

December 16, 2008



**TEXAS
CATTLE
FEEDERS
ASSOCIATION**

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Mr. Richard H Mathews, Chief
Standards Development and Review Branch
National Organic Program, Transportation and Marketing Programs
USDA-AMS-TMP-NOP
1400 Independence Avenue, SW – Room 4008 South
Washington, DC 20250

RE: Docket No. AMS-TM-06-0198; TM-05-14

Dear Mr. Mathews:

Texas Cattle Feeders Association (TCFA) – a trade association that represents cattle feeders in Texas, Oklahoma and New Mexico – strongly opposes the USDA Agricultural Marketing Service proposed rule [Docket No. AMS-TM-06-0198; TM-05-14] to amend provisions of the National Organic Program (NOP) relating to the production of ruminant animals, especially the new provision to disallow confined feeding of organic beef cattle.

This proposed change to the NOP is not in line with the National Organic Standards Board's (NOSB) recommendation that confinement of cattle for finishing should be allowed. The NOSB recommendation on Access to Pasture (March 18, 2005) included an exception to the pasture requirement for finishing beef, up to 120 days. However, this proposed rule prohibits confinement.

The proposed rule is also discriminatory and conveys a negative connotation upon feedyards that take great pride in producing healthy animals that supply good tasting, wholesome and nutritious beef products consumed by millions. TCFA feedyards participate in numerous voluntary marketing programs to add value to their cattle and satisfy consumer wants. However, the prohibition of confined feeding of cattle in this proposed rule would limit producers' marketing options and consumers' choices.

Beef producers should have the opportunity to choose to finish their cattle on pasture, and serve those consumers who prefer the characteristics of grass-finished, organic beef or on organic feedstuffs in a feedyard, and serve those consumers who prefer the characteristics of grain-finished organic beef. Both finishing methods can be done in accordance with organic standards.

It is my understanding that the confinement for finishing exception is not included in this proposed rule, primarily due to the large number of comments received on the Advance Notice of Proposed Rulemaking that stressed the importance of the pasture requirement for dairy animals, not beef cattle.

The exception allowing the confinement of cattle for finishing should be included in the rule revision, as recommended by the NOSB.

Additionally, TCFA believes that any changes to the NOP should take into account regional differences – climates, soils, environmental concerns, etc. – that affect production practices for different kinds and classes of livestock across the country. TCFA opposes the proposed provisions that require sacrificial pasture, the fencing off of streams and other water bodies, and the availability of shade as overly prescriptive and unnecessary. There are already science based rules and best management practices in place to protect soil and water quality and animal welfare. Likewise, TCFA is concerned with the provision that would require feeding and watering equipment to be specially designed to prevent fouling. This provision is unattainable. How can a producer ensure that birds and other wildlife cannot foul feeding and water equipment and still maintain access for cattle to eat and drink? Does such equipment even exist?

Thank you for the opportunity to comment on this important rule. Please let me know if I can provide additional information or answer any questions. We look forward to continuing our dialogue and working with you to create the best rule possible for all parties involved.

Sincerely,

A handwritten signature in black ink that reads "Ross Wilson". The signature is written in a cursive, flowing style with a large initial "R" and "W".

Ross Wilson
President & CEO