

THE ORGANIC PLUS TRUST INC.

# **Certified Grass-Fed Organic Livestock Program™**

## **Standards for Dairy Animal Production and Dairy Product Handling Operations©<sup>1</sup>**

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# THE ORGANIC PLUS TRUST INC.

## Table of Contents

The Program.....	3
This Standard .....	3
I. Definitions .....	3
II. Certification of Organic Grass-Fed Dairy Production and Handling Operations .....	4
III. Source and Identity of Dairy Animals .....	5
IV. Mandatory Grazing Requirements for Animals Older than Six Months .....	6
V. Livestock Diet – Allowed, Restricted and Prohibited Feedstuffs .....	6
VI. Exclusion of Milk from Disqualified Animals .....	10
VII. Livestock Welfare, Healthcare and Living Conditions Requirements .....	10
VIII. Pasture Management Plan .....	12
IX. Recordkeeping – Production and Handling Operations.....	12
X. Handling of OPT Grass-Fed Certified Products .....	13
XI. Composition and Labeling of OPT Grass-Fed Certified Products .....	13
XII. Mandatory Use of This Program’s Seal .....	14
XIII. Administrative Matters – OPT Certifier Accreditation, Compliance Matters, Complaints, Appeals, Petitions, and Governance .....	14
Appendix A.....	16

# THE ORGANIC PLUS TRUST INC.

## The Program

The Organic Plus Trust LLC (OPT) Certified Grass-Fed Organic Livestock Program™ (“the OPT Grass-Fed Program” or “this Program”) corresponds to, and supplements, the certification requirements of the National Organic Program (“NOP”) for livestock.<sup>2</sup> As used throughout this Standard, “Organic” means certified Organic under the NOP. To meet the requirements of this Standard, each Dairy Livestock Production Operation (“Operation”) must be certified Organic by an NOP-Accredited Certifying Agent (“ACA”). Upon Accreditation by OPT, ACAs are referred to as “OPT Certifiers” in this Standard.

## This Standard

The OPT Grass-Fed Organic Livestock Program™ Standards for Dairy Animal Production and Dairy Product Handling Operations© is hereinafter referred to as the “OPT Grass-Fed Dairy Standard” or “this Standard”.

Only OPT Certifiers can Certify Operations that meet this Standard. Operations that are Certified to this Standard are referred to as “OPT Grass-Fed Certified Operations” or “OPT GF-Certified Operations” or as having “OPT Grass-Fed Certification” throughout this Standard.

This OPT Grass-Fed Program is open to any livestock Production or livestock product Handling Operations, that is presently certified Organic by an ACA under the U.S. Department of Agriculture’s National Organic Program (“NOP”) or eligible to concurrently be certified under the NOP and the OPT Grass-Fed Program.

This Standard sets additional requirements for Organic<sup>3</sup> Dairy Livestock Production under which each OPT GF-Certified Operation enlarges the duration of the animal’s grazing time to ensure its feed comes solely from foraging, stores Forages and minor amounts of additional plan-based materials and nutrient vitamins and minerals. Unlike the federal NOP Practice Standards, this Standard *excludes* Grain and Grain-derived Feed and Feed products from the diets of livestock. This Standard also sets additional requirements for the Handling and labeling of OPT GF-Certified dairy products.

## I. Definitions

Words have the same meaning as in the NOP and appearing at 7 C.F.R. §205.0 unless specifically defined in Appendix A of this Standard and Appendix A of the OPT Certified Grass-Fed Organic Livestock Program Manual© (“the Program Manual”). When the word is denoted with an initial capital letter, it is defined in one of both of these two appendices.

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<sup>2</sup> See e.g., 7 C.F.R. Part 205 “National Organic Program”

<sup>3</sup> As used throughout this Standard, “Organic” mean Certified Organic under the NOP.

# THE ORGANIC PLUS TRUST INC.

## II. Certification of Organic Grass-Fed Dairy Production and Handling Operations

### A. Eligibility

Any Organic Dairy Livestock Production Operation or Organic Dairy Handling Operation certified by an ACA<sup>4</sup> is eligible to apply for Certification under this Standard. Operations not previously certified as Organic may simultaneously seek Certification under this Standard and the NOP.

### B. General OPT Grass-Fed Certification Requirements

Each applicant Operation shall,

1. Submit a complete OPT Grass-Fed Program Application in a form and upon a procedure set forth in the OPT Grass-Fed Program Manual that includes proof of current Organic certification by an ACA, or simultaneously submit an application for Organic certification and an Application for this Program.
  - a. Be inspected prior to the OPT Grass-Fed Certification decision and annually thereafter, and successfully complete any requests for additional information or corrective actions; and
  - b. Successfully complete a 90-day Transition period for each Organic dairy animal at the applicant Operation or purchase animals from an Operation presently OPT GF-Certified to this Standard; and
  - c. Provide Notice of any material change in the status of the Operation or its animals to the OPT Certifier during the OPT GF Certification cycle; and
  - d. Demonstrate that all animals being milked at the Operation, or at any single site of a multi-site Operation, are solely OPT Grass-Fed Certified.<sup>5</sup>

### C. OPT Grass-Fed Certification Term

1. The OPT Grass-Fed Certification term shall be twelve calendar months. The term's start and end dates are presumed to run concurrent with the Operation's Organic certification period unless the OPT Certifier determines otherwise.

