

The 2020 Drought and Organic Pasture Rule Variance

By Katie Webb, MCS Dairy Certification Specialist

You may hear the news media calling drought “the new normal” or “temporary and cyclical”. The American Meteorological Society defines agricultural drought as “conditions that result in adverse crop responses, usually because plants cannot meet potential transpiration as a result of high atmospheric demand and/or limited soil moisture.” Drought in Maine has been recorded since 2000 as seen below. The 2020 drought outpaces the 2016 drought in the percentage of the State of Maine affected.

This past June, MCS began receiving calls from concerned members of the certified organic dairy community, urging MOFGA and MCS to be proactive in response to abnormally dry conditions. We were hearing that grass had hit a slump and many producers were already forced to supplement pasture with bales. Hay yields were reported as down by 20-40% and with early pasture supplementation, many were already concerned about volumes of stored feeds for the coming winter.

MCS sent out a drought survey to producers the first week of July, just as needed showers finally reached

many areas of the State. Concerns abated for a few weeks. However, conditions continued to worsen in the north, and by August, Aroostook County reached D2 Severe Drought. MCS received many notices from our certified organic producers in the County about hay yield shortages and producers resting pasture, meaning organic cattle were falling behind on the number of grazing days, and at the same time consuming stored feeds for the coming winter. Producers felt concerned that the 120 day minimum would be out of reach, a requirement of the USDA-NOP standards for ruminant livestock.

Dry conditions were felt State-wide once again by mid-August and rainfall was very localized through September. MCS heard a report from one farmer stating that he received 1” of rain in a thundershower that did not fall on the neighbor just a few miles up the road-- this would mean the farm that received the shower would be able to graze a fourth pasture rotation on many of their paddocks, but the neighbor who missed the shower would only be able to graze three rotations, a difference of 20-30 days of

grazing between the two operations. Conditions became acutely dry at the end of September and the grazing season came to a very early end for many farms. By this time, MCS was hearing reports that hay yields were down 40-60% for the season, as well as operations who were ceasing grazing due to lack of regrowth and grass that was shrunken, crispy and brown.

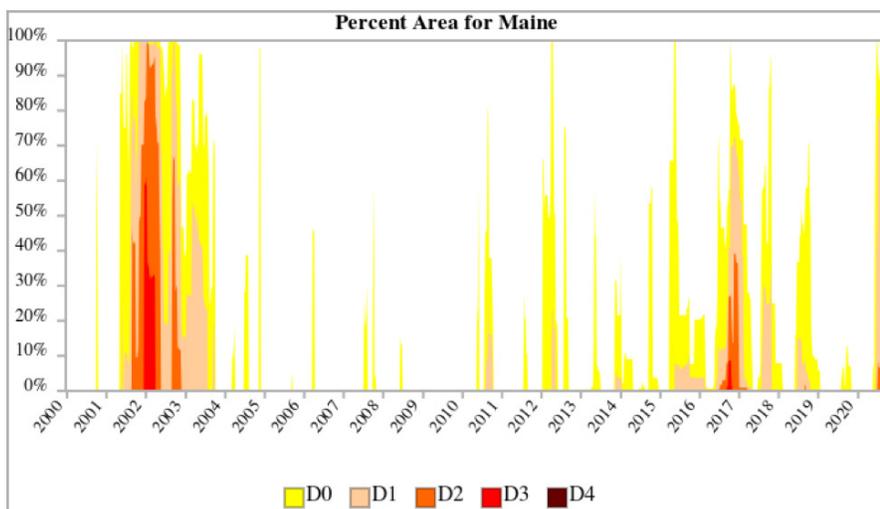
The USDA Organic standards provide a certified operation the ability to request short-term exceptions to certain parts of the Rule.

§205.290 Temporary variances.

(a) *Temporary variances from the requirements in §§205.203 through 205.207, 205.236 through 205.240 and 205.270 through 205.272 may be established by the Administrator for the following reasons:*

- (1) *Natural disasters declared by the Secretary;*
- (2) *Damage caused by drought, wind, flood, excessive moisture, hail, tornado, earthquake, fire, or other business interruption; and*
- (3) *Practices used for the purpose of conducting research or trials of techniques, varieties, or ingredients used in organic production or handling.*

In early September, MCS and MOFGA's Farmer Programs staff identified a need in Aroostook County to reduce the minimum number of grazing days due to drought. Calls from MCS to producers indicated that farmers felt confident that they could meet the required 30% DMI (dry matter intake) from pasture, but predicted they could not achieve more than 90-100 days. Aroostook County reached D2 Severe drought for 8 consecutive weeks by the beginning of September and was declared a drought disaster by Secretary Perdue on September 4, 2020.



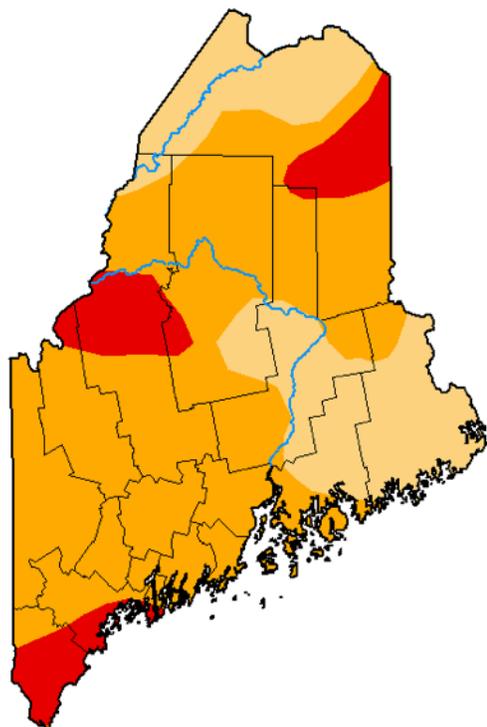
(NIDIS Drought.gov US Drought Portal)



