



DATE: Thursday, May 2nd, 2002

To: the National Organic Standards Board, Fax # (202) 205 7808

From: The Northeast Organic Dairy Producers Alliance, Fax # 802-728-4416

Pages: 3

Dear National Organic Standards Board,

Enclosed in this fax is a position statement from the Northeast Organic Dairy Producers Alliance (NODPA).

Thank you for your time,

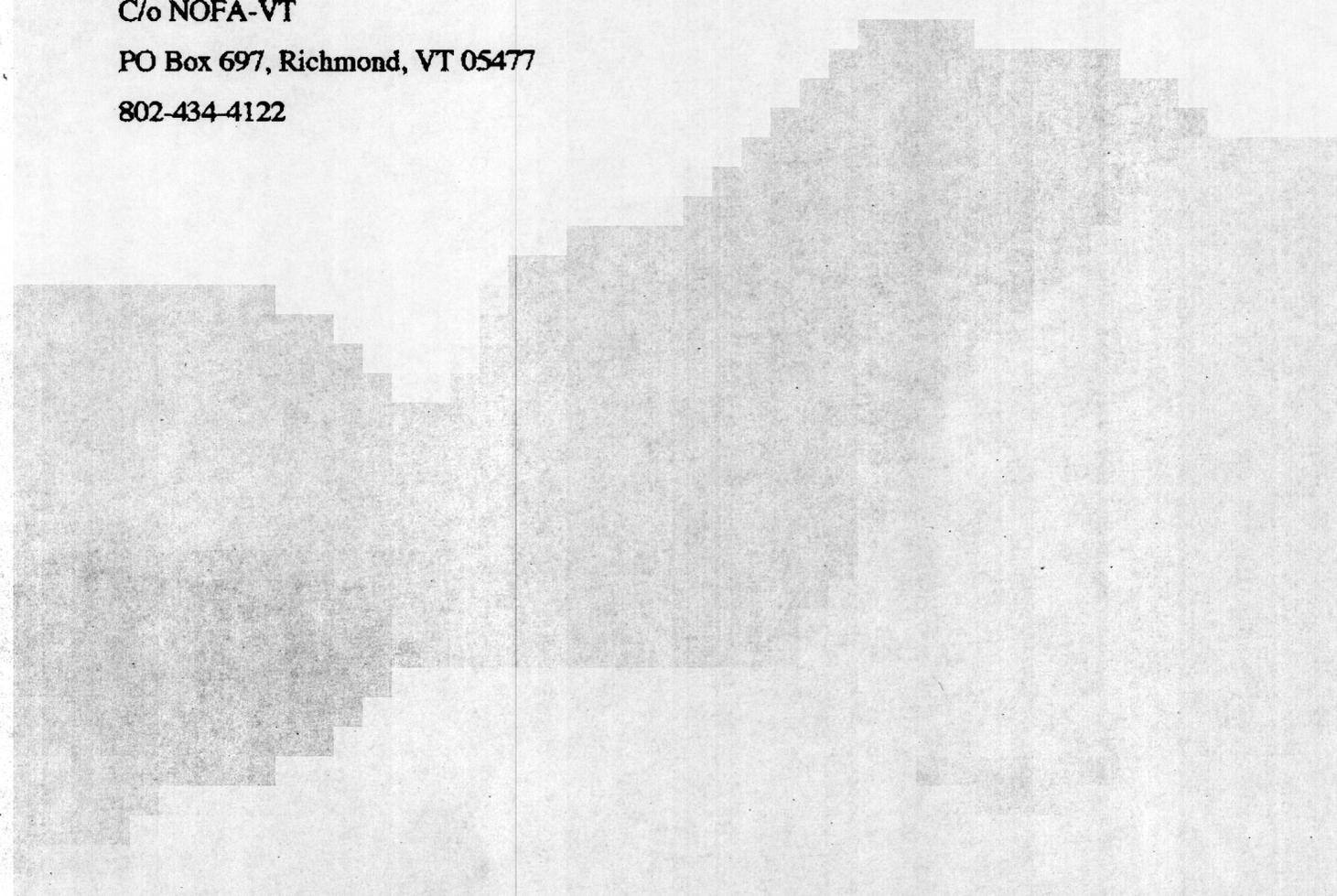
Lisa McCrory

NODPA Administrator

C/o NOFA-VT

PO Box 697, Richmond, VT 05477

802-434-4122



NORTHEAST ORGANIC DAIRY PRODUCERS ALLIANCE



NODPA's Livestock Dairy Replacement Position Statement For the National Organic Standards Board