### D. OPT Grass-Fed Certification Grant, Denial, Suspension, Revocation and Reinstatement and Animal Exclusions under this Standard

1. Certification under this Standard may be denied or granted upon OPT Grass-Fed Certification issuance may thereafter be renewed, suspended, or revoked. Each of

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<sup>4</sup> Accredited Certifying Agent (ACA), as defined in the OPT Grass-Fed Program Manual, Appendix A.

<sup>5</sup> See, Section II (B) of the OPT Grass-Fed Program Manual

# THE ORGANIC PLUS TRUST INC.

these actions is subject to written notice from the OPT Certifier and an opportunity to respond on behalf of the applicant or OPT GF-Certified Operation, in accordance with the applicable procedures set forth in the OPT Grass-Fed Program Manual.

2. Loss of OPT Grass-Fed Certified Status (Animals) – An individual animal loses its Certified status under this Standard if it is determined that during the applicable Certification period the animal,
  - a. Was intentionally fed, or inadvertently received, more than a *De Minimis* amount of non-compliant Feed, Feed product or received healthcare materials prohibited under the NOP or requirements of this Standard; or
  - b. Failed otherwise to meet the ACA’s requirements for Organic certification or requirements of this Standard.

### III. Source and Identity of Dairy Animals

Any ruminant animal placed at an Operation Certified under this Standard shall be:

1. Born at that Operation or an Operation Certified to this Standard and maintained under this Standard throughout its life at that Operation; or
2. Purchased from an Operation presently Certified to this Standard; or
3. If an animal compliant with paragraphs III (1) or (2) of this section is Commercially Unavailable, according to the definition in Appendix A, an Organic ruminant animal may be purchased from an ACA-certified Organic Operation provided it then completes a 90-day Transition period under this Standard. During this Transition period, the milk of this animal is not eligible to be sold as “Grass-Fed Organic”. These factors are relevant to the decision regarding whether a ruminant animal is Commercially Unavailable.
  - a. The cost of an animal; and/or
  - b. The cost of the animal’s transportation;
  - c. The welfare implications of transportation of the animal.

Confirmation – The OPT Certifier shall confirm the Farm Herd List meets the requirements of 7 C.F.R. §205.236 (c) and shall also confirm to a reasonable certainty that non-compliant animals are not sold or labeled as “Certified Grass-Fed Organic” animals.

# THE ORGANIC PLUS TRUST INC.

## **IV. Mandatory Grazing Requirements for Animals Older than Six Months**

To maintain OPT Grass-Fed Certification under this Standard, a Certified Operation shall,

1. Graze all animals throughout the entire Grazing Season, which shall be not less than 150 days per calendar year. Due to weather, season, and/or climate the Grazing Season may or may not be continuous; and
2. Provide not less than 60 percent of each animal's dry matter intake ("DMI") from grazing, averaged throughout the Grazing Season.

## **V. Livestock Diet – Allowed, Restricted and Prohibited Feedstuffs**

An animal's diet shall consist solely of Grain-free Forage and Feedstuffs and Supplemental Feedstuffs that are Allowed and/or Restricted under this Standard, as follows.

### **A. Allowed Feedstuffs**

1. Grazed Forages comprised of annual and perennial Grasses, Legumes, Forbs, Brassicas, and Browse; and
2. Grazed vegetative-stage Cereal Grain plants (corn in a pre-tassel stage, soybeans prior to bloom; small and Cereal Grains Pre-Boot Stage); and
3. Harvested Forages and harvested vegetative-stage Cereal Grain crops (corn in a pre-tassel stage, soybeans prior to bloom; small and Cereal Grains Pre-Boot Stage).

### **B. Allowed and Unrestricted Grain-Free Supplemental Feedstuffs**

Supplemental Feedstuffs that are allowed by the OPT Grass-Fed Program without restriction are listed in Table 1 in this section. The materials in the table below that are non-synthetic and permitted in Organic Production, and required to maintain animal, rumen and nutritional health are allowed under this Program, without limits and free choice by the animal fed, as notated.

# THE ORGANIC PLUS TRUST INC.

**Table 1. ALLOWED & UNRESTRICTED GRAIN-FREE SUPPLEMENTAL FORAGES & FEEDSTUFFS**

<b>GRAIN-FREE/NON-GRAIN SUPPLEMENT</b>
<b>ENERGY</b>
Bypass Fat
<b>RUMEN HEALTH</b>
Bypass Choline
Garlic
Herbs
Inulin
Kelp
Vinegar

**C. Allowed but Restricted Grain-Free Supplemental Feedstuffs**

The materials in Table 2 in this section that are permitted in Organic Production and required to maintain animal health, nutritional stability, and optimal rumen welfare are allowed with restrictions, as notated.

