

AUG 5 2011 NOTICE OF TEMPORARY VARIANCE APPROVAL

Aude Poiret
Certification and Quality Manager
Indiana Certified Organic, LLC (ICO)
3914 Clarks Creek Road
Plainfield, IN 46168

Dear Ms. Poiret:

On August 4, 2011, the Department of Agriculture (USDA) received the request for a temporary variance from the National Organic Program (NOP) regulations §§205.237(c) and 205.240. Indiana Certified Organic (ICO) submitted the request on behalf of a ruminant livestock producer located in Walsenberg, CO. The request for variance for this operation is based on documented damage caused by drought.

The Department has reviewed the recommendation for a temporary variance for the organic ruminant livestock producer according to NOP regulation requirements in §205.290(a)(2). Based upon the submitted documentation, the request for temporary variance from §§205.237(c) and 205.240 is granted, with restrictions, and is in effect for the 2011 grazing season.

The temporary variance from §§205.237(c) and 205.240 is restricted to:

- Organic ruminant livestock producers in the following Colorado counties: Bent, Chaffee, Custer, Fremont, Huerfano, Kiowa, Las Animas, Prowers, and Pueblo.
- Non-irrigated pasture only; producers having access to irrigated pasture are not included in the variance.
- 2011 grazing season only; producers must demonstrate full compliance with §§205.237(c)(2) and §205.240 for the 2012 grazing season, or submit a new request for Temporary Variance for 2012, as applicable.

If you have any questions regarding this decision, please contact Meg Kuhn, Regional Accreditation Manager, at (202) 720-3252 or meg.kuhn@ams.usda.gov.

Sincerely,



David R. Shipman
Acting Administrator