



June 27, 2024

U.S. Department of Agriculture  
Food Safety and Inspection Services  
Email: [fsispetitions@usda.gov](mailto:fsispetitions@usda.gov)

**Petition:** 23-03 Request for rulemaking to define free-range and pasture-raised claims for meat and poultry products; request for update to guidance on living/raising conditions claims

To Whom it May Concern:

Thank you for this opportunity to provide comment on Petition 23-03, submitted by Perdue Farms LLC to the U.S. Department of Agriculture's Food Safety and Inspection Services (FSIS) on March 16, 2023. The Organic Trade Association (OTA) is the membership-based business association for organic agriculture and products in North America. OTA is the leading voice for the organic trade in the United States. Our members include growers, shippers, processors, certifiers, farmers' associations, distributors, importers, exporters, brands, retailers, across the trade, including those across the livestock production supply chain. OTA's mission is to grow and protect organic with a unifying voice that serves and engages its diverse members from farm to marketplace.

OTA believes there exists a need for greater clarity and consistency in industry use and understanding by the consumer of the terms free-range and pasture-raised. From our long history of advocating for continuous improvement of organic standards, OTA understands the importance of clear and consistent standards and the challenges a market faces in their insufficiency or absence. For many years, OTA and the organic sector requested more explicit standards regarding animal welfare to ensure the USDA organic seal represented consumer expectations of how organic meat, dairy, and eggs are produced. We applauded the USDA's Organic Livestock Production Standards final rule, published late last year, which codifies and makes consistent many of the practices already in place across the organic livestock sector, giving organic consumers further confidence that their understanding of what is represented by the seal is truly reflected on the farm.

In moving forward in its consideration of the petition, OTA encourages FSIS work across USDA programs to ensure regulatory consistency and reference definitions already in place, as well as ensure any definitions be inclusive of production practices across species and industry segments (broilers, layers, dairy cattle, beef cattle, etc.). Such collaboration will ensure existing consumer expectations and understanding are upheld. Specifically, we point to the long-established definition of pasture in the USDA organic regulations at 7 CFR Part 205.2, and the pasture practice standard at 7 CFR Part 205.240.

As noted, organic consumers have an existing expectation regarding access to pasture and what this means for animal welfare. This expectation and confidence is rooted in the third party organic certification process, a verification that is central to the USDA organic regulations. Just as organic claims are backed by transparent auditing of production facilities, FSIS should work across USDA programs to back any definitions and claims with a similar auditing scheme to ensure consumers are getting what they pay for.

Finally, we recommend FSIS allow and facilitate a broader opportunity for all interested producers and consumers to comment on this petition. We believe an advanced notice of proposed rulemaking to be a



proven mechanism to facilitate this dialog. At the time this or any other rule making is undertaken by FSIS, OTA looks forward to engaging with our members to further inform this process.

On behalf of our members across the supply chain and the country, the Organic Trade Association thanks FSIS for the opportunity to comment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott Rice", is positioned above the typed name.

Scott Rice  
Sr. Director, Regulatory Affairs  
Organic Trade Association

cc: Tom Chapman, co-CEO  
Organic Trade Association