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**Table 2. ALLOWED BUT RESTRICTED SUPPLEMENTAL GRAIN-FREE FEEDSTUFFS\***

GRAIN-FREE SUPPLEMENT	SUPPLEMENT DRY MATTER PERCENT	MAXIMUM <sup>6</sup> ALLOWED PER DAY ON DRY MATTER BASIS (lb)	STARCH %DM	ENERGY M CAL/lb
<b>ENERGY</b>				
Carrots, Pulp	92%	5	5.74	0.77
Citrus, Pulp	92%	5	1.5	0.84
Sugar Cane Dry Sugar	100%	4	0.5	0.98
Sugar Cane Molasses	88%	4	0.5	0.88
Sugar Beets, Pulp	92%	5	0.5	0.73
Sugar Beets, Whole	20%	5	2.5	0.79
<b>STORED FORAGE</b>				
Alfalfa Pellets <sup>7</sup>	92%	6 lb or $\leq 0.5\%$ of the animal's body weight	2.0	0.58
Cubed or Pelleted Forage		6 lb or $\leq 0.5\%$ of the animal's body weight		
Forage Grown in Fodder Sprout Systems		$\leq 1.75\%$ of the animal's body weight <u>and</u> $\leq 20$ lb; roots must be removed; may not be fed during the Grazing Season		
<b>NON-SYNTHETIC</b>				
Silicon Dioxide	n/a	For Dairy Animals Only	n/a	n/a
Yeast	n/a	For Dairy Animals Only	n/a	n/a
<b>VITAMINS &amp; MINERALS<sup>8</sup></b>				
Vitamin Supplements & Additives	n/a	Amount included in maximum combined total	n/a	n/a
Mineral Supplements & Additives	n/a	Amount included in maximum combined total	n/a	n/a

\*With the maximum combined total of all Allowed but Restricted Feedstuffs fed in a day not surpassing 5 lb per day for cattle. Maximums for other types of ruminant animals (e.g., goats, sheep) are to be set by the OPT Grass-Fed Program.

<sup>6</sup> Energy Supplement intake values were calculated using approximately 0.5 percent body weight of a 1200 lb ruminant animal.

<sup>7</sup> Crude protein for alfalfa Pellets is assumed at 18 to 22 percent.

<sup>8</sup> See restrictions on Grain Carriers in Section V(E).



# THE ORGANIC PLUS TRUST INC.

## **D. Allowed but Restricted Grain-Free Mineral and Vitamin Nutrients**

An animal's diet may be supplemented by allowed nutrient vitamins and mineral materials provided that;

1. The materials are permitted in Organic Production; and
2. The amount of Grains and Grain Carriers used meets the OPT De Minimis definition: the Certified Operation's OSP must not require that the Supplement product be fed in an amount that would result in consumption of more than 8 ounces of disallowed Grains or Grain-derived Carrier(s) in a twenty-four period by any animal. OPT Certifiers will review all supplement and vitamin product labels and mix tickets, and in cases where the product label or mix ticket does not disclose the percentage of Grains or Grain-derived Carrier(s) the OPT Certifier shall presume it contains 50% Grain Carrier.

## **E. Limited Exceptions to this Standard's Livestock Diet Composition Requirements**

1. Milk for Pre-Weaned Animals - re-weaned ruminant animals may be fed milk from Organic animals transitioning to be or that currently are OPT Grass-Fed Certified animals.
2. Temporary Health and Welfare Exception for All Animals - Upon a documented determination by the ACA that an animal's health is compromised, an Operation may temporarily disregard the volume restrictions on Feedstuffs described in the "Allowed but Restricted Grain-Free Feedstuffs" section above, until the animal's health is restored. This exception is subject to several restrictions and strict recordkeeping requirements set forth in the OPT Grass-Fed Program Manual.

## **F. Prohibited Feed, Feeding Practices—Disqualification of Animals**

1. Grain Prohibition - All Grains and Grain by-products (including but not limited to corn, soybean, Small Grains, and distiller's Grain), concentrates, meals, Pelleted feed, and any other non-Forage-based feedstuff not expressly allowed under this Program are prohibited.
2. Disqualification of Animals
  - a. Any animal intentionally fed Feedstuffs disallowed by this Program or that inadvertently receives more than De Minimis amounts of prohibited Feedstuffs or Feed products is permanently disqualified from this Program;

# THE ORGANIC PLUS TRUST INC.

- b. An OPT GF-Certified Operation is required to notify its OPT Certifier of any occurrence of ingestion of non-compliant Feed by an animal within 10 calendar days. This notice may be by telephone;
- c. The OPT Certifier is required to determine if the animal ingesting non-compliant Feed is disqualified;
- d. The OPT Certifier must provide to the Certified Operation a written Notice of Disqualification identifying the specific animal disqualified;
- e. The OPT GF-Certified Operation must immediately remove a dairy animal from the Operation following receipt of the Notice of Disqualification and Segregate any disqualified animal products.

