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## **Draft Guidance**

### **Outdoor Access for Organic Poultry**

#### **1. Purpose**

This guidance provides clarification on ways in which accredited certifying agents (ACAs) and organic poultry producers can verify or demonstrate compliance with the outdoor access requirement for organic poultry.

#### **2. Scope**

This guidance applies to ACAs and organic poultry production operations.

#### **3. Background**

The National Organic Program (NOP) is providing this guidance to clarify outdoor access for poultry under the NOP regulations. The NOP regulations require organic poultry producers to provide all poultry with access to the outdoors except during intervals of temporary confinement for specified animal welfare and environmental concerns. The NOP regulations §205.239(a) state:

The producer of an organic livestock operation must establish and maintain year-round livestock living conditions which accommodate the health and natural behavior of animals, including:

(1) Year-round access for all animals to the outdoors, shade, shelter, exercise areas, fresh air, clean water for drinking, and direct sunlight, suitable to the species, its stage of life, the climate, and the environment: Except, That, animals may be temporarily denied access to the outdoors in accordance with §§205.239(b) and (c)...Continuous total confinement of any animal indoors is prohibited.

In May 2002, the National Organic Standards Board (NOSB) approved a recommendation clarifying the outdoor access requirements and exemptions specific to poultry production. This recommendation emphasized the importance of establishing and maintaining suitable external conditions that would provide birds with the opportunity to move between indoor housing and the outside should they choose to do so. The NOSB recommendation further specified that outdoor conditions should include open air and direct sunshine. The May 2002 NOSB recommendation also stated that “bare surfaces other than soil (e.g. metal, concrete, wood) do not meet the intent” of the outdoor access for poultry requirement. In November 2009, the NOSB approved an animal welfare recommendation that further elaborated the outdoor access requirements for poultry.

Certain requirements in §205.239 applicable to poultry were amended in conjunction with the implementation of new pasture standards on June 17, 2010. The amendments reiterated that access to an outdoor environment suitable to the natural behavior of each poultry species is required. These amendments further specified and slightly expanded the recognized conditions for temporary confinement.



#### 4. Policy

A producer of an organically managed poultry operation must develop and implement an organic system plan (OSP) that complies with the applicable provisions in §205.201. Maintaining organic poultry on soil or providing organic poultry with outdoor hen runs are ways that producers can demonstrate compliance with the outdoor access requirement in §205.239. Provisions from the May 2002 NOSB recommendation on access to the outdoors for poultry and November 2009 NOSB recommendation on animal welfare may be used for guidance in designing organic system plans. The NOP is currently assessing these recommendations to consider whether future rulemaking on outdoor access for poultry is warranted.

#### 5. References

##### **§205.2 Terms defined.**

*Stage of life.* A discrete time period in an animal's life which requires specific management practices different than during other periods (e.g., poultry during feathering). Breeding, freshening, lactation and other recurring events are not a stage of life.

##### **§205.201 Organic production and handling system plan.**

(a) The producer or handler of a production or handling operation, except as exempt or excluded under §205.101, intending to sell, label, or represent agricultural products as “100 percent organic,” “organic,” or “made with organic (specified ingredients or food group(s))” must develop an organic production or handling system plan that is agreed to by the producer or handler and an accredited certifying agent. An organic system plan must meet the requirements set forth in this section for organic production or handling.....

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

- (a) The producer of an organic livestock operation must establish and maintain year round livestock living conditions which accommodate the health and natural behavior of animals, including:
- (1) Year-round access for all animals to the outdoors, shade, shelter, exercise areas, fresh air, clean water for drinking, and direct sunlight, suitable to the species, its stage of life, the climate, and the environment: Except, That, animals may be temporarily denied access to the outdoors in accordance with §§ 205.239(b) and (c)...Continuous total confinement of any animal indoors is prohibited.
  - (2) For all ruminants, management on pasture and daily grazing throughout the grazing season(s) to meet the requirements of §205.237, except as provided for in paragraphs (b), (c), and (d) of this section.
  - (3) Appropriate clean, dry bedding. If the bedding is typically consumed by the animal species, it must comply with the feed requirements of §205.237;
  - (4) Shelter designed to allow for:
    - (i) Natural maintenance, comfort behaviors, and opportunity to exercise;
    - (ii) Temperature level, ventilation, and air circulation suitable to the species; and



(iii) Reduction of potential for livestock injury;

(5) The use of yards, feeding pads, feedlots and laneways that shall be well-drained, kept in good condition (including frequent removal of wastes), and managed to prevent runoff of wastes and contaminated waters to adjoining or nearby surface water and across property boundaries.

