

Texas Department of Agriculture
Organic Certification Program Policy

Effective date: November 2, 2018

1. Purpose

The purpose of this document is to promote consistent application of the USDA National Organic Program Regulations by the Texas Department of Agriculture (TDA) Organic Certification Program. This instruction is based upon guidance received from the USDA NOP.

2. Applicability

This instruction applies to all ruminant livestock producers certified organic or in application status with TDA.

3. Scope

The duration of the grazing season as clarified in §205.2 grazing season and §205.237(c) of the NOP Regulations.

4. Authority

TDA is accredited by the USDA NOP under the authority of the Organic Foods Production Act of 1990, as amended (7 U.S.C. §§6501 et seq.) as described in 7 CFR Part 205, NOP. As such, TDA must carry out the provisions of the Organic Foods Production Act of 1990 and the NOP Regulations (§205.501(a)(3)). Per §205.237(c), during the grazing season, producers shall (1) Provide not more than an average of 70 percent of a ruminant's dry matter demand from dry matter fed (dry matter fed does not include dry matter grazed from residual forage or vegetation rooted in pasture). This shall be calculated as an average over the entire grazing season for each type and class of animal. Ruminant animals must be grazed throughout the entire grazing season for the geographical region, which shall be not less than 120 days per calendar year. Due to weather, season, and/or climate, the grazing season may or may not be continuous. The continuity of the grazing season is further clarified within the definition of grazing season (§205.2), which is defined as the period of time when pasture is available for grazing, due to natural precipitation or irrigation. Grazing season dates may vary because of mid-summer heat/humidity, significant precipitation events, floods, hurricanes, droughts or winter weather events. Grazing season may be extended by the grazing of residual forage as agreed in the operation's organic system plan. Due to weather, season, or climate, the grazing season may or may not be continuous. Grazing season may range from 120 days to 365 days, but not less than 120 days per year.

5. Policy

Once begun, the grazing season shall be continuous and ruminants shall graze on pasture daily unless one or more of the following weather conditions occurs:

1. Heat/humidity extremes that cause majority of the herd to display behavior changes such as open-mouth breathing, increased vasodilation, sweating, panting, and increased water intake in order to maintain a normal internal body temperature. Ruminants that show heat stress behavior changes while other healthy animals do not display behavior changes should be temporarily confined for health observation and are not considered justification to break the grazing season of the whole herd or a particular production group.
2. Significant precipitation events, floods, hurricanes, or
3. Droughts rated D2-Severe or higher on the U.S. Drought Monitor for the counties where livestock are located

Producers should ensure that pastures have been planted with vegetation mixtures that will ensure sufficient quality and quantity to graze throughout the grazing season and to provide all ruminants under

the organic system plan with an average of 30% of their dry matter intake (DMI) from grazing throughout the grazing season. Therefore, TDA will not approve organic system plans where the grazing season is temporarily interrupted to plant additional grazing crops without clear evidence that pasture quality has significantly degraded due to drought, significant precipitation events, natural disasters, or wildfire damage.

The action of a interrupting the grazing season for planting grazing crops, except for the above stated reasons is considered a major noncompliance of §205.237(c)(2) of the NOP Regulations and TDA will not issue certification until a corrective action plan is submitted by the producer and is approved by Program staff. In order for Program staff to approve the corrective action plan, it must include evidence of actions taken to either increase the dry matter availability to meet the herd's or specific production group's dry matter demand (DMD) for the entire grazing season or reduce herd/production group size.

TDA will review all ruminant livestock operations on a case-by-case basis to determine whether or not these criteria are met.