## **G. Variances**

Any Variances from the grazing requirements of the NOP may be relied upon by an OPT Grass-Fed Certified Operation under this Standard and OPT GF-Certified Operations may Petition this Program for Variances on grounds specified in the OPT Grass-Fed Program Manual.

## **VI. Exclusion of Milk from Disqualified Animals**

A disqualified animal and its milk may not be sold, labeled, or represented as “Certified Grass-Fed Organic” under this Program, and furthermore:

- A.** The disqualified animal or animal product must be Segregated immediately.
- B.** Record of Disposition of Excluded Milk—The Operation shall document measures to ensure that a disqualified animal’s milk does not enter the stream of commerce under this OPT Grass-Fed Program, on terms set forth more fully in the OPT Grass-Fed Program Manual.

## **VII. Livestock Welfare, Healthcare and Living Conditions Requirements**

To maintain OPT Grass-Fed Certification under this Standard, an OPT GF-Certified Operation shall comply with all applicable livestock healthcare<sup>9</sup> and living conditions<sup>10</sup> requirements of the NOP, and with all other relevant provisions of this section.

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<sup>9</sup> 7 C.F.R. §205.238.

<sup>10</sup> 7 C.F.R. § 205.239.

# THE ORGANIC PLUS TRUST INC.

## A. Welfare Practices

### 1. Lactating Dairy Cattle

#### a. FARM Animal Care Program

The OPT Grass-Fed Program’s requirement for a third-party animal welfare program is met for lactating dairy animals by participation in the welfare assessments conducted under the Farmers Assuring Responsible Management (“FARM”) Animal Care Program for milk-producing dairy cows. FARM uses on-farm second-party evaluations and a system for third-party verification of those evaluations. The contours of the existing program are more fully set forth in FARM’s Animal Care Version 4.0 available at <http://www.nationaldairyfarm.com/animal-care#Standardsapp>.

Acceptable proof of “FARM Certification” consists of:

- i. A copy of a current (issued within the past 3 years) FARM Animal Care Evaluation; and
- ii. A current copy of the signed Pledge of Participation and a statement that the Operation is timely implementing any “FARM Continuous Improvement Plan” developed by the Operation with its second-party evaluator.

If an OPT GF-Certified Operation is considered out of compliance with the requirements of the FARM Program (i.e., dissatisfactory implementation of a mandatory “FARM Corrective Action Plan”), it should receive a Notice of Noncompliance from its OPT Certifier, and if uncorrected, that Operation is ineligible for Certification under The OPT Grass-Fed Organic Livestock Program.

### 2. Exemption for Replacement Heifers

OPT recognizes the need for Certified Grass-Fed Organic replacement animals to supply OPT GF-Certified dairy farms. Thus, because FARM evaluates only lactating cows, the OPT Grass-Fed Program Manager has granted to OPT-GF-Certified heifer boarding facilities a temporary exemption from FARM requirements until such time that OPT approves a third-party welfare assessment program that evaluates non-lactating dairy cattle.

# THE ORGANIC PLUS TRUST INC.

## b. Other Dairy Ruminants

An appropriate and OPT-approved third-party welfare assessment for non-bovine ruminants will be required for those which aim to be OPT GF-Certified.

## **B. Healthcare Practices**

1. Restricted or prohibited feedstuffs and medications that are necessary to cure a disease, recover from an injury, or improve the health of that animal may not be denied solely to preserve certification under the OPT Grass-Fed Program.

## **C. Livestock Living Conditions**

1. To maintain Certification under this Standard, an OPT GF-Certified Operation shall provide living conditions in accord with its Organic certification under the NOP, provided that, in no case shall an Operation provide bedding to livestock that includes Feed products prohibited under this Standard.

## **VIII. Pasture Management Plan**

Each OPT Grass-Fed Certified Operation must submit and maintain a Pasture Management Plan that meets all applicable requirements of the NOP and includes practices that,

- A. Comply with part IV of this Standard
- B. Allow for pasture rest and regrowth
- C. Prevent Overgrazing

## **IX. Recordkeeping – Production and Handling Operations**

### **A. Livestock Production Operation Recordkeeping Requirements**

OPT Grass-Fed Certified Livestock Production Operations must maintain and possess current records demonstrating the Production and Handling of products that are intended to be sold, labeled, or represented as “Certified Grass-Fed Organic” are in full compliance with this Standard. The specific provisions governing recordkeeping are more fully explained in the OPT Grass-Fed Program Manual.

### **B. Handling Operation Recordkeeping Requirements**

OPT Grass-Fed Certified Handling Operations must maintain and possess current records demonstrating the Handling of Certified products that are intended to be sold, labeled, or

# THE ORGANIC PLUS TRUST INC.

represented as “Certified Grass-Fed Organic” are in full compliance with this Standard. The specific provisions governing recordkeeping are more fully set forth in the OPT Grass-Fed Program Manual.