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U.S. Drought Monitor Maine



October 13, 2020

(Released Thursday, Oct. 15, 2020)

Valid 8 a.m. EDT

Drought Conditions (Percent Area)

| | None | D0-D4 | D1-D4 | D2-D4 | D3-D4 | D4 |
|---|--------|--------|--------|-------|-------|------|
| Current | 0.00 | 100.00 | 100.00 | 73.62 | 11.94 | 0.00 |
| Last Week 10-06-2020 | 0.00 | 100.00 | 100.00 | 82.59 | 11.94 | 0.00 |
| 3 Months Ago 07-14-2020 | 8.43 | 91.57 | 77.76 | 6.33 | 0.00 | 0.00 |
| Start of Calendar Year 12-31-2019 | 100.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Start of Water Year 09-29-2020 | 0.00 | 100.00 | 100.00 | 83.86 | 7.28 | 0.00 |
| One Year Ago 10-15-2019 | 93.21 | 6.79 | 0.00 | 0.00 | 0.00 | 0.00 |

Intensity:



The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

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National Drought Mitigation Center



droughtmonitor.unl.edu

By October 15, we had received two drought disaster declarations for Maine counties from the Secretary (covering Aroostook, Piscataquis, Somerset, and Sagadahoc and their contiguous counties) plus a third for Carroll County, New Hampshire that benefitted Maine counties sharing that border (Oxford and York). Therefore, most of Maine became theoretically eligible for a temporary variance from the pasture rule (with the exception of Knox and Hancock counties). Many thanks to MOFGA, MOMP (Maine Organic Milk Producers), and Congresswomen Collins' and Pingree's offices for their assistance with receiving the declarations.

When Secretarial drought disaster declarations are made, farms in primary drought disaster counties as well as contiguous disaster counties become eligible for USDA-FSA relief programs and emergency loans including:

- Non-Insured Crop Disaster Assistance Program (NAP)-- includes native grass for grazing
- Livestock Forage Disaster Program (LFP)-- covers grazing losses
- Emergency Assistance for Livestock, Honey Bees, and Farm-Raised Fish Program (ELAP)-- livestock related losses that are not adequately addressed by other programs
- Emergency Loan Program-- available for producers in primary and contiguous counties to help recover from production and physical losses
- Emergency Conservation Program (ECP)-- funing to rehabilitate land severely damaged by drought and to implement emergency water conservation measures

For more information on these programs, contact your local county USDA Service Center, visit fsa.usda.gov/disaster.

On October 21st, MCS requested a temporary variance from the USDA-NOP, asking that the pasture rule's minimum 30% DMI for 120 days be temporarily reduced for the 2020 grazing season to 30% DMI for 90 days, pursuant to \$205,290.

On November 10, 2020 the NOP granted a temporary variance for the 2020 grazing season for all Maine counties, reducing the grazing requirement from 30% DMI from pasture for 120 days down to 30% DMI from pasture for 90 days, for farms that do not have irrigation. MCS sent formal communication to all ruminant livestock producers detailing the variance and how to proceed. Producers need to

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keep detailed feed records, including dry matter fed and days on pasture for each animal group, and submit them with the 2021 certification renewal update. Producers should contact our office by December 7, 2020 to let us know which groups of livestock on your operation will need this variance in 2020.

Please contact Katie Webb (kwebb@mofga.org) with any questions about the variance or your certification specialist for questions about your farm's compliance with the organic standards.



Critical Change to Clorox Germicidal Bleach Formulation

Clorox Germicidal Bleach has been reformulated and the new formulation (EPA 5813-121) is not approved for use as a no rinse sanitizer for surfaces that come into contact with organic products. This product was previously used widely among organic producers across scopes, but the new formulation contains Poly(Diallyldimethylammonium Chloride) -- a quaternary ammonium (quats) compound, which is highly restricted in organic production.

This change is important. Quaternary ammonium compounds (quats) are added to sanitizers to leave a durable residue of chemical sanitation on surfaces. Quats are difficult to remove from surfaces, and this residue can contaminate your organic products.

Many sanitizers contain quats, which are all highly restricted in organic production. **For that reason, MCS recommends avoiding them for surfaces that come into direct contact with organic products.** If you choose to use a sanitizer that contains quats, please note the MCS policy on quats as follows:

1. Quats must be thoroughly rinsed after use to completely remove residues from surfaces that contact organic products.
2. Following removal, test strips must verify quats residues are no longer present. A zero residue result is required.
3. All rinse procedures (including water pressure, temperature, quantity and timing of the rinse) must be documented.
4. All test results must be documented. Or, after establishing a protocol that reliably removes quats residues and is approved by MCS, testing with strips can be performed on a periodic basis.
5. Periodic testing must be recorded and must verify the efficacy of the established protocol.

If your operation has relied on Clorox Germicidal bleach in the past, please work to find an alternative option or reach out to the MCS office and your specialist for a list of alternatives that might work for you.



Reminder! Label Use up Period – For Existing Labels

MOFGA Certification Services rolled out its new "Certified Organic by MOFGA" logo this past January. Please make note of the requirements below if you have not already:

Use of existing labels. A one-year allowance has been granted to all producers. Beginning on January 4, 2021, MCS will require any producer using the Certified Organic by MOFGA seal to move to the new logo. Please contact your specialist or our office if you feel that this use-up period is not adequate or will present challenges for your operation.

Product labeling. Any labels or packages printed after January 1, 2020 must use the new MCS logo. For further questions, please contact our office or your specialist directly.

<https://mofgacertification.org/organic-logos-and-label-requirements/>

