Accredited Certifiers Association
PO Box 85 Mabel, MN 55954
(844) 783-7974
www.accreditedcertifiers.org

Best Practices for Consistent Implementation of Livestock and Poultry Regulations
May 2019

Summary
The USDA Organic Regulations related to livestock health care and livestock living conditions are given at 7 CFR § 205.238 - 205.239. In January of 2017, the National Organic Program published the Organic Livestock and Poultry Practices Rule, in order to bring clarity and consistency in interpretation of the regulations related to livestock and poultry care. Although it was widely supported, the Final Rule was delayed and subsequently withdrawn by the USDA. The organic certification community acknowledges that clarity and consistency are still needed. An ACA Working Group convened to develop Best Practices for consistent implementation of the organic regulations for livestock and poultry that are based on existing regulations.

After almost two decades of experience with the existing regulations, this ACA Working Group has identified areas and topics that could have been implemented more consistently within the current regulations. If it had been in place when the NOP was first implemented, the ACA Best Practices Initiative could have prevented the inconsistencies that resulted in the proposed OLPP. However, it is still possible for this ACA Best Practice document to provide a framework for improving consistent implementation of the existing livestock and poultry regulations.

The following Question & Answer table is organized according to sections of the current National Organic Standards found at 7 CFR § 205.238 - 205.239. In contains Q & A in the areas that were flagged by the Working Group as having potential for inconsistent interpretation or implementation.

ACA Best Practices describe actions certifiers should take to verify operator compliance, as well as producer activities that can easily be approved by certifiers. The ACA strives to ensure that all Best Practices are consistent with the Organic Foods Production Act (OFPA) and the USDA Organic Regulations. These Best Practices are not legally binding, but if a producer presents plans that fall outside of these Best Practices, then then the Organic System Plan (OSP) should provide a rationale for alternative methods and an explanation for how their system fulfills the applicable portion(s) of 7 CFR § 205.238 - 205.239 and related regulations. Certifers will evaluate whether the differences can be justified. Similarly, if certifiers take an approach that is different from what is presented here, they should be able to articulate how the differing approach is justified according to the OFPA and the USDA Organic Regulations.

§ 205.238 Livestock care practice standard	
205.238(a)(2)	*205.238(a)(2) Provision of a feed ration sufficient to meet nutritional requirements, including vitamins, minerals, protein and/or amino acids, fatty acids, energy sources, and fiber (ruminants);* **Question:** How are feed rations evaluated for sufficiency on organic farms? **Answer**: Sufficient feed rations are made up of components described in 205.238(a)(2) above and result in appropriate body condition for the animal. Numeric body condition scoring is not typically used by ACAs. Physical observations are relied upon in addition to dry matter demand, ration records, and pasture availability. Additional references: 205.237(d)(7) **Question:** Is forced molting or withdrawal of feed allowed to induce molting in poultry? **Answer:** Forced molting, which stresses the birds through activities such as feed withdrawal, altered lighting, and removal from outdoor access, is not in keeping with requirements for conditions that allow for reduction of stress. Additionally, some practices do not comply with outdoor access requirements and requirements to provide feed rations sufficient to meet nutritional requirements. However, some certifiers have allowed plans for induced molting through reduced protein in a ration that is still sufficient to meet the flock's nutritional needs and does not introduce additional environmental stressors. Additional references: 205.238(a)(2), 205.238(a)(4), 205.239(a)
205.238(a)(3)	*205.238(a)(3): Establishment of appropriate housing, pasture conditions, and sanitation practices to minimize the occurrence and spread of diseases and parasites;* **Question:** What action should certifiers take if lameness is observed on the farm? **Answer:** The cause of lameness should be assessed. Ongoing lameness resulting from inappropriate living conditions or other management factors may be cause for a notice of noncompliance. It may be appropriate to request producers to keep records of the percent of the

