



CALIFORNIA DEPARTMENT OF  
FOOD & AGRICULTURE

Karen Ross, Secretary

April 25, 2016

U.S. Department of Agriculture  
Veterinary Services  
Agriculture Marketing Service  
National Organic Program  
1400 Independence Avenue, SW  
Room 2642-South, Stop 0268  
Washington, D.C. 20250-0268

To Whom It May Concern:

RE: Comments on Proposed Rule RIN 0581-AD44

As State Veterinarian of California, I am writing to express my concern with a proposed rule (RIN 0581-AD44) announced recently by the U.S. Department of Agriculture's (USDA) Agriculture Marketing Service (AMS) regarding changes to the National Organic Program (NOP) and the production of organic livestock and poultry.

This proposed rule would eliminate the use of poultry "porches" that are designed to allow chickens to have outdoor access as an accepted practice under the current organic standards. This proposed change may demonstrate a lack of coordination between federal agencies, and will likely stimulate further criticism and frustration from those trying to comply with the cobweb of, sometimes, conflicting rules and regulations. Not only would eliminating porches seriously curtail the ability of organic egg producers to comply with USDA Veterinary Services' request to enhance biosecurity barriers to disease introduction from wild birds, but it will also make it difficult for them to comply with the U.S. Food and Drug Administration's requirements to prevent the introduction of *Salmonella enteritidis* from wild birds and other sources.

Some may consider it ironic that NOP is proposing changes that may increase the risk of exposure to wild birds only one year after the nation suffered the worst outbreak in the history of this country of Highly Pathogenic Avian Influenza. It is known that this outbreak came from wild birds. That particular influenza virus had larger impacts on the types of hens more typically housed conventionally, but the next introduction of influenza or exotic Newcastle disease may hit different populations harder, as has been evidenced in the past. Unfortunately, this change eliminates one option for farmers to better protect flocks in their care. Current organic production methods protect birds from disease and allow careful management to protect hen health, while still allowing for outdoor access. The proposed rule would eliminate porches, a reasonable option for organic egg producers to prevent the spread of disease. The new rule would require direct outdoor exposure and contact with birds and animals that spread disease.



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AMS even acknowledges that direct outdoor access boosts exposure to diseases. If this proposed rule is finalized, the agency estimates in its supporting documentation that, “the mortality rate for hens would increase from five to eight percent” and that the “increased mortality would chiefly be attributed to increased predation, disease and parasites from greater outdoor access.” This analysis does not seem to contemplate increased exposure to the less frequent but more devastating diseases like influenza and exotic Newcastle disease. Regardless, many veterinarians would consider a three percent increase in mortality rate too high.

I encourage careful consideration of the negative food safety implications, potential negative poultry health impacts, and costs to farmers and governments responding to disease outbreaks as weighed against the benefit to the consumer. If the consumer is looking for humane standards or clearer product labeling, perhaps there are better solutions than changing the NOP as proposed.

I urge USDA and AMS to reconsider this proposed rule, especially the outdoor access requirements that may pose serious animal health and food safety concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Jones', with a stylized flourish at the end.

Annette Jones, D.V.M.

State Veterinarian and Director