



National Organic Coalition

PASTURE FACT SHEET

One of the central tenets of organically produced livestock and livestock products is the requirement that animals be given access to pasture. Current USDA National Organic Program Regulations require access to pasture for all ruminant animals [§205.237, §205.239]

In general, the accredited certifiers that are charged with enforcing the USDA organic standards have been requiring organic livestock producers to meet this pasture standard since the inception of the program in 2002. However, in recent years, it has become clear that some organic dairies have been permitted to sell milk as “organic” even though their cows have not had access to pasture. When challenged about why they are permitting some dairy operations to skirt the pasture standards, USDA’s National Organic Program has stated that the regulation is too vague for them to adequately enforce.

In response to widespread protest from organic dairy producers, consumers, organic certifiers, and public interest groups about the lack of adequate enforcement of the pasture standard by USDA, the agency issued an Advanced Notice of Proposed Rulemaking to solicit input from the public about the pasture issue. In order to facilitate this process, a Pasture Symposium was convened by USDA in April of 2006 in State College, Pennsylvania to hear from certifiers, farmers, consumers, and industry regarding pasture standards. At that time, most certifiers and farmers agreed that specific and quantifiable pasture standards can easily be implemented by the overwhelming majority of certified organic livestock farmers.

In addition, market research has shown that the majority of organic dairy consumers expect that organic cows spend a significant period of time on pasture and get most of their food from pasture. Four recent surveys, including one presented to USDA by Whole Foods, have demonstrated such consumer expectations. Organic dairy product advertising and packaging clearly give the impression that organic milk is produced by cows on pasture.

Consumer and producer support for a strong pasture standard is well founded. Pasture intake has been shown to be scientifically correlated with increased

levels of healthful vitamins and essential fatty acids in milk and meat, and well managed pasture reduces input and energy costs, and contributes positively to carbon sequestration goals.

Based on input received at the Pennsylvania Symposium and subsequently, USDA had indicated its intention to issue a Proposed Rule in 2006 to update the organic standards to make a more specific pasture standard for organic livestock.

There is significant, widespread agreement in all sectors of organic that a minimum pasture standard must be implemented and enforced by USDA to ensure the fulfillment of consumer expectations, and to safeguard the investments of the overwhelming majority of dairy producers who have structured their operations to provide adequate pasture.

The language being requested is:

Ruminant livestock must graze pasture for the growing season but not less than 120 days per year. The grazed pasture must provide a significant portion of the total feed requirement but not less than 30% of the dry matter intake on an average daily basis during the growing season*.

Despite these facts, and a growing consumer concern about the integrity of USDA organic standards with regard to dairy products, USDA has failed to issue a Proposed Rule for pasture standards, and also failed to enforce the current standard.

Due to this delay, several Confined Animal Feedlot Operations (CAFOs) have been inappropriately certified or are currently transitioning to organic production. The large number of animals on these operations (with little pasture acreage per cow), provide an increasingly significant portion of the organic milk supply.

Below are specific changes to the Regulation being requested by organic dairy producers and by all of the member organizations of the National Organic Coalition.

* For a useful reference on measurement of dry matter, see: <http://nodpa.com/FOODpastureMeasurement.pdf>

§ 205.237 Livestock feed. -- CURRENT REGULATION

- (a) The producer of an organic livestock operation must provide livestock with a total feed ration composed of agricultural products, including pasture and forage, that are organically produced and, if applicable, organically handled: *Except*, That, nonsynthetic substances and synthetic substances allowed under §205.603 may be used as feed additives and supplements.
- (b) The producer of an organic operation must not:
- (1) Use animal drugs, including hormones, to promote growth;
 - (2) Provide feed supplements or additives in amounts above those needed for adequate nutrition and health maintenance for the species at its specific stage of life;
 - (3) Feed plastic pellets for roughage;
 - (4) Feed formulas containing urea or manure;
 - (5) Feed mammalian or poultry slaughter by-products to mammals or poultry; or
 - (6) Use feed, feed additives, and feed supplements in violation of the Federal Food, Drug, and Cosmetic Act.

PROPOSED ADDITION:

§ 205.237 Livestock feed

- (c) Ruminant livestock must graze pasture for the growing season but not less than 120 days per year. The grazed pasture must provide a significant portion of the total feed requirement but not less than 30% of the dry matter intake on an average daily basis during the growing season.**

CURRENT REGULATION:

§ 205.239 Livestock living conditions.

- (a) The producer of an organic livestock operation must establish and maintain livestock living conditions which accommodate the health and natural behavior of animals, including:
- (1) Access to the outdoors, shade, shelter, exercise areas, fresh air, and direct sunlight suitable to the species, its stage of production, the climate, and the environment;
 - (2) Access to pasture for ruminants;
- (b) The producer of an organic livestock operation may provide temporary confinement for an animal because of:
- (1) Inclement weather;
 - (2) The animal's stage of production;
 - (3) Conditions under which the health, safety, or well being of the animal could be jeopardized; or
 - (4) Risk to soil or water quality.

PROPOSED CHANGE:

§ 205.239

- (a) The producer of an organic livestock operation must establish and maintain livestock living conditions which accommodate the health and natural behavior of animals, including:
- (1) **Access to the outdoors, shade, shelter, exercise areas, fresh air, and direct sunlight suitable to the species, its stage of ~~production~~ life, the climate, and the environment;**
 - (2) Access to pasture for ruminants;
- (b) The producer of an organic livestock operation may provide temporary confinement for an animal because of:
- (1) Inclement weather;
 - (2) **The animal's stage of ~~production~~ life; for ruminants this includes only:**
 - (i) birthing;**
 - (ii) dairy animals up to 6 months of age; or**
 - (iii) beef animals during a final finishing stage not to exceed 120 days.**
 - (3) Conditions under which the health, safety, or well being of the animal could be jeopardized; or
 - (4) Risk to soil or water quality