	herd or flock that is suffering from lameness and the causes. Additional references: 205.239(a)(1) **Question:** What is required for documentation regarding parasite prevention? **Answer:** Organic livestock operations must have comprehensive plans to minimize internal parasite problems in livestock. The plan will Include preventive measures such as pasture management, fecal monitoring, and emergency measures in the event of a parasite outbreak. Parasite control plans shall be approved by the certifying agent. If the OSP does not currently include a parasite prevention and management plan, certifiers should add it. It is Best Practice to collect the information in that format. Certifiers should collect information related to prevention and control of internal and external parasites, and OSPs should describe pasture management and monitoring strategies that minimize disease and parasites. The certifier should be made aware of emergencies that occur and must approve materials prior to use. Additional references: 205.238(a)(1), 205.240(b), 205.238(c)(4), 205.238(c)(5), 205.603(a)(17) **Question:** What are best practices related to appropriate sanitation measures in livestock housing? **Answer:** Housing, pens, runs, equipment, and utensils shall be properly cleaned and disinfected as needed to prevent cross-infection and build-up of disease-carrying organisms.
205.238(a)(4)	*205.238(a)(4): Provision of conditions which allow for exercise, freedom of movement, and reduction of stress appropriate to the species;* **Question:** How should surgical procedures be handled on the farm? **Answer:** All surgical procedures necessary to treat an illness shall be undertaken in a manner that employs best management practices in order to minimize pain, stress, and suffering, with the use of appropriate and allowed anesthetics, analgesics, and sedatives. Additional references: 205.238(a5), 205.238(c)(7)

205.238(a)(5)	*205.238(a)(5) Performance of physical alterations as needed to promote the animal's welfare and in a manner that minimizes pain and stress; and* **Question:** Can physical alterations also be performed for identification purposes or for safety purposes? **Answer:** Yes. **Question**: Do physical alterations have to happen by a certain age? **Answer:** Alterations should be performed at a reasonably young age and by a competent person. Decisions made by certifiers should take into consideration guidance from industry as well as the Animal Veterinary Medication Association and animal welfare and humane certification groups. Related information is summarized by the Animal Welfare Institute at: https://awionline.org/sites/default/files/uploads/documents/FA-AWI-standardscomparisontable-070816.pdf **Question:** What types of documentation are acceptable to show compliance with this rule? **Answer:** The Organic System Plan (OSP) should outline standard operating procedures. Actual alterations should be documented in health records on the farm. A receipt showing the date should be kept for beak trimming or other alterations performed by off-farm professionals. **Question:** What types of physical alterations are not allowed? **Answer:** The following practice may not be routinely used and must be used only with documentation that alternative methods to prevent harm failed: needle teeth clipping (more than top one-third of the tooth) in pigs and tail docking in pigs. The following practices are prohibited: de-beaking (removal of more than one third of the upper beak or removal of more than one third of both the upper and lower beaks of a bird), de-snooding (the removal of the turkey snood, which is the fleshy protuberance on the forehead of male turkeys), caponization (castration of chickens, turkeys, and other avian species), dubbing (the removal of poultry combs and wattles), toe clipping of chickens (removal of the nail and distal joint of the back two toes of a bird), toe clipping of turkeys unless with infrared at hatchery, beak trimming (removal of more than one quarter to one third of the upper beak or the removal of one quarter to one third of both the upper and lower beaks) after 10 days of age, tail docking of cattle, wattling of

	cattle (the surgical separation of two layers of the skin from the connective tissue for along a 2 to 4 inch path on the dewlap, neck, or shoulders used for ownership identification), face branding of cattle, tail docking of sheep shorter than the distal end of the caudal fold, and mulesing of sheep (removal of the skin from the buttocks of sheep). The definitions in this section were taken from the Terms Defined section of the Final Rule that was withdrawn. Additional references: 205.2
205.238 (a)(6)	*205.238(a)(6) Administration of vaccines and other veterinary biologics.* **Question:** What is meant by "veterinary biologics"? **Answer:** According to USDA-APHIS, "Veterinary biologics are vaccines, bacterins, diagnostics, etc. which are used to prevent, treat, or diagnose animal diseases." These products generally work through some immunological method or process. Vaccines are veterinary biologics, as are bacterins and toxoids. For more information, see https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/veterinary-biologics Additional references: 205.2
205.238(c)(1)	*205.238(c) The producer of an organic livestock operation must not: (1) Sell, label, or represent as organic any animal or edible product derived from any animal treated with antibiotics, any substance that contains a synthetic substance not allowed under §205.603, or any substance that contains a nonsynthetic substance prohibited in §205.604.* **Question**: What are the requirements for milk from animals undergoing treatment with synthetic substances allowed under 205.603 with a withholding period? **Answer:** This milk cannot be sold as organic during the withholding period but may be fed to organic calves on the same operation unless prohibited by the material's annotation.
205.238(c)(2)	205.238(c) *The producer of an organic livestock operation must not: (2) Administer any animal drug, other than vaccinations, in the absence of illness;*