(b) The producer of an organic livestock operation may provide temporary confinement or shelter for an animal because of:

- (1) Inclement weather;
- (2) The animal's stage of life: Except, That lactation is not a stage of life that would exempt ruminants from any of the mandates set forth in this regulation;
- (3) Conditions under which the health, safety, or wellbeing of the animal could be jeopardized;
- (4) Risk to soil or water quality;
- (5) Preventive healthcare procedures or for the treatment of illness or injury (neither the various life stages nor lactation is an illness or injury);
- (6) Sorting or shipping animals and livestock sales: Provided, That, the animals shall be maintained under continuous organic management, including organic feed, throughout the extent of their allowed confinement;
- (7) Breeding: Except, That, bred animals shall not be denied access to the outdoors and, once bred, ruminants shall not be denied access to pasture during the grazing season; or
- (8) 4-H, Future Farmers of America and other youth projects, for no more than one week prior to a fair or other demonstration, through the event and up to 24 hours after the animals have arrived home at the conclusion of the event. These animals must have been maintained under continuous organic management, including organic feed, during the extent of their allowed confinement for the event.....

(e) The producer of an organic livestock operation must manage manure in a manner that does not contribute to contamination of crops, soil, or water by plant nutrients, heavy metals, or pathogenic organisms and optimizes recycling of nutrients and must manage pastures and other outdoor access areas in a manner that does not put soil or water quality at risk.

**May 2002 NOSB Final Recommendation: Access to the Outdoors for Poultry**

The NOSB recommended the following clarification to the National Organic Standards regarding outdoor access for poultry:

1. Organically managed poultry must have access to outdoors. Organic livestock facilities shall give poultry the ability to choose to be in the housing or outside in the open air and direct sunshine. The producer's organic system plan shall illustrate how the producer will maximize and encourage access to the outdoors.
2. Bare surfaces other than soil (e.g. metal, concrete, wood) do not meet the intent of the National Organic Standards.
3. The producer of organically managed poultry may, when justified in the organic system plan, provide temporary confinement because of:
  - a. Inclement weather;



- b. The stage of production (i.e. sufficient feathering to prevent health problems caused by outside exposure);
- c. Conditions under which the health, safety, or well being of the poultry could be jeopardized;
- d. Risk to soil or water quality.

### **November 2009 NOSB Final Recommendation: Animal Welfare**

The NOSB recommended the following language for rulemaking related to access to the outdoors for poultry:

§205.239 Livestock living conditions. (Avian section)

(d) The operator of an organic poultry operation shall establish and maintain poultry living conditions that accommodate the health and natural behavior:

(1) Access to:

(i) materials for dust bathing

(ii) adequate floor space areas, and outdoor run areas to escape from predators and aggressive behavior

(iii) perches must be provided for all laying hens at not less than 6” per hen. Perch area can include the alighting rail immediately in front of nest boxes. Multi-tier operations are required to provide perch space for 55% of birds at one time.

(2) Access to the outdoors, shade, shelter, exercise areas, fresh air and direct sunlight suitable to the age of the poultry, climate and the environment.

(f) Birds must have sufficient exit areas, appropriately distributed around the building, to ensure that all birds have ready access to the outdoors. Exit areas must allow the passage of more than one bird at a time...

(i) Access to Outdoors

(1) Outside access and door spacing must be designed to promote and encourage outside access for all birds on a daily basis, weather permitting. Producers must provide access to the outdoors at an early age in order encourage (train) birds to go outdoors. Pullets must be provided with outside access from the age of 6 weeks providing they are fully feathered and weather permits. Broilers must be provided with outside access from the age of 4 weeks providing they are fully feathered and weather permits. Once layers are accustomed to going outdoors, a brief confinement period to allow for nest box training is permitted.

(2) Birds may not be confined to the house due to a “threat” of an outbreak of disease. There must be a documented occurrence of an outbreak in the region or relevant migratory pathway, or state or federal advisory in order to confine birds.

(3) Producers must maintain records documenting periods of confinement. Producers must identify in the OSP how they plan to protect birds from disease and predators.

(4) For pasture based systems birds must be provided with access to a variety of vegetation. Management of pasture areas must be in compliance with §205.203 – §205.206. Birds must be protected from natural predators.