



Animal Welfare Institute

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October 12, 2010

Lisa Ahramjian, Executive Director
National Organic Standards Board
USDA—AMS—NOP
1400 Independence Avenue, SW, Room 2646—So.
Ag Stop 0268
Washington, DC 20250-3252

Re: AMS-NOP-10-0068; NOP-10-08; Meeting of the National Organic Standards Board

Dear Ms. Ahramjian:

I am writing on behalf of the Animal Welfare Institute (AWI) to offer comments on several animal welfare-related topics currently under discussion by the National Organic Standards Board's (NOSB) Livestock Committee. These topics include indoor and outdoor stocking densities and animal handling, transport and slaughter.

Since its founding in 1951, AWI has been alleviating suffering inflicted on animals by people. Major goals of the organization include abolishing factory farms and achieving humane slaughter and transport for all animals raised for food. In 2006 AWI launched a high-welfare food labeling program called Animal Welfare Approved (AWA). As part of this program AWA collaborates with scientists and farmers to set animal care standards. The program covers the full lives of the animals from birth through slaughter. At present some AWA-certified farmers also participate as certified producers under the National Organic Program (NOP).

Background

AWI strongly supports the Livestock Committee's stated intention to "move closer to the goal of providing stricter definitions for animal welfare in certified organic operations." Since the program's inception, animal protection organizations have called for more specificity in the NOP animal care standards. As noted in the Livestock Committee's *Animal Welfare Discussion Document*, imprecise language in the NOP regulations has created production practices "which could allow the welfare of some animals to be compromised." While AWI is not opposed to the issuance of guidance statements on particular issues, it is our strong preference that animal care standards be codified in regulation.

As you are no doubt aware, a March 2010 audit report by the USDA Office of Inspector General (OIG) cited as a problem inconsistency in the application of program requirements by NOP certifying agents.¹ One area mentioned in particular is the handling of the organic requirement that animals be given outdoor access. OIG noted that the regulations do not specifically state how long access should be provided or how much area should be accessible to the animals. Of the four certifying agents visited by OIG, one had developed space requirements for poultry while the other three did not. According to OIG, one poultry facility visited allowed only 300 square feet of outdoor access for approximately 15,000 chickens.

The Cornucopia Institute has also identified inconsistencies in the definition of organic for chicken and egg production by NOP certifying agencies. Cornucopia found that, while some certifiers define meaningful outdoor access for birds and even set specific space allowances, other agents approve any outdoor area “regardless of its size, the birds’ ability to reach this area or the birds’ ability to engage in natural behaviors.”² Some producers have become certified without providing any outdoor access whatsoever, and some have received certification for providing small enclosed wooden porches as “outdoor access.” Cornucopia notes that such deficiencies found among industrial-scale poultry operations have increased since the NOSB adopted recommended regulatory language to clarify organic standards for poultry in 2002 (recommendations not acted upon by USDA).

Such inconsistency in NOP enforcement provides an unfair market advantage to industrial producers attempting to profit from the public’s desire for food from animals they perceive as being humanely treated without providing substantial improvements over conventional industry animal care practices.

American consumers care about how farm animals are raised, and “organic” consumers likely care to a greater extent than non-organic consumers. One of the chief reasons shoppers choose to pay more for organic foods is because they believe animals raised under organic systems are treated better. When asked to identify their top three reasons for purchasing “natural” or “organic” meat, 38% of respondents to a poll conducted by the American Meat Institute and the Food Marketing Institute chose “better health and treatment of the animal.” Animal treatment was ranked third highest among nine meat selection criteria, above “freshness,” “better taste,” and “environmental impact.”³

A number of other recent public opinion surveys have documented the public’s interest in the treatment of farm animals, including the following:

- When consumers in a February 2010 survey by Demeter Communications were asked what they would like to know from farmers about food production that they didn’t already know, 68 percent said they wanted to know what farmers are doing to ensure animal care.⁴

¹ U.S. Department of Agriculture, Office of Inspector General, *Oversight of the National Organic Program*, Audit Report 01601—03—Hy, March 2010.

² The Cornucopia Institute, *Scrambled Eggs: Separating Factory Farm Egg Production from Authentic Organic Agriculture*, 2010.

³ Top 3 reasons for purchasing natural or organic meat, *Beyond the Farm Gate*, Whole Foods Market, Issue 4, June 2010.

