



December 2, 2019

Paul Lewis  
Standards Division, National Organic Program  
USDA-AMS-NOP  
1400 Independence Ave. SW, Room 2642-So., Ag Stop 0268  
Washington, DC 20250-0268

Re: Docket No. AMS-NOP-11-0009, RIN 0581-AD08 for “National Organic Program; Origin of Livestock”

Dear Director Lewis:

On behalf of the nearly 200,000 family farmer, rancher and rural members of National Farmers Union (NFU), I am pleased to submit comments regarding the “National Organic Program; Origin of Livestock” rule. NFU strongly supports the 2015 Origin of Livestock Proposed Rule, which would clarify that organic dairy farms cannot continuously transition in replacement animals. Rather, farms are only allowed a one-time transition of a conventional herd.

NFU’s grassroots, member-driven policy states that we support “Requiring that all replacement animals on certified organic farms be organic in origin, without exception.” Furthermore, it states that “Replacement animals organic in origin” should be “defined as animals that have been raised as organic at least from the last third of gestation.” Additionally, NFU supports “Strictly prohibiting transitioning certified animals in and out of organic production.”<sup>1</sup>

NFU is concerned that a small number of certifiers and farms have been misapplying the one-time transition allowance, instead year after year sourcing replacement heifers that were raised conventionally. This practice puts farmers that adhere closely to the letter and spirit of the standards at a competitive disadvantage. For example, the Organic Trade Association conducted an analysis showing that organic dairy farmers who raise their calves according to the organic

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<sup>1</sup> National Farmers Union, *Policy of the National Farmers Union*, (March 2019).

standard from birth spend an estimated \$600 to \$1,000 more per calf than farmers who raise calves conventionally and transition them to organic at one year of age.<sup>2</sup>

Additionally, lack of enforcement of the provision requiring all replacement animals be raised organically from the last third of gestation, besides the one-time transition allowance, may be preventing development of the market for organic replacement heifers and cows. Several Farmers Union members who are organic dairy farmers have attested that prices for organic heifers and cows are low, and that these replacement animals abundant. In turn, farmers cannot recoup the investment in these animals that have been raised organically. The sourcing of replacement animals that have been raised conventionally, a practice that should not be permitted, may be depressing the market for organic replacement heifers and cows.

NFU stands with the majority of the organic community in viewing the continuous transition approach as a breach of the organic standards, a misinterpretation and misapplication of the one-year transition allowance, and an approach that puts farmers that follow the standards at a competitive disadvantage. Uneven enforcement and application of the organic standards can erode consumer confidence in the organic label, making it difficult for organic farmers and ranchers to succeed over the long-term. NFU urges USDA to move to finalize and implement the proposed rule immediately.

Thank you again for the opportunity to submit comments. If you have any questions or would like to further discuss NFU's position, please contact Aaron Shier, NFU's Government Relations Representative, via e-mail at [ashier@nfudc.org](mailto:ashier@nfudc.org) or by phone at 202-554-1600. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger Johnson". The signature is fluid and cursive, with the first name "Roger" and last name "Johnson" clearly distinguishable.

Roger Johnson  
President

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<sup>2</sup> Organic Trade Association. Letter to USDA Under Secretary Ibach, RE: Origin of organic dairy livestock. February 7, 2019.