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April 8, 2011

Patricia Atkins  
National Organic Standards Board  
National Organic Program,  
USDA-AMS-NOP  
1400 Independence Ave., SW.,  
Room 2646 So., Ag Stop 0268  
Washington, DC 20250-0268

Via [www.regulations.gov](http://www.regulations.gov)

RE: NOSB Livestock Committee Recommendation on Animal Handling, Transport and Slaughter

Oregon Tilth agrees that humane and respectful treatment of animals is a basic principle of organic production. As with the animal welfare proposal, we support the intention, however, we are concerned with the clarity and ability for certification agencies to enforce the proposal.

Oregon Tilth has notified our certified operations of the recommendation, however due to the quick deadline for comment submission many were unable to comment. Until further comment is received, we request that the proposal is not presented to the NOP for further rulemaking at this National Organic Standards Board Meeting, but is discussed and presented after further deliberation and input from all stakeholders.

### **Discussion**

The discussion sections contain many statements that do not appear as rule changes within the proposal. Including, what constitutes Fitness for Transport, and requirements for Slaughter Plant self audits. As a Proposed Recommendation the document should be in final draft form. It is unclear if the Livestock Committee is requesting further discussion on these items or if the items listed were already discussed and are not intended to be part of the final recommendation.

### **Slaughter Plant Audits**

The proposal includes under the “discussion section” requirements for slaughter plant self auditing on a weekly basis. From the perspective of a Certification Agency, the task of reviewing third party animal welfare audits and doing additional auditing as necessary is daunting. To successfully verify that the animal welfare standard already held by a

slaughter plant is equal to that of the proposed recommendation will require significant review by the agency.

Oregon Tilth also agrees with other commenter's who have stated that time and effort should be put into creating new additions to the National Organic Program only in areas that are not covered by existing regulations. In the discussion section of this document it was stated that Transporters and slaughter plants, which accept organic livestock, are already meeting the listed organic requirements. If this is so, it is unreasonable and redundant to require further oversight.

### **Certification of transporters**

With the addition of §205.241 language and the explanation in the discussion section all transport units will have to be certified organic and inspected to comply with the proposal. We request that the Livestock Committee review the comments made by Oregon Tilth on the limitations of 205.101(b). We assert that transport units do not meet the definition of "handling" which is,

**Handle.** To sell, process, or package agricultural products, *except such term shall not include the sale, transportation, or delivery of crops or livestock by the producer thereof to a handler.*

It was stated that the National Organic Program has accepted the NOSB's conclusion the language does not exclude handlers of organic unpackaged agricultural commodities from certification and that guidance would be forthcoming. At this time, no guidance has been issued regarding this subject. To maintain consistency it would be imperative that the determination is made on this topic before the Animal Handling and Transport recommendation is finalized.

Respectfully submitted,

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Oregon Tilth, Inc.

*Oregon Tilth, Inc. is a non-profit 501(c)(3) organization that supports and promotes biologically sound and socially equitable agriculture. Oregon Tilth offers educational events throughout the state of Oregon, and provides organic certification services to organic growers, processors, and handlers internationally. An NOP accredited certifier since 2002, Oregon Tilth currently certifies over 650 farms and ranches and over 600 handlers in more than 35 states affording us a broad perspective of current practices and challenges faced by organic producers and handlers.*