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**Working document**

Draft

**COMMISSION REGULATION**

**laying down detailed rules for the implementation of Council Regulation (EC) No  
834/2007 on organic production and labelling of organic products with regard to organic  
production, labelling and control**

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## COMMISSION REGULATION

**laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control**

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# **Title I**

## **Introductory provisions**

### *Article 1*

#### **Subject matter and scope**

This Regulation lays down specific rules on the organic production, labelling and control in respect of products referred to in Article 1(2) of Regulation (EC) No 834/2007.

However, this Regulation shall not apply to the following products:

- (a) products originating from aquaculture,
- (b) seaweed,
- (c) wine.

### *Article 2*

#### **Definitions**

In addition to the definitions laid down in Article 2 of Regulation (EC) No 834/2007, the following definitions shall apply for the purposes of this Regulation:

- (a) “non-organic”: means not coming from or not related to a production in compliance with Regulation (EC) No 834/2007 and this Regulation;
- (b) “veterinary medicinal products”: means products as defined in Article 1(2) of Directive 2001/82/EC of the European Parliament and of the Council on the Community code relating to veterinary medicinal products<sup>1</sup>
- (c) “importer”: means the natural or legal person within the community who presents a consignment for release for free circulation into the Community, either on its own, or through a representative;
- (d) “first consignee” means the natural or legal person to whom the consignment is delivered and who will receive it for further preparation and/or marketing;
- (e) "extensive husbandry" means a farming system in which the stocking density is equivalent to the number of animals producing maximal 170kg nitrogen/hectare/year.

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<sup>1</sup> OJ L 311, 28.11.2001, p. 1.

## **Title II**

# **Rules on production, processing, packaging, transport and storage of organic products**

## **Chapter 1**

### **Plant Production**

#### *Article 3*

#### **Soil management and fertilization**

1. Fertilisers and soil conditioners referred to in Article 12(1)(d) of Regulation (EC) No 834/2007, authorised for use in organic production, are listed in Annex I to this Regulation. Operators shall notify the control body of the use of such products and record documented evidence of the need to use the product.
2. The total amount of manure applied on the holding may not exceed 170kg of nitrogen per year/hectare of agricultural area used. This limit shall only apply to the use of farmyard manure, dried farmyard manure and dehydrated poultry manure, composted animal excrements, including poultry manure, composted farmyard manure and liquid animal excrements.
3. Organic-production holdings may establish cooperation exclusively with other holdings and enterprises which comply with the organic production rules, with the intention of spreading surplus manure from organic production. The maximum limit as referred to in paragraph 2, shall be calculated on the basis of all of the organic-production units involved in such cooperation.
4. Appropriate preparations of micro-organisms may be used to improve the overall condition of the soil or the availability of nutrients in the soil or in the crops.
5. For compost activation appropriate plant-based preparations or preparations of micro-organisms may be used.

#### *Article 4*

#### **Pest, disease and weed management**

1. In accordance with Article 12(1)(h) of Regulation (EC) No 834/2007, only products referred to in Annex II to this Regulation are authorised for use in organic production. Operators shall notify the control body of the use of such products and record documented evidence of the need to use the product.
2. For products used in traps and dispensers, the traps and/or dispensers shall prevent the penetration of the substances in the environment and prevent contact of the substances with the crops under cultivation. The traps shall be collected after use and disposed of safely.

*Article 5*  
**Specific rules on mushroom production**

For production of mushrooms, substrates may be used, if they are composed only of the following components:

- (a) farmyard manure and animal excrements:
  - (i) either from holdings producing according to the organic production method;
  - (ii) or referred to in Annex I, only when the product referred to in point (i) is not available; and when they do not exceed 25% of the weight of total components of the substrate, excluding the covering material and any added water, before composting;
- (b) products of agricultural origin, other than those referred to in point (a), from holdings producing according to organic production method;
- (c) peat not chemically treated;
- (d) wood, not treated with chemical products after felling;
- (e) mineral products referred to in Annex I, water and soil.

**Chapter 2**  
**Livestock production**

**SECTION 1**  
**ORIGIN OF ANIMALS**

*Article 6*  
**Origin of organic animals**

1. Preference shall be given to indigenous breeds and strains.
2. For bees, preference shall be given to the use of European breeds of *Apis mellifera* and their local ecotypes.

*Article 7*  
**Origin of the non-organic animals**

1. In accordance with Article 14(1)(a)(ii) of Regulation (EC) No 834/2007, non-organic animals may be brought onto a holding for breeding purposes, only when organic animals are not available in sufficient number and subject to the conditions provided for in paragraphs 2 to 5:

2. Non-organic young mammals, when a herd or flock is constituted for the first time, have to be reared in accordance with the organic production rules as soon as they are weaned. Moreover, the following restrictions shall apply:
  - (a) buffalo, calves and foals shall be less than six months old;
  - (b) lambs and kids shall be less than 60 days old;
  - (c) piglets shall weigh less than 35kg.
3. Non-organic adult mammals, for the renewal of a herd or flock have to be subsequently reared in accordance with the organic production rules. Moreover, the number of female mammals is subject to the following restrictions per year:
  - (a) up to a maximum of [10%] of adult equine or bovine, including *bubalus* and bison species, livestock and [20%] of the adult porcine, ovine and caprine livestock, as female (nulliparous) animals;
  - (b) for units with less than 10 equine or bovine animals any renewal as mentioned above shall be limited to a maximum of one animal per year.
4. The percentages referred to in paragraph 3 may be increased up to 40% in the following special cases:
  - (a) when a major extension to the farm is undertaken;
  - (b) when a breed is changed;
  - (c) when a new livestock specialisation is initiated;
  - (d) when breeds are in danger of being lost to farming as laid down in Annex IV to Commission Regulation (EC) No 1974/2006<sup>2</sup> and in that case animals of those breeds must not necessarily be nulliparous.
5. For the renovation of apiaries, 10 % per year of the queen bees and swarms can be replaced by non-organic queen bees and swarms in the organic production unit provided that the queen bees and swarms are placed in hives with combs or comb foundations coming from organic production units.