May 2nd, 2002

The Northeast Organic Dairy Producers Alliance (NODPA), representing producers from Pennsylvania to Maine, would like to present the following feedback to the NOSB based on the NOSB Livestock Committee's Draft Recommendation for Replacement Dairy Animals:

205.236 (b) *The producer of an organically managed dairy may add to the herd by introducing:*

(1) A replacement dairy animal born on an organically managed operation that has been organically managed from the last third of gestation, Except, That, upon the direction of a veterinarian, the producer may administer livestock medications other than those allowed by § 205.603 for emergency purposes during the first six months of the animal's life; or;

It is NODPA's position that the exception included herein should be temporary and should be phased out in three years. While we appreciate the need to conserve dairy replacement animals in the early stages of industry development, we understand that it is in the long-term best interest of the organic livestock industry to require organic management practices for the full life of all cattle being represented as organic. After the exception is phased out in 2005, all animals that require treatment with medications other than those allowed by 205.603 must be so treated, but then those animals should be removed from the organic herd.

205.236 (b) *The producer of an organically managed dairy may add to the herd by introducing:*

(2) When a replacement dairy animal in compliance with §205.236(b)(1) is not commercially available, a producer may add a replacement dairy animal brought from an off-farm source that has been under continuous organic management upon entry to the organic operation but no less than one year prior to the production of milk or milk products that are to be sold, labeled, or represented as organic.

NODPA agrees that there should be a temporary allowance for the purchase of non-organic replacement animals when organic animals are not commercially available. We feel, however, that it is unnecessary to permit the introduction of conventionally grown yearling heifers into an organic herd.

The exception as proposed in the Draft Recommendation allows for conventional yearlings to be incorporated into an organic herd so long as they are managed organically for the last year before milk production. Since dairy cows begin production at about two years of age, these replacements would have been managed organically for only half their lives.

NODPA proposes that non-organic replacements may be purchased, with the permission of the certifying agency, when organically born replacements are not commercially available so long as the calves are 2 weeks old or younger and are managed organically from that time forward. This allowance should be temporary and should phase out by 2005 at which point all replacement animals should be raised organically from the last third of gestation.

In conclusion:

NODPA proposes to allow replacement animals from non-organic farms up to 2 weeks of age and treatment of youngstock under 6 months for a limited time. These allowances should be terminated by 2005 at which point the dairy livestock standards should be equal to the beef production standards.

NODPA realizes that youngstock treated or transitioned in after the last third of gestation can not be marketed as organic beef. This should be clearly stated in the dairy livestock replacement standards, since some producers rely on the organic beef market as a secondary income.

Sincerely,

Organic Dairy Producers Representing NODPA in their state:

Pennsylvania

Roman Stoltzfoos, 1143 Gap Road, Kinzers, PA 17535, (610) 593-2415

New York

Bill Casey, PO Box 36, 1136 Berry Rd, Apulia Station, NY 13020 (315) 683-5674

Dan Tilley, Box 77, Hoosick, NY 12059 (518) 686-7779

Joan Burns, HC 65 Box 85 B, Bovina Center, NY 13740 (607) 832-4292

Kathie Arnold, 3175 NYS RT 13, Truxton, NY (607) 842-6631

Vermont

Ginny Welch, 1446 Happy Valley Rd, Bridport, VT 05734 (802) 758-2498

Annie Claghorn, 1395 Leicester-Whiting Rd, Leicester, VT 05733 (802) 247-3979

Maine

Steve Russell, RR2 Box 5660, Winslow, ME 04901, (207) 872-6533

Steve Morrison, 159 Atkinson Rd, Charleston, ME 04422 (207) 285-7085

In conclusion:

NOFA-VT proposes to allow replacement animals from non-organic farms up to 2 weeks of age and treatment of youngstock under 6 months for a limited time. These allowances should be terminated by 2005 at which point the dairy livestock standards should be equal to the beef production standards.

