Implementation Dates
All producers must be operating in full compliance with the new rule by **January 2, 2025**.

However, there are some sections of the rule that have an extended implementation date. If you are a currently certified poultry producer, or if you become certified for poultry before January 2, 2025, the following sections of the rule will have an extended implementation date of **January 2, 2029**:

- Outdoor stocking density requirements and soil/vegetation requirements for layers.
- Indoor and outdoor stocking density requirements and soil/vegetation requirements for broilers.
- Exit area requirements for layers and broilers.

Overview of changes
The following sections of the Rule have been revised and/or added:

- Terms Defined (205.2) - *revised*
- Livestock care and production practices standard (205.238) - *revised*
- Mammalian and non-avian living conditions (205.239) - *revised*
- Avian living conditions (204.241) - *NEW*
- Transport and slaughter (205.242) - *NEW*

Description of Changes

Terms Defined §205.2

The following terms were added to 205.2: beak trimming, caponization, cattle wattling, de-beaking, de-snooding, dubbing, indoors or indoor space, induced molting, mulesing, non-ambulatory, outdoors or outdoor space, perch, pullets, religious (or ritual) slaughter, stocking density, toe clipping and vegetation.

Livestock care and production practices standard §205.238

Summary: The revised rule clarifies which physical alteration procedures are prohibited or restricted. The livestock health care practice standards include requirements for euthanasia to reduce suffering of irreversibly sick or disabled livestock.

Important to note for ALL SPECIES of livestock:

- Physical alterations may be performed for identification purposes or the safety of the animal.
- Physical alterations must be performed at a young age for the species, in a manner that minimizes stress and pain.

○ Must be performed by a person that is capable of performing the physical alteration in a manner that minimizes stress and pain.
Surgical procedures necessary to treat illness or injury must be undertaken in a manner that employs best management practices to promote the animal's wellbeing and to minimize pain, stress, and suffering, with the use of allowed anesthetics, analgesics, and sedatives, as appropriate.
Producers must implement a plan to actively monitor and treat lameness within the herd or flock and employ mitigation measures that address the cause of lameness.
Synthetic medications found on 205.603 may be used to alleviate pain or suffering when preventive practices and veterinary biologics (vaccines) are inadequate to prevent sickness.
Producers are prohibited from: ○ Withholding individual treatment designed to minimize pain and suffering for injured, diseased, or sick animals, which may include forms of euthanasia as recommended by the American Veterinary Medical Association. ○ Failing to identify and record treatment of sick and injured animals in animal health records.
Producers must have a plan to minimize internal parasite problems in livestock.
Producers must have written plans for prompt, humane euthanasia for sick or injured livestock suffering from irreversible disease or injury. ○ The following methods of euthanasia are not permitted: suffocation; manual blow to the head by blunt instrument or manual blunt force trauma; and the use of equipment that crushes the neck, including killing pliers or Burdizzo clamps. ○ Following a euthanasia procedure, livestock must be carefully examined to ensure that they are dead.

POULTRY

The following physical alterations are prohibited for avian species: de-beaking, de-snooding, caponization, dubbing, toe clipping of chickens, toe clipping of turkeys unless with infra-red at hatchery, beak trimming after 10 days of age
Induced molting is prohibited

SWINE

The following physical alterations are restricted for swine: needle teeth clipping (no more than top one-third of the tooth) and tail docking
The above “restricted” practices may not be routinely used and must be used only with documentation that alternative methods to prevent harm failed

RUMINANTS

The following physical alterations are prohibited: tail docking of cattle, wattling of cattle, face branding of cattle, tail docking of sheep shorter than the distal end of the caudal fold and mulesing of sheep.
Milk from an animal treated with a substance that is allowed on the National List and has a withdrawal period may not be sold, labeled, or represented as organic during that withdrawal period. However, that milk may be fed to organic calves on the same operation during the withdrawal period.

Mammalian and non-avian livestock living conditions §205.239

Summary: Sets livestock living condition standards that reflect the needs and behaviors of different species of animals. This section is now dedicated to non-avian species.

