

USDA NOP Origin of Livestock Technical Sheet

Overview:

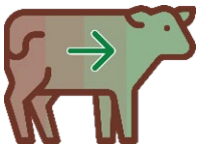
Under “Origin of Livestock”, the USDA National Organic Program has been clarified to improve consistency in the organic livestock requirements and outlined recordkeeping practices to address gaps in the livestock production systems. These changes include established uniform requirements for livestock sourcing, entry of dairy operations into certification, and recordkeeping requirements.

Effective April 5, 2023, operations:

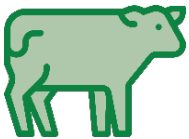
- 1) Cannot transition livestock to organic milk production unless this is their first transition and they have never been certified for organic dairy production.
- 2) May not purchase or move organic transitioned cattle or livestock to another organic dairy*.
- 3) Must keep clear recordkeeping adequate to trace animals to the last 1/3 of gestation for slaughter eligibility.

Transitioned versus Slaughter Stock

§ 205.2 Terms defined



Transitioned Animal: A dairy animal converted to organic milk production in accordance with [§ 205.236\(a\)\(2\)](#) that has not been under continuous organic management from the last third of gestation; offspring born to a transitioned animal that, during its last third of gestation, consumes third-year transitional crops; and offspring born during the one-time transition exception that themselves consume third-year transitional crops.



Slaughter stock: Any animal that is intended to be slaughtered for consumption by humans or other animals.

Only animals that have been managed organically from the last 1/3 of gestation and are free from treatments during their lifetime that impact slaughter eligibility may be considered slaughter stock. If records are not adequate to show slaughter stock eligibility by individual animal, the animal may not be considered slaughter stock.

Images courtesy of USDA NOP

All USDA NOP dairy operations now have consistent entry requirements across USDA Certification:

- A new dairy operation or nonorganic dairy operation may perform a single transition of nonorganic animals to organic dairy production.
- Operations that transition a herd to organic production may only do this one time. If an operation leaves organic production, they can never re-transition a herd.
- NO transitioned animals can be sourced (bought, transferred, or any other acquisition of a transitioned animal) after the one-time transition.

Operations undergoing the 1-time transition:

For an operation to complete its one-time transition, records must include:

- The actual or expected start-date of the minimum 12-month transition period;
- Individual identification of animals intended to complete transition;
- Completed OSP for certification.

During transition: The transition period must end at the same time for all animals in the transitioning herd or group. If animals are added during the transition period, the entire herd must continue in transitioning status until the last animal added has transitioned for 12 months, or that animal must be removed as nonorganic from the organic herd.

After transition: no transitioned animals may be added to the herd for any reason, except in rare *approved* variances*. Only animals that have been managed organically from the last 1/3 of gestation and have adequate documentation to support status as organic slaughter eligible may move between organic operations.

Offspring/ young born to dams who are in transition on last year transition crops must be recorded as transitioned only and may not be considered slaughter stock.

After transition has been completed, additional animals may be sourced through:

- 1) Purchase of animals that have been managed from the last 1/3 of gestation and are certified as slaughter eligible/ slaughter stock.
- 2) Raise replacement animals from the last 1/3 of gestation. Use of nonorganic breeding stock may be used to increase herd size, but the brood animals must be managed organically from the last 1/3 of gestation and through the lactation period.

Requirements for all Livestock/ Livestock trading or brokering operations:

All livestock and livestock trading or brokering operations have additional recordkeeping expectations:

Records must individually identify each animal, and clearly indicate transitioned, slaughter eligible, breeding stock, or treated (and no longer slaughter eligible) animals. Ecocert has developed forms and documents to assist operations in development of a format for keeping these records. Annual submittal of your livestock herd list and maintenance of this documentation to preserve identity of your animals is required.

Animals that cannot be confirmed to meet slaughter eligibility requirements must be tracked as transitioned and should not be sold as organic slaughter eligible. If animals cannot be confirmed as transitioned through records, they should be considered nonorganic and removed from the herd.