	Question: Can synthetics on the National List be used when there is no apparent illness or pain and suffering? **Answer:** Yes, sometimes materials are used as a part of a preventive approach to livestock health management. For example, iodine materials are used for prevention of mastitis, or preventive treatments are used just after cattle freshen to prevent ailments. Additional references: 205.603; 205.238(a)(3); 205.238(b)
205.238(c)(3)	205.238(c) *The producer of an organic livestock operation must not: (3) Administer hormones for growth promotion;* **Question:** In what cases can hormones be used? **Answer:** Hormones are not to be used for growth promotion, production, or reproduction, except as provided in 205.603. Oxytocin may be used as medical treatment in post-parturition therapeutic applications, e.g., postpartum evacuation of uterine debris, postoperative contraction of the uterus following a cesarean section, and control of uterine hemorrhage. Oxytocin cannot be used for increased milk production. Additional references: 205.603(a)(16)
205.238(c)(6)	205.238(c) *The producer of an organic livestock operation must not: (6) Administer animal drugs in violation of the Federal Food, Drug, and Cosmetic Act; or* **Question:** Should certifiers actively monitor whether drugs are used in compliance with the Federal Food, Drug, and Cosmetic Act? **Answer:** The general assumption is that farmers are using drugs in the manner intended. Violations that show up as an issue, such as horse medication being used on cows, would need to be addressed by the certifier.

205.238(c)(7)	*205.238(c) The producer of an organic livestock operation must not: (7) Withhold medical treatment from a sick animal in an effort to preserve its organic status. All appropriate medications must be used to restore an animal to health when methods acceptable to organic production fail. Livestock treated with a prohibited substance must be clearly identified and shall not be sold, labeled, or represented as organically produced.* **Question:** Must treatment of sick and injured animals be recorded in animal health records? **Answer:** Yes Additional references: 205.103(a-c)
§ 205.239 Livestock Living Conditions	
205.239(a)(1)	*205.239(a)(1) Year-round access for all animals to the outdoors, shade, shelter, exercise areas, fresh air, clean water for drinking, and direct sunlight, suitable to the species, its stage of life, the climate, and the environment: Except, that, animals may be temporarily denied access to the outdoors in accordance with §§ 205.239(b) and (c). Yards, feeding pads, and feedlots may be used to provide ruminants with access to the outdoors during the non- grazing season and supplemental feeding during the grazing season. Yards, feeding pads, and feedlots shall be large enough to allow all ruminant livestock occupying the yard, feeding pad, or feedlot to feed simultaneously without crowding and without competition for food. Continuous total confinement of any animal indoors is prohibited. Continuous total confinement of ruminants in yards, feeding pads, and feedlots is prohibited.* **Question:** Can permanently open-sided barns count as outdoor access? **Answer:** If animals can freely exit and enter a structure, then they are considered to have outdoor access; otherwise not. Roofed structures that have open sides but don't allow an animal to exit may be allowed for temporary confinement, such as for protection of soil and water quality. Allowance is dependent upon local climate and time of year. Indoor confinement cannot be year-round. **Question:** Must outdoor space for poultry include soil? **Answer:** Yes, natural behavior for poultry includes access to soil. At least 50% of the outdoor access area must be soil. Maximal vegetative cover must be maintained as appropriate for the season, climate,

