

**National Organic Standards Board
Livestock Committee
Proposed Regulatory Recommendation
Animal Welfare and Stocking Rates**

October 14, 2011

Introduction

Animal welfare is a basic principle of organic production. The Livestock Committee of the NOSB considers that a focus on animal welfare warrants appropriate and effective regulation. It is important to consider the social and ethical implications as well as scientific research with regard to animal welfare. This proposal involves the following sections:

Language changes to existing sections:

- **§ 205.2: Terms defined**
- **§ 205.238: Livestock health care practice standard**
- **§ 205.239: Livestock living conditions**

This proposal is intended to refine—not replace— previous NOSB Animal Welfare Recommendations. The combination of the 2009, 2010 and this recommendation aim to more clearly identify the parameters that define animal welfare on certified organic operations. As requested by the National Organic Program, it is our intention to create a comprehensive animal welfare program that benefits both livestock and farmers. Except for the specific sections whose proposed changes or additions are detailed in this recommendation, the November 2009 recommendation is still current.

Background

At the May 2009 NOSB meeting, the Livestock Committee presented a Discussion Document on Animal Health and Living Conditions. This document proposed that numerical scoring be used to assess body condition, lameness, coat/feather conditions and cleanliness. Please note that, as described in the discussion section, the Committee has begun and will continue to work on assessment measures that will be outlined in species-specific Guidance Documents for each species addressed in the livestock charts.

At the November 2009 NOSB meeting, the NOSB approved an Animal Welfare recommendation that proposed changes to **§205.238 Livestock health care practice standard** and **§205.239 Livestock living conditions** (including the separation into mammalian and avian sections) to give more detail to requirements to ensure animal welfare. This 2009 recommendation also noted the need for the establishment of indoor and outdoor space provision minimums.

At the fall 2010 NOSB meeting, the Livestock Committee presented Discussion Documents on Stocking Density and Handling, Transport and Slaughter, receiving public comment on both documents. This recommendation aims to refine the 2009 recommendation and consolidate it with the Livestock Committee's current recommendations on animal welfare and handling, transport and slaughter. In completing the current proposal, the Livestock Committee considered public comment and existing animal welfare standards, reviewed studies presented on animal welfare, and considered existing legislation from other countries and input from the Livestock Issues Working Group.

Relevant Areas in the Rule

The areas of the Rule currently addressing animal welfare include **205.2. Terms defined, §205.237 Livestock feed, §205.238 Livestock health care practice standard, §205.239 Livestock living conditions, and §205.240 Pasture practice standard.** This recommendation includes and builds upon changes recommended by the NOSB in November of 2009.

Discussion

The Livestock Committee has proposed a number of additions to **§ 205.2: Terms defined.** Several of these are physical alterations that are prohibited or allowed within limits. Soil, outdoor access, perches, and roosts are defined as they relate to **§ 205.238 (a) (5) Livestock Health Care Practice Standard.**

Market considerations. Increasingly, consumers are demanding that livestock be treated with respect. This market trend has led to several different product labels with animal welfare certification; this standard details specific quantitative requirements for animal stocking rates,. This recommendation intends to match the numbers currently used by the various animal welfare certification labels. Ultimately, the Livestock Committee would like the organic seal to continue to be the gold standard, indicating the most nutritious food produced in the safest and most respectful manner.

Physical alterations. A major concern when managing and working with livestock is the health and safety of animals and the people who come in contact with them. Alterations performed at the recommended age with appropriate equipment are beneficial and allowed. Dehorning may prevent serious injuries and fatalities. Castration allows males and females to be housed together with no worry of females being impregnated when they are too small or young. When teeth or hooves are injured or not wearing evenly or properly, filing or trimming is indicated. Beak trimming or toe trimming performed at the hatchery on the first day of life ensures best practices for poultry when deemed necessary.

The alterations defined are prohibited or allowed with specific limits.

Effective pain relief for dehorning or disbudding is readily available, inexpensive, and has been well-documented in University studies. Species specific guidance documents will address alterations and best practices. Pain relief for dairy and other species continues to be the subject of research since practical methods for on farm use are not yet available in many instances.

