October 1, 2020

Ms. Michelle Arsenault
National Organic Standards Board
USDA-AMS-NOP

Docket: AMS-NOP-20-0041

RE: Livestock Subcommittee – 2022 Sunset Reviews

Dear Ms. Arsenault:

Thank you for this opportunity to provide comment to the National Organic Standards Board (NOSB) on its 2022 Sunset Review.

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 thanks NOSB for carefully considering each livestock production material scheduled for review as part of the 2022 Sunset Review cycle. Materials placed on the National List for use in organic livestock production should remain on the National List if: 1) they are consistent with organic farming; 2) they are still necessary to the production of the agricultural product because of the unavailability of wholly natural substitute products in organic production; and 3) no new information has been submitted demonstrating adverse impacts on humans or the environment (OFPA SEC. 2118 [7 U.S.C. 6517] National List). Furthermore, decisions must be transparent, non-arbitrary, and based on the best current information and in the interest of the organic sector and public at large. It's critical that NOSB hear from certified farmers on whether these inputs are consistent with and necessary for organic production, or whether there are other effective natural or organic alternatives available.

About OTA Sunset Surveys
OTA is submitting results to our Sunset Surveys created for each input under review as part of the 2022 Sunset Review cycle. These electronic surveys include about 10 questions addressing the **necessity (crop and livestock)** or **essentiality (handling)** of each input. See Appendix A for a sample survey. Our surveys do not address information regarding the impacts on human health or the environment.

The surveys are open to any NOP certified organic operation. The names of the companies submitting the information are confidential (not disclosed to OTA). To ensure wide distribution of the surveys beyond OTA membership, OTA worked with Accredited Certifying Agencies (ACAs) to distribute the survey to all of their clients as well as to targeted clients they know are using the inputs under review. OTA also worked through its Farmers Advisory Council (ota.com/FAC) to help assist in distribution to NOP certified farmers.

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Results of OTA Sunset Surveys

OTA has received 9 responses on our 2022 Livestock Sunset Surveys (1 is new responses since the spring meeting). Below is a summary of the feedback received via OTA's Sunset Surveys to date.

§205.603 – Synthetic substances allowed for use in organic livestock production.

Substance	# of responses	Summary of responses	Average rating of Necessity (from 1 to 5, with 1 being "unnecessary" and 5 being "critical /would leave organic without it")
Butorphanol	1	The material is necessary because: - Used as pain relief for a dairy cow when prescribed by a vet. Alternative are not sufficient because: - (no response) If the material were prohibited: - Animal health would suffer - Fewer options for animal health care	4
Flunixin	3	The material is necessary because: - Used for inflammation, fever reduction and pain management in dairy cattle. - Prescription, non-steroidal - Used as needed when an animal is sick or injured - Strong enough for severe cases. - This is a very important tool in the toolbox for managing animal pain and comfort. Having this available for use is an animal welfare issue. It should be left on with the current restriction. - Pain management in calves & cattle and treatment for respiratory disease (before resorting to antibiotic treatment - Flunixin is an extremely important tool to us in providing pain management during painful procedures (dehorning) and during times of illness (respiratory, and other conditions where pain and inflammation are an issue ie. dystocia, severe metritis, pneumonia, severe scours in calves..) - On as needed basis other than dehorning where it is a vet recommended pain management tool during this process. Alternative are not sufficient because: - Alternatives are not as strong for use in more severe cases - Our operation uses aspirin in mild cases, but efficacy is questionable in cases and has to be given at higher frequency to gain any efficacy. - There is not any alternative to this product that would provide the same efficacy. If the material were prohibited: - Animal comfort and wellbeing will be greatly diminished if this is removed. - Negative economic impact if animals have to be sold because they have a curable illness or injury that requires stronger pain management	5

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		- I see this having major animal welfare implications for livestock producers if flunixin is removed as an approved substance. We currently are unable to use so many pain management substances because of being organic and at the same time are always getting pressure from our organic welfare certifying agency on this topic. We use flunixin as our primary source of pain management where aspirin in not sufficient. If this was not an option I could see us reaching a point of not being able to obtain welfare certification.	
Magnesium hydroxide	1	The material is necessary because: - Used as an antacid and laxative in dairy cow management. Alternative are not sufficient because: - (no response) If the material were prohibited: - Animal health would suffer	4
Poloxalene	2	The material is necessary because: - Relieves bloat in dairy animals. - It is needed because bloat is life-threatening and if left untreated, can quickly cause death. - It is used very rarely, only in emergency cases. Alternative are not sufficient because: - Sometimes plant oils can work but not always. Also, sometimes you find an animal beyond help from plant oils and the only quick remedy is Poloxalene. - There are management tactics to help prevent bloat. But even though you try to prevent, it can still occur despite your best efforts in some cases. This is an emergency-only treatment. If the material were prohibited: - Livestock wellbeing would be jeopardized - Unnecessary loss of livestock would be a high cost	4
Formic Acid	0		
Excipients	1	The material is necessary because: - Used as inactive ingredients formulated with allowed medical active ingredients for dairy cow management Alternative are not sufficient because: - (no response) If the material were prohibited: - Animal health would suffer	
EPA List 4 inerts	1	**Note: In addition to survey responses summarized here, please also see the separate comment submitted by the Organic Trade Association on this material.** The material is necessary because:	4

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		- Used as inactive ingredients formulated with allowed pesticide active ingredients for dairy cow management Alternative are not sufficient because: - (no response) If the material were prohibited: - Animal health would suffer	

§205.604 – Non-synthetic substances prohibited for use in organic livestock production.

Substance	# of responses	Summary of responses
Strychnine	0	

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

Respectfully submitted,

Johanna Mirenda
Farm Policy Director
Organic Trade Association

cc: Laura Batcha
Executive Director/CEO
Organic Trade Association

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Appendix A – Sample Survey for Crop and Livestock Inputs

1. Please describe the types of organic products produced or handled on your operation:

2. How many states are your products sold in? Are they exported to other countries?

3. How many years has your operation been certified organic?

4. Which organic products do you use the substance on/for? (e.g., lettuces, fruit trees, broiler chickens)

5. What function does the substance provide and why is it necessary? (e.g., to control a specific pest or disease, sanitation, etc.)

6. With what frequency does your operation use the substance? (e.g., seldom, as needed when a certain condition arises, routinely, etc.)

7. Have you tried using any *natural substances* as an alternative to the substance? (e.g., natural oils instead of synthetic pesticides) If so, please describe the availability and efficacy of the alternative substances:

8. Are there any other *management practices* that would eliminate the need for the substance? (e.g., hand weeding instead of using an herbicide; or using a particular harvesting practice to avoid a disease instead of using a fungicide). If so, please describe the efficacy of the alternative management practices:

9. Describe the effects to your operation if you were to no longer be allowed to use this substance in organic production:

- Agronomic effects (effects to health of crops or livestock):
- Environmental effects (effects to environment if the substance was no longer allowed; effects to environment from potential alternatives):
- Economic effects (effects to economic health of your operation):

10. On a scale from 1 to 5 stars, rate the overall necessity of this substance for your organic operation:

Unnecessary (don't need it at all)		Neutral (nice to have but could live without it)		Critical (would leave organic without it)
☆	☆	☆	☆	☆

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