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Comments to the National Organic Standards Board April 10, 2006

Re: Sunset Review of Livestock Materials

General comments:

Pennsylvania Certified Organic appreciates the extensive review performed by the NOSB in a relatively short time in order to accomplish the required sunset review of the initial National List materials. We urge the Board to take the time to evaluate the process to determine how to improve this required review in future rounds of review. In particular, the public only had 30 days to file comments on the entire list last summer, and the NOSB has had less than one year to review all the outstanding materials. This does not permit careful review or needed research on a number of complex issues: a longer timeline is essential if the reviews are to be meaningful. PCO urges NOSB and NOP to start now on the required reviews for the materials that were added to the National List in 2003, and post a notice for sunset comments as soon as possible.

The Board also needs to seriously reconsider its stated policy of refusing to make any changes in material annotations during the sunset review. The Board has called for a number of technical changes to annotations since the rules were published in Dec. of 2000, and the sunset review would seem to be an ideal chance to incorporate these needed corrections. For instance, in the case of chlorine, there is a widely acknowledged discrepancy between the original NOSB recommendation and the language of the 2000 rule. The NOSB recommended a clarification in the annotation for all three forms in May 2003. Although these changes were never addressed by NOP, it is logical and clearly needed that these corrections be made in the context of regular sunset review.

1. Ivermectin

The livestock committee recommends that Ivermectin stay on the National List. In view of the fact that there are no other approved parasiticides available for organic livestock at present, this allowance seem reasonable. The NOSB has expressed some concern in the past that Ivermectin remains persistent in manure and may have an impact on soil organisms, particularly the dung beetles important in recycling animal waste. On November 17, 2000, the NOSB recommended unanimously that the annotation be amended to state that “slow release formulations such as the SR(slow release) bolus are prohibited.”¹

- **This previous recommendation should be adopted at the present time.**

¹ <http://www.ams.usda.gov/nosb/archives/minutes/Nov00/mins.html>

2. Hydrated lime as external treatment

The livestock committee has recommended removing the listing for hydrated lime. PCO producers do use of hydrated lime as a topical external hoof treatment. It is recommended by veterinarians as effective for use as a topical hoof treatment, and literature suggests that it may be useful for treatment of hairy heel wart or foot rots.²³ Hydrated lime alters the pH of the skin, helping control bacteria and dries out the foot. Copper sulfate is also used for hoof treatments, but calcium hydroxide may be beneficial to alternate with this substance, and also for use in winter when cold temperatures make use of liquid copper sulfate solutions difficult. While we have not seen it used for an external parasiticide, it is effective for use as a hoof treatment.

- **Retain use of hydrated lime as topical treatment.**

3. Synthetic milk replacers

PCO has received a number of requests for emergency use of milk replacer, and has approved use of milk based products that are produced without the use of rBST. The livestock committee states that the committee is aware of organic milk replacers “or their equivalent” being available. PCO is not aware of any organic milk replacers available in our region at the present time. If milk replacers are removed from the National List, these milk based products would not be available for emergency use. PCO agrees that milk replacers should be based on non BST milk, and used for emergency situations only, such as the mother dies during birth and no other milk is available; a salmonella outbreak, rabies threat; barn fire where animals die; or sudden natural disaster. Milk replacers may have permitted forms of vitamins and minerals (and hence be considered synthetic) but should not contain other synthetic ingredients not permitted for organic dairy production, such as amino acids, antibiotics, or hormones.

- **Retain the allowance of synthetic milk replacers for emergency use.**

4. Chlorine products for use in livestock applications

The crops committee has recommended renewing the existing listing for chlorine. However, as the NOSB previously noted, in their recommendation from May 2003, the NOP standard is not clear.

“The National List contains annotations for the use of chlorine compounds which do not accurately convey the annotations recommended by the NOSB. As a result, the Questions and Answers posted on the NOP website focus on measuring chlorine levels at the effluent or discharge site of the facility, rather than at the point where the chlorine solution contacts organic food. This has led to confusion among processors, certifying agents, and inspectors, and has led to inconsistent application of the NOP rule. The NOSB Processing Committee recommends that the annotations be corrected to accurately reflect the original NOSB recommendation, that the Q & A’s be re-phrased to provide accurate and consistent guidance, and that the review of chlorine should be prioritized in the re-review process in light of new information about the use of chlorine compounds.”

The TAP review and the committee reports have not considered this 2003 recommendation which recommends that the annotation be adjusted to say:

² K.Ames, 1996 Michigan Dairy Review 1(2):1, May 1996. http://cvm.msu.edu/extension/docs/heel_fr_lm.htm

³ U Wisc. Extension Updates, Jan. 2006.

<http://www.uwex.edu/ces/cty/calumet/ag/documents/200601UWEXNews.pdf>

Chlorine materials - disinfecting and sanitizing facilities and equipment. Residual chlorine levels in the water in direct crop or food contact shall not exceed the maximum residual disinfectant limit under the Safe Drinking Water Act.

The recent TAP review did not consider applications where chlorine is used in direct contact with organic food products (milk lines) or in egg washing. This was likely due to a literal reading of the current annotation, which implies that it may only be used for equipment cleaning. Currently, organic dairy producers are required to follow state laws adopted in congruence with FDA's model Pasteurized Milk Ordinance⁴. This requires the use of FDA approved sanitizers, following label directions, or alternative use of steam or hot water at prescribed temperatures. Steam and hot water for 170-200 degrees for five minutes throughout the whole system is not practical or safe in some situations. Chemical sanitizers are considered antimicrobial pesticides, and must be registered by the EPA, and are subject to label review and approval. Chlorine products labeled for use in dairy sanitation will typically state that they must be used at levels of 50-100 ppm and must not be rinsed. These label directions are considered binding for dairy applications.⁵ This conflicts with the NOSB recommendation that a maximum of 4ppm be present in the final rinse. Peracetic acid products are a viable alternative for this use, however they have not yet been included on the National List.

- **NOSB should consider amending the listing as follows in order to be consistent with state regulations.**

Chlorine materials - disinfecting and sanitizing facilities and equipment. Residual chlorine levels in the water in direct crop or food contact shall not exceed the maximum residual disinfectant limit under the Safe Drinking Water Act, except where mandated by state or federal regulations, in which case the minimum required level should be used.

⁴ <http://www.cfsan.fda.gov/~ear/pmo03toc.html>

Appendix F. Sanitization

I. METHODS OF SANITIZATION

CHEMICAL

Certain chemical compounds are effective for the sanitization of milk containers, utensils and equipment. These are contained in 21 CFR 178.1010 and shall be used in accordance with label directions.

STEAM

When steam is used, each group of assembled piping shall be treated separately by inserting the steam hose into the inlet and maintaining steam flow from the outlet for at least five (5) minutes after the temperature of the drainage at the outlet has reached 94°C (200°F). The period of exposure required here is longer than that required for individual cans, because of the heat lost through the large surface exposed to the air. Covers must be in place during treatment.

HOT WATER

Hot water may be used by pumping it through the inlet, if the temperature at the outlet end of the assembly is maintained to at least 77°C (170°F) for at least five (5) minutes.

⁵ Pers. communication, Dr. Scott Rankin, U. of WI-Madison, Department of Food Science. sarnkin@facstaff.wisc.edu

Respectfully submitted,

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