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June 12, 2006

Mark A. Bradley  
Associate Deputy Administrator  
Transportation and Marketing Programs  
National Organic Program

Comment submitted via email re: Docket Number TM-05-14

Dear Associate Deputy Bradley,

I am submitting a few brief comments on your Advanced Notice of Proposed Rulemaking on behalf of Pennsylvania Certified Organic, an Accredited Certifying Agent.

*Sheep and goats*

I greatly appreciated the dairy pasture symposium and I don't envy you the task of sorting through the vast amount of the excellent information presented. Noting that the symposium focused on dairy cattle, however, I caution that making a rule applicable to all dairy animals (sheep, goats, etc.?) may be a mistake without further research and information. Although organic ovine and caprine production is minimal in this country compared to organic bovine production, we still want it to be feasible and it is certainly popular in other parts of the world where dairy cattle are not as prevalent as in the U.S.

My experience with keeping sheep and goats is that they are more likely to be raised in pasture-based systems rather than in confinement, as they are better suited to consuming grass rather than grain. Commercial grain-based sheep and goat operations do exist, however, and a rule that has the goal of requiring a certain amount of pasture for organic dairy animals would apply to other species as well, unless specifically excepted. Perhaps you will receive comments answering your nutritional and marketing questions with respect to sheep and goats that will satisfy the need for information in this area before proceeding with regulations. If not, I suggest postponing pasture rulemaking for dairy animals other than cattle, pending further study.

### *Meat-producing ruminants*

As noted, dairy animals were the focus of the recent pasture symposium in Pennsylvania. The rule (7 CFR Part 205) and NOSB recommendations, however, cover all ruminant animals, which not only include dairy cattle, sheep and goats, but also cattle and other species raised for meat. It is necessary to address pasture for meat as well as dairy animals if we are to have a consistent standard. It seems awkward to support a rule requiring a minimum amount of pasture for organic milk production, while allowing confinement of beef animals for “finishing” up to 120 days (which just happens to coincide with the recommended minimum requirement for dairy pasture.) Couldn’t animals also be on pasture while they are being finished with grain? I don’t have the answer to that. Many such questions arise which should be addressed before either imposing the same standard on meat-producing animals, or exempting them from the current standard by allowing feedlot confinement.

Under the proposal that would exempt beef animals from the access-to-pasture rule during the 120-day finishing period, the animals could conceivably be not grazing pasture all winter for 6-7 months in some climates, and then be on a feedlot for another 4 months, which produces an organic animal that hasn’t eaten a blade of grass for nearly a year. Beef animals are slaughtered at 18 – 24 months of age and if you add in the 6-month exception for young animals, they might not be on pasture at all for nearly their entire lives. (6 months of confinement as a young calf, 7 months of winter, plus 4 months of “finishing” equals 17 months without pasture.) Sheep and goats may be only 4 – 8 months old at slaughter.

Many of the presentations and comments at the recent pasture symposium and NOSB meeting emphasized the superior health benefits – both to the animal and to the consumer -- of raising animals on pasture. If that’s a good reason to require a minimum amount of pasture for organic milk production, it’s an even better reason for justifying minimum pasture for meat production.

I ask that you take these comments into consideration while you draft your proposed rule. As a certifier, I would like to avoid the difficulty of assessing compliance with a rule that imposes different pasture standards for meat- and milk-producing animals without apparent justification. I also expect that any rules pertaining to ruminant animals other than cattle be fair and reasonable.

### *ANPR questions*

I would welcome the opportunity to discuss the following questions with you. I find it difficult to answer them as I am not quite sure what they are intending to elicit, but I am very interested in further discourse on these topics.

*Which parts of the NOP regulations should be changed to address the role of pasture in organic livestock management? Should the organic system plan requirements be changed to introduce a specific means to measure and evaluate compliance with pasture requirements for all producers of dairy or other livestock operations? Or, should a new standard be developed just for pasture alone?*

In addition, PCO requests that any requirement for minimum pasture include reasonable flexibility to allow producers to come into -- and stay in — compliance with a stricter standard. Pasture management can be a difficult skill to learn on short notice. It's not as easy as buying organic feed if you can't produce your own. It's more like learning new health care practices or weed management techniques. It can be a huge learning curve for some. There could be failures by well-intentioned, hard-working organic farmers and I would like the rule to give certifiers discretion to allow producers to continue to working toward compliance without having their certifications suspended or revoked. Certainly we have those tools and will use them when the producer is intentionally ignoring the requirements. But for producers who are not currently meeting whatever the proposed rule will require, it will take them time to achieve stricter pasture standards. I would be glad to work with the NOP and Accredited Certifiers Association to draft appropriate language to serve this purpose.

Thank you for the opportunity to be involved in the rulemaking process.

Sincerely,

Leslie Zuck  
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