	geography, species of livestock, and stage of production. Vegetative cover is expected to vary. New operations need to be compliant immediately if land is eligible to be certified organic immediately or else after a three-year land transition. Existing certified operations will have a five-year implementation period to come into compliance. This includes operations expanding existing operations or adding new construction. Possible exceptions could be allowed for contracts underway based on previous policies where communication was documented. Five years after the publishing of this document, all poultry outdoor access areas should include access to soil. Additional References: 205.239(e) **Question:** What are the general requirements for avian living conditions? **Answer:** The producer of an organic poultry operation must establish and maintain year-round poultry living conditions that accommodate the health and natural behavior of poultry, including: year-round access to outdoors; shade; shelter; exercise areas; fresh air; direct sunlight; clean water for drinking; materials for dust bathing; and adequate outdoor space to escape aggressive behaviors suitable to the species, its stage of life, the climate, and environment. **Question:** What are best practices related to exit areas in poultry barns? **Answer:** In general, animals must know of the exit and have the ability to exit without significant obstacles. **Question**: Can pullet producers black out the windows in pullet barns or otherwise limit light access for pullets? **Answer:** Natural light is required. If natural light is limited, producers should explain and justify the limits and how they relate to well being of the birds.

	Question: In barns with more than one outdoor access area, does each outdoor space need to be sufficient to accommodate outdoor access space requirements for all birds in the flock? **Answer**: In cases where one section is *routinely* closed off, both sections must meet the metrics required for the whole flock. However, partitioning off parts of the outdoor area for reseeding activities can be permissible as a temporary confinement activity under 205.239(b)(4) *risk to soil or water quality*, since reseeding activities would prevent soil issues. **Question**: Are producers allowed to confine birds indoors for the purpose of outdoor area reseeding? **Answer**: Reseeding activities are permissible to maintain maximum vegetative cover as appropriate for the protection of soil and water quality. Birds may not be confined any longer than required to seed the area and allow for the vegetation to establish itself. Producers cannot routinely deny poultry access to areas for reseeding purposes unless another outdoor area exists that can provide the entire flock with the required outdoor access. OSPs should ask about circumstances under which the producer might confine the flock for reseeding purposes so that certifiers can evaluate plans in advance. With this, OSPs should also ask expected length of confinement in these circumstances and request a description of any alternative outdoor access areas. If reseeding is not necessary for preservation of soil and water quality but is still desired by the producer, reseeding should happen in a section-by-section fashion so that outdoor access is always enabled. **Question:** Can dried manure, in the absence of bedding, be counted as litter in poultry houses? **Answer:** No, litter must be provided; that is, it must consist of bedding and not just dried manure. Bedding must be provided on the entire floor (for solid floors or solid portions of floors). **Question:** How much space is required for scratching and dust bathing? **Answer:** Sufficient space for scratching and dust bathing, along with Sufficient litter are required, but there is no required percentage of solid floor space.

Question: Should certifiers require outdoor access for pullets?
Answer: If pullets are removed from the barn and relocated to a compliant laying facility by the time they are 16 weeks old, then outdoor access is not required at the pullet facility. However, if pullets remain at the pullet facility past 16 weeks of age, a compliant outdoor access area is required, except when confinement is otherwise allowed by the regulations. It is recognized that, while removal at 16 weeks is often standard, delays can occur based on factors beyond the pullet producer's control. For this reason, OSPs should ask about a contingency plan; this should trigger the grower to begin transitioning land for outdoor access immediately as applicable, rather than waiting to react to a circumstance that arises. If the producer experiences an unforeseen delay in pullet removal, it may be appropriate to issue a condition for continued certification. However, if the situation recurs, a Notice of Noncompliance may be appropriate, and land transition may be an appropriate resolution. Additionally, producers should be asked how birds given outdoor access at an older age will be trained or encouraged to go outside.

Question: What are suitable ways of promoting and encouraging outdoor access? How will plans for this be assessed by certifiers?
Answer: Plans may be assessed in terms of physical space provided, as well as factors such as introduction to the outdoors at a younger age, selection of breed/genetics, shade structures, and other outdoor incentives. Looking at improvements over time can also help with overall assessment.