NOFA-VT realizes that youngstock treated or transitioned in after the last third of gestation can not be marketed as organic beef. This should be clearly stated in the dairy livestock replacement standards, since some producers rely on the organic beef market as a secondary income.

Sincerely,

Lisa McCrory
NOFA-VT Dairy Technical Assistance Coordinator
PO Box 697, Richmond, VT 05477
802-434-4122 (phone), 802-434-4154 (fax)

Draft Recommendation for Replacement Dairy Animals

205.236 Origin of Livestock

205.236(b) The producer of an organically managed dairy may add to the herd by introducing:

- (1) A replacement dairy animal born on an organically managed operation that has been organically managed from the last third of gestation, *Except*, That, upon the direction of a veterinarian, the producer may administer livestock medications other than those allowed by § 205.603 for emergency purposes during the first six months of the animal's life; or;
- (2) When a replacement dairy animal in compliance with §205.236(b)(1) is not commercially available, a producer may add a replacement dairy animal brought from an off-farm source that has been under continuous organic management upon entry to the organic operation but no less than one year prior to the production of milk or milk products that are to be sold, labeled, or represented as organic.

April 15 2002

National Organic Standards Board
c/o Katherine Benham
Room 4008-South Building
1400 Independence Ave., SW
Washington DC 20250-0001



To the National Organic Standards Board and members of the National Organic Program,

As a member/producer for Organic Valley CROPP Coop thank you for the opportunity to comment on the interpretation of the Dairy Animal Replacement Clause.

We believe that once an entire herd is transitioned that ***all replacement animals must be managed organic from the last third of gestation.*** This is undeniably the standard for Organic Meat Animals, to implement a different standard for Dairy animals is unnecessary and would damage the integrity of the program.

With proper care dairy calves can be raised quite effectively using organic practices. Setting strict standards would promote further development of infrastructure in the organic dairy industry and satisfy consumer expectations.

Respectfully,

organic animals should be raised
organic all the way through

Maureen L. DeLo

April 15 2002

National Organic Standards Board
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1400 Independence Ave., SW
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Respectfully,

We have been Cal. Organic since 1994
& have raised all our calves organic. They are healthy
& are doing good. I feel the calves are
actually in ^{Better} condition when they come into our
milking herd being raised & fed organically.

all beef must be fed & managed organic so the
the meat is organic.

I feel this is very important. If you
need any more information, please call me.

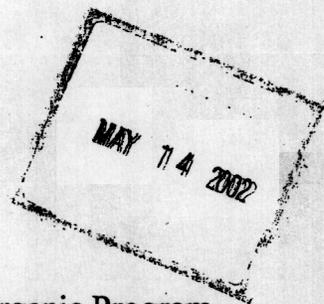
[Handwritten signature]

Rich Lange

608-348-4105

April 15 2002

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Respectfully,

Grace Ann Matzke
E4964 Hwy 54
Algoma, WI 54201

All my animals are managed organically. But it has stated in your journal if necessary for saving animals life to use what is needed. That's what was printed in mail to me. Why the change?

FAXED 5/1/02



April 30, 2002

National Organic Standards Board
C/O Katherine Benham
Room 4008 South Building
1400 Independence Avenue, S.W.
Washington, DC 20250-0001

To the National Organic Standards Board and members of the National Organic Program:

My husband and I have been farming organically for over 20 years. We are currently shipping certified organic milk to Organic Valley/CROPP Cooperative.