Ammonia levels in housing must be monitored as high levels may be damaging to eyes and lungs of livestock and human caretakers. Diet composition, manure management, and ventilation must be managed in a manner that maintains ammonia at a level that will not cause injury or discomfort.

Outdoor access. This is a basic tenet of organic production. Livestock must have access to fresh air and sunshine whenever possible. Exceptions may be necessary for environmental concerns or disease prevention. Concrete outdoor areas should be scraped daily or as necessary to prevent slurry accumulation. The area must be bedded if necessary to keep animals clean and dry. Housing with or without curtains does not count as outdoor access. Access to the soil should be provided when the land or pasture is dry enough that vegetation will not be destroyed if present and animals will not be in mud.

Dairy cattle housing. Tie-stalls are a traditional housing system used on family farms in many areas of the country. Larger farms may have free-stalls. Farms with bedded packs, compost packs, or no barn at all are less common. These different types of facilities all work well when managed properly. This is where outcome based standards are important to monitor the general health, cleanliness, and well-being of livestock.

Cattle require a clean dry place to lie down. There must be adequate space for all animals to lie down at the same time whether it is a pack area or a stall barn. In loose housing confinement there must be adequate space for all dairy cows to eat at the same time. If not, submissive animals tend to lose body condition and may need to be placed in a separate pen for feeding.

Bulls are commonly found on dairy farms and require special attention. For human safety reasons it is acceptable to maintain a bull in a pen or paddock separate from the milking herd. Bull calves should always be raised by their dam, or with a group of animals whether that is steers, older heifers, or dry cows so that they are less inclined to identify with humans.

Outcome-based standards. Scorecards and documents will be designed for each species to address hygiene, locomotion, body condition, lesions and injury, and anything else pertinent to a particular species. The Livestock Committee will continue to work on these documents with the organic community to develop a system that is reasonable, accurate, and enforceable. These guidance documents are intended to both provide producers with information on best management practices for proper animal care and to provide inspectors with assessment tools and the means to

consistently apply them. A farm plan approach with agreed upon corrective actions will be utilized to document improvement when problems are identified. The guidance documents will help the program, the certifiers, and producers to understand and meet the regulations. These documents will enhance the regulations and we recommend the NOP move forward with these completed recommendations for animal welfare.

Bison. Bison are not domesticated animals and therefore indoor bedded space would be an added stressor. Bison should not be confined indoors except for medical treatment.

Swine. During periods of temporary confinement provision of deep rooting materials such as straw is required to allow natural behaviors and prevent boredom. Outdoor space must allow all animals to lie down and apart from one another simultaneously.

Poultry. Poultry must be provided with the amount of space listed in the chart at the end of this document at minimum. Laying hens must be provided at least one and a half square feet inside the house as indicated in the Avian Minimum Space Requirements Chart at the end of this document. Poultry house areas with floors and solid roofs will count toward indoor space if birds have unlimited access to that space. A combination of perches and flat roosts must be in the house to encourage natural behaviors, strengthen bones via exercise, allow submissive birds to escape, reduce aggression and mortality rates. Perches allow for maximum use of vertical space within the house. Houses must provide both flat roost space and perches to allow all birds to get up off the floor at any given time. Exit areas should be large enough to allow more than one bird to go out at the same time.

Poultry outdoor areas must be managed in a manner that allows birds to perform natural behaviors which minimize stress and aggressive acts. It is the intent of the livestock committee that outdoor areas provide birds with access to the soil. A minimum of two square feet of outdoor space is required to protect the soil and to minimize parasite loads. Five or more feet of outdoor area would ensure that some vegetation would be available to birds during the growing season and producers are encouraged to provide a high quality outdoor area with vegetation that will be used and occupied by all birds listed in the chart. The farm plan should include detail as to how the time birds spend outdoors will be maximized. Producers who do not have two square feet per laying hen of certified land around houses may require transition time.