Removes the requirement that all ruminant livestock must be able to feed simultaneously and instead requires that animals be able to feed without competition for food.
Shelter must provide: ○ Sufficient space for animals to lie down, stand up, and fully stretch their limbs and allow livestock to express their normal patterns of behavior over a 24-hour period. ○ Appropriate temperatures, ventilation, and air circulation. ○ Reduce potential for livestock injury. ○ Bedding and resting areas that are sufficiently large, solidly built, and comfortable so that animals are kept clean, dry, and free of lesions.
Housing, pens, runs, equipment and utensils must be properly cleaned and disinfected to prevent cross-infection and build-up of disease carrying organisms.
Confined housing with stalls: ○ Must have enough stalls to allow for the natural behaviors of the animals. ○ Cages cannot be considered a stall. ○ For group housed cattle: bedded packs, compost packs, tie-stalls, free-stall and stanchion barns are permitted so long as animals may express their normal patterns of behavior over a 24-hour period.
Dairy Young Stock: ○ Can be individually housed until the weaning process is complete as long as the animals have sufficient room to turn around, lie down, stretch out while lying down, get up, rest, and groom themselves. ○ Individual pens for young stock must be designed so that animals can see, smell, and hear other animals.
Swine: ○ Must be housed in groups except: • Sows are allowed to be individually housed during farrowing and suckling periods • Boars • Swine with multiple documented instances of aggression or for recovery of illness. ○ For group housed swine, more animals than feeding stalls may be allowed as long as all animals are fed routinely every day. ○ Gestation and farrowing crates, flat decks or piglet cages are prohibited. ○ Rooting materials must be provided except not required during farrowing and suckling period.
Outdoor space must be provided year round. When the outdoor space includes soil, vegetative cover must be maintained as appropriate for the season, climate, geography, species of livestock, and stage of production.
Temporary Confinement: ○ Clarification regarding the allowance of temporary confinement during breeding. Animals cannot be confined any longer than necessary for natural breeding or to perform artificial insemination. Confinement is not allowed for observing estrus or to confirm pregnancy. ○ Youth event facilities do not need to be certified, provided organic management practices are followed.

Avian Living Conditions §205.241

Summary: This new section includes requirements for all organic avian species, including but not limited to chickens, turkeys, geese, quail, pheasants, and any other bird species that are raised for organic eggs, organic meat, or other organic agricultural products. Chickens are the only species where stocking density requirements apply.

Producers must establish and maintain year-round poultry living conditions that accommodate the health and natural behavior of poultry, including: year-round access to outdoors; shade; shelter; exercise areas; fresh air; direct sunlight; clean water for drinking; materials for dust bathing; and adequate outdoor space to escape aggressive behaviors suitable to the species, its stage of life, the climate, and environment. Continuous total confinement of poultry indoors is prohibited, see below for a list of reasons for allowed temporary confinement.

INDOOR space requirements:

- All birds must be able to move freely, stretch both wings simultaneously, stand normally, and engage in natural behaviors.
- Producers must monitor ammonia levels weekly, at the height of the birds' head, to ensure levels stay below 20 ppm. When ammonia levels exceed 20 ppm, producers must implement additional practices and additional monitoring to reduce ammonia levels below 20 ppm. Ammonia levels must not exceed 25 ppm.
- Artificial light use for layers and other fully feathered birds:
  - May be used to prolong the day length to provide up to 16 hours of continuous light per 24 hour period.
  - Should be lowered gradually to encourage hens to move to perches for the night.
  - Light spectrum may not be manipulated to increase feed intake and growth rate.
- Exit areas:
  - Producers must provide at least 1 linear foot of exit space per 360 birds. For flocks with fewer than 360 birds, at least 1 linear foot of exit area is required.
- Perches:
  - For layers - six inches of perch space must be provided per bird.
  - All layers must be able to perch at the same time except for aviary housing, in which 55% of layers must be able to perch at the same time.
- All birds must have access to areas in the house that allow for scratching and dust bathing, except, that mobile housing may meet this requirement when paired with outdoor space that provides birds with areas for scratching and dust bathing. Litter must be provided and maintained in a dry condition in the house.
- Non-mobile houses may use slatted/mesh floors but at least 15% of the floor needs to be solid, with sufficient litter available for dust baths so that birds may freely dust bathe without crowding.

