

April 7, 2015

Ms. Michelle Arsenault
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Avenue, SW
Room 2648-So., Ag Stop 0268
Washington, DC 20250-0268

Docket: AMS-NOP-15-0002

RE: Livestock Subcommittee – Methionine

Dear Ms. Arsenault:

Thank you very much for this opportunity to provide comment on the Livestock Subcommittee’s Proposal on Methionine.

The Organic Trade Association (OTA) is the membership-based business association for organic agriculture and products in North America. OTA is the leading voice for the organic trade in the United States, representing organic businesses across 50 states. Its members include growers, shippers, processors, certifiers, farmers’ associations, distributors, importers, exporters, consultants, retailers and others. OTA’s Board of Directors is democratically elected by its members. OTA’s mission is to promote and protect the growth of organic trade to benefit the environment, farmers, the public and the economy.

This proposed rule would modify the current annotation on methionine to express the **average** amount of 100% synthetic methionine allowed per ton of feed over the life of a flock rather than the **maximum** amount at any stage of the bird’s life. The rates per ton of feed remain the same as the step-down levels adopted by NOSB in 2010. If accepted, the proposal would permit the use of synthetic methionine at the following maximum **average** rate per ton of feed:

- Laying chickens—2 pounds
- Broiler chickens – 2.5 pounds
- Turkeys and all other poultry—3 pounds

In conjunction with the revised annotation, the proposal recommends the development of National Organic Program (NOP) Guidance for Accredited Certifying Agents and Industry on how to calculate and verify the use and allowance of synthetic methionine expressed as maximum average pounds per ton of 100% synthetic methionine in the diet over the life of the bird.

And finally, the subcommittee proposal includes a resolution that reads as follows:

The National Organic Standards Board is committed to the phase-out of synthetic methionine for organic poultry production, and encourages aggressive industry and independent research on natural alternative sources of methionine, breeding poultry that perform well on less methionine, and management practices for improved poultry animal welfare.

Consistent with our comments submitted in April 2012 on the Proposed Rule for continued allowance of methionine and our comments submitted to the NOSB Livestock Subcommittee in September 2012 and April 2014, OTA continues to support research and related efforts to obtain natural methionine alternatives for poultry. We also recognize the critical role adequate levels of synthetic methionine play in organic poultry welfare and production. Therefore, we support the Livestock Subcommittee's proposal (majority opinion) to adjust the allowance of synthetic methionine ***to the levels needed*** to meet the nutritional requirements of organic poultry at all stages of life.

We offer the following more detailed comments:

The allowed rates currently included in the NOP rule represent "step-down" levels recommended by NOSB in April 2010, codified in a final rule on September 19, 2012, and in effect as of October 2, 2012. NOSB recommended the step-down rates in order to balance various interests including: (i) providing the basic maintenance requirements of organic poultry; (ii) satisfying consumer preference to reduce the use of synthetic methionine in organic poultry production; and (iii) motivating the organic poultry industry to continue the pursuit of commercially sufficient sources of allowable natural sources of methionine.

However, in the attempt to balance interests, the 2010 NOSB recommendation included an allowance for synthetic methionine expressed as a **total maximum limit of pounds of methionine per ton of feed**, while the Methionine Task Force's July 2009 petition requested that methionine rates be expressed as an **average over the life of the bird**. The rates expressed as a **maximum limit** do not address methionine demands when laying chickens first start laying eggs.

To the best of our understanding, the methionine rates voted on by the majority of the Livestock Subcommittee are more appropriate because they express the maximum **average** pounds of methionine needed per ton of feed over the life of the bird, which will allow for feed rations to be adjusted according to the naturally changing demands of the bird. We expect a number of OTA poultry producer members to submit example feeding schedules in their own written comments, and we urge NOSB to consider this information when discussing the petition to change the annotation on synthetic methionine.

It's well documented that adequate methionine levels are necessary to meet the animal's needs for growth, reproduction, and health. Based on OTA member feedback, public testimony and written comments to NOSB, organic poultry operators are beginning to see animal welfare issues emerge as a result of the arbitrary "step-down" levels currently allowed. For example, organic poultry operators are beginning to observe an increase in feather pulling that leads to cannibalism and an increase in rates of the foot condition "bumblefoot." The increased protein in the diet to supplement methionine needs is also leading to an increase in litter moisture and higher ammonia levels.

Natural alternatives to methionine

Significant energy and resources have been spent over the past six plus years on finding viable alternatives to synthetic methionine. Several potential alternatives have been identified (see the Methionine Task Force Literature Review). However, none of them are commercially available, and considerable research is still needed to find out if they could be viable options. Identifying the most promising alternatives and pushing research and commercial trials in that direction are the best approaches. We also know that one "silver bullet" does not exist, and the most plausible recipe for

success will be a combination of natural alternatives in addition to pasture management.