Question: What are acceptable reasons for confinement of poultry?
Answer: Poultry may be confined during inclement weather, including when air temperatures are under 40 degrees F or above 90 degrees F. They may also be confined as appropriate to the animal's state of life: up to four weeks for broilers, up to 16 weeks for pullets, or for other bird species, until fully feathered. They may also be confined for conditions under which the health, safety, or well-being of the animal could be jeopardized, or if outdoor access presents a temporary risk to soil or water quality (including establishment of vegetation by reseeding). They may also be confined for preventive healthcare measures, treatment of illness, sorting and shipping, and nest box training (not to exceed five weeks). They may also be confined for 4-H,

	FFA, or other youth projects, provided organic management is maintained in the other location. **Question**: What are good guidelines related to vegetation in outdoor access areas? **Answer**: The withdrawn Final Rule's preamble language indicates that outdoor access areas "must be maintained in a manner that maintains or improves natural resources, including soil and water quality." Certifiers should look at whether the state of vegetation in the outdoor access area negatively affects soil and water quality in the surrounding ecosystem. Vegetation should not act as harborage for pests. An example of an outdoor access area that clearly does not comply with the rule: A denuded outdoor access area that is up the hill just 200 feet from a stream. Additional references: 205.200, 205.206 **Question**: What are best practices related to care for organic livestock during transportation? **Answer**: The organic regulations do not specifically discuss transportation of livestock. However, they do make it clear that animals must have suitable living conditions at all times, and this includes periods of transportation. Adequate and season-appropriate ventilation is required for all livestock trailers, shipping containers, and any other mode of transportation used to protect animals against cold and heat stresses. Bedding must be provided on trailer floors and in holding pens as needed to keep livestock clean, dry, and comfortable during transport and prior to slaughter. Bedding is not required in poultry crates. When roughages are used for bedding, they must be certified organic. Additional references: 205.239(a)(3), 205.239(a)(4)(ii) **Question**: Do livestock need access to feed and water during transport? **Answer**: Feed and water should be made available as needed, especially for trips likely to exceed 12 hours. Certifiers typically only need to inquire about this if a red flag is identified. Additional references: 205.238(a)(2), 205.239(1), 205.103(b)(1-2)

205.239(a)(4)(i)	*205.239(a) The producer of an organic livestock operation must establish and maintain year-round livestock living conditions which accommodate the health and natural behavior of animals, including: (4) Shelter designed to allow for: (i) Natural maintenance, comfort behaviors, and opportunity to exercise;* **Question:** What is meant by natural maintenance, comfort behaviors and opportunity to exercise? **Answer:** For all animals, sufficient space and freedom to lie down comfortably, turn around as reasonable, move around, fully stretch without being confined, and express normal patterns of behavior. In most cases, large animals will be outside daily, but in circumstances where that is not possible, animals need to be able to move about enough to express typical behavior. If animals are in stalls, the expectation is that animals be outside of stalls daily, as appropriate for the species. Stalls and pens need to be of sufficient size and with appropriate bedding for animal comfort, and in free stall or loose housing, there should be enough stalls or bedding areas for the herd. Animals should be kept reasonably clean, dry, and free of lesions. Additional references: 205.239(a)(4)(ii-iii), 205.239(a)(3) **Question:** Are there any specific requirements for dairy young stock housing? **Answer:** Dairy young stock may be housed in individual pens until completion of the weaning process but no later than 6 months of age, provided that they have enough room to turn around, lie down, stretch out when lying down, get up, rest, and groom themselves; individual animal pens shall be designed and located so that each animal can see, smell, and hear other calves. Additional references: 205.239(c)(2) **Question:** Do calves need access to natural light when tethered or otherwise individually housed? **Answer:** Yes. While direct sunlight is preferred, natural light is part of the living conditions that accommodate the health and natural behavior of the animal. Inspectors should make observations in this area and report situations where individually housed calves do not have access to natural light. Additional references: 205.239(a)(1)

