

## UNITED STATES ANIMAL HEALTH ASSOCIATION 2007

**RESOLUTION NUMBER:** 53 APPROVED

**SOURCE:** COMMITTEE ON TRANSMISSIBLE DISEASES OF  
POULTRY AND OTHER AVIAN SPECIES

**SUBJECT MATTER:** AMENDMENT OF THE NATIONAL ORGANIC  
PROGRAM SECTION 205.239, TO MAKE ACCESS TO  
THE OUTDOORS OPTIONAL FOR POULTRY

**DATES:** RENO, NEVADA, OCTOBER 18 – 24, 2007

### BACKGROUND INFORMATION:

The National Organic Program (NOP) was formed to provide a mechanism for certification of organic foods and became effective in October 2001. There are many distinctive and unique requirements for the production and processing of organic foods including poultry. Section 205.239, of the NOP requires that United States Department of Agriculture (USDA) certified organic poultry have "access to the outdoors" during their production life. This outdoor access enhances the likelihood that such poultry will have direct contact with migratory and wild birds as well as other animals, substantially increasing the risk of Avian Influenza (AI), Exotic Newcastle Disease, and other diseases. Disease control is a priority for certified organic poultry as well as conventionally reared poultry. In over 50 years of progress, the poultry industries of this country have moved their flocks inside and this action has contributed significantly to the improvement in health of the nation's chicken and turkey flocks. Avian influenza has been a long-standing threat to the health of our poultry and now takes on new potential public health and media perception identities. Migratory and wild birds are known carriers of AI virus and contact between them and domestic poultry must be prevented.

In 2005, The United States Animal Health Association (USAHA) passed Resolution 46 with similar wording and identical intent to the present Resolution, requesting that the USDA Animal and Plant Health Inspection Service (APHIS), Veterinary Services (VS) "use their good offices to influence the National Organic Program (NOP) to change section 205.239, a, 1 of the NOP regulations by eliminating the words 'Access to the outdoors' as a requirement for production of USDA certified organic poultry." USDA-APHIS-VS did indeed forward the resolution to the Agricultural Marketing Service (AMS), the responsible agency for the NOP, discussed the concerns with AMS, and at the request of AMS, provided recommendations and guidance on biosecurity and avian disease prevention and control practices for organic poultry operations. Those recommendations included identification of high risk areas such as wetlands, migratory flyways, and other congregating points for waterfowl and shore birds, as well as areas with high densities of poultry production; implementing preventive measures

such as indoor confinement or use of outdoor enclosures with solid roofs and netted sides in these areas; providing feed and water indoors; and prohibiting access to surface water.

While these measures are appreciated, the regulation remains unchanged, and continues to **require** access to the outdoors, with no qualification of that requirement. Some producers who desire to confine organic birds for biosecurity reasons have resorted to obtaining a letter from the state veterinarian recommending confinement, in order to obtain temporary or year-to-year approval of confinement from the organic certifier. We are not requesting that access to the outdoors be prohibited, only that outdoor access not be required (i.e., that it be optional except in cases of elevated risk) and that provisions be included to prevent contact with wild birds.

### **Resolution:**

The United States Animal Health Association (USAHA) urges the United States Department of Agriculture (USDA), Agricultural Marketing Service (AMS) to change section 205.239, a, 1 of the National Organic Program (NOP) regulations by adding a provision allowing poultry producers the option of forgoing the requirement for access to the outdoors. As amended, Section 205.239 would read:

### **§ 205.239 Livestock living conditions.**

(a) The producer of an organic livestock operation must establish and maintain livestock living conditions which accommodate the health and natural behavior of animals, including:

(1) Access to the outdoors, shade, shelter, exercise areas, fresh air, and direct sunlight suitable to the species, its stage of production, the climate, and the environment;

(2) Poultry producers are permitted to eliminate access to the outdoors if included as part of a comprehensive disease control program.

### **RESPONSE**

#### **USDA, Agriculture Marketing Service, Transportation and Marketing, National Organic Program**

Thank you for submitting your comment to the National Organic Program. Access to the outdoors is a requirement under the National Organic Program regulations, with provisions for temporary confinement to protect animal health and safety. The NOP works closely with the USDA Animal and Plant Health Inspection Service to ensure that producers and their certifying agents have appropriate information to make timely decisions with regard to this requirement.