



**NOTIFICATION**

*Addendum*

The following communication, dated 14 December 2023, is being circulated at the request of the delegation of the United States of America.

**Title:** National Organic Program (NOP); Organic Livestock and Poultry Standards

<b>Reason for Addendum:</b>	
<input type="checkbox"/>	Comment period changed - date:
<input type="checkbox"/>	Notified measure adopted - date:
<input type="checkbox"/>	Notified measure published - date:
<input type="checkbox"/>	Notified measure enters into force - date:
<input type="checkbox"/>	Text of final measure available from <sup>1</sup> :
<input type="checkbox"/>	Notified measure withdrawn or revoked - date: Relevant symbol if measure re-notified:
<input type="checkbox"/>	Content or scope of notified measure changed and text available from <sup>1</sup> : New deadline for comments (if applicable):
<input type="checkbox"/>	Interpretive guidance issued and text available from <sup>1</sup> :
<input checked="" type="checkbox"/>	Other: Delay of effective date to 12 January 2024 and update of compliance date to 2 January 2025 (with exceptions): 88 Federal Register (FR) 86259, Title 7 Code of Federal Regulations (CFR) Part 205: <a href="https://www.govinfo.gov/content/pkg/FR-2023-12-13/html/2023-27255.htm">https://www.govinfo.gov/content/pkg/FR-2023-12-13/html/2023-27255.htm</a> <a href="https://www.govinfo.gov/content/pkg/FR-2023-12-13/pdf/2023-27255.pdf">https://www.govinfo.gov/content/pkg/FR-2023-12-13/pdf/2023-27255.pdf</a> <a href="https://members.wto.org/crnattachments/2023/TBT/USA/23_14528_00_e.pdf">https://members.wto.org/crnattachments/2023/TBT/USA/23_14528_00_e.pdf</a>

**Description:** The Agricultural Marketing Service (AMS) is delaying the effective date of the Organic Livestock and Poultry Standards (OLPS) final rule, published on 2 November 2023, to meet the requirements of the Small Business Regulatory Enforcement Fairness Act of 1996 (Congressional Review Act (CRA)). The CRA requires that agencies provide Congress with at least 60 days to review a major rule before it takes effect. For the OLPS final rule, AMS provided the required notice to Congress on 13 November 2023, after publication of the rule. Therefore, the published effective date did not provide 60 days for congressional review. This final rule delays the effective date of the OLPS

<sup>1</sup> This information can be provided by including a website address, a pdf attachment, or other information on where the text of the final/modified measure and/or interpretive guidance can be obtained.

final rule by 10 days to meet the 60-day requirement. AMS is making a technical correction to the compliance date of 5 January 2029, for indoor and outdoor stocking density requirements and soil and vegetation requirements for broiler operations to 2 January 2029. All other compliance dates of the OLPS final rule remain unchanged. Additionally, in acknowledgement of the U.S. Government Accountability Office assessment of the final rule, AMS confirms that the Administrative Pay-As-You-Go Act of 2023 does not apply to the OLPS final rule because it does not increase direct spending.

Effective date: The effective date of the Organic Livestock and Poultry Standards final rule amending 7 CFR part 205, published at [88 FR 75394](#) on 2 November 2023, is delayed until 12 January 2024.

Compliance dates: All organic operations must comply with the requirements of the OLPS final rule by 2 January 2025, except:

(1) Currently certified organic layer operations and layer operations that are certified before 2 January 2025, must comply with Sec. 205.241(c)(2), (4), and (5), concerning outdoor stocking density requirements and soil and vegetation requirements, by 2 January 2029.

(2) Currently certified organic broiler operations and broiler operations that are certified before 2 January 2025, must comply with Sec. 205.241(b)(10) and (c)(2) and (6), concerning indoor and outdoor stocking density requirements and soil and vegetation requirements, by 2 January 2029.

(3) Currently certified organic poultry operations and poultry operations that are certified before 2 January 2025, must comply with Sec. 205.241(b)(4), concerning poultry house exit area requirements, by 2 January 2029.

#### [Title 7 Code of Federal Regulations \(CFR\) Part 205](#)

This action and previous actions notified under the symbol [G/TBT/N/USA/1910](#) are identified by Docket Number AMS-NOP-21-0073. The Docket Folder is available from Regulations.gov at <https://www.regulations.gov/docket/AMS-NOP-21-0073/document> and provides access to primary and supporting documents as well as comments received. Documents are also accessible from [Regulations.gov](#) by searching the Docket Number.

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