

ORIGIN OF LIVESTOCK COMMENT TOOLKIT

On May 12, 2021, USDA reopened a third comment period for the proposed rule on Origin of Livestock that was originally published on April 28, 2015. Comments are due to USDA by **July 12, 2021**.

What information is USDA asking for during this comment period?

USDA is requesting additional comments on several policy questions. These topics have already been explored during the previous comment periods.

- Whether the rule should prohibit organic dairy operations from acquiring transitioned animals
- Whether the rule should use the term “operation” to describe the regulated entity
- Whether an implementation timeframe of the final rule is needed
- If there should be any additional exceptions to the one-time transition requirements

USDA is also requesting comments on an updated economic analysis using newer data since the original proposed rule in 2015. The analysis retains conclusions that continue to support and justify the rule.

- The benefits of clarifying the regulations will ensure a level playing field to all organic dairy producers, support consumer confidence, and strengthen the value of the organic label.
- No cost increases are expected for the majority of organic dairy farms that exclusively raise their own replacements. Producer cost increases are less than 2.5% only for certain limited scenarios.
- Consumer milk price increases are less than .08% (e.g. an extra 2 or 3 cents for a half gallon of organic milk) and are not likely to limit industry growth or noticeably affect demand.
- The availability of organic replacement animals is sufficient to maintain and/or grow existing dairies.
- Allowing one-time transitions for organic dairy operations maintains market stability while simultaneously preserving the value of the organic label.
- The long-term economic impact on producers of not implementing the proposal is greater than the economic impact of the rule due to the need for greater consistency in applying the origin of livestock standard across the organic dairy sector.

Check out [OTA’s Website on Origin of Livestock](#) for more background including an updated OOL Fact Sheet

Key Talking Points:

- ✓ I/We support the Origin of Livestock Proposed Rule to clarify and narrow the allowance for transitioning dairy animals to organic milk production, while still allowing for a one-time transition of a conventional herd.
- ✓ Inconsistent interpretation and enforcement of the current regulations is causing economic harm to organic farmers and threatens the integrity of the organic seal. Rulemaking is critical to bring consistent enforcement and a level playing field to all organic dairy producers.
- ✓ The USDA’s updated economic analysis continues to support and justify rulemaking. The benefits of bringing specificity, clarity, and uniformity to the regulations will support consumer confidence and strengthen the value of the organic label.
- ✓ USDA must immediately implement a final rule based on the original proposed rule issued in 2015. The organic industry, the National Organic Standards Board and Congress all agree that USDA must issue a final rule that reflects the policies contained in the original proposed rule that limit the allowance for transitioning dairy animals to organic milk production as a one-time event.

Our Asks:

- ➔ [Submit a comment directly to the Federal Register \(Docket AMS-NOP-11-0009\) by Monday July 12th at 11:59pm Eastern](#). Use our talking points if it is helpful, or copy from our comment templates below.
- ➔ Encourage others in your network to also submit comments.

Comment Template for Organic Dairy Farmers

I am an organic dairy farmer. *[Add a few sentences to describe your organic dairy farm.]*

I support the Origin of Livestock Proposed Rule to clarify and narrow the allowance for transitioning dairy animals to organic milk production, while still allowing for a one-time transition of a conventional herd.

Inconsistent enforcement of the regulations is causing economic harm to organic farmers. I am aware that some certifiers are interpreting the regulations differently, and are granting certification to dairies that continuously transition non-organic animals into an organic operation, and/or cycling dairy animals in and out of organic production. Farmers who are not adhering to the organic standards have lower costs of production, putting other organic dairy producers at an economic disadvantage. Rulemaking is critical to bring consistent enforcement and a level playing field to all organic dairy producers, ensure strong standards and protect organic integrity.

The USDA's updated economic analysis continues to support and justify rulemaking. The benefits of bringing specificity, clarity, and uniformity to the regulations will support consumer confidence and strengthen the value of the organic label.

The need to clarify this aspect of the organic regulations is long overdue. I ask that USDA immediately implement a final rule based on the original proposed rule issued in 2015. The organic industry, the National Organic Standards Board and Congress all agree that USDA must issue a final rule that reflects the policies contained in the original proposed rule issued in 2015 that limits the allowance for transitioning dairy animals to organic milk production as a one-time event. This rulemaking is critical to ensure strong and consistent standards and protect organic integrity.

Comment Template for All Other Stakeholders

I support the Origin of Livestock Proposed Rule to clarify and narrow the allowance for transitioning dairy animals to organic milk production, while still allowing for a one-time transition of a conventional herd.

Inconsistent interpretation and enforcement of the current regulations is causing economic harm to organic farmers and threatens the integrity of the organic seal. Rulemaking is critical to bring consistent enforcement and a level playing field to all organic dairy producers, ensure strong standards and protect organic integrity.

The USDA's updated economic analysis continues to support and justify rulemaking. The benefits of bringing specificity, clarity, and uniformity to the regulations will support consumer confidence and strengthen the value of the organic label.

USDA must immediately implement a final rule based on the original proposed rule issued in 2015. The organic industry, the National Organic Standards Board and Congress all agree that USDA must issue a final rule that reflects the policies contained in the original proposed rule that limit the allowance for transitioning dairy animals to organic milk production as a one-time event.