	Question: What is acceptable housing for swine? **Answer:** Swine must be housed in a group, except: Sows may be housed individually at farrowing and during the suckling period; Boars; and Swine with documented instance of aggression or recovery from an illness. Piglets shall not be kept on flat decks or in piglet cages. Rooting materials must be provided, except during the farrowing and suckling period. **Question:** When must rooting materials be provided to swine? **Answer:** Except during the farrowing and suckling period, rooting materials must be provided, even during times of temporary confinement. When the animals are indoors or outdoors, rooting materials must be provided. **Question:** What can be considered sufficient rooting materials for swine? **Answer:** Appropriate rooting materials include things like hay, a deep bedded pack, sawdust, wood shavings, etc. Heavy objects, such as a bowling ball, would not count as rooting material. Additional reference: 205.239(b)(2-3), 205.239(a)(4)(iii) **Question:** What documentation is needed to show compliance with this regulation? **Answer:** Standard operating procedures should be described in the OSP, and records should be viewable at the inspection. Events of individual housing do not need to be approved by the certifier in advance. **Question:** What are examples of acceptable livestock housing in organic systems? **Answer:** In confined housing with stalls for mammalian livestock, enough stalls must be present to provide for the natural behaviors of the animals. A cage must not be called a stall. For group-housed cattle, bedded packs, compost packs, tie-stalls, free-stalls, and stanchion barns are all acceptable examples of acceptable housing as part of an overall organic system plan. **Question:** Can animals be kept in cages if use is restricted to less than a 24-hour period? **Answer:** There may be cases where this is appropriate. For example,

pigs might be contained in a cage style enclosure during active birthing (not gestation or suckling), and this is acceptable as long as it doesn't last for longer than 24 hours.

Question: How much space do poultry need? What is appropriate indoor stocking density?
Answer: Poultry housing must be sufficiently spacious to allow all birds to move freely, stretch their wings, stand normally, and engage in natural behaviors. The following guidelines are consistent with the withdrawn Organic Livestock and Poultry Production Final Rule. They assume the average weight of a production hen is 4.5 pounds, the average weight of a 16-week old Isa Brown pullet is 3 pounds, and the average weight of a full-grown broiler is 5 pounds.

For layers (Gallus gallus), the following mimimums should be used:

- Mobile housing: 1 sq. ft. per bird
- Aviary housing: 1 sq. ft. per bird
- Slatted/mesh floor housing: 1.2 sq. ft. per bird
- Floor litter housing: 1.5 sq. ft. per bird
- Other housing: 2 sq. ft. per bird

For pullets and broilers (Gallus gallus), the following minimums should be used:

- Pullets: 1 sq. ft. per 3-pound bird. However, if pullets are only kept for 8 weeks before being subdivided into separate housing units, then calculations would be performed using maximum live weight at 8 weeks of age. An equivalent maximum of 3 pounds per square foot would apply for 8-week old birds.
- Broilers: 1 sq. ft. per bird

Clarification: Perching space cannot be added to floor space for purposes of total floor space calculation. Nest boxes cannot be included in floor space calculations; however, flat platforms may be included as floor space if available to the birds.

Certifiers should establish baseline guidelines such as these. If producers do not meet the minimum requirements, then their OSP should provide a rationale for alternative methods and an explanation for how their system fulfills 205.239(a)(1).

Additional reference: 205.239(a)(1)

Question: How are enclosed porches and lean-to type structures calculated into indoor space in poultry houses?
Answer: These areas can be counted as indoor space if they are not already counted as outdoor space and as long as the birds have constant access to them while indoors.

Question: How do you know if indoor stocking density is appropriate when the birds are still growing?
Answer: Indoor stocking density refers to available indoor flat area in the poultry house. Calculations should be performed with consideration to the maximum live weight of the birds while they are in the house. In other words, if pullets are in the house for 16 weeks, then calculations take into consideration the weight of 16-week old birds. However, if pullets are only kept in the house for 8 weeks before being subdivided into separate housing units, then calculations would be performed using maximum live weight at 8 weeks of age, rather than 16 weeks.

Question: Can growers over stock poultry barns in anticipation of death loss?
Answer: Yes, but there is some risk involved. It may be necessary to thin the flock periodically if death loss is lower than anticipated, and a mechanism for this should be outlined in the OSP.

