

**National Organic Standards Board  
Livestock Committee  
Animal Health Care Products Recommendation**

**February 23, 2010**

## **I. Introduction**

During the November 3-5, 2009 National Organic Standards Board Meeting, the Board passed an Animal Welfare Recommendation. From public comment, the Livestock Committee realized that a definition of Animal Health Care Products was needed. Confusion exists regarding the intent of OFPA and the National Rule with regard to the use of products other than drugs which are used to prevent illness and to enhance the health of animals. In essence, vaccines are not the only substances which should be allowed to be used in the absence of illness.

## **II. Background**

In the National Rule:

**§ 205.238 Livestock health care practice standard.**

- (c) The producer of an organic livestock operation must not:
- (2) Administer any animal drug, other than vaccinations, in the absence of illness;

## **III. Regulatory Framework**

The Organic Food Production Act (OFPA) does not allow the use of drugs, as defined by the FDA, in the absence of illness.

Under OFPA:

**SEC. 2110. [7 USC 6509] Animal Production Practices and Materials.**

(d) HEALTH CARE.—

(1) PROHIBITED PRACTICES. --- For a farm to be certified under this title as an organic farm with respect to the livestock produced by such farm, producers on such farm shall not-

(c) administer medication, other than vaccines, in the absence of illness.

## **IV. Recommendation**

The Livestock Committee recommends that the NOP implement rule change to clarify that the use of products other than drugs, such as homeopathic products and teat dips, be allowed in organic livestock production.

The Livestock Committee recommends the following addition to the regulation:

## **§ 205.2 Terms defined.**

Animal Health Care Products. Substances which maintain or enhance animal health and well-being or help prevent illness or disease. Drugs, as defined by the FDA, as well as those substances viewed by FDA via regulatory discretion, are subsets.

The Livestock Committee and the NOSB will work in collaboration with the NOP on further clarification if additional issues are identified.

## **V. Committee vote**

Moved: Kevin Engelbert      Second: Jeff Moyer  
Yes – 5; No – 0; Absent – 3; Abstain -- 0

## **VI. Conclusion**

To clarify the existing rules, the NOSB Livestock Committee recommends that the NOP amend the regulations to add to **§ 205.2 Terms defined.** Animal Health Care Products. The addition of the definition to the National Rule will permit the use of products that enhance the welfare of animals, even in the absence of illness, while still restricting the use of drugs.