Pullets must be raised with perches or roosts and have outdoor access by 12 weeks of age. It is well documented that birds instinctively use when they are young. This practice should result in less stress and an easier transition to the layer house. Nest training may require a few weeks but shall be limited to no more than five. Broilers must have outdoor access by 4 weeks of age.

Recommendation

The language shown in the following pages is recommended for rulemaking.

§ 205.2 Terms defined.

Caponization. Castration of chickens, turkeys, pheasants, etc.

De-snooding. The removal of the turkey snood.

Toe clipping. The removal of the nail and distal joint of the back two toes of a male bird.

Dubbing. The removal of poultry combs and wattles.

Beak trimming. The removal of the curved tip of the beak.

De-beaking. Removal of more than the beak tip.

Cattle wattles. Created for ownership identification, wattles are made by surgically separating both layers of skin from the connective tissue for 2 to 4 inches on the dewlap, neck or shoulder.

Outdoor access. Animals have contact with soil when seasonally appropriate and the sky overhead and without a solid roof or walls. Fencing that does not block sunlight may be used as necessary.

Perches. A rod or branch type structure that serves as a roost and allows birds to utilize vertical space in the house.

Roost. A flat structure over a manure pit that allows birds to grip with their toes as they would on a perch.

Soil. The outermost layer of the earth comprised of minerals, water, air, and organic matter, fungi, and bacteria in which plants may grow roots.

Mulesing. Removal of skin from the buttocks of wool sheep, approximately 5 - 7cm wide and running half way from the anus to the hock to prevent flystrike.

§ 205.238 Livestock health care practice standard.

(a) The producer must establish, maintain and describe in the organic system plan practices or procedures designed to improve health care of the livestock

operation, including:

- (5) Performance of physical alterations as needed to promote the health, welfare or hygiene of animals; identify animals; or provide increased safety to farm personnel. Allowed physical alterations must be performed at the youngest possible age by trained persons in a manner that minimizes pain and stress and shall be recorded in individual (or flock) animal health records with dates, reason needed, and methods used. The following practices are prohibited:
 - (i) De-beaking, de-snooding, caponization, dubbing and toe trimming
 - (ii) Toe trimming turkeys unless performed with infra-red at the hatchery
 - (iii) Beak trimming unless performed with infrared at the hatchery
 - (iv) Tail docking of pigs and cattle.
 - (v) Wattling of cattle.
 - (vi) Face branding cattle.
 - (vii) Tail docking of sheep shorter than the distal end of the caudal fold.
 - (viii) Mulesing of sheep.
 - (ix) Routine tooth clipping of piglets.
- (6) Effective pain relief must be provided when dehorning or disbudding livestock.
- (7) Ammonia levels should be less than 10 ppm and must be less than 25 ppm indoors.
- (d) Organic livestock producers must provide their certifier with the following lists each year:
 - (2) All animals that have left the operation during the past year due to sale or mortality, and the reason for their departure

§ 205.239 Livestock living conditions. (Mammal section)

- (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:
 - (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).
 - (i) Livestock must be bedded or kept clean and dry per the hygiene outcome score when animals are temporarily denied access to the outdoors.

- (ii) 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, but shall be large enough to allow all ruminant livestock occupying these spaces to feed in a manner that maintains all animals in good body condition. (iii) Continuous total confinement of any animal indoors is prohibited.
- (4) Shelter designed to allow for:
- (iv) At least one feeding space per animal in loose housing.
- (5) During the non-grazing season or during times of temporary confinement, the following will be provided.
- (i) In confined housing (free stalls, tie-stalls, etc.) at least one stall must be provided for each animal in the facility at any given time, except that:
 - (A) The confinement of animals in cages is not permitted under any circumstance.
- (6) Deep bedded straw or rooting materials must be provided for pigs to allow them to forage, explore, and otherwise prevent behavior problems associated with the lack of natural conditions during temporary confinement.

