

January 28, 2021

U.S. Department of Agriculture  
1400 Independence Ave., S.W.  
Washington, DC 20250

**RE: USDA National Organic Program – Origin of Livestock Rulemaking**

Dear Acting Secretary Shea:

As members of the organic community, we look forward to working closely with you to advance a food and agriculture system that benefits the health of people and the planet.

In that regard, we are writing today about an issue that is important for the future of organic dairy farmers, their families, and the integrity of the organic label. This issue is the need to clarify the regulation regarding Origin of Livestock ([7 CFR 205.236](#)), pertaining to the process of transitioning conventional dairy livestock to organic production.

The organic label is one of the most highly trusted labels for consumers. This is due to the strong Federal standards and enforcement behind the label. There are, however, some areas where the USDA's National Organic Program standards need to be strengthened to retain that consumer trust. Solidifying standards to ensure all organic farmers operate under the same rules is essential for the entire organic community. The economic viability of organic dairy farmers is dependent upon clarification of regulations to stop varied interpretations or loopholes regarding dairy livestock transitioning practices.

The problem has been that those organic dairy producers who have utilized the loophole to continuously transition conventional animals into organic production have gained an economic advantage and contributed to the oversupply of organic milk. This has contributed to a significant drop in the milk prices paid to organic dairy farmers, the majority of whom were held to a higher standard and stricter enforcement.

In 2015, during the Obama-Biden Administration, USDA published a proposed rule to close the loopholes related to 'Origin of Livestock' (80 FR 23455). Specifically, the proposed Rule would clarify that: "After completion of a one-time, 12-month transition period of an existing conventional dairy herd (or livestock to form new organic dairy operations), all new dairy animals milked on the organic dairy farm would need to be managed organically from the last third of gestation."

The 2015 proposed rule garnered strong, united support from the organic community and consumers, especially the provision that stopped conventional livestock from continuously entering the organic herd. Implementing the 2015 Proposed Rule would clarify the regulation so that all certifiers will

consistently enforce the same standards, with confidence that their decision would be upheld in any legal challenge. Unfortunately, the 2015 rule has never been finalized.

Organic dairy farmers understand the economic importance of maintaining the integrity of the organic label by finalizing the 'Origin of Livestock' (80 FR 23455). For 15 years, organic dairy farmers have advocated for an enforceable regulation applied equally to all certified producers. The organic community has provided comments two times on Proposed Rules from the National Organic Program (NOP) to stop the continuous transition and two-track system interpretation created by loopholes in the current regulation. USDA's unconscionable delay in issuing a Final Rule has resulted in economic damage, financial hardships, and closure of businesses for organic dairy farmers following the true intent of the organic standards.

Congress included a provision in the Fiscal Year 2020 Agriculture Appropriations bill requiring USDA to finalize the long-delayed rule by June 17, 2020. USDA missed that deadline. On October 21, 2020, the NOP announced plans to publish another Proposed Rule to address enforcement issues raised by USDA's Office of General, instead of moving directly to a final rule as required by Congress. NOP has failed to provide a timeframe for issuing the new regulations. Organic dairy farmers and the organic community more broadly are frustrated by the NOP's continued delay in finalizing this regulation.

**The undersigned organizations urge you to take the immediate actions necessary to finalize this important rulemaking, to establish a consistent and fully enforceable standard regarding the origin of dairy livestock used for organic production.**

Sincerely,

**National Organic Organizations (21):**

Alliance for Natural Health USA, USA, National  
Beyond Pesticides, USA, National  
Bioagricert (a FoodChain ID company), USA, National  
Family Farm Defenders, USA, National  
Food & Water Watch, USA, National  
Food Animal Concerns Trust (FACT), USA, National  
Friends of the Earth, USA, National  
Green America, USA, National  
National Center for Appropriate Technology, USA, National  
National Family Farm Coalition, USA, National  
National Farmers Organization, USA, National  
National Organic Coalition, USA, National  
Natural Resources Defense Council, USA, National  
Next7.org, USA, USA, National  
Organic Consumers Association, USA, National  
Organic Farmers Association, USA, National

Organic Farming Research Foundation, USA, National  
Organic Seed Alliance, USA, National  
Organic Eye, USA, National  
The Cornucopia Institute, USA, National  
Wild Farm Alliance, USA, National

