

July 6, 2016

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

**RE: National Organic Program; Organic Livestock and Poultry Practices, Docket No. AMS-NOP-15-0012; NOP-15-06PR**

The undersigned animal welfare and consumer protection organizations commend the National Organic Program (NOP) for proposing requirements for the welfare of animals raised under the Certified Organic label. The proposed rule will ensure a more uniform and transparent organic program, and we encourage the USDA to finalize the rule expeditiously.

For over 15 years, the lack of specific welfare requirements has resulted in great variability in the level of animal care provided by organic producers. Some producers raise animals on pasture with high welfare, while others raise animals in a manner similar to conventional, intensive agriculture, which is not aligned with consumer expectations.

The proposed rule provides a more consistent standard that will help reduce the variability within the market and set a higher bar for the treatment of animals. We applaud the NOP for requiring more stringent standards for organic animals. Specifically, we are pleased to see requirements for outdoor access, group housing of animals, and enrichments that will give animals the opportunity to live more natural lives.

Opposition to the proposed rule has suggested that birds should not be allowed outdoors for fear of contracting and transmitting Highly Pathogenic Avian Influenza (HPAI). However, we would like to emphasize that birds are not more susceptible to HPAI when provided outdoor access. In fact, the pattern of the 2014-2015 HPAI outbreaks supports the benefits of outdoor access for birds' health: as the Agriculture Marketing Service notes, the outbreak "was detected in 211 commercial flocks, which are primarily exclusively indoor operations." The former Chief Veterinary Officer of the United States, Dr. John Clifford, has even stated that the transmission of HPAI is not affected by whether the birds are indoors or out. Additionally, if there is concern for birds' health, the proposed rule already allows for indoor confinement of birds due to a disease occurrence in the region or migratory pathway.

While the undersigned encourage the NOP to finalize the rule, the following recommendations would increase both animal welfare and uniformity and bring the standards more in line with consumer expectations.

**The final rule should expressly require effective pain relief for dehorning and disbudding of livestock.**

There is overwhelming scientific evidence demonstrating that these practices cause pain and suffering, both immediately and for a period thereafter. The American Veterinary Medical Association (AVMA) and the World Organization for Animal Health recommend pain relief for dehorning procedures.

Additionally, third-party animal welfare certification programs require pain relief in most circumstances for these physical alterations, or in the case of dehorning, prohibit it all together. With this in mind, the

National Organic Standards Board (NOSB) recommended that effective pain relief be provided for dehorning and disbudding, and NOP should adhere to this standard.

**The final rule should expressly prohibit manual blunt force trauma as an accepted euthanasia method for piglets.**

Manual blunt force trauma, or “thumping,” as a euthanasia method for piglets is violent, cruel, and frequently ineffective. It is often incorrectly performed, is subject to high rates of human error, and rarely kills the piglets outright, who are then left to suffer and slowly die. The AVMA encourages those using manually applied blunt force trauma to the head as a euthanasia method to actively search for alternative approaches to ensure that criteria for euthanasia can be consistently met.<sup>1</sup> Furthermore, as of October 20, 2016, the Global Animal Partnership 5-Step Animal Welfare Rating Program (“GAP”) is prohibiting the use of blunt force trauma for producers certified at all Steps. A more reliable and less cruel alternative is now commercially available, in the form of a captive bolt. The NOP should therefore include a prohibition on blunt force trauma to ensure the swift and effective euthanasia of piglets in organic swine operations.

**The final rule should provide a minimum amount of indoor and outdoor space for pigs.**

The NOSB’s 2011 formal animal welfare recommendations state that mature pigs must be maintained on pasture with a minimum of 25 percent vegetative cover. When the NOSB recommended this, it anticipated that the NOP would elaborate on the provisions for pigs through guidance documents. In fact, the advisory board submitted a proposed guidance document to the NOP with specific minimum space requirements indoors and outdoors for pigs.<sup>2</sup> Without minimum space requirements overcrowding can occur, which may lead to increased aggressive behaviors and denuding of outdoor areas. Additionally, the NOP would not fulfill its purpose of creating a more uniform organic program, and will continue to allow for gross variation among pig producers without such space requirements.

**The final rule should increase outdoor space, soil, and vegetation requirements for birds.**

The current rule states that organic poultry operations must accommodate the health and natural behaviors of birds. According to the NOSB, in order for birds’ natural behaviors to be met they must have at least 50 percent vegetative cover outside. This creates opportunities for birds to engage in natural foraging behaviors and reduces soil erosion and nutrient run off. Additionally, in order to accommodate birds’ health and natural behaviors, both the soil coverage and the minimum outdoor space requirements should be increased, as they are not aligned with competing standards or consumer expectations.

**The final rule should require 8 hours of continuous darkness for all birds including meat chickens and turkeys (unless natural daylight exceeds 16 hours).**

Natural light and dark cycles are important for activity stimulation and the development of a circadian rhythm in chickens. Research shows that 7-10 hours of continuous darkness is ideal for bird welfare. Exposure to more natural intervals of light and dark reduces leg abnormalities and physiological stress; it

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<sup>1</sup> AVMA Guidelines for the Euthanasia of Animals: 2013 Edition (available at <https://www.avma.org/KB/Policies/Documents/euthanasia.pdf>).

<sup>2</sup> See NOSB Livestock Committee Proposed Regulatory Recommendation Animal Welfare and Stocking Rates, 11 (Oct. 14, 2011) (available at [https://www.organicconsumers.org/old\\_articles/documents/NOSBStockingRateRecommendation.pdf](https://www.organicconsumers.org/old_articles/documents/NOSBStockingRateRecommendation.pdf)) and NOSB Livestock Committee Proposed Guidance Recommendation Animal Welfare and Stocking Rates, 63-68 (Oct. 14, 2011) (available at <https://www.ams.usda.gov/sites/default/files/media/packetga.pdf>).

also improves eye conditions. Certification programs such as GAP and Certified Humane require 6-8 hours of continuous dark periods for birds.

**The final rule should expressly require perches for meat chickens and turkeys.**

Although the proposed rule requires that all birds be able to engage in natural behaviors, it is unclear whether its perching requirement applies to chickens and turkeys raised for meat in addition to layers. Research shows that meat birds, like layers, have both the desire and the ability to perch for much of their lives if the perches are appropriately designed and made available early in life. Perches have also been shown to provide other important welfare benefits such as decreased footpad lesions. The NOP should therefore clarify that at least some perches are required for chickens and turkeys raised for meat.

Thank you for the opportunity to comment on the proposed rule to strengthen animal welfare standards under the Certified Organic label. In order to create a more uniform standard that is both more closely aligned with consumer expectations and better for animals, the NOP should integrate the above recommendations and promptly finalize the rule.

Sincerely,



American Society for the Prevention of Cruelty to Animals



Animal Legal Defense Fund



Animal Welfare Institute



Compassion in World Farming



Compassion Over Killing



Farm Forward



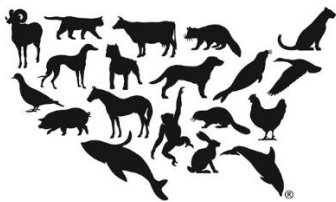
Farm Sanctuary



Food Animal Concerns Trust



Friends of the Earth



**THE HUMANE SOCIETY  
OF THE UNITED STATES**

The Humane Society of the United States



Green America



Massachusetts Society for the Prevention of Cruelty to Animals



Mercy For Animals



Organic Consumers Association