PENNSYLVANIA CERTIFIED ORGANIC

106 School Street, Suite 201 • Spring Mills, PA 16875 • (814) 422-0251 • pco@paorganic.org

October 1, 2013

Ms. Michelle Arsenault
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Avenue, SW
Room 2648-So, Ag Stop 0268
Washington, DC 20250-0268

Re: AMS-NOP-13-0049

Comments to the NOSB Livestock Subcommittee regarding Methionine

Dear Ms. Arsenault:

Pennsylvania Certified Organic (PCO) welcomes the opportunity to provide comments to the National Organic Standards Board (NOSB) regarding the subcommittee proposals to be discussed at the upcoming business meeting. PCO is an NOP-accredited certifying agent that certifies more than 700 operations, including around 165 crops operations, 385 livestock operations, 120 processor/handler operations and various combinations of these categories.

Methionine

The Livestock Subcommittee has proposed to revise the annotation for methionine at §205.603(d)(1) to express the currently listed pounds per ton of feed as a maximum *average* feeding rate over the life of the flock instead of as a maximum *cap* of methionine not to be exceeded at individual feedings. If passed, the listing would read (underline added to indicate new text):

§205.603(d)(1) DL-Methionine, DL-Methionine-hydroxy analog, and DL-Methionine-hydroxy analog calcium (CAS #'s 59-51-8, 583-91-5, 4857-44-7, and 922-50-9)—for use only in organic poultry production at the following maximum <u>average pounds per ton of 100% synthetic methionine in the diet over the life of the flock</u>: Laying and broiler chickens—2 pounds; turkeys and all other poultry—3 pounds.

PCO supports the subcommittee's position to revise the annotation to allow for operators to calculate restricted quantities of synthetic methionine as an average over the life of poultry flocks. This method of calculation will better allow producers to provide adequate nutrition to organic poultry over the life course.

Operators should be allowed to calculate methionine as an average over the life of the bird because it reflects the manner in which birds actually need to consume methionine. The methionine demand for birds changes throughout the life course and is dependent on factors such as species, stage of life, and the environment. In general, methionine demand is high at the early stage of life and gradually decreases with age. Layer species will have a temporary increased demand for methionine when they first start laying eggs. It is important for birds to receive increased levels of methionine when they need it, and then taper off as the methionine demand decreases. A maximum *average* amount of methionine is appropriate for the changing methionine demand of birds, where as a maximum *cap* is not appropriate.

The ability for certified operations to comply with the proposed annotation and for certifiers to verify compliance of certified operations will rely on a clear organic system plan and thorough recordkeeping – both of which are already inherent parts of the organic certification process. The organic system plan should establish how the flock would be managed to not exceed the maximum average of allowable methionine. This *lifetime methionine plan* would include expected methionine intake levels throughout the life of the flock. **If the flock will be managed by different organic operations throughout its life, the lifetime methionine plan should accompany the flock to the new operation along with the certificate.**

In its recommendation, the subcommittee states "The NOSB Livestock Subcommittee is unsure of how certifiers will handle a situation if the flock goes out of production prior to the methionine average being below the regulatory cap." An established lifetime methionine plan (as described above) that is part of the operator's organic system plan and is approved by the certifier is the first step to compliance. Operators then need to follow their plans and notify their certifiers of any changes. Having a plan to follow will allow the inspector to compare actual feed rates with the approved methionine plan during the on-site inspection. Any deviations from the plan would result in a noncompliance for not following their organic system plan. An average lifetime methionine intake that is greater than what is provided for in the regulations would also result in a noncompliance. Since the violation is of a *restriction* on an already *allowed* material, PCO would consider the violation to be a minor noncompliance, would require the operator to adjust its organic system plan to avoid similar mistakes in the future, and would allow the product to still be sold as organic. For layers, the eggs have already been sold as organic throughout the flock's lifetime, so there would be limited product left to exclude from sale, if that were the desired corrective action. Repeated violations of the methionine restriction would result in a major noncompliance, and suspension or revocation of certification.

In the case of layer chicken production, it is PCO's experience that pullets are often raised up to between 15–18 weeks at one operation and are then transferred to a different

operation to be raised as layers. The pullet grower and final layer purchaser already will typically already have a contractual relationship prior to beginning production of a flock, so both operations can and should be involved in developing the lifetime methionine plan. With a pre-established lifetime methionine plan, the pullet operation would be aware of how the flock should be fed so that the layer operation doesn't receive a flock that has been fed levels of methionine that were too high. The actual feeding records and the methionine plan should accompany the flock upon relocation to the layer operation. The layer operation must assess the flock's methionine intake and evaluate if the methionine plan would still result in average lifetime methionine intake below the maximum average, and adjust the plan as needed. If the layer operation is not able to feed methionine at concentrations to meet nutritional demands of birds without exceeding the maximum average, the operation would have the choice to either use a natural source of methionine, remove birds from organic production, or continue to feed methionine at rates that would exceed the maximum average. The last choice would result in a major noncompliance for a willful violation of the regulations.

Broiler chicken production is less complicated than layer production because a single operator usually manages the boilers for the lifetime, which is 6 weeks or up to 12 weeks for heritage breeds. The operator should be capable of establishing and following a lifetime methionine plan for the flock that is continuously under its management.

Turkeys are also usually managed by a single operation for the lifetime, although the length of life may depend on the gender of the turkey. Hens are usually raised until about 18 weeks of age, whereas toms are raised until about 32 weeks of age to obtain a heavier weight. Operators would have to establish a lifetime methionine plan that is specific to the expected lifetime of each gender.

The proposed annotation refers to "100% methionine" as opposed to "methionine" to reflect the fact that some methionine products are not always composed only of methionine. PCO understands this clarification to mean that ingredients other than methionine are not included in the calculation. For example, if a methionine product contains 90% active methionine and 10% carriers and/or other ingredients, only the amount active methionine would be in the calculation. PCO agrees with this calculation method because it uses the actual amount of methionine in the product regardless of the particular formulation.

PCO appreciates the opportunity to provide comments and thanks the NOSB members for their careful consideration.

Sincerely,

Johanna Mirenda

Johanna Mirenda
Policy Director