Records of animals must include:

1. The animal's date of birth
2. The animal's individual origin status—last-third of gestation organic or transitioned
3. If the origin status is transitioned, the date that the transition began and ended
4. The disposition of all animals (i.e., death, sale as organic or nonorganic, or slaughter as organic or nonorganic)
5. Verification that any animals added in the herd after transition are last-third of gestation organic or were acquired under a variance granted by the AMS Administrator
6. Records must be maintained for animals adequate to prove their status. If an animal is present on-farm from birth, and is older than 5 years, records must be adequate to trace to birth of the animal.

7. Animals that have died, culled, diverted to nonorganic production, or sold: Records must be maintained for 5 years under the USDA NOP requirements. Do not destroy or remove records of these animals for 5 years.

Resources for compliance:

Forms have been developed to aid with compliance with Origin of Livestock. The following resources may be used to assist in recordkeeping or may be adapted by your business to comply with the requirements. Please be aware that these forms have been carefully developed to meet the recordkeeping and audit requirements under USDA NOP. If you adapt the forms, your version must meet the minimum requirements of the template provided.:

- 1) Livestock OSP -Updates have been included relating to Origin of Livestock (OOL) requirements and in response to the USDA Certifier Livestock Directive:
 - a. L2-L Split/ Parallel Production- Form is simplified to remove requirement to add another livestock tracking list, which is required by on the Livestock List.
 - b. L3-L Origin of Animals- Ruminant and Nonruminant Livestock:
 - i. Animals/ classes of animals requested for certification and number of each
 - ii. Livestock purchase information- outline all operations you purchase or plan to purchase livestock from.
 - iii. Livestock Sale Affidavit (LSA) -Individual purchases must be documented with more information. Signature by the seller and agent, as applicable, must be included. This form must be completed and accompanied by purchase or transfer records to support individual identification and status of animals.
 - iv. Livestock List: Annual submittal of this form or equivalent outlining individual animal status and a full herd inventory is required. This form should be maintained throughout the year to track movement and status of individual animals. This form may also be used to record individual purchase transactions/ verification.
 - c. F20: Dairy Livestock Transition
 - i. Added herd establishment criteria under OOL
 - ii. Transitioned herd start and end date added

Additional forms or resources to assist with compliance with OOL:

- 1) Livestock Sourcing Variance Request Form (FLV)- *This form is provided for operations who wish to request a variance for purchase or sourcing of transitioned animals. Approval of a variance by USDA NOP is not guaranteed
- 2) Technical Sheet: Information about the OOL requirements, forms and processes for compliance
- 3) NOP Fact Sheet- "OOL Factsheet"
- 4) NOP "One Page Fact Sheet"
- 5) NOP Final Rule -Copy mailed with renewals

Q&A:

Q: How can an operation increase livestock numbers or expand production?

A: Purchase slaughter eligible (managed from the last 1/3 of gestation) animals to increase the herd. These animals must be accompanied by adequate records to verify organic status, including organic certification, individual animal identification, sale/ purchase records traceable to the sourced animal; or

A: Increase production through use of non-organic breeding stock, under organic management from the last 1/3 of gestation and through lactation.

Q: I've been suspended from organic certification for dairy production. How do I re-establish the certified status of my herd?

A: This situation needs to be carefully reviewed. If an operation loses organic certification, the animals and crops lose organic status. This operation has also lost the ability to re-transition a herd to organic production. If the operation maintains records during the suspension period, continues to feed animals organically and conform with organic management practices, and maintains excellent records, it is possible to request reinstatement of a livestock herd. However, the recordkeeping burden is significant for this situation. Some certifiers may accept applications from operations suspended for dairy production, but it is dependent on certifier capacity and expertise.

Q: My neighbor is leaving organic certification, and I'd like to purchase some or all of their animals, including transitioned animals. What are my options?

A: Ecocert has developed a transitioned livestock variance request. Operations must meet criteria to request a variance, submit a variance request to their certifying agent with all records/ documentation required. The certifying agent will review the request and send to NOP within 10 days. No animals can be sourced under variance until it is approved. It is critical that operations not incorporate sourced transitioned animals in organic production until a written approved variance is received.