§ 205.239 Livestock living conditions. (Avian section)

- (f) The operator of an organic poultry operation shall establish and maintain poultry living conditions that accommodate health and natural behavior including:
- (1) Access to the outdoors.
 - (i) Laying hens must be provided with no less than 2 square feet of outdoor access per bird.
 - (ii) Enclosed spaces that have solid roofs overhead do not meet the definition of outdoor access and cannot be included in the space calculation of outdoor access.
 - (iii) Pullets must be provided outdoor access by 12 weeks of age when weather permits.
 - (iv) Broilers must be provided outdoor access by 4 weeks of age, provided that they are fully feathered and weather permits.
 - (v) Once layers are accustomed to going outdoors, a brief confinement period of no more than 5 weeks to allow for nest box training is permitted.
 - (vi) Outdoor access must provide birds with the opportunity to scratch and dust bathe in soil, turn around, and perform their natural behaviors.
 - (vii) Access to outdoor areas with direct sunlight must be provided during daylight hours when temperatures exceed 50°F

- (3) Suitable Flooring
 - (ii) Houses with slatted floors must have enough solid floor area available that birds may freely dust bathe without crowding

- (4) Birds must have sufficient exit areas to ensure that all birds have ready outdoor access. Exit areas must allow the passage of more than one bird at a time.

- (5) Space Allowance. Poultry housing must allow:
 - (i) All birds to move freely, and engage in natural behaviors.
 - (ii) All birds to perch at one time whether on a flat roost surface or perch.
 - (iii) Flat roosting areas where birds may grip with their feet
 - (iv) A combination of flat roost and perches must be provided to allow submissive birds to escape aggressors.
 - (v) The indoor space requirement must be met by the buildings interior ground floor perimeter. Perching areas and nest boxes will not be used in the calculation of floor space.
 - (vi) Indoor space allowance will not be less than 1.5 square feet per laying hen.

Avian Minimum Space Requirements Chart

Livestock Species	Indoor Space	Outdoor Runs and Pens
Chickens		
Laying hens and breeders	1.5 sq ft / bird	2.0 sq ft / bird
Pullets	5 lbs / sq ft	5 lbs / sq ft
Broilers	5 lbs / sq ft	5 lbs / sq ft
Other poultry		
Turkeys and Geese—breeding, laying, or meat birds (pounds)	7.5 lbs / sq ft	2 lbs / sq ft
Ducks-meat	5 lbs / sq ft	2 lbs / sq ft
Ducks-laying hen	2 lbs / sq ft	1 lbs / sq ft
Ducks—breeder	3.3 lbs / sq ft	1 lbs / sq ft
Reserved for additional species		

Committee Vote

Motion: Wendy Fulwider Second: Mac Stone
 Yes: 4 No: 2 Absent: 1 Abstain: 0 Recuse: 0

Minority Opinion

Sir Albert Howard (the father of the organic movement), his wife Madam Louis E. Howard, and the Organic Foods Production Act of 1990 (OFPA) focused on the whole farm system approach to organic production. Organic livestock production must be viewed as a part of a whole farm system and not in isolation from the issue of being good stewards to the environment. The Minority Opinion is consistent with section **205.200** of the regulation as it pertains to maintaining or improving the natural resources of the operation, including soil and water quality.

The Minority Opinion is intended to help move the issue of minimum space requirements for poultry and pigs alone in conjunction with meaningful practices that address natural behavior, outdoor access, and the environmental protection. The April, 2010 NOSB Livestock Committee Minority Opinion stated that “*economic or management challenges should not be a valid argument to weaken organic standards. Organic certification is not a right; it is a privilege that must be earned by meeting strict, sustainable, humane, and enforceable standards.*” The 2011 NOSB Livestock Committee minority opinion concurs with the aforementioned statements.

During the commenting period of March and April of 2011, 337 citizens submitted written or provided oral comments on poultry and pigs. The results showed that 73.5% (83 out of 113 commenters) recommended more space for poultry. Similarly, 99.6% (223 out of 224 commenters) recommended more space for pigs. Despite the overwhelming request for more space, the poultry numbers have barely changed, while no numerical change was provided to increase the space requirements for pigs.

