

GUIDANCE
Guidance Statement

From time to time, NOP issues program guidance for certifying agents, producers, and processors, concerning issues that arise related to the National Organic Standards as published in 7 CFR Part 205. These guidance statements are organized according to sections of the regulation, but may also be found under broad heading topics of: crops, livestock, handling/processing, labeling, and the National List. NOP welcomes input from interested parties. You may reach us by mail or fax at: National Organic Program/Rm 4008 South Bldg. 14th & Independence Avenue, Washington, DC 20250; fax (202) 205-7808.

Section(s): 7CFR § 205.237
Topic(s): Livestock Feed

Issue(s): We have been asked if fishmeal can be used to supplement protein in the feeding of organic livestock.

Answer: The use of fishmeal as a protein supplement in the feeding of organic livestock is consistent with the National Organic Program standards as demonstrated below. The use of fishmeal must comply with all applicable requirements of the Federal Food, Drug, and Cosmetic Act.

What the Standards Say:

Section 205.2 defines “Agricultural Product,” “Feed,” “Feed Additive,” “Feed Supplement,” and “Nonsynthetic(natural)” as follows:

Agricultural product. Any agricultural commodity or product, whether raw or processed, including any commodity or product derived from livestock, that is marketed in the United States for human or livestock consumption.

Feed. Edible materials which are consumed by livestock for their nutritional value. Feed may be concentrates (grain) or roughages (hay, silage, fodder). The term, “feed,” encompasses all agricultural commodities, including pasture ingested by livestock for nutritional purposes.

Feed Additive. A substance added to feed in micro quantities to fulfill a specific nutritional need; i.e., essential nutrients in the form of amino acids, vitamins, and minerals.

Feed Supplement. A combination of feed nutrients added to livestock feed to improve the nutrient balance or performance of the total ration and intended to be:

- (1) Diluted with other feeds when fed to livestock;
- (2) Offered free choice with other parts of the ration if separately available; or
- (3) Further diluted and mixed to produce a complete feed.

Nonsynthetic (natural). A substance that is derived from mineral, plant, or animal matter and does not undergo a synthetic process as defined in section

6502(21) of the Act (7 U.S.C. 6502(21)). For the purposes of this part, nonsynthetic is used as a synonym for natural as the term is used in the Act.

Section 205.237(a) provides that the producer of an organic livestock operation must provide livestock with a total feed ration composed of agricultural products, including pasture and forage, that are organically produced and, if applicable, organically handled: *Except*, That, nonsynthetic substances, and synthetic substances allowed under § 205.603, may be used as feed additives and supplements.

Section 205.237(b)(2) provides that the producer of an organic operation must not provide feed supplements or additives in amounts above those needed for adequate nutrition and health maintenance for the species at its specific stage of life.

**What the
Preamble
Says:**

Final Rule page 80616 (4) *Nonagricultural Products as Livestock Feed Ingredients.* “Some commenters questioned whether nonsynthetic, nonagricultural substances such as fishmeal and crushed oyster shell needed to be added to the National List to be used in organic livestock feed. Nonsynthetic substances do not have to appear on the National List and may be used in organic livestock feed, provided that they are used in compliance with the FFDCa.” FFDCa stands for Federal Food, Drug, and Cosmetic Act.

Final Rule page 80570-80571 (4) *Provisions for Feed Supplements and Feed Additives.* “...Commenters questioned whether nonsynthetic but nonagricultural substances, such as ground oyster shells and diatomaceous earth, would be allowed in agricultural feed. In 1994, the NOSB recommended that natural feed additives can be from any source, provided that the additive is not classified as a prohibited natural on the National List. We agree with this recommendation and have amended the final rule to allow such materials as feed additives and supplements. The only additional constraint on these materials is that every feed, feed additive, and feed supplement be used in compliance with the Federal Food, Drug, and Cosmetic Act, as stated in section 205.237(b)(6)...”

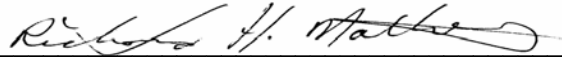
Final Rule page 80580 *Labeling Organically Produced Livestock Feed Products* “New section 205.306 is added to provide for labeling of the two categories of livestock feed that are organically produced under this regulation. Feed labeled ‘100 percent organic’ may contain only organically produced agricultural product. Such feed must not contain feed additives, supplements, or synthetic substances. Feed labeled ‘organic’ must contain only organically produced agricultural products and may contain feed additives and supplements in accordance with section 205.237, Livestock Feed, and section 205.603 of the National List. This rule does not limit the percentage of such additives and supplements in organic feed products, which may be required under various State laws.”

Guidance:

Except for an allowance for feed additives and supplements, section 205.237(a) requires the producer of an organic livestock operation to provide a total feed ration composed of agricultural products. The feed additives and supplements may be nonsynthetic or synthetic provided the synthetic is listed in section 205.603 of the National List. Section 205.237(b) requires that feed supplements and additives not be provided in amounts above those needed for adequate nutrition and health maintenance for the species at its specific stage of life.

Fishmeal is a nonsynthetic (natural) protein supplement. Section 205.237(a) allows the use of nonsynthetic (natural) protein supplements in organic livestock feed.

Can fishmeal be used as a protein source in the feeding of organic livestock? Yes, because section 205.237 allows the use of supplements in livestock feed provided they are not used in amounts greater than those needed for adequate nutrition and health maintenance. The use of fishmeal must comply with all applicable requirements of the Federal Food, Drug, and Cosmetic Act.



Richard H. Mathews
Program Manager
National Organic Program

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