



# National Milk Producers Federation

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Agri-Mark, Inc.  
Associated  
Milk  
Producers Inc.  
Bongards'  
Creameries  
Cooperative  
Milk Producers  
Association  
Cortland Bulk  
Milk Producers  
Cooperative  
Dairy Farmers  
of  
America, Inc.  
Ellsworth  
Cooperative  
Creamery  
FarmFirst Dairy  
Cooperative  
First District  
Assoc.  
Foremost  
Farms USA  
Land O'Lakes,  
Inc.  
Lone Star Milk  
Producers  
Maryland &  
Virginia  
Milk Producers  
Cooperative  
Association  
Michigan Milk  
Producers  
Association  
Mid-West  
Dairymen's  
Company  
Mount Joy  
Farmers  
Cooperative  
Association  
Northwest  
Dairy Assoc.  
Oneida-  
Madison Milk  
Producers  
Cooperative  
Association  
Prairie Farms  
Dairy, Inc.  
Premier Milk  
Inc.  
Scioto County  
Cooperative  
Milk  
Producers'  
Association  
Select Milk  
Producers Inc.

June 9, 2017

Paul Lewis, Ph.D.  
Director Standards Division  
National Organic Program  
USDA-AMS-NOP  
Room 2646-So, Ag Stop 0268  
1400 Independence Ave SW  
Washington, DC 20250-0268

**RE: National Organic Program (NOP); Organic Livestock and Poultry Practices Second Proposed Rule (AMS-NOP-17-0031; NOP-15-06A)**

Dear Dr. Lewis:

The National Milk Producers Federation (**NMPF**) is pleased to submit the following comments to the United States Department of Agriculture Agricultural Marketing Service National Organic Program (**USDA-AMS-NOP**) on the proposed rule Livestock and Poultry Practices (AMS-NOP-17-0031; NOP-15-06A; **Second Proposed Rule**) as a follow-up to the Organic Livestock and Poultry Practices Final Rule (**Final Rule**) published in the Federal Register on January 19, 2017. The National Milk Producers Federation, established in 1916 and based in Arlington, VA, develops and carries out policies that advance the well-being of dairy producers and the cooperatives they own. The members of NMPF's cooperatives produce the majority of the U.S. milk supply, making NMPF the voice of dairy producers on Capitol Hill and with government agencies like USDA. NMPF provides a forum through which dairy farmers and their cooperatives formulate policy on national issues that affect milk production and marketing.

Some of the NMPF member cooperatives and their dairy farmers are producing organic milk. In addition, many of the manufacturing facilities owned by NMPF member cooperatives are manufacturing organic dairy products. As demand for organic dairy products increases, interest in producing organic milk continues both from farmers and processing facilities (or processors). NMPF believes that animal care and wellbeing are the responsibility of every dairy farmer regardless of size, location, production style, or marketing certifications and are an obligation for the entire dairy value chain. Therefore, this Second Proposed Rule on livestock and poultry practices for the USDA-AMS-NOP is of great interest to NMPF.

**U.S. Dairy Industry Commitment to Animal Wellbeing**

In 2009 NMPF, with support from Dairy Management Inc., recognizing the importance in ensuring consistency in dairy animal care and wellbeing, launched the National Dairy FARM Program: Farmers Assuring Responsible Management™ (**FARM Animal Care Program**). The FARM Animal Care Program is a national on-farm education, evaluation, and verification program designed to help dairy farmers assure high standards in animal care and wellbeing.

First, the FARM Animal Care Program details animal care guidelines and best practices in the *FARM Animal Care Reference Manual*<sup>i</sup> that farmers must follow for every calf and cow on the farm – that evolve with the latest research on quality animal care. The manual and corresponding training materials detail the highest standards for animal care when it comes to animal health from birth to end of life including veterinary oversight in the development of protocols for the prevention, control, and treatment of common diseases. Protocols developed with veterinarians include judicious and responsible use of antibiotics. ***The FARM Animal Care Program animal care guidelines and best practices are the same for organic and conventional dairy farms.***

Second, on-farm evaluations occur at least once every three years to provide dairy farmers feedback on conformance to the FARM Program Standards. Evaluators are veterinarians, extension educators, university personnel, co-op field staff or other qualified persons who have completed intensive training and have passed comprehensive annual exams. The evaluation provides farmers with the information they need to develop action plans for continuous improvement. ***The FARM Animal Care Program on-farm evaluation process is the same for organic and conventional dairy farms.***