**State & Local Organic Organizations (90):**

350 Sonoma, Regenerative Agriculture group, CA  
Albert Lea Seed, MN  
Arizona Natural Health Center, AZ  
Baystate Organic Certifiers, MA  
Bethlehem Farmers' Market, PA  
Bionutrient Food Association, MA  
Bucks Environmental Action, PA  
California Certified Organic Farmers, CA  
Carolina Farm Stewardship Association, NC  
CCOF, CA  
Central Indiana Organics, IN  
Centralas Wine LLC, CA  
Community Involved in Sustaining Agriculture (CISA), MA  
Compost Carpool, TX  
Cuatro Puertas, NM  
Ecological Farming Association, OR  
FairShare CSA Coalition, WI  
Farm2Table Co-op & Cafe', WI  
Good Earth Natural Foods, CA  
Govinda Goshala Cow Haven Inc, NY  
Green City Growers, MA  
Green Creations Landscape Services LLC, PA  
Green State Solutions, IA  
Hanover Co-op Food Stores of NH & VT, NH  
Honeybee Kitchen and Market, DE  
Hoosier Organic Marketing Education, IN  
iEat Green, LLC, NY  
Iowa Organic Association, IA  
Iroquois Valley Farmland REIT, IL  
Kanalani Ohana Farm, HI  
KOL Foods, MD  
Maine Dairy Industry Association, ME  
Maine Organic Farmers and Gardeners Association, ME  
Maine Organic Milk Producers, ME  
Maple Hill Creamery, NY

Michigan Organic Food and Farm Alliance, MI  
Midwest Organic & Sustainable Education Service (MOSES), WI  
Miskell's Conservation Land Consulting LLC, VT  
MOFGA Certification Services, ME  
Montana Organic Association (MOA), MT  
MOSA Certified Organic, WI  
Natural Grocers, CO  
Nature's Way Resources, TX  
North End Organic Nursery, ID  
Northeast Organic Dairy Producers Alliance (NODPA), MA  
Northeast Organic Farming Association of New Hampshire (NOFA-NH), NH  
Northeast Organic Farming Association of New York (NOFA-NY), NY  
Northeast Organic Farming Association of Vermont (NOFA-VT), VT  
Northeast Organic Farming Association-Interstate Council(NOFA-IC), MA  
Northern Plains Sustainable Agriculture Society (NPSAS), ND  
OCIA Research & Education, Inc., NE  
OFARM (Organic Farmers Agency for Relationship Marketing), MN  
Ohio Ecological Food and Farm Association, OH  
One Cert, Inc., NE  
Oregon Organic Coalition (OOC), OR  
Oregon Tilth, OR  
Organic Advocacy, CA  
Organic Association of Kentucky, KS  
Organic Seed Growers and Trade Association (OSGATA), ME  
Out There Coffee Co, OK  
Pacha, CA  
PCC Community Markets, WA  
Pennsylvania Certified Organic (PCO), PA  
Pikes Peak Farm to School, CO  
Pioneer Valley Performing Arts Charter Public School Sustainability Club, MA  
Primus Auditing Ops, CA  
Provender Alliance, OR  
Real Organic Project, VT  
Revolution Rickshaws. L.L.C., NY  
Rodale Institute, PA  
Rural Vermont, VT  
Save Our Soil, WV  
Sebastian's Restaurant Racine, WI  
Sebastopol Farmers Market, CA  
Slow Food North Shore, NY  
Slow Food Western Slope, CO  
Socially Responsible Agriculture Project, CO

Sonoma County Farm Bureau, CA  
Spring Sunrise Natural Foods, IA  
Straus Family Creamery, CA  
Syntax Land Design, LLC, MO  
Texas Organic Farm & Garden Association, TX  
The Brice Institute, PA  
The Garden of Giving, PA  
The Hemp Shield Company, OR  
The Land Connection, IL  
Upstate Niagara Cooperative, Inc., NY  
Valley Organic Growers Association, CO  
Virginia Association for Biological Farming, VA  
Western Organic Dairy Producers Alliance (WODPA), WA

**International Organic Organizations (7):**

BW GLOBAL, BC, Canada  
IFOAM North America, USA, Canada, Mexico  
International Organic Inspectors Association, Headquarters, USA  
Nature's Path Foods Inc., BC, Canada  
SULADS Canada Foundation, BC, Canada  
Extension Unit of Banat University, Romania  
Global Certification Society, Palampur, India