## **C. Recordkeeping Requirements for Split-Operations**

A Split Operation must be acknowledged by the OPT Certifier and approved by the verification of a written Segregation policy describing how OPT GF-Certified Dairy Livestock are Segregated from non-OPT GF-Certified livestock. An OPT GF-Certified Livestock Production or Handling Operation must maintain and possess current records concerning animals or products that are in Organic Production at the Operation but that are not compliant with the OPT Grass-Fed Program to demonstrate that they have not been sold, labeled, or represented as “Certified Grass-Fed Organic.”

## **X. Handling of OPT Grass-Fed Certified Products**

Any Handling Operation, or portion thereof, that handles agricultural products that are OPT Grass-Fed Certified under this Standard shall maintain a Handling System Plan and a standard operating procedure that sets forth the practices by which products Certified to this Standard are properly handled, Segregated, and not commingled with products not Certified to this Standard.

## **XI. Composition and Labeling of OPT Grass-Fed Certified Products**

### **A. Labeling**

Agricultural products that are OPT Grass-Fed Certified to this Standard shall be labeled “OPT Grass-Fed Organic Dairy Certified by [Certifier]” to acknowledge that the farm or ranch is the entity that is OPT Grass-Fed Certified.

“Certified Grass-Fed Organic Dairy [product]” and all other direct call out on packaging/labeling with the OPT Grass-Fed Organic Seal must be reviewed by OPT prior to acceptance by an OPT Certifier.

OPT GF-Certified Operations must submit all labels and packaging to the OPT Certifier for review. Labeling must be in general accord with the compositional percentages and labeling requirements of the NOP described in 7 C.F.R. §205, Subpart D, and the labeling guidance set forth in the OPT Grass-Fed Program Manual, provided that,

### **B. Composition of Multi-Ingredient Products (Prohibition on Mixing)**

Mixing “Certified Grass-Fed Organic” dairy ingredients in a multi-ingredient product with dairy ingredients not OPT Grass-Fed Certified to this Standard is prohibited.

# THE ORGANIC PLUS TRUST INC.

## **XII. Mandatory Use of This Program's Seal**

Agricultural products in packages described in the NOP at 7 C.F.R. §205.301 and §205.307 shall bear the seal of this Program (“OPT Grass-Fed Organic Seal”) and may bear the seal of the applicable OPT Certifier, or otherwise identify the OPT Certifier, and in accord with the terms set forth in the OPT Grass-Fed Program Manual.

- A.** All OPT Grass-Fed Certified Operations utilizing the OPT Grass-Fed Organic Seal and Claim must enter into a licensing agreement with OPT. The exception is an Operation that sells less than \$20,000 per annum of combined products that are OPT GF-Certified to the OPT Grass-Fed Dairy Standard.
- B.** A fee for use of the OPT Grass-Fed Organic Seal shall be assessed and collected directly by OPT from each OPT GF-Certified Operation that uses the Seal on product packaging, labeling or point of sale information. An exception to this requirement is made for OPT GF-Certified Production Operations that are not using the Seal and market and sell single or multi-ingredient products directly to consumers, the contents of which are produced and obtained solely from animals at its own Operations(s) and receives less than \$20,000 a year gross sales revenue from such sales.
- C.** The OPT Grass-Fed Program Manager may suspend or revoke any licensing agreement but shall do so directly with the counterparty and without intervention of the OPT Certifier. Such suspension will not immediately affect the OPT GF Certification of the Operation.
- D.** Each OPT Certifier is required to report whether or not an Operation that it has OPT GF-Certified will be using the OPT Grass-Fed Organic Seal (in response to a query on the OPT Web Portal). OPT Certifiers must report any misuse of the Seal that they observe during the OPT GF Certification term.

## **XIII. Administrative Matters – OPT Certifier Accreditation, Compliance Matters, Complaints, Appeals, Petitions, and Governance**

The following subjects are treated in full in the OPT Grass-Fed Program Manual:

- A.** OPT Accreditation of ACAs.
- B.** Definitions of terms used in the Program Manual and Standards.
- C.** OPT Grass-Fed Program compliance, complaints, and Adverse Action appeals.
- D.** Procedure for Segregating disqualified animals.

## THE ORGANIC PLUS TRUST INC.

- E.** Petitions for Amendments to Existing Standards— Any OPT GF-Certified Operation may Petition the Program to accept an amendment to an existing Standard or the adoption of a new Standard. Petitions may also address technical and substantive issues with the OPT Grass-Fed Dairy Standards or Program Manual.
- F.** Governance of the OPT Grass-Fed Dairy and Meat Livestock Production and Handling Standards development.