⁴ *What “Indicator Consumers” Want to Know Most About How U.S. Foods Are Produced*, Demeter Communications, April 2010.

- Animal welfare was cited as an issue of concern by a majority of respondents to a survey on restaurant social responsibility conducted in 2007. In fact, animal welfare was the highest rated food issue, above “locally-sourced foods” and “offering of organic foods.”⁵
- Consumers responding to a 2007 Public Opinion Strategies survey ranked the “humanely raised” claim as the most important food label, over “organic” and “natural.”⁶
- Fifty-one percent of consumers responding to a 2010 Context Marketing survey said the claim “humanely raised” is very important or important in causing them to believe a food is ethically produced. Of the 29 food claims studied, “humanely raised” ranked fourth highest, above “produced in the USA,” “natural,” “organically produced” and “sustainably produced.”⁷

Stocking Densities

The stocking densities, as proposed in the September 9, 2010 *Animal Welfare Discussion Document*, are marginally acceptable to AWI. While the indoor and outdoor space allowances represent an improvement over conventional animal agriculture industry standards, they certainly cannot be considered high welfare, particularly in regards to growing pigs and poultry. The indoor and outdoor space allowances for ruminants and breeding pigs are good, but the requirements for growing pigs are inadequate. For example, under the proposed organic standard a growing pig up to 110 pounds is allotted 3 square feet of indoor bedded space and 1 square foot of outdoor pen space (for a total of 4 square feet), while the Animal Welfare Approved program recommends a total of 15 square feet of lying and loafing areas for pigs of the same weight who are excluded from range and foraging areas.⁸

In some cases the minimum space requirements may not allow for the performance of natural behaviors. For example, meat birds (“broilers”) and laying hens are provided only 1.0 and 1.5 square feet, respectively, of indoor space, but a mature chicken requires 291 inches – or about 2 square feet – to flap her wings without touching another bird.⁹ This is especially significant given the fact that a large number of organically raised meat chickens and egg-laying hens currently receive little or no outdoor access.¹⁰ If NOP intends to continue to allow poultry producers to confine birds indoors for the vast majority of their lives (which AWI opposes), then indoor space allowances must be increased. It is also noted that all bird species are allowed more outdoor than indoor space, with the exception of turkeys who are given only 1 square foot for every 7 pounds of weight, both indoors and outdoors.

⁵ *Market Brief: Tracking and Interpreting Chain Restaurant Trends*, Technomic Inc., July 2007.

⁶ *Frequently Asked Questions*, The Humane Touch (American Humane Association) website (<http://www.thehumanetouch.org/learn-more/faqs>).

⁷ *Ethical Food: A Research Report on the Ethical Claims that Matter Most to Food Shoppers and How Ethical Concerns Influence Food Purchases*, Context Marketing, March 2010.

⁸ *Animal Welfare Approved, Animal Welfare Approved Standards for Pigs*, 2010, section 8.1.

⁹ Dawkins MS & Hardie S. 1989. Space needs of laying hens. *British Poultry Science* 30:413-416.

¹⁰ See Cornucopia Institute’s *Scrambled Eggs* report, cited above.

AWI strongly supports the proposed recommendation that outdoor access be provided at the rate of 2 square feet per bird to allow for re-growth of vegetation. We view this as an absolute minimum requirement. In addition to providing for integrity of the environment, such a requirement will help ensure that outdoor runs and pens are comparable in size to the indoor area and thus provide every bird with the opportunity to access the outdoors, as promised by the current NOP regulations.

Handling

AWI appreciates the inclusion of general handling guidelines in the proposed NOP animal welfare standards. We recommend a few additional requirements for the catching of birds, as this is a very stressful procedure for the animals that can result in trauma and serious injury.

- Catching personnel must have completed training on humane methods of bird handling.
- Single leg catching of birds is prohibited.
- No more than 3 chickens shall be carried in one hand, and turkeys must be carried one at a time.
- In the event a bird suffers accidental injury or is discovered to be sick or injured during catching, the bird must receive appropriate treatment to minimize pain and suffering or be euthanized.