The Minority Opinion supports increasing the space requirement of pigs to be at least equal to the Canadian space requirements. The current use of the phrase permitting swine, “to lie down and apart from one another simultaneously” can be difficult to measure. The wording does not capture the essence of pig space requirements, outdoor access, nor does it provide a clear measure for evaluating organic pig operations. The issue of space requirements and outdoor access for pigs could soon explode like the poultry issue as it pertains to space requirements, outdoor access, and natural behavior. If one thought that poultry was tumultuous; pigs could be the same. Therefore, the Minority Opinion is that both pigs and poultry need to be included in rulemaking.

Space requirements with meaningful standards that address natural behavior, outdoor access, and the environment as necessary components of the indivisible whole. The Minority Opinion recommends that poultry and pigs be provided the minimum space as outlined in tables 1 and 2, respectively. A timeline of 36 months is recommended for producers to comply after submittal for rulemaking is recommended. In addition, a minimum range of 40-50% vegetation covers is recommended, with 75% poultry and pigs being able to be outside at one time. We suggest the addition at section **205.239 (e) (i)** of the regulation. This provision will conform to environmental protection requirements in other sections of the regulation.

Recommendations

1. Prohibit routine beak conditioning or beak tipping. Except, beak conditioning may be authorized by the certifier for safety or if they are intended to improve the health, welfare or hygiene of the livestock on a case-by-case basis.

2. Add to section **205.2 (Term defined)** the term “natural behavior.” We suggest the definition by or similar to Bracke and Hopster, (2006). They defined natural behavior as behavior that animal’s exhibit under natural conditions. The ability of livestock to express natural behavior is consistent with section **205.239 (Livestock living conditions)** of the regulation.

3. Poultry and pigs’ space requirements need to be submitted for rulemaking, NOT just poultry. If pigs are left in guidance, then measureable requirements must be included.

4. All types of forced molting must be prohibited.

5. Minimum space requirements for avian are shown in Table 1. These requirements should be viewed as minimums and producers should focus on the requirements in #7 as the best guidance for ensuring adequate living conditions for birds. A maximum 36-month transition period after submittal for rulemaking is recommended.

Table 1. Avian Minimum Space Requirements Chart

Avian Species	Indoor Space*	Outdoor Runs and Pens
Chickens		
Laying hens and breeders	2.0 square feet/bird	5.0 square feet/bird
Pullets	1.0 square feet/2.0 lbs live weight	1.0 square feet/2.0 lbs live weight
Broilers	1.0 square feet/1.0 lb live weight	1.0 square feet/2.0 lbs live weight
Other poultry		
Turkeys**	1.0 square feet/5.3 lbs live weight	1.0 square feet/3.5 lbs live weight
Geese**	1.0 square feet/5.3 lbs live weight	1.0 square feet/3.5 lbs live weight
Ducks-meat+++	1.0 square feet/5.0 lbs live weight	1.0 square feet/2.0 lbs live weight
Ducks-laying hen+++	1.0 square feet/2.0 lbs live weight	1.0 square feet/1.0 lb live weight
Ducks-breeder+++	1.0 square feet/3.3 lbs live weight	1.0 square feet/1.0 lb live weight
Mobile Units		
Same as avian species requirements above		

* Indoor space is for the “temporary” confinement as outlined in the regulation **Canadian standards

+++NOSB Fall 2011 Livestock Committee Majority Recommendation

6. The Minority Opinion recommends the minimum space requirement for porcine are shown in Table 2. These requirements should be viewed as minimums and producers should focus on the requirements in #7 as the best guidance for ensuring adequate living conditions for pigs. A maximum 36-month transition period after submittal for rulemaking is recommended.