**Farms (249):**

Mountain Sun Farm, AL  
Green Goat of Misty Mountain Farm, AR  
Royal Berry Farm, AR  
Sanctuary Farm & Rest House, AR  
Alexandre Dairy, CA  
Alexandre Acres, CA  
Alexandre Family Farm, CA  
DeBernardi Dairy Inc, CA  
Full Belly Farm, CA  
Galaxy Farm, CA  
Handy Farms, CA  
Malibu Sangha, CA  
McGrath Family Farm, CA  
Birdsong Orchards, CA  
Cornerstone Farm, CA  
Creeside Farms Silveira Farms, CA  
For the People Seed Farm, CA  
Indian Springs Organic Farm, CA  
LaRocca Vineyards, CA  
Orchard Flats Farm, CA  
Puma Springs Vineyards, CA  
Rancho Roben, CA  
Somerset Gourmet Farm, CA  
Bucher Farms, CA  
Renati dairy, CA  
Trinity land & livestock Inc., CA & OR  
Irongate Ranch, CA.  
Natural Ag LLC, CO  
Nighthawk, CO  
Protect Your Assets LLC, CO  
Black Fox Farm, LLC, CO  
Sweet Ring Farm, CT  
Just Organic Inc, FL  
Community Meat Co., GA  
LS Adderson, Inc., GA  
W.C. Bradley Farms, Inc., GA

Maui Bees Inc, HI  
 New Dream organic farm llc, HI  
 Andrew Riniker Jr. Farm, IA  
 Andy Helmuth Farm, IA  
 Blueberry Bottom Farm, IA  
 David W Bangert Farm, IA  
 Maple View Dairy, IA  
 Prairie Star Farms, IA  
 Radiance Dairy, IA  
 Wells, Inc, IA  
 Bridgewater Farm, IA  
 Fantasy Farms, IA  
 Heritage Organic Acres, IA  
 Madison Hill Farm, IA  
 O'Lynch Dairy, IA  
 Okoboji Organics, IA  
 Patchwork Green Farm, IA  
 Randy Riediger, IA  
 Magic Valley Organic Dairy, ID  
 Turner Dairy Inc., ID  
 Deelstra Dairy, ID  
 Double Eagle Dairy, ID  
 Eagle View Dairy, ID  
 Frisian Farm, ID  
 Ken Backstrom, ID  
 Mills Farm & Cattle Co., ID  
 Ackerman Certified Organic Farm & More, IL  
 Adsit Farms, IL  
 Amanda Busse Dairy Farm, IL  
 Mint Creek Farm, IL  
 Gary E. McDonald/McDonald Farms, IL  
 Lily Lake Organic Farm, IL  
 Snow Rocky Road Dairy inc, IL  
 Ramsey Organic Farms, IN  
 Center Valley Organic Farm, IN  
 Sterling Ag., IN  
 Conway's Produce, KS  
 ReQua Family Farm, KS  
 Moon on the Meadow farm, KS  
 Mt. Folly Farm, LLC, KY  
 Rolling Fork Organic Farm Inc, KY  
 Keets Croft, MA  
 NaMac Farm, MA  
 Good Soil Farm LLC, MD  
 Rosebud Estates, MD  
 Silvercloud Farm LLC, MD  
 Abundant Grace Farms, MD  
 Milk and Honey Farm, MD  
 Chase Farm, ME  
 Forster Ricardo Farm, ME  
 Grace Pond Farm, ME  
 Midsummer Night's Meadow Farm, ME  
 Milkweed Farm, ME  
 Noon Family Sheep Farm, ME  
 Sheepscoot Valley Farm, ME  
 The Milkhouse, ME  
 Hatchet Cove Farm, ME  
 Reed Farm, ME  
 Wolfe's Neck Center, ME  
 Ford Farms, MI  
 Sherman Family Farm LLC, MI  
 Guza organic farm, MI  
 Nodding Thistle, MI  
 Plymouth Orchards, MI  
 Wingnut Farms, MI  
 Blue Skye Farms, MN  
 Ladwig Acres, MN  
 Mohs Dairy, MN  
 Robin & Karen Brekken Farm Partnership, MN  
 School House Place, MN  
 The Boreal Farm, MN  
 Valley Organic Farm, MN  
 Allen Berg Farm, MN  
 Askegaard Organic Farm, MN  
 Dean Walz Farm, Mn  
 Enchanted Meadows, MN  
 First Foods Farm & Seeds, MN  
 JPR Acres, LLC, MN  
 Pleasant Hill Farms, MO  
 Blue Heron Orchard, MO  
 Karbaumer Farm, MO  
 Wacha farms, MO  
 Quinn Farm & Ranch, MT  
 Craig & Lori Schmitt Farm, MT

