

**Breeder Stock  
Recommendation for Clarification of Rule  
NOSB Livestock Committee  
April 29, 2003**

**Introduction**

The NOP preamble and regulation contain conflicting information concerning the management of breeder stock, once they have been converted to organic production. On the one hand, the rule and preamble state that conventional breeder stock can be brought onto an organic operation at any time. On the other hand, the rule and preamble clearly state that livestock may not be rotated between organic and nonorganic management. The NOSB recommends that a clarification be issued by the NOP stating that, once breeder stock are converted to organic management, they cannot be rotated in and out of organic management and continue to produce organic offspring.

**Background**

**A. Preamble Excerpts**

The preamble indicates that breeder stock may come from nonorganic sources, provided that the animals are managed organically during the last third of gestation in order to produce organic slaughter stock. In the very next sentence, the preamble states that once an animal is brought onto an organic operation, and then moved to a nonorganic operation, neither the animal nor any products derived from the animal may be sold as organic. From page 80560 of the preamble:

“Livestock used as breeder stock may be brought from a nonorganic operation into an organic operation at any time, provided that, if such livestock are gestating and the offspring are to be organically raised from birth, the breeder stock must be brought into the organic operation prior to the last third of gestation. Should an animal be brought into an organic operation pursuant to this section and subsequently moved to a nonorganic operation, neither the animal nor any products derived from it may be sold, labeled, or represented as organic.”

It is also clear from the preamble that antibiotics or other prohibited substances must not be administered to any animals at an organic livestock operation. Page 80561 of the preamble states:

“The producer of an organic livestock operation must not treat an animal in that operation with antibiotics, any synthetic substance not included on the National List of synthetic substances allowed for use in livestock production, or any substance that contains a nonsynthetic substance included on the National List of nonsynthetic substances prohibited for use in organic livestock production.”

In order for breeder stock to be sold as organic slaughter stock, they must have been managed organically from the last third of gestation. In other words, it is clear that nonorganic breeder stock, converted to organic production, can never be sold as organic slaughter stock. From page 80569 of the preamble:

“These commenters cited the NOSB's 1994 recommendation that all slaughter stock must be the progeny of breeder stock under organic management from the last third of gestation or longer. Commenters also recommended extending the organic management provision to cover the last third of gestation to make it consistent with the requirements in section 205.236(a)(4) for the organically raised offspring of breeder stock. We agree with the argument presented by commenters and have changed the final rule to require that

breeder or dairy stock be organically raised from the last third of gestation to be sold as organic slaughter stock.”

## **B. Rule Citations**

As indicated in the preamble, the rule allows nonorganic breeder stock to be converted to organic management, provided that they are managed organically during the last third of gestation in order to produce organic slaughter stock.

*§205.236(a)(3) Breeder stock. Livestock used as breeder stock may be brought from a nonorganic operation onto an organic operation at any time: Provided, That, if such livestock are gestating and the offspring are to be raised as organic livestock, the breeder stock must be brought onto the facility no later than the last third of gestation.*

The intent of the rule is that all animals, including breeder stock, brought onto a certified organic operation must be fed and managed organically from the time that they are converted to organic management. They must not be rotated between organic and nonorganic management. This is indicated in §205.236(b)(1), as shown below:

*§205.236(b) The following are prohibited:*

*(1) Livestock or edible livestock products that are removed from an organic operation and subsequently managed on a nonorganic operation may be not sold, labeled, or represented as organically produced.*

## **Recommendation**

The NOSB recommends that the following Question & Answer be added to the NOP web site to clarify that §205.236(b)(1) applies to all organic livestock, including breeder stock:

**Q:** Must breeder stock be continuously managed organically, once they have been converted to organic production, in order to produce organic offspring?

**A:** Yes. While §205.236(a)(3) allows nonorganic breeder stock to be converted to organic production at any time, nonorganic breeder stock must be managed organically during the last third of gestation in order to produce organic slaughter stock. §205.236(b)(1) requires that animals must not be rotated between organic and nonorganic production. Therefore, while nonorganic breeder stock can be converted to organic production, they must continue to be managed organically, once converted, in order to continue to produce organic offspring.

**Committee vote** – 5 in favor, 0 opposed, 1 absent.

**Minority opinion** – None.

## **Conclusion**

The NOSB recommends that a question and answer be posted by the NOP clarifying that, once breeder stock are converted to organic management, they cannot be rotated in and out of organic management and continue to produce organic offspring.