INDOOR stocking densities:

- Layers:
  - Mobile housing - 4.5 pounds per square foot; or 1.5 square feet per bird.
  - Aviary housing - 4.5 pounds per square foot; or 1.5 square feet per bird.
  - Slatted/mesh floor housing - 3.75 pounds per square foot; or 1.8 square feet per bird.
  - Floor litter housing - 3.0 pounds per square foot; or 2.2 square feet per bird.
  - Other housing - 2.25 pounds per square foot; or 3 square feet per bird.
- Pullets: 3.0 pounds of bird per square feet; or 1.7 square feet per bird.
- Broilers: 5.0 pounds of bird per square foot; or 2.0 square feet per bird.
- Indoor space includes flat areas available to birds, but does not include nest boxes.

○ Indoor space may include enclosed porches and lean-to type structures as long as the birds always have access to the space, including during temporary confinement events. If birds do not have continuous access to the porch during temporary confinement events, this space must not be considered indoors.
OUTDOOR space requirements: ○ Access to outdoor space and door spacing must be designed to promote and encourage outside access for all birds on a daily basis. Producers must provide access to the outdoors at an early age to encourage birds to go outdoors. ○ At least 75% of the outdoor space must be soil with vegetative cover. Vegetative cover must be maintained in a manner that does not provide harborage for rodents and other pests. ○ Shade may be provided by structures, trees, or other objects. ○ Outdoor space may include structures that are not enclosed and allow birds to freely access other outdoor spaces.
OUTDOOR stocking rates: • Layers: one square foot for every 2.25 pounds of bird; or 3 square feet per bird • Pullets: one square foot for every 3.0 pounds of bird; or 1.7 square feet per bird • Broilers: one square foot for every 5.0 pounds of bird; or 2.0 square feet per bird
Temporary confinement must be recorded and is only allowed for the following reasons: ○ Inclement weather, including when air temperatures are below 32F or above 90F. ○ First 4 weeks of life for broilers and 16 weeks for pullets or until fully feathered for species other than Gallus gallus. ○ Conditions when health, safety or well-being of bird is in jeopardy. ○ Risk to soil or water quality. ○ Preventative healthcare procedures or for the treatment of illness or injury (various life stages or egg laying is not an illness or injury). ○ Sorting and shipping of birds and poultry sales. ○ Nest box training (must not exceed 5 weeks over the life of the bird). ○ Youth projects (e.g. 4-H and National FFA) for no more than one week prior to the event and up to 24 hours after the birds have arrived home after the event.
Manure must be managed in a manner that does not contribute to contamination of crops, soil, or water by plant nutrients, heavy metals, or pathogenic organisms. Outdoor access areas must be managed in a manner that does not put soil or water quality at risk.

Transport and Slaughter §205.242

Summary: This new section of the rule addresses the care of organic animals during transport and throughout the slaughter process.

Transportation:

- ○ Livestock must be clearly identified as organic and must be traceable for the duration of transport.
- ○ Livestock must be fit for transport:
  - Calves must have a dry navel cord and be able to stand and walk on their own
  - Seriously crippled and non-ambulatory animals must not be transported
- ○ Livestock trailers, shipping containers, etc. must have adequate and season appropriate ventilation.
- ○ Except in poultry crates, bedding must be provided during transport and prior to slaughter to ensure animals are kept clean, dry and comfortable. When roughages are used, they must be certified organic.
- ○ For transport that exceeds 8 hours, producers must describe how organic management and animal welfare will be maintained.
- ○ Producers must have emergency plans in place to address potential animal welfare issues during transport.

Mammalian Slaughter:

- ○ Producers must be in full compliance with all applicable humane handling and slaughter regulations and provide all records of noncompliance, including corrective action plans, to the organic inspector and/or certifier.

Avian Slaughter:

- ○ Producers must be in full compliance with all applicable humane handling and slaughter regulations and provide all records of noncompliance, including corrective action plans, to the organic inspector and/or certifier.
- ○ For any producer not covered by the requirements of the Poultry Products Inspection Act must ensure that:
  - Lame birds are not shackled, hung, or carried by their legs
  - All birds shackled on a chain or automated system must be stunned prior to exsanguination, with the exception of religious slaughter
  - All birds must be irreversibly insensible prior to being placed in the scalding tank