Third, the integrity of the program is ensured through third-party verification, which is completed by outside experts who inspect a representative percentage of farms each year. When the dairy industry says it's taking great care of its animals, third-party verification measures it – providing statistically verified data demonstrating that excellent animal care is an expectation of the dairy industry. The FARM Program has successfully completed six years of third-party verification with results published annually.<sup>ii</sup> ***The FARM Animal Care Program third-party verification process is the same for organic and conventional dairy farms.***

Today, 107 dairy cooperatives and proprietary processors<sup>iii</sup> representing over 98 percent of the U.S. milk production (by volume) are enrolled in the FARM Program. More than 45,000 on-farm evaluations have been conducted by the almost 400 certified FARM evaluators. Participation includes the largest organic milk dairy cooperative in the U.S. along with other cooperatives and proprietary processors with organic dairy farm suppliers. ***NMPF estimates approximately 95 percent of organic milk production is enrolled in the FARM Program and several thousand on-farm evaluations have been conducted.***

The success of the FARM Animal Care Program has been embraced by the dairy value market chain. Walmart has lauded the FARM Animal Care Program's success in advancing animal welfare.<sup>iv</sup> Leprino Foods requires U.S. dairy suppliers to participate in the FARM Program with compliance to standards and best practices by December 31, 2016.<sup>v</sup> Chobani founder and CEO Hamdi Ulukaya has stated "*the quality and sustainability of our products depends on the health and well-being of the animals on the farm*" and "*programs like National Dairy FARM Program have helped bring that language to life.*"<sup>vi</sup> Aldi encourages its dairy farm suppliers to participate in the FARM Program.<sup>vii</sup> ***The FARM Program success has been demonstrated by dairy value market chain acceptance.***

### **Comments on Second Proposed Rule**

NMPF believes that when a federal agency proposes regulatory changes, that agency must articulate the basis for that rule. A fundamental problem with the Final Rule as published in the *Federal Register* on January 19, 2017 is that it was more driven by economics and consumer perception rather than animal science and welfare. Economic considerations are important and should be part of the rulemaking process, but so called “consumer confusion” about the meaning of “organic” should not drive rulemaking associated with animal wellbeing. USDA-AMS-NOP must use science as the basis for decisions involving animal wellbeing and educate consumers about the scientific underpinnings for a rule. NMPF believes that the FARM Animal Care Program assures animal care and wellbeing in the U.S. dairy industry and the requirements in the USDA-AMS-NOP Final Rule are unnecessary and duplicative for dairy cattle. Further, the basis of the FARM Animal Care Program is sound science, and standards are updated every three years to accommodate the latest research around animal health and wellbeing. As such ***NMPF recommends to suspend the Final Rule indefinitely and USDA-AMS-NOP should consider whether to implement, modify or withdraw the Final Rule.***

### **Conclusions**

NMPF believes that the FARM Animal Care Program assures animal care and wellbeing in the U.S. dairy industry and the requirements in the USDA-AMS-NOP Final Rule are unnecessary and duplicative for dairy cattle and therefore should be suspended indefinitely. USDA-AMS-NOP should consider whether to implement, modify or withdraw the Final Rule, following its immediate suspension. NMPF appreciates the opportunity to provide these comments to USDA-AMS-NOP on this important Second Proposed Rule. The U.S. dairy industry is committed to animal care and wellbeing as the responsibility of every dairy farmer regardless of size, location, production style, or marketing certifications and believes that animal welfare is an obligation for the entire dairy value chain. If you have any questions or require additional information, please contact me at 703-243-6111 or at [jonker@nmpf.org](mailto:jonker@nmpf.org).

Sincerely,



Jamie Jonker, Ph.D.  
Vice President  
Sustainability & Scientific Affairs

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<sup>i</sup> <http://nationaldairyfarm.com/sites/default/files/Version-3-Manual.pdf>

<sup>ii</sup> <http://nationaldairyfarm.com/sites/default/files/FARM-YearInReview-Web.pdf>

<sup>iii</sup> <http://nationaldairyfarm.com/animal-care#block-views-6e24262e1d216d0270e2db04f4ec8092>

<sup>iv</sup> <http://corporate.walmart.com/2016grr/enhancing-sustainability/promoting-product-transparency-and-quality>

<sup>v</sup> [http://leprinofoods.com/LQAC\\_OUR\\_BELIEFS.pdf](http://leprinofoods.com/LQAC_OUR_BELIEFS.pdf)

<sup>vi</sup> <http://www.chobani.com/animalcare>

<sup>vii</sup> <https://corporate.aldi.us/en/corporate-responsibility/supply-chain/sustainable-resources/animal-welfare/>