Fox Hollow Farms, MT  
Crow Holler Produce, NC  
GODS Country, NC  
Green Life, LLC, NC  
Rose Mountain Farm, NC  
Ecological Insights, ND  
Michael Zegers, NE  
Chad Christianson, NE  
Mo-Day Farms, NE  
Rhea Brothers GP, NE  
Brookfield Farm, NH  
Brookvale Pines Farm, NH  
Hop N Hen Farm, NH  
Pedlar's End, NH  
Fertile Fields Farm, NH  
Comeback Farm, NJ  
Neshanic Pastures LLC, NJ  
Stephens Farm, NJ  
Still Hill Farm, NS/Canada  
Casey dairy farm, NY  
Cobblestone Valley Farm, NY  
Dewey Produce, Inc., NY  
Gianforte farm LLC, NY  
Minde Farm, NY  
Mr. & Mrs. John J. Saeli, NY  
Murphys Grass Farm, NY  
Myer Farm, NY  
Naturally Organic Realty, NY  
Road's End Farm, NY  
Rocky Top Acres LLC, NY  
Twin Ponds Farm, NY  
Biophilia Organic Farm, NY  
Breese Hollow Dairy, NY  
Be a Blessing Farm, NY  
Bundy Creek Farm LLC, NY  
Clearview Farm, NY  
Elderberry Pond Farm, NY  
Hodgins Harvest, NY  
Rosewalk Farms LLC, NY  
Solstice Hill Farm, NY  
The Hoppy Acre, NY  
Twin Oaks Dairy LLC, NY

White Feather Farm, NY  
Baker Fork Farm, OH  
Bezold Farms, OH  
Schmidt Family Farms, OH  
Straits Brothers Farms Inc., OH  
Turner Farm, OH  
Circle K Stables, OH  
Dahlinghaus Farms, OH  
Hi Dew Meadow Farm, OH  
Hidden Springs, OH  
Jordan Gingerich Farm, OH  
NEO HOPS, OH  
Pohl Dairy, OH  
Straits Brothers Farm Inc., OH  
Timberlane Organic Farms, OH  
Tom Cail Farm, OH  
Three Springs Farm, OK  
Farmer Gene's Bees, OR  
Hinsvark Farm, OR  
Redwing Farm, OR  
Wren Vineyard, OR  
High 5 Acres inc., OR  
Danish Dairy, LLC, OR  
Deschutes Canyon Garlic, OR  
Gentle Rain Farm, OR  
LaNa's Conscious Farm Inc., OR  
Medina dairy, OR  
Pacific Botanicals, OR  
Plum Thickets Farm, OR  
Spring Up Farm, OR  
Poland Organic Dairy, OR  
Earl Groff Farm, PA  
Brian Mizikar, PA  
Butt Ugly Farm, PA  
Hillside Farm, PA  
Lehigh Valley Organic Growers, Inc., PA  
Provident Farms, PA  
Quarry Hill farm, PA  
Lancaster Farm Fresh Cooperative, PA  
Regenerative Farm LLC, PA  
Snipes Farm and Education Center, PA  
Lady Moon Farms, PA-FL-GA

Blue Sky Sunny Day, SC  
Bill and Janine Fonder Family Organic Dairy, SD  
K&N Organic Farm, SD  
SLAP Farms, LLC, TN  
Floyd Farms, TX  
Stonefield Farm, TX  
Self Employed Millberg Farm, TX  
King Hill Farm, VA  
Oak Grove Meadows LLC, VA  
Flack Family Farm, VT  
Grateful Morning Dairy, LLC, VT  
The Corse Farm Dairy LLC, VT  
Riverstone Organic Farm, VT  
Buck Mountain Maple, VT  
Green Wind Farm LLC, VT  
Long Wind Farm, VT  
Vermont Compost Company, VT  
Downriver Orchard, WA  
Northstar Nurseries, Inc., WA  
Pure Eire Dairy, WA  
Uhlenkott Farm, WA  
Whitestone Mountain Orchard, WA  
Dykstra Farms, WA

Fayette Ranch, WA  
Mallonee Family Farm, LLC, WA  
Mensonides LLC, WA  
Olivers Northwest Produce, WA  
Osceola Jerseys LLC, WA  
Breezy Hills Farm of Baldwin, WI  
DeFere Family Farms LLC, WI  
Franklin Farm, WI  
Sweet Springs Farm, WI  
Wonderfarm, WI  
David Olson Farm, WI  
Homer Ridge Organic Dairy, WI  
Hughes Farms, WI  
Klefstad Natural Dairy, WI  
Mark and Kim Mueller Farm, WI  
Towlealen Farm, WI  
Weiterman Farm LLC, WI  
Whitefeather Organics LLC, WI  
Full Harvest Farm LLC, WI  
Belle Vue Dairy, WV  
Thistle Ridge Farm, WV  
Windspring Farms, Inc., WV

CC:

Deputy Under Secretary of Marketing and Regulatory Programs Mae Wu  
National Organic Standard Board