Table 2. Porcine Minimum Space Requirements Chart

Classification	Indoor Space*	Outdoor Runs and Pens
Sows and piglets+ (up to 40 days' old)	80.7 square feet for each sow & litter	26.9 square feet for each sow and litter++
Sows in group pens+	32.3 square feet/head	32.3 square feet/head
Boars in individual pens+	96.9 square feet/head	96.9 square feet/head
Growing pigs+ <ul style="list-style-type: none"> a. Up to 66# b. 66# - 110# c. 110# - 187# d. >187# 	<ul style="list-style-type: none"> a. 6.5 square feet/head b. 8.6 square feet/head c. 11.8 square feet/head d. 14.0 square feet/head 	<ul style="list-style-type: none"> a. 4.3 square feet/head b. 6.5 square feet/head c. 8.6 square feet/head d. 10.8 square feet/head

* Indoor space is for the "temporary" housing as outlined in the regulation

+ Canadian standards

++European standards

7. The Minority Opinion recommends adding the following at **§ 205.239 Livestock living conditions** of the regulation.

(e) The producer of an organic livestock operation must manage manure in a manner that does not contribute to contamination of crops, soil, or water by plant nutrients, heavy metals, or pathogenic organisms and optimizes recycling of nutrients and must manage pastures and other outdoor access areas in a manner that does not put soil or water quality at risk.

- (1) Access to the outdoors (Avian and Porcine). The operator of an organic poultry and pigs operation shall establish and maintain living conditions that accommodate health and natural behavior including:
 - (i) Poultry and pigs space requirements as shown in Table 1 and Table 2, respectively
 - (ii) Enclosed spaces that have roofs overhead do not meet the definition of outdoor access and cannot be included in the space calculation of outdoor access.
 - (iii) Pullets must be provided outdoor access by 12 weeks of age when weather permits.
 - (iv) Broilers must be provided outdoor access by 4 weeks of age, provided that they are *sufficiently* feathered and weather permits.
 - (v) Once layers are accustomed to going outdoors, a brief confinement period of no more than 5 weeks to allow for nest box training is permitted.

- (vi) Outdoor access must include providing birds with the opportunity to scratch and dust bathe in soil, turn around, flap their wings, spread their wings, and forage, without touching another bird.
- (vii) Access to outdoor areas with direct sunlight must be provided during daylight hours when temperatures exceed 50°F.
- (viii) Poultry of all species and pigs outdoor access area must have a minimum of 40-50% vegetative cover throughout the vegetative growing season and the Organic System Plan must provide a detailed description of the management proactive designed to implement this provision.
- (ix) The outdoor access area must include providing for at least 75% of the poultry and pigs to be outside at one time; birds must have enough space to include allowing birds to stretch their wings, run, forage, and find refuge areas away from other birds or predators.
- (x) Shade and outdoor areas may be provided by brush, trees or other structures.
- (xi) For poultry, all exit doors must be 14" high and be spaced evenly throughout buildings, with a total door opening of six linear feet per 1,000 hens.
- (xii) Poultry may provide cover (a horizontal barrier) and blinds (a vertical barrier) in both and outdoor areas that enables birds to hide and isolate themselves from other chickens as long as these structures do not constitute confinement.
- (xiii) Poultry and pig outdoor areas must be designed to prevent or minimize soil erosion and runoff.
- (xiv) Outdoor environments must be managed to prevent soil degradation and overgrazing.
- (xv) For pigs, the outdoor living conditions must have adequate shade, shelter, rotational pastures or paddocks with the appropriate use of portable structures. Buildings and housing structures for pigs must be designed to allow outdoor access beyond door openings.
- (xvi) Farrow crates, flat decks, cages, and trimming or clipping teeth are prohibited. Castration should be performed before the piglets reach 2 weeks of age and by trained personnel.
- (xvii) Pigs should be weaned at 7 to 8 weeks of age. All pigs aged 6 weeks and older must have access to the outdoors.
- (xviii) Nose rings and tail docking are prohibited.

The Minority Opinion is being expressed as a means for enhancing the existing animal welfare document proposed by the majority. It is our opinion that if the lines are blurred between conventional and organic practices and standards, then organic consumers and producers will lose faith in the organic label.

Nature hits back when her rule about the correct relation between the plant and the animal is disregarded. She is trying to tell us that we shall have to retrace our steps and restore the natural partnership.

Sir Albert Howard, 1947
(Father of the organic movement)