Arbitrary Expiration Dates Do Not Accelerate Alternatives

The consumer preference for phasing out synthetic methionine is clear. However, successful phase-out of synthetic methionine must be based on timelines rooted in the availability of alternatives, and successful testing and adoption of these alternatives by the poultry industry. Based on comments from OTA members and organic producers nationwide, it does not appear that methionine alternatives are functionally available at this time, and we do not have a clear indication when alternatives that do show promise will be commercialized.

We have not seen arbitrary expiration dates that circumvent the OFPA-mandated Sunset review process succeed in accelerating development or implementation of alternatives. OTA firmly believes that the Sunset review process provides adequate pressure to find and develop alternatives, and that no additional expiration dates should be added to National List materials unless mandated by higher regulatory agencies (e.g., FDA or EPA), or suggested and agreed upon by the entire organic sector.

Adequate Enforcement

The minority opinion questions whether certifiers will be able to adequately enforce methionine use if an average approach is adopted by the board. Adequate enforcement of the standards is essential to the success of the organic industry and continued confidence in the organic label. This sentiment is shared by the entire Livestock Subcommittee, which calls for NOP to develop guidance for certifiers who would need to verify an average approach to the use of methionine.

OTA recognizes that assistance on how to calculate and verify the use of synthetic methionine expressed as maximum average pounds per ton of feed over the life of a bird may be necessary. Thus, we support the development of NOP Guidance for Accredited Certifying Agents and Industry. This approach should offer certifiers and industry sound and sensible guidance that will result in consistent data collection and calculation methodology that can be easily recorded and verified.

It is important to realize that producers wishing to utilize this allowance, as opposed to the feed mill supplying the rations, will shoulder the certification burden of verifying an “average.” For producers wishing to take advantage of a modified methionine feeding schedule, they will need to show to their certifier that the use of methionine met the maximum allowable limits through feeding records and specific mix sheets for each batch of feed. Feed mills who mix custom rations generally already provide this information to customers, and we do not anticipate seeing an increase of certification burden on operations who do not have the ability to purchase custom mixed feed or who do not wish to provide their flocks with varying rates of methionine over the lifetime of the flock. They will simply purchase feed rations that meet the current maximum allowances for methionine.

OTA would also like to point out that certifiers have been enforcing averages in ruminant animal rations since 2011 when the Pasture Rule went into effect. The Pasture Rule requires that 30% of a ruminant animal’s diet come from pasture over the course of the grazing season. Seasonal differences in pasture availability mean that animals’ practical pasture intake can vary widely from the beginning to end of a particular grazing season. As long as the animals’ **average** intake from pasture exceeds the 30% requirement, the operation remains in compliance. Certifiers and inspectors have developed systems for verifying this averaging requirement, and the practical aspects of enforcing this standard have not

presented an insurmountable challenge.

Verifying average rates of methionine in poultry rations has the potential to be more easily verified than pasture intake, as methionine inclusion rates will be included on mix-sheets for each particular ration. Additionally, feed audits at inspection require full disclosure of all feed provided to poultry. Thus, calculating averages over the lifespan of a flock can be determined with simple arithmetic. We do not believe that verification of an average approach to the use of methionine will be unrealistic for certifiers, and this approach should not deter NOSB from adopting the Livestock Subcommittee's recommendation.

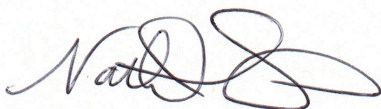
Conclusion

OTA strongly supports the subcommittee's resolution, and research and trial efforts to actively reduce the use of synthetic methionine. However, given the lack of commercially sufficient sources of allowable natural alternatives today, as well as the impact reduced methionine allowances are having on organic poultry welfare, we urge NOSB to accept the Livestock Subcommittee's proposal and adjust the allowance of synthetic methionine to an average rate that will support the health of the flock at all stages of life. We have not seen the addition of arbitrary expiration dates on National List substances hasten development of alternatives, and we do not support using an expiration date in the listing of methionine.

Lastly, while the enforcement of an average approach to methionine may require guidance from NOP to certifiers, we do not see this as an insurmountable issue, as certifiers have been enforcing averages in ruminant animals' pasture intake since the Pasture Rule went into effect. Moreover, certifiers are already conducting rigorous feed audits where average methionine inclusion rates can be fairly easily calculated.

Again, on behalf of our members across the supply chain and the country, OTA thanks the National Organic Standards Board for the opportunity to comment and for your commitment to furthering organic agriculture.

Respectfully submitted,



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CC: Laura Batcha
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