



April 4, 2018

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-17-0057**

**RE: Livestock Subcommittee (LS) – Clarifying “Emergency” for Use of Synthetic Parasiticides in Organic Livestock Production**

Dear Ms. Arsenault:

Thank you for this opportunity to provide comment on the Livestock Subcommittee’s proposal on clarifying “emergency” for use of synthetic parasiticides in organic livestock production.

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 over 9,500 organic businesses across 50 states. Our members include growers, shippers, processors, certifiers, farmers' associations, distributors, importers, exporters, consultants, retailers and others. OTA's mission is to promote and protect organic with a unifying voice that serves and engages its diverse members from farm to marketplace.

### **OTA Summary**

As we have previously commented, the Organic Trade Association supports further clarification on what conditions justify the use of parasiticides on organic farms. The importance and timeliness of this work are underscored by the recent proposed rule issued by USDA to revise the annotations for fenbendazole and moxidectin, remove ivermectin from the National List, and allow the use of synthetic parasiticides on fiber-bearing animals. It is essential that certifiers are consistently applying the current organic regulations, which expressly prohibit the routine use of synthetic parasiticides (7 CFR 205.238(c)(4)), and further guidance on this is needed. However, consistent with our previous comments, we believe that a rule change is not necessary, as routine use of parasiticides is already prohibited in the current regulations. The LS recommendation to the National Organic Program should focus on developing guidance clarifying “routine use of parasiticides” rather than developing a new definition and new practice standard.

### **Better Suited for Guidance**

The current organic regulations already include requirements for an organic dairy producer’s preventive health management plan to address parasites including selection of species and types of livestock for resistance to parasites and establishment of housing, pasture conditions, and sanitation practices that minimize occurrence of parasites. OTA believes that the additional language to 7 CFR 205.238(b) proposed by LS is redundant to the current regulations and too prescriptive to be included in the regulations themselves. Additionally, while we do not take exception to the proposed definition for

*Emergency (treatment for parasite control in breeding, dairy and fiber-bearing animals), we disagree that its inclusion in the organic standards is necessary to prevent the misuse of synthetic parasiticides. Since emergencies will have wide variability across regions and types of operations, identifying what constitutes an emergency on a given farm will also be variable. This variability and the fact that routine use of parasiticides is already prohibited in the current organic regulations lead us to believe that this topic is better suited for guidance recommendations rather than rulemaking.*

### **Clarifying “Routine Use”**

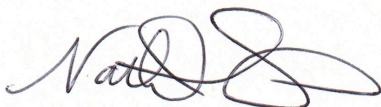
OTA, in our comments to LS for the Spring and Fall 2017 NOSB meetings, requested that LS not focus on clarifying or defining the term “emergency,” but rather focus on clarifying the current definition for “routine use of parasiticide.” We still see value in developing guidance on how and when Accredited Certifying Agents (ACAs) can consistently identify the “routine use of parasiticide,” so that corrective actions can be taken. Tying the justification for use of a synthetic parasiticide to actions taken by producers (i.e. routine use of parasiticides) rather than an occurrence (i.e. an emergency) better matches how organic system plans are reviewed and verified, and would give ACAs better ability to ensure that synthetic parasiticides are not misused. Records and inspections can be used to justify a conclusion that parasiticides were “routinely used” much more easily than they were used in the absence of a legitimate “emergency.” This clarification for “routine use of parasiticides” should include elements from the LS proposal like forage height, plant diversity, and specific monitoring techniques, and should be incorporated into a larger guidance document on appropriate use of synthetic parasiticides in dairy animals.

### **Conclusion**

OTA supports the ongoing work of LS to clarify “emergency” use of parasiticides, particularly in the wake of the proposed rule to amend annotations for fenbendazole and moxidectin, remove ivermectin from the National List, and allow use of synthetic parasiticides on fiber-bearing animals. However, OTA suggests that the specific descriptions of preventive practices outlined by LS in its proposal be included in a proposal for development of guidance that also addresses how ACAs can identify “routine use of parasiticide” on an organic livestock operation. Guidance that addresses both how producers can justify the “emergency” use of parasiticides as well as how ACAs can consistently identify “routine use of parasiticide” will ensure a level playing field for organic dairy producers, and ensure that reductions in milk withholding times proposed by NOSB will not result in a misuse of these materials.

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,



Nathaniel Lewis  
Farm Policy Director  
Organic Trade Association



cc: Laura Batcha  
Executive Director/CEO  
Organic Trade Association