

By Harriet Behar

The long-awaited final animal welfare rule for mammalian and avian livestock, the [Organic Livestock and Poultry Standards \(OLPS\) rule](#), was printed in the Federal Register on Thursday, November 2, 2023. This rule has taken over a decade to bring to the finish line with many hundreds of hours of discussion and thousands of written public comments. For many small and mid-sized farms and ranches, there will not be many changes required to comply with the new regulation, but for larger scale poultry, dairy, beef, and swine there are some significant changes.

This rule clearly states that poultry must go outdoors into areas that are at least 75% soil with vegetative covering appropriate to the season and climate. Continuous confinement of poultry indoors is prohibited. The use of porches as “outdoor access” is now clearly prohibited from being considered “outdoors” unless the porch is not enclosed and the birds have access year round to the soil and vegetated area. The USDA states that currently 70% of the organic poultry in the U.S. do not have adequate outdoor access, and have been meeting the regulations through enclosed porches, with no access to the ground, as their outdoor access. This new rule will bring much needed clarity to the outdoor access requirement and consistency to the organic poultry industry, providing consumers what they expect from organic regardless of scale.

Poultry Animal Welfare Clarifications

The rule also clarifies and defines indoor and outdoor stocking rates for various types of poultry. This clarity will make it easier for organic certifiers to audit and verify appropriate stocking density.

- There must be at least one linear foot of exit doors in a poultry house for every 350 birds.
- Ammonia in hen houses can't exceed 20 PPM, it must be monitored weekly at the height of the bird's head.
- Birds must have open doors to go outside when the temperatures are between 32 and 90 degrees.

- Beak trimming is narrowly defined and allowed, but debeaking, dubbing (removing wattles and combs), desnooding (removal of the turkey snood) and other physical alterations on poultry have been clearly prohibited.

Animal Welfare Clarifications

For all types of mammals and poultry, this new regulation makes it clear that:

- Continuous confinement of any animal indoors is prohibited.
- Continuous confinement of ruminants in yards, feeding pads, or feedlots is prohibited.
- The pasture regulation is clarified, requiring ruminants must be out on pasture when seasonally appropriate, obtaining 30% of their nutrition from grazing.
- Humane euthanasia is described and required.
- Physical alterations such as cattle tail docking, wattling, and mulesing (removal of skin from the buttocks of sheep) are prohibited.

Many, but not all of the comments made by the Organic Farmers Association were incorporated into the final rule. Unfortunately, the definition of soil and the various methods to be used to maintain vegetation in the outdoor areas was not incorporated. More detailed requirements for swine covering indoor and outdoor stocking rates, ammonia testing, use of artificial light, and use of management techniques to avoid physical alterations such as tail docking were not included.

The Organic Farmers Association applauds that the USDA requires implementation of this rule to be within one year from November 2, 2023. This includes compliance with the outdoor access and exit door requirements for poultry. In the proposed rule, the USDA had offered a variety of implementation dates, with 15 years as one of the options. While OFA preferred a 3-year implementation for existing operations concerning poultry outdoor access, 5 years is a much better choice than 15 years.