Question: Should certifiers require testing of ammonia levels in poultry houses?
Answer: If the inspector notes wet bedding or odor, a correction plan should be required. OSPs should address air quality. Producers might be required to conduct monthly monitoring if issues are noted.

Additional references: 239(a)(4)(ii), 239(a)(1), 205.238(a)(4)

Question: Are there restrictions on lighting in poultry houses?
Answer: There is no hard and fast limit on the number of hours artificial light can be used, though an OSP question on this subject will inform the overall picture if health and wellness of the birds are in question. Natural light should be sufficient indoors on sunny days so that one can read and write with the lights turned off inside the

	poultry house. Additional references: 238(a)(4); 239(a)(1) **Question:** How much perch space is required per bird? **Answer:** While six inches per bird is good guidance, it is probably not enforceable by the regulations. Housing setups must enable perching for all birds, but it is typically not necessary to measure or calculate perch space per bird. **Question:** What are appropriate outdoor stocking rates for poultry? **Answer:** The following guidelines are consistent with the withdrawn Organic Livestock and Poultry Production Final Rule. They assume the average weight of a production hen is 4.5 pounds, the average weight of a 16-week old Isa Brown pullet is 3 pounds, and the average weight of a full-grown broiler is 5 pounds. The following minimums should be used: • For layers (Gallus gallus), 2 sq. ft. per bird. • For pullets (Gallus gallus), 1 sq. ft. foot per 3-pound bird. However, if pullets are only kept for 8 weeks before being subdivided into separate housing units, then calculations would be performed using maximum live weight at 8 weeks of age. An equivalent maximum of 3 pounds per square foot would apply for 8-week old birds. • For broilers (Gallus gallus), 1 sq. ft. per bird. Certifiers should establish baseline guidelines such as these. If producers do not meet the minimum requirements, then their OSP should provide a rationale for alternative methods and an explanation for how their system fulfills 205.239(a)(1).
205.239(a)(4)(iii)	*205.239(a) The producer of an organic livestock operation must establish and maintain year-round livestock living conditions which accommodate the health and natural behavior of animals, including: (4) Shelter designed to allow for: (iii) Reduction of potential for livestock injury;* **Question:** Do euthanasia methods fall under the purview of the organic regulations? **Answer:** If culling or mortality records, or observations related to

	euthanasia or culling, indicate inadequate living conditions contributing to injury, illness, or mortality, further information should be requested so that living conditions can be assessed for compliance. However, the topic of euthanasia itself is ambiguous since animals subject to euthanasia might be perceived as having been effectively removed from the organic herd, and the organic regulations do not address euthanasia methods directly. However, the American Veterinary Medical Association offers species specific guidance, which can be found at: https://www.avma.org/KB/Policies/Documents/euthanasia.pdf Notes: The section of the withdrawn Final Rule, which would have been found at 205.238(e)(1 - 3) dealt with requirements related to euthanasia. This was one section of the OLPP that the ACA working group did not find justifiable according to the existing regulations. Additional references: 205.103, 205.238(a)(3) **Question:** What is the certifier's responsibility regarding compliance with the Poultry Products Inspection Act (PPIA)? **Answer:** Certifiers should understand which types of operations are subject to PPIA requirements and who is exempt. In cases where noncompliances that have been issued, or where other red flags are noted, certifiers or inspectors may request copies of Inspection Reports or other applicable documentation demonstrating compliance. Cases of inhumane animal handling or slaughter by certified organic slaughter facilities should be reported to the applicable authorities. Operations performing certified organic slaughter of poultry, if not covered by PPIA, must carry out slaughter activities so that lame birds are not shackled, hung, or carried by the legs; poultry are stunned prior to exsanguination; and poultry are irreversibly insensible prior to being placed in a scalding tank.
205.239(b)(6)	*205.239(b)(6) Sorting or shipping animals and livestock sales: Provided, that, the animals shall be maintained under continuous organic management, including organic feed, throughout the extent of their allowed confinement;* **Question:** Do auction barns need to be certified organic in order for animals sold through them to retain their organic status? **Answer:** Auction facilities *that handle* organic livestock must be certified. Handling by the facility happens when the farmer drops off