We would like to comment on a couple of points under consideration in the NOP. It is our strong belief that once a dairy herd has transitioned to organic, **all replacement animals must be managed organically from the last trimester of the mother's pregnancy.** We must ask ourselves, "Are we organic or not?" If we are going to farm organically, it must be strictly adhered to. To do otherwise (i.e. allowing conventionally raised replacement animals to enter the herd) would put organic producers that raise their own replacement animals at a disadvantage to those who "buy in" conventional replacements. Also, the organic consumer expects the products they purchase to be truly organic. Allowing the continual influx of conventional animals into organic herds will potentially damage the integrity of organic dairy products and mislead the consumer.

The other issue is Access to Outdoors for Poultry. We believe it is imperative to require all poultry to have access to the outdoors. Not only is it healthier and more natural for the birds, **it is what organic consumers expect.** Please use a strict interpretation to this standard. It will help keep integrity in the National Organic Program.

Thank you for the opportunity to comment on these issues.

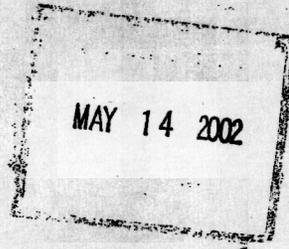
Sincerely,

Lisa M Engelbert
Kevin K Engelbert

Lisa and Kevin Engelbert
Engelbert Farms
182 Sunnyside Road
Nichols, NY 13812

April 15 2002

National Organic Standards Board
c/o Katherine Benham
Room 4008-South Building
1400 Independence Ave., SW
Washington DC 20250-0001



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Respectfully,

Jimmy A. Wingard

I agree 100% with all of the above. Don't let things get more liberal now it will just ruin the organic respect. If people think they can't raise dairy calves effectively using organic practices they are lying, because it is not true

better meant than written

[Signature]

April 15 2002

MAY 14 2002

National Organic Standards Board
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Respectfully,

Walter Moora

I am a cert organic dairy farmer with 120 cows and 80 replacements I think it would be wrong to raise these replacement heifers under non organic standards

Walter Moora
W 2716 Friemoth Rd.
East Troy WI 53120
Ph 262 642 9656

April 15 2002

National Organic Standards Board
c/o Katherine Benham
Room 4008-South Building
1400 Independence Ave., SW
Washington DC 20250-0001

MAY 14 2002

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Respectfully,

Jennifer & Annette Krapp
9508 Skatow Rd
Lancaster, WI 53813

April 15 2002

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Respectfully,

Robert + Rebecca Duckworth - Mauston WI.

We have a herd of 26 milking holsteins plus young stock. We have been using only organic methods of treatment for many years and we have rarely ever lost a calf that was born alive. All cattle are healthy. As they should be, with organic farming - antibiotics are not necessary.

Please do not lift the requirement that all replacement animals must be managed organically from the last third of gestation, once the herd has been transitioned.

Thank you for your consideration.

MAY 15 2002

To: The NOSB Livestock Committee and the USDA National Organic Program

Re: NOSB Livestock Committee draft recommendation on replacement dairy animals

From: Kathie and Richard Arnold, Twin Oaks Dairy, Truxton, NY

Date: March 22, 2002

We urge the NOSB and USDA NOP to require that all organic dairy replacement stock be organically raised from the last third of gestation. The only relaxation on this rule that we would support would be allowing non-organic calves up to two weeks of age to be brought onto organic farms and thence be under organic management. We do not support the NOSB's draft recommendation on replacement dairy animals for a number of reasons:

- The term "commercially available" is a very broad term that will be defined differently by each certifying body
 - There will likely be uneven and unequal interpretation of the commercially available clause by different certifiers
 - The commercially available clause will likely not be farm-size neutral. Expansions of large organic herds would be apt to be the segment of the industry to have the demand for large numbers of animals that could not be met by the current organic dairy replacement pool and so large farms would be more liable to lay claim to commercial unavailability
 - A thriving organic replacement segment will not likely develop because arguments will be made and likely accepted by some certifiers that "commercially available" means within a certain price range and geographic distance, thus limiting the demand for higher cost organically raised replacements
- Potential confusion and dissatisfaction in the minds of consumers as to what and when prohibited materials are allowed for use in dairy stock
- Although this provision helps, it still will not level the playing field between requiring organic management of on-farm raised youngstock and allowing the importation of conventionally raised yearlings
- This proposal does not promote a continuous cycle of organic management on organic dairy farms
- This proposal is in direct opposition to the clear intent stated in the preamble to the Rule. According to the discussion section printed in the December 21, Federal Register 2000 National Organic Program Final Rule, the unequivocal intent is that other than a distinct, one time herd conversion allowed over a