# THE ORGANIC PLUS TRUST INC.

## Appendix A

### DEFINITIONS

The terms and their definitions below either appear at 7 C.F.R. §205.2 (as denoted by “(NOP)”) or are terms and definitions derived by the OPT Certified Grass-Fed Organic Livestock Program (“Grass-Fed Program”). The list of NOP definitions is not exhaustive but rather a handful of terms that are most often used by The GF Program. The NOP definitions in 7 C.F.R. §205.2 apply to each Application of the OPT Grass-Fed Program Standards and governance requirements imposed on or by OPT Certifiers, unless specified otherwise herein.

1. **Accredited Certifying Agent** (“ACA”). An entity that is accredited by the USDA National Organic Program.<sup>11</sup>
2. **Accreditation**. A determination made by OPT that an ACA is eligible, competent, and presently capable of performing Certification Services under the terms and conditions of the OPT Certified Grass-Fed Organic Livestock Program Materials, and the OPT Ancillary Materials, and may in some instances refer to the ACA’s status with the NOP.
3. **Adverse Action**. A Noncompliance decision that adversely affects [Organic] Certification, Accreditation, or a person subject to the [NOP], including a proposed suspension or revocation; a denial of Certification, Accreditation, or reinstatement; a cease-and-desist Notice; or a civil penalty.<sup>12</sup> (NOP)
4. **Application**. A document submitted to an OPT Certifier by an Operation that contains information regarding the applicant Operation that initiates the process for determining OPT GF Certification and is sufficient for an OPT Certifier to conclude the Operation is eligible under the OPT GF Program.
5. **Boot Stage**. Part of the flowering phase of plant growth, defined as the time when the seed head emerges from the sheath of the flag leaf.
6. **Brassicacae**. A genus of plants in the mustard family (*Brassicaceae*). The members of the genus are informally known as cruciferous vegetables, cabbages, or mustard plants.
7. **Browse**. A leaf and twig growth of shrubs, woody vines, trees, cacti, and other non-herbaceous vegetation available for animal consumption.

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<sup>11</sup> <https://www.ams.usda.gov/services/Organic-Certification/certifying-agents>

<sup>12</sup> This is a pending NOP definition.



# THE ORGANIC PLUS TRUST INC.

8. **Carrier.** An edible material to which ingredients are added to facilitate uniform incorporation of the latter into Feeds. The active particles are absorbed, impregnated, or coated into or onto the edible material in such a way as to physically carry the active ingredient.<sup>13</sup>
9. **Certificate of Compliance.** A document developed by OPT that identifies an OPT GF-Certified Operation and that may contain marks of the OPT Certifier, if approved by OPT.
10. **Certification.** An annual determination by an OPT Certifier that an eligible Operation is in present compliance with the requirements appearing in the OPT Grass-Fed Program Materials and applicable OPT Ancillary Materials for dairy or meat Livestock and is reasonably certain to remain in compliance during the twelve-month period designated on the OPT GF Certificate of Compliance.
11. **Certifier Update Memorandum.** The document issued by the Program Manager to formalize decisions made by the Steering Committee with regard to changes to or clarifications of the OPT Grass-Fed Program Manual or Standards.
12. **Certification Service Materials.** The Applications, forms, templates, checklists, inspection documents, electronic data generating and storing methods, used in providing Certification Services, that are produced by an OPT Certifier and approved for use by OPT.
13. **Certification Services.** The activities conducted by the OPT Certifier to render a Certification.
14. **Commercially Unavailable.** A Grass-Fed Organic dairy animal is Commercially Unavailable for purchase whenever an Operation Certified to this Standard demonstrates to the OPT Certifier that it cannot timely obtain an animal with the Operation's Animal Attributes. OPT GF-Certified Operations may properly consider the cost of an animal and its transportation cost separately when choosing the source of the replacement animals. The welfare implications of transportation of animal is a separate factor that may be also taken into account.
15. **Confidential Information.** All information acquired by the OPT Certifier or Program Manager in the performance of Accreditation or delivery of Certification Services that is required by the NOP to be maintained as confidential, excluding information that is required to be disclosed to NOP.
16. **Continuous Certification.** No lapse in Certification once the Operation has entered the Program. Ex. A certificate is issued effective May 5, 2021 and expires May 4, 2022. The renewal certificate for the subsequent Certification period should begin May 5, 2022 and expire May 4, 2023.

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<sup>13</sup> AAFCO 2012 Official Publication; definition referenced by NOP.