	the animal and does not stay and maintain OSP management. **Question:** How is organic management maintained throughout consolidation during or prior to transportation, or during off-loading processes? See also NOP 5031 for additional guidance on handling livestock. **Answer:** These are handling activities. Housing would need to be verified as compliant and should be covered on the OSP of whomever is responsible for management, even if no food or bedding are provided. Traceability of livestock must be maintained from the farm to the designated facility, and at all places in between. See ACA Best Practices for Verifying Traceability in the Supply Chain for approved animal identification methods.
205.239(b)(7)	*205.239(b)(7) Breeding: Except, that, bred animals shall not be denied access to the outdoors and, once bred, ruminants shall not be denied access to pasture during the grazing season;* **Question:** Can producers confine animals for heat detection or to confirm pregnancy? **Answer:** No, confinement is not allowed for either of these purposes.
205.239(b)(8)	*205.239(b)(8) 4-H, Future Farmers of America and other youth projects, for no more than one week prior to a fair or other demonstration, through the event and up to 24 hours after the animals have arrived home at the conclusion of the event. These animals must have been maintained under continuous organic management, including organic feed, during the extent of their allowed confinement for the event.* **Question:** Can animals maintained off site as a part of a 4-H or other youth project retain their organic status? **Answer:** Yes, organic sales can still occur as long as the kids manage the animals according to the approved OSP in all respects other than location.
205.239(c)	*205.239(c) The producer of an organic livestock operation may, in addition to the times permitted under §205.239(b), temporarily deny a ruminant animal pasture or outdoor access under the following conditions:* **Question:** How do producers document compliance related to

	confinement from outdoor access, and how is it verified by inspectors? **Answer:** Standard Operating Procedures for confinement should be outlined in the OSP, with records verified at inspection as appropriate. Inspectors should also look for physical indicators of outdoor access.
205.239(d)	*205.239(d) Ruminant slaughter stock, typically grain finished, shall be maintained on pasture for each day that the finishing period corresponds with the grazing season for the geographical location: Except, that, yards, feeding pads, or feedlots may be used to provide finish feeding rations. During the finishing period, ruminant slaughter stock shall be exempt from the minimum 30 percent DMI requirement from grazing. Yards, feeding pads, or feedlots used to provide finish feeding rations shall be large enough to allow all ruminant slaughter stock occupying the yard, feeding pad, or feed lot to feed simultaneously without crowding and without competition for food. The finishing period shall not exceed one-fifth (1⁄5) of the animal's total life or 120 days, whichever is shorter.* **Question:** Do all ruminants really have to be able to eat simultaneously? **Answer:** No. Members of each group must be able to eat simultaneously as appropriate to the producer's feeding system. The key is to ensure that within each feeding group, crowding and competition do not inhibit animals' ability to access feed.

Conclusion:
The ACA recommends all accredited certifiers adopt ACA Best Practices for the sake of consistent implementation of the USDA Organic Regulations. ACA Best Practices are reviewed periodically to ensure they are accurate and up to date. Concerns with this or any ACA Best Practice or guidance document should be submitted to the ACA Executive Director.

Resources
Federal Register Vol 82 No 12 – National Organic Program (NOP); Organic Livestock and Poultry Practices:
https://www.federalregister.gov/documents/2017/01/19/2017-00888/national-organic-program-nop-organic-livestock-and-poultry-practices

OLPP Iconographic from the National Organic Program:
https://www.flickr.com/photos/usdagov/32386847085/sizes/h/

Final Rule Questions and Answers from NOP:
https://www.ams.usda.gov/sites/default/files/media/OLPPExternalQA.pdf

Supplemental Document with Analysis: Regulatory Impact Analysis and Final Regulatory Flexibility Analysis
https://www.ams.usda.gov/sites/default/files/media/OLPPSupplementalDocAnalysis.pdf

OLPP Webinar Slides: Organic Livestock and Poultry Practices Final Rule
https://www.ams.usda.gov/sites/default/files/media/OLPPWebinarSlidesScript.pdf

AVMA Guidelines for the Euthanasia of Animals: 2013 Edition
https://www.avma.org/KB/Policies/Documents/euthanasia.pdf