aid certifiers in enforcing the intent of this section and will clarify for producers what is allowed and what is not.

### **Recommended National Organic Standards Board Work Agenda Items**

While this proposed rule is an important step towards achieving better animal welfare standards in organic, and we want to see it finalized and implemented quickly, there are two additional areas OFA recommends the NOSB examine for review, public comment, and future rulemaking.

#### **1. Review of allowed substances that require milk withholding periods for their effect on calves (RE: proposed changes to § 205.238(c)(1)).**

Either at sunset or as a separate work agenda item, allowed substances that require a withholding time should be reviewed to assess the effect any residues might have on calf health, both short and long term. Calves are small animals, whose immune and digestive systems are not fully developed. Since they could be fed this milk with substance residues, we should understand if there are any negative effects from feeding the "treated" milk to calves. If further review identifies an issue for calves, the

NOSB could annotate the specific substance to prevent it being fed to calves during the withholding period. Currently, substances for treating cows are not reviewed for the effect on calves drinking the treated milk. This should be included in future reviews of sunset and petitioned substances for dairy animal treatment.

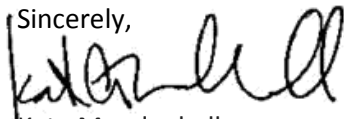
## 2. Humane Management of Swine

The OLPS minimally addresses humane management of swine. Yet, third party animal-welfare certifications include details on a variety of issues such as: lighting, housing ventilation, restricted feeding, weaning, wallowing, farrowing, outdoor area requirements, housing temperatures, reduction of heat stress strategies, ear notching, nose rings, and both indoor and outdoor stocking rates. Ignoring human swine management in organic standards puts pressure on organic swine producers to continue to utilize additional animal welfare certifications to clearly communicate their production systems to customers. The OLPS aims to remedy this for many livestock producers and the NOP should prioritize future rulemaking to further clarify swine management. Since these issues have not been fully discussed with all stakeholders able to participate in the development of these standards for organic swine, we ask the NOP and NOSB to place this issue on the NOSB work agenda. More clarity is needed to expand the organic pork industry and better serve consumers and producers of organic pork.

## **CONCLUSION**

OFA urges USDA to prioritize completing its rulemaking process with these recommended improvements and to issue a final rule as soon as possible. Swift finalization is needed to address the economic harm not having these clarifications in the standards has had on the majority of organic livestock producers who already meet these standards and are burdened by additional animal-welfare labels to assure consumers of their practices. The recommended changes we have outlined in our comments provide necessary clarifications to the proposed rule that we feel are necessary for producers to uniformly implement and certifiers to uniformly enforce the standards. Detailed language is necessary to eliminate regulatory loopholes that undercut consumers' confidence in the organic label. We appreciate the USDA prioritizing this rule to ensure high organic integrity. Thank you for the consideration of these comments.

Sincerely,



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