ORIGIN OF LIVESTOCK FINAL RULE

On April 5th 2022 the USDA National Organic Program published a final rule to amend the requirements for dairy animals eligible to produce organic milk and milk products. The final rule narrows the allowance for converting non-organic livestock to organic milk production and clarifies how breeder stock must be managed on organic farms.

OVERVIEW OF FINAL RULE

• Organic milk and milk products must be from animals that have been under continuous organic management from the last third of gestation. There is a one-time exception for operations to transition non-organic dairy animals to organic milk production by managing animals organically for 12-months. The transition must occur over a single 12-month period and all transitioning animals must end the transition at the same time.

• Once an operation uses its one-time transition opportunity, it cannot transition any additional non-organic animals and cannot source any animals transitioned by other operation. There are additional flexibilities for small businesses (less than $1 million in annual receipts) to request a “variance” (special allowance) to source transitioned animals from another operation in limited situations including bankruptcy, insolvency, or inter-generational transfer.

• Breeder stock must be managed organically from the last third of gestation of its offspring through the end of period that the breeder stock is nursing its offspring.

COMPLIANCE DATES

Until April 5th 2023:

✓ Operations may source transitioned animals (buy, sell, or otherwise transfer) up until April 5, 2023.

✓ Operations may complete any ongoing transitions already approved by a certifier, provided that the 12-month transition is completed by April 5, 2023.

✓ Operations cannot start a new transition that would not be completed by April 5, 2023.

Starting on April 5th 2023:

✓ Operations must be in full compliance with the final rule.

✓ Operations must not purchase or source any transitioned animals for organic milk production.

RESOURCES

• NOP Final Rule & infographic
• NOP website (NOP webinar on April 20th at 1pm ET)
• OTA website (OTA member briefing on April 20th at 3pm ET)
• OTA members can contact jmirenda@ota.com for support