# THE ORGANIC PLUS TRUST INC.

17. **Dairy Livestock Production Operation.** An OPT GF-Certified Operation with a milking parlor where at least one lactating animal is milked.
18. **De Minimis.** An amount or action that is below the threshold of programmatic concern.
19. **Dry Matter Intake.** Total pounds of all Feed, devoid of all moisture, consumed by a class of animals over a given period of time. (NOP)<sup>14</sup>
20. **Exceptional Circumstances.** Those circumstances that generally constitute force majeure, such as including but not limited to, acts of God, compliance with law, storm, flood, terrorism, earthquake, war, rebellion, revolution or strike or any other event, happening or occurrence beyond the reasonable control of the affected party.
21. **Farm Herd List.** A list of all ruminant animals at the OPT GF-Certified Operation that is routinely updated.
22. **Feed.** Edible materials which are consumed by Livestock for their nutritional value. Feed may be concentrates (Grains) or roughages (hay, silage, fodder). The term, “Feed,” encompasses all agricultural commodities, including Pasture ingested by Livestock for nutritional purposes. (NOP)
23. **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). (NOP)
24. **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. (NOP)
25. **Feedstuffs.** Any of the constituent nutrients of an animal ration.
26. **Forage.** Vegetative material in a fresh, dried, or ensiled state (Pasture, hay, or silage), which is fed to Livestock. (NOP)
27. **Forage Cubes or Pellets.** Desiccated and compressed Forages.
28. **Forbs.** Flowering plants that are not Grasses or sedges. Some examples include clovers, alfalfa, and milkweed.
29. **Good Cause.** A good faith attempt to complete a required action in a timely manner failed, enlargement of time is appropriate to serve fundamental fairness and such enlargement will not substantially impair the interests of the OPT Certified Grass-Fed Organic Livestock Program.

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<sup>14</sup> All definitions derived from 7 C.F.R. §205.2 are denoted by “(NOP).”

# THE ORGANIC PLUS TRUST INC.

30. **Grain.** A seed or fruit of a Cereal Grass.
31. **Grass(es).** Graminoids, monocotyledonous plants with narrow leaves growing from the base.
32. **Grazing Season.** 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. (NOP) ***Under the OPT Certified Grass-Fed Organic Livestock Program, the Grazing Season may range from 150 days to 365 days per year but is not less than 150 days per year.***
33. **Handler.** Any person engaged in the business of Handling agricultural products, including Producers who Handle crops or Livestock of their own Production, except such term shall not include final retailers of agricultural products that do not process agricultural products. (NOP)<sup>15</sup>
34. **Handle or Handling.** To sell, process, or package agricultural products, except such term shall not include the sale, transportation, or delivery of crops or Livestock by the Producer thereof to a Handler. (NOP)<sup>16</sup>
35. **Legumes.** Plants of the pea or pulse family, many of which are recognized for their ability to fix atmospheric nitrogen in the soil.
36. **Licensed Trademarks.** The name(s), logo(s) and service mark(s) owned and used by OPT that are referred to in Section XIV of the OPT Grass-Fed Program Manual.
37. **Livestock.** Any cattle, sheep, goats, swine, poultry, or equine animals used for food or in the Production of food, fiber, Feed, or other agricultural-based consumer products; wild or domesticated game; or other non-plant life, except such term shall not include aquatic animals for the Production of food, fiber, Feed, or other agricultural-based consumer products. (NOP)
38. **Livestock Diet.** Feed grown or developed for the consumption of livestock.
39. **Meat Livestock Production Operation.** An Operation that raises OPT Grass-Fed Certified Livestock under the requirements of the Certified Grass-Fed Organic Meat Standard.

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<sup>15</sup>NOP may soon replace with: "Any person engaged in the business of Handling agricultural products."

<sup>16</sup> NOP may soon replace with: "To sell, process, or package agricultural products, including but not limited to trading, facilitating sale or trade, brokering, repackaging, labeling, combining, containerizing, storing, receiving, or loading."

## THE ORGANIC PLUS TRUST INC.

40. **Noncompliance.** Any action or inaction or lack of records that demonstrates that an Operation is not in compliance with the OPT Grass-Fed Program.
41. **Non-Routine.** Actions performed in managing a Livestock Operation that are not conducted on a regular basis or in a fixed order.
42. **Notice of Disqualification.** The way in which an OPT Grass-Fed Certified Operation receives the decision by an OPT Certifier that the Operation is not eligible to sell, represent, or label its dairy or meat Livestock products as Certified under the OPT Grass-Fed Program.
43. **NOP Accreditation.** A determination made by the Secretary of Agriculture that authorizes a private, foreign, or State entity to conduct Certification activities as an ACA under the NOP Organic Regulations. (NOP)
44. **NOP Practice Standard.** The guidelines and requirements through which a Production or Handling Operation implements a required component of its Production or Handling OSP. A Practice Standard includes a series of allowed and prohibited actions, materials, and conditions to establish a minimum level performance for planning, conducting, and maintaining a function, such as Livestock health care or facility pest management, essential to an Organic Operation. (NOP)
45. **Notice.** Information sufficient to ensure the party receiving it has actual knowledge of a requirement or duty.
46. **On-Site Inspection.** A visit to an Operation by an authorized and qualified inspector commissioned by an OPT Certifier as part of the initial or renewed Certification process or in cases of suspected or actual Noncompliance that OPT requires an OPT Certifier to conduct.
47. **Operation.** A Producer engaging in Organic Production or an Organic Handler operating a Handling Operation as defined in 7 C.F.R. §205.2. and that seeks Certification under the OPT Grass-Fed Program.
48. **Operation Report.** Information relating to a single Organic Operation that includes but is not limited to Applications, inspection reports, Certification checklists, reviewer or review committee scoresheets, non-conformances, remediative actions and other data typically used or deemed necessary to substantiate an ACA's Organic Certification decision in accordance with the standards applicable to such decisions under 7 C.F.R. Part 205.
49. **Operation's Animal Attributes.** A list of attributes of the animals at the Operation that are set forth in the Application and may include but is not limited to, breed, age, health, replacement transport time, body score, disease/illness profile, source location, and history.

