ORGANIC FARMERS ASSOCIATION

To: Docket Clerk
National Organic Program
USDA-FSIS
1400 Independence Ave. SW
Jaime L. Whitten Building
Room 350-E, Stop 3758
Washington, DC 20250-3700

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Thank you for the opportunity to provide public comment concerning the proposed rule, "Revising Establishment Size Definitions," published in the Federal Register regarding the revision of meat and poultry establishment size definitions.

The Organic Farmers Association (OFA) is led and controlled by domestic certified organic farmers. Only certified organic farmers vote on OFA's policies and leadership, ensuring our positions directly represent the economic realities and structural challenges faced by independent producers.

OFA is in strong support of updating the Food Safety and Inspection Service (FSIS) Hazard Analysis and Critical Control Point (HACCP) size categories, especially the outdated definitions of "small "and "very small" meat and poultry processing facilities. There are significant differences between tiny facilities with as few as 11 employees and operations with 499 or more employees; grouping them together creates an unfair regulatory burden on very small operations, causes processing bottlenecks, and harms local small-scale organic livestock producers.

The HACCP size definitions currently in use are nearly three decades old, and misclassify small rural processors as "large", burdening them with outsized compliance costs and excessive inspection burdens. Many small processors have gone out of business, creating long wait times for slaughter and processing, leaving independent organic family farms unable to bring livestock to market. These oversized regulations increase compliance costs for small processors, making margins too tight for them to offer value-added services that local markets desire, such as organic certification, leaving organic livestock producers with few organic

processing options. This limitation prevents their final product from bearing the organic seal in the marketplace, even after meeting strict organic regulations on the farm.

Organic is a growing sector of the U.S. agriculture system, with tremendous potential to address climate change, help family farms flourish, revive rural communities, and protect public health. The potential for economic viability of smaller farms has been a major strength of the organic sector and is an important component in creating a resilient domestic food supply. But the dramatic growth of the overall organic sector has not been evenly distributed and has not supported domestic production growth to meet domestic demand. A major challenge for organic meat and poultry producers is finding certified organic processing capacity. This lack of organic processing capacity has frustrated organic producers for years, and the disruption caused by the 2020 pandemic brought the issue into the headlines. As large, industrialized slaughterhouses and meat processing facilities shut down, causing massive bottlenecks in conventional livestock supply chains, it quickly became apparent that there was nowhere near enough capacity in independent, regional processing facilities to take up the slack. In fact, these small operations were often booked to capacity before the increased demand for their services caused by shutdowns or slowdowns at large plants during the pandemic. With such high demand for their services, they failed to maintain processing capacity for smaller-scale organic producers, who tend to bring in smaller numbers of animals seasonally rather than large quantities on a regular basis.

It is not unusual for organic livestock producers to find that there are no processing appointments for their animals within the next year[1] or that processors will no longer accept their animals because they do not have sufficient volume available. This lack of processing capacity in plants that have obtained organic certification (allowing the final product to be labeled as organic) is a major obstacle to expanding the organic livestock and grain sectors, which could supply domestic organic feed to domestic organic livestock.

Another impact of the lack of organic processing capacity is that some livestock and poultry producers are feeding and managing their livestock organically, but cannot place an organic label on the final product because they cannot find an organic processing facility. This makes the marketing premium for organic products unavailable to producers who use organic methods and may even have certified their animals, but are unable to demonstrate their organic status in the marketplace. This affects the entire organic supply chain, as producers must consider whether

[1] Ching Lee. March 10, 2021. Ag Alert. “Lack of processing hampers the organic meat business.” https://www.agalert.com/story/?id=14779

organic replacement animals and organic feed make financial sense if they cannot sell the final product as “organic” due to a lack of certified organic processing.

Updated size definitions should incorporate annual production volume and animal density as primary classification metrics, alongside employee headcounts. Maximum regulatory relief and infrastructure assistance should be available to facilities with fewer than 200 employees and those that can process more than one species (to help address challenges caused by seasonality and other factors that affect the availability of livestock and poultry).

In addition to updating operation size-designations, USDA should consider funding small and mid-sized plants for:

- Upgrades to equipment and facilities, including construction of separate rooms for slaughter and processing, stainless steel equipment, or upgraded HVAC systems.

- Upgraded IT and digital recordkeeping systems (for food safety, organic certification, or other recordkeeping purposes).

- Professional development and technical assistance for new plants, including staff training and workforce development.

In addition to providing resources directly to facilities, USDA should commit to removing some of the common obstacles these types of plants face when dealing with various USDA policies, by:

- Training FSIS, NRCS, extension, and other USDA employees on the range of certifications and practices used by small and mid-sized plants serving specialized markets (organic, grass-fed, halal, kosher, animal welfare certifications, and others).

- Streamlining the FSIS label approval process (small plants are more likely to have a variety of products and to change formulations more often, which requires more frequent FSIS label approvals).

- Lowering the cost of voluntary inspection for non-amenable species.

- Filling FSIS vacancies so that inspector shortages do not become a limiting factor for a new plant to come into production or an existing plant to be able to expand production.

- Supporting agricultural extension services, with a requirement that a minimal level of meat industry expertise across all operation sizes be available in every state.

- Supporting meat processing workforce development training at state technical colleges, encouraging the honorable trade of local meat processing.

- Supporting research into rendering and wastewater treatment options for small and mid-sized plants.

Food security is a matter of national security. Lack of access to local processing facilities risks bottlenecks in the food supply chain and a loss of markets for small local farmers. When outdated, industrial-scale regulations force independent processors out of business, family farms close permanently, and generational agricultural knowledge is lost. Right-sizing the definitions of establishment size is an important step towards restoring market access for independent organic farmers and revitalizing rural economies.

Thank you for the opportunity to comment on these issues that are of critical importance to U.S. certified organic farmers.

Sincerely,

Kate Mendenhall
Executive Director