



USDA issues final rule on organic access to pasture, with 120-day minimum

By Agri-Pulse Staff

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Washington, Feb. 12 – Announcing a tough new Organic Standards final rule on pasture requirements Friday, Deputy Secretary Kathleen Merrigan called the new regulations “absolutely clear and absolutely enforceable.”

Merrigan acknowledged that the new regulations will force some dairy operations to make substantial changes in order to comply. But she emphasized that the new requirements are simply a response to the organic industry’s demands for “tough, strict regulation . . . because they know this is what consumers want.” She said “This is not USDA imposed. This USDA responding to constituent demand.”

The new rule amends the National Organic Program (NOP) regulations to clarify the use of pasture in raising organic ruminants. “Clear and enforceable standards are essential to the health and success of the market for organic agriculture,” said Agriculture Secretary Tom Vilsack. “The final rule published today will give consumers confidence that organic milk or cheese comes from cows raised on pasture, and organic family farmers the assurance that there is one, consistent pasture standard that applies to dairy products.”

Merrigan noted that the new regulations reflect over 26,000 comments received regarding pasture and feed standards. In the case of the rule on finish feeding practices for slaughter livestock, Merrigan said USDA is providing an additional 60 days for comment on possibly revising this one section of the new regulations. She said “It is difficult to decouple standards for milking cows from standards for finish feeding. Since finish feeding gets swept up into this dairy rulemaking, we are taking an extra step and inviting public comment on the finish feeding requirements. We want to be certain that our actions pertaining to finish feeding are aligned with organic principles.”

The final rule is the culmination of a process that began in 2005 when the National Organic Standards Board recommended that ruminants obtain a minimum 30 percent dry matter intake for at least 120 days. The proposed rule, published on Oct. 28, 2008, received comments from producers, retailers, handlers, certifying agents, consumers, trade associations, organic associations, animal welfare organizations, consumer groups, state and local government entities and various industry groups.

The main components of the rule include:

- Animals must graze pasture during the grazing season, which must be at least 120 days per year;
- Animals must obtain a minimum of 30 percent dry matter intake from grazing pasture during the grazing season;
- Producers must have a pasture management plan and manage pasture as a crop to meet the feed requirements for the grazing animals and to protect soil and water quality; and,
- Livestock are exempt from the 30 percent dry matter intake requirements during the finish feeding period, not to exceed 120 days. Livestock must have access to pasture during the finishing phase.

Merrigan stressed that the annual 120 day grazing requirement is a minimum. She said it will be up to USDA approved certifying agents working with individual producers to set specific requirements for each organic dairy operation. She said some dairies could be required to graze cows for as long as 365 days per year in parts of the country where the growing season makes longer grazing periods appropriate.

The final rule becomes effective 120 days after publication on June 17, 2010. Operations which are already certified organic will have one year to implement the provisions. Operations which obtain organic certification after the effective date will be expected to demonstrate full compliance with the new pasturing regulations before certification.

Although the overall rule is final, there's an April 18 deadline for comments on the exceptions for finish feeding of ruminant slaughter stock. This 60-day comment period pertains to the finish feeding provisions only. The specific questions to consider and instructions for submitting comments are available on the NOP website at: www.ams.usda.gov/NOP.

Copies of the 160-page final rule and additional information are on display on line at: <http://www.ams.usda.gov/AMSV1.0/nopaccesstopasture>

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