# THE ORGANIC PLUS TRUST INC.

50. ***OPT Ancillary Materials.*** All materials or methods developed or used by OPT to accredit an ACA to administratively manage the OPT Grass-Fed Program, including the OPT GF Certificate of Compliance, and any related Applications, forms, checklists, and data submission templates prepared by OPT that assist OPT Certifier in performing Certification Services including those materials to designate and authorize the use and cessation of use of OPT's Licensed Trademarks.
51. ***OPT Grass-Fed Certified Operation.*** A Producer engaging in Organic Production or a Handler operating a Handling Operation as defined in 7 C.F.R. §205.2. that has received OPT Grass-Fed Certification and is presently in good standing.
52. ***OPT Certifier.*** An ACA that has received Accreditation from OPT and is authorized to conduct Certification Services on OPT's behalf.
53. ***OPT GF Program.*** Short for OPT Certified Grass-Fed Organic Livestock Program, including the current OPT Grass-Fed Dairy or Meat Standards.
54. ***OPT Grass-Fed Program Manual.*** An annually released document that guides parties in implementing, applying, and complying with the current requirements of the OPT GF Program.
55. ***OPT Grass-Fed Program Materials.*** The current Livestock Production and Handling Standards and OPT Grass-Fed Program Manual together.
56. ***OPT's Intellectual Property.*** All intellectual and industrial property rights associated with or comprised in the OPT Grass-Fed Program Materials and Ancillary Materials as defined herein, including but not limited to all written works, training materials, manuals, instructions, protocols, designs, illustrations, photographs, inventions, trade secrets, ideas, know-how, concepts, methods, and data gathering and assessment techniques.
57. ***Organic.*** Meaning the same as that set forth in 7 C.F.R. §205.2.
58. ***Organic System Plan ("OSP").*** A plan of management of an Organic Production or Handling Operation that has been agreed to by the Producer or Handler and the ACA and that includes written plans concerning all aspects of agricultural Production or Handling described in the [NOP Organic Regulations]. (NOP)
59. ***Overgrazing.*** Failure to move or rotate animals in harmony with forage growth, causing damage to grassland and soil.
60. ***Pasture.*** Land used for Livestock grazing that is managed to provide Feed value and maintain or improve soil, water, and vegetative resources. (NOP)

# THE ORGANIC PLUS TRUST INC.

61. **Petition.** A written request to amend the OPT GF Organic standards, PM or Variances that is submitted materially by any OPT GF-Certified Operation in accordance with the Program Manual.
62. **Production.** The business of growing or producing food, fiber, Feed, and other agricultural-based consumer products.
63. **Processing.** Cooking, baking, curing, heating, drying, mixing, grinding, churning, separating, extracting, slaughtering, cutting, fermenting, distilling, eviscerating, preserving, dehydrating, freezing, chilling, or otherwise manufacturing and includes the packaging, canning, jarring, or otherwise enclosing food in a container. (NOP)
64. **Producer.** A person who engages in the business of growing or producing food, fiber, Feed, and other agricultural-based consumer products. (NOP)
65. **Program Manager.** An independent, contracted professional entity that develops and implements the current OPT Certified Grass-Fed Organic Livestock Program Materials and Ancillary Materials.
66. **Replacement Heifer.** A heifer that has been selected to be bred and placed in the milk herd.
67. **Responsible Person.** The individual that controls, manages, or directs the Operation's management practices.
68. **Segregation.** Physical and/or individually identifiable separation of OPT GF-certified animals or products.
69. **Small Grains/Cereal.** Cultivated plant that produces seeds that come from Grasses such as wheat, millet, rice, barley, oats, rye, triticale, flax, and sorghum.
70. **Split Operation.** An Operation that produces or handles both OPT Grass-Fed Certified and Organic-only agricultural products.
71. **Supplemental Feedstuff.** Nutrients provided in Feedstuff form that Optimize energy, nutrition, and health of an OPT Grass-Fed Certified animal.
72. **Transition.** A 90-day period of time during which an applicant dairy Operation complies with the OPT Grass-Fed Program but has not yet received OPT GF Certification; this term may be applied to a particular animal as well as to the Operation.
73. **Variance.** An OPT decision to relax the Application of an OPT Grass-Fed Program requirement or temporarily except an Operation from a particular requirement.
74. **Web Portal.** The webpages on the OPT website through which OPT Certifiers can submit documentation to the Program Manager and issue Certificates online.