



260 SW Madison Ave. Ste 106 | Corvallis, OR 97333 | [www.tilth.org](http://www.tilth.org) | PH 503.378.0690 | FX 541.753.4924 | [organic@tilth.org](mailto:organic@tilth.org)

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Chief Standards Development and Review Branch  
National Organic Program  
Transportation and Marketing Programs  
USDA-AMS-TMP-NOP  
1400 Independence Avenue, SW  
Room 4008 South, Ag Stop 0268  
Washington, DC 20250

Re: Docket Number AMS-NOP-10-0021: Multiple Topic Comments  
Ferric Phosphate Relisting  
§205.601 and §205.602 Sunset Materials  
§205.603 and §205.604 Sunset Materials  
Livestock Health Care Definition  
Clarification for §205.238  
Livestock Stocking Density Charts

Oregon Tilth Certified Organic (OTCO) is a nonprofit research and education membership organization dedicated to 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, OTCO currently certifies 740 farms and ranches in over 35 states, affording us a broad perspective of current practices and challenges faced by organic producers, as well as the effect that the anticipated successes and challenges this discussion topic will have upon them.

**Ferric Phosphate:**

OTCO has reviewed the discussion document regarding the relisting of Ferric Phosphate (restricted as snail bait) to the National List. Oregon Tilth is supportive of the relisting of Ferric Phosphate to the National List for use as snail bait. It is our understanding that this product is very useful for producers and is not misused. Snails can be a particularly difficult pest to deal with, especially in wetter climates, therefore, multiple tools and management strategies are needed.

**§205.601, §205.602, §205.603, §205.604 Sunset**

OTCO has reviewed the Material Sunset proposal for Tetracycline and supports relisting the material.

OTCO also supports the relisting of all materials currently on §205.601 through §205.604, that are due to sunset in the next two years. From our experience, we



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understand these listed materials to be very valuable for Producers. The environment and outside influences constantly change in production agriculture. Sometimes making the best techniques or preventative practices not effective. Producer must have other tools to successfully weather these storms. We fee these materials are not misused and needed in the future of organic production.

**Definition: Livestock Health Care:**

Oregon Tilth has reviewed the recommendation to create a definition for livestock health care materials. Although the need for this definition is not clear, we do not see how it would negatively affect the industry or organic livestock production. If the committee chooses to move forward with this recommendation, we see no reason to object.

**Clarification §205.238:**

OTCO has reviewed the recommendation to add language to §205.238 to clarify the handling of milk from animals treated with prohibited substances. Oregon Tilth has been operating under this understanding for many years. Therefore the need for such language change is unclear. However, since Oregon Tilth has been enforcing to this clarification, we see no reason to protest the recommendation. If there is discrepancy in the industry or lack of clarity, then we support the committee and NOP in providing guidance or adjusting the regulation language.

**Livestock Stocking Density Charts:**

OTCO has reviewed the discussion material surrounding the stocking density charts. OTCO understands that many international regulations and certification bodies rely on stocking density charts for indoor and outdoor areas used in organic livestock production. It was OTCO's understanding that the equivalency agreements established with Canada and other international standards recognized current practices for NOP producers to be acceptable and similar. To verify this, the NOP requested that ACAs record stocking densities for all certified livestock production systems. It was further understood that these numbers would be eventually reported to the NOP for analysis and then to demonstrate to foreign counterparts the validity of the equivalency.

OTCO request that ACAs and certified organic livestock producers be given ample time-one to two years, to record such data and report the findings to the NOP before any action is taken to recommend specific stocking densities. Doing so is respecting work that is already underway. It also gives the industry a chance to demonstrate compliance and international acceptance without the cause for more regulation.

Thank you for the dedication and hard work you demonstrate by putting these actions and recommendations forward. Oregon Tilth looks forward to being involved in future discussions and process.