one year period, all other livestock must be organically raised from the last third of gestation:

Federal Register page 80570: "*After the dairy operation has been certified, animals brought on to the operation must be organically raised from the last third of gestation. We did not incorporate the NOSB's recommendation to provide young stock with nonorganic feed up to 12 months prior to the production of certified milk. By creating an ongoing allowance for using nonorganic feed on a certified operation, this provision would have undermined the principle that a whole herd conversion is a distinct, one-time event.*

We anticipate that the provisions added to the final rule will address the concerns of commenters who objected to the conversion principle. Consumers have embraced milk and milk products from dairies under private whole herd conversion provisions essentially identical to that in the final rule. While the conversion provision may temporarily reduce demand for organic feed materials, it encourages producers to develop their own supplies of organic feed. The conversion provision also rewards producers for raising their own replacement animals while still allowing for the introduction of animals from off the farm that were organically raised from the last third of gestation. This should protect existing markets for organically raised heifers while not discriminating against closed herd operations. Finally, the conversion provision cannot be used routinely to bring nonorganically raised animals into an organic operation. It is a one-time opportunity for producers working with a certifying agent to implement a conversion strategy for an established, discrete dairy herd in conjunction with the land resources that sustain it."

Even nonedible livestock products must be from livestock organically managed from the last third of gestation. Federal Register page 80570: "*Conversion Period for Nonedible Livestock Products. The proposed rule required that livestock must be under continuous organic management for a period not less than 1 year before the nonedible products produced from them could be sold as organic. Several commenters questioned the basis for creating different origin of livestock requirements based on whether the operation intended to produce edible or nonedible products. These commenters stated that the OFPA does not sanction such a distinction, nor is it contained in existing certification standards. They questioned why the proposed rule created such a provision in the absence of a favorable NOSB recommendation. We agree that the creation of a separate origin of livestock requirement for animals intended to provide nonedible products could be confusing. We have changed this provision in the final rule to require that nonedible products be produced from livestock that have been organically managed from the last third of gestation."*

Section 205.236(b)(1) prohibits organic animals being removed from an organic operation, managed on a nonorganic operation, and then being brought back into organic production--the aim being that there be no loophole for conventional treatments slipping in. Another section of the Rule that supports the intent of organic from the last third of gestation is 205.238(c) and (c)(1) "The producer of an organic livestock operation must not: (1) sell, label, or represent as organic any animal or edible product derived from any animal treated with antibiotics, any substance that contains a synthetic substance not allowed under 205.603, or any substance that contains a nonsynthetic substance prohibited in 205.604." No exception is made here that conventionally raised animals brought onto a farm one year prior to milk production can have been treated with antibiotics and other prohibited substances. The rule is unequivocally saying that no livestock can have been treated with antibiotics or prohibited substances and then subsequently, at any time in their lifespan, produce products that can be marketed as organic

April 15 2002

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Respectfully,

James L. Byrnes

*By raising our calves 100% organically responsible it will
build trust in the consumer.*

April 15 2002

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Respectfully, *Mark Kruse*



Mark & Marcia Kruse
2601 Lafayette Ridge Dr.
Lansing, IA 52151

I am a member of Organic Valley since 1994 selling milk, organic milk. And your calves and cows do very well, they are healthy and look good. I get ~~so many~~ comments from my dairy nutritionist all the time how good my cows and replacements look, and he see's lot of herds. It can be done! So please help keep the integrity of the program going.

*Thank you
Mark.*