Transport

Unfortunately, the transport of farm animals receives little attention in the U.S. Although the federal Twenty-Eight Hour Law limits the transport of ruminants and pigs before a rest stop with feed and water must be provided, AWI has been unable to locate any evidence of the law being enforced by the USDA. In addition, no federal laws cover the conditions under which farm animals are transported, such as space allowances, temperature controls or prohibitions on the shipment of very young or otherwise unfit animals. AWI has estimated that of all animals transported interstate, nearly 50 percent travel more than 8 hours, and 11 percent are in transit for more than 28 hours.¹¹ While we acknowledge that organic animals likely travel shorter distances, on average, than non-organic animals, transport standards are nonetheless necessary to ensure animal well-being.

AWI supports the proposed limit of ten hours of transport before a rest stop is provided for mammals. For birds, however, the limit should be lower.

- For birds, the time between the start of loading at the farm and the completion of unloading of transport trays at the slaughter establishment must be less than 8 hours.

¹¹ Animal Welfare Institute, *Estimating the Number of Farm Animals Transported Long Distances in the U.S.*, March 2010 (unpublished).

The proposed standards state that “calves less than one week old should not be transported long distances.” We agree that young, unweaned animals have special needs and are far more susceptible to transport-related stresses than mature animals. Consequently, we recommend that the length of transport be clarified, and that limits be placed on the transport of young pigs and sheep as well as young calves.

- Pigs of less than 3 weeks of age, lambs of less than one week and calves of less than 10 days of age shall not be transported, unless the distance traveled is less than 50 miles.¹²

The proposed standards allow for “immobile” animals to be provided the opportunity to rest and recover before slaughter. Currently, the federal Meat Inspection Act requires that nonambulatory cattle (excluding calves) be euthanized upon arrival at a slaughter facility;¹³ however, the law does not cover other animals like pigs and sheep. AWI doubts that organic consumers approve of disabled animals (of any species) being slaughtered for food labeled as organic. Not only are these animals more likely to be afflicted with a disease that could be transmitted to humans, but their suffering can be immense. “Downed” animals are difficult to handle humanely, and they are typically subjected to multiple attempts by plant workers and USDA ante-mortem inspectors to get them on their feet. Since the number of nonambulatory organic pigs and sheep at slaughter is most likely very small, a prohibition on the slaughter of these animals would have a negligible economic impact.

- All animals unable to stand and walk upon arrival at a slaughter establishment, or who become nonambulatory while on the premises of a slaughterhouse, will be promptly and humanely euthanized.

Slaughter

AWI strongly supports the requirement that all mammals be rendered insensible before hoisting. AWI also commends the NOSB for proposing slaughter standards for avian species, which are currently not covered by the provisions of the Humane Methods of Slaughter Act. We appreciate NOSB’s acknowledgement that poultry would gain a welfare benefit from the development of gas stunning/killing systems and the recommendation that plants investigate this option when upgrading or renovating their establishments.

In addition to the proposed standards, AWI recommends that a limit on slaughter plant holding times be included for birds.

¹² Standard is consistent with the European Union regulation on transport. See Council Regulation (European Commission) No. 1/2005 of 22 December 2004, *The Protection of Animals During Transport and Related Operations* (Annex I, Chapter I, Fitness for Transport).

¹³ *Federal Register*, Vol. 74, 3/18/09, p. 11463.

- All birds should be slaughtered as soon as possible after arrival at the facility, and wait times shall not exceed 4 hours.¹⁴

Conclusion

AWI commends the NOSB's Livestock Committee for taking the initiative to improve NOP's animal welfare standards. While AWI is far from satisfied with the proposed recommendations, we understand that clarifying all relevant welfare issues will take time and believe that the discussion document is a good start.

We are aware that NOSB reviewed several existing sets of standards, including those of AWI's Animal Welfare Approved program, in drafting its recommendations. However, the various programs reviewed represent quite a broad range in terms of the quality of the standards. We view the concept of organic production as being consistent with the standards of the Animal Welfare Approved program, and as being above the baseline level of welfare set by the American Humane Certified and Certified Humane programs. Accordingly, we urge NOSB to increase the stocking densities for poultry and growing pigs and to adopt the other recommendations described above.

Thank you for considering our comments.

Sincerely,



Dena Jones, M.S.
Farm Animal Program Manager

¹⁴ The chicken industry limits holding time to 6 hours, on average (National Chicken Council, *Animal Welfare Guidelines and Audit Checklist for Broilers*, January 2010), while the Animal Welfare Approved standard is 2 hours (Animal Welfare Approved, *Animal Welfare Approved Standards for Laying Hens and Meat Chickens*, 2010, Section 14.1).