## **SECTION 2**

### **LIVESTOCK HOUSING AND HUSBANDRY PRACTICES**

#### *Article 8*

#### **General rules pertaining to housing conditions**

1. Insulation, heating and ventilation of the building shall ensure that air circulation, dust level, temperature, relative air humidity and gas concentration, are kept within

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<sup>2</sup> OJ L 368, 23.12.2006, p. 15.

limits which are not harmful to the animals. The building shall permit plentiful natural ventilation and light to enter.

2. Housing for livestock shall not be mandatory in areas with appropriate climatic conditions to enable animals to live outdoors.
3. The stocking density in buildings shall provide for the comfort and well being of the animals which, in particular, shall depend on the species, the breed and the age of the animals. It shall also take account of the behavioural needs of the animals, which depend in particular on the size of the group and the animals' sex. The optimum density will seek to ensure the animals' welfare by providing them with sufficient space to stand naturally, lie down easily, turn round, groom themselves, assume all natural postures and make all natural movements such as stretching and wing flapping.
4. The minimum surface areas for indoor housing and outdoor exercise areas, and other characteristics of housing for different species and categories of animals, are laid down in Annex III.

#### *Article 9*

##### **Specific housing conditions and husbandry practices for mammals**

1. Livestock housing shall have smooth, but not slippery floors. At least half of the total floor area shall be solid, that is, not of slatted or of grid construction.
2. The housing shall be provided with a comfortable, clean and dry laying/rest area of sufficient size, consisting of a solid construction which is not slatted. Ample dry bedding strewn with litter material shall be provided in the rest area. The litter shall comprise straw or other suitable natural material. The litter may be improved and enriched with any mineral product listed in Annex I.
3. Notwithstanding Article 3(3) of Council Directive 1991/629/EC<sup>3</sup> the housing of calves in individual boxes shall be forbidden after the age of one week.
4. Notwithstanding Article 3(8) of Council Directive 1991/630<sup>4</sup> sows shall be kept in groups, except in the last stages of pregnancy and during the suckling period.
5. Piglets shall not be kept on flat decks or in piglet cages. Exercise areas shall permit dunging and rooting by the animals. For the purposes of rooting different substrates can be used.

#### *Article 10*

##### **Specific housing conditions and husbandry practices for poultry**

1. Poultry shall not be kept in cages.

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<sup>3</sup> OJ L 340, 11.12.1991, p. 28

<sup>4</sup> OJ L 340, 11.12.1991, p. 33

2. Water fowl shall have access to a stream, pond or lake whenever the weather conditions permit in order to respect animal welfare requirements or hygienic conditions.
3. Buildings for all poultry shall meet the following conditions:
  - (a) at least one third shall be solid, that is, not of slatted or of grid construction, and covered with a litter material such as straw, wood shavings, sand or turf;
  - (b) in poultry houses for laying hens, a sufficiently large part of the floor area available to the hens shall be available for the collection of bird droppings;
  - (c) they shall have perches of a size and number commensurate with the size of the group and of the birds as laid down in Annex III.
  - (d) they shall have exit/entry pop-holes of a size adequate for the birds, and these pop-holes shall have a combined length of at least 4 m per 100m<sup>2</sup> area of the house available to the birds;
  - (e) each poultry house shall not contain more than:
    - (i) 4800 chickens,
    - (ii) 3000 laying hens,
    - (iii) 5200 guinea fowl,
    - (iv) 4000 female Muscovy or Peking ducks or 3200 male Muscovy or Peking ducks or other ducks,
    - (v) 2500 capons, geese or turkeys;
  - (f) the total usable area of poultry houses for meat production on any single production unit, shall not exceed 1600 m<sup>2</sup>.
4. In the case of laying hens natural light may be supplemented by artificial means to provide a maximum of 16 hours light per day with a continuous nocturnal rest period without artificial light of at least eight hours.
- [5. For poultry, the minimum age at slaughter shall be:
  - (a) 81 days for chickens,
  - (b) 150 days for capons,
  - (c) 49 days for Peking ducks,
  - (d) 70 days for female Muscovy ducks,
  - (e) 84 days for male Muscovy ducks,
  - (f) 92 days for Mallard ducks,

- (g) 94 days for guinea fowl,
- (h) 140 days for turkeys and roasting geese.

Where producers do not apply these minimum slaughter ages, they shall use slow-growing strains.]

#### *Article 11*

### **Specific housing conditions in beekeeping**

1. The siting of the apiaries shall be such that, within a radius of 3 km from the apiary site, nectar and pollen sources consist essentially of organically produced crops and/or spontaneous vegetation.
2. The Member States may designate regions or areas where beekeeping complying with organic production rules is not practicable.
3. The hives shall be made basically of natural materials presenting no risk of contamination to the environment or the apiculture products.
4. The bee wax for new foundations shall come from organic production units.
5. In the hives only natural products can be used such as propolis, wax and plant oils.
6. The use of chemical synthetic repellents is prohibited during honey extractions operations.
7. The use of combs, which contain broods, is prohibited for honey extraction

#### *Article 12*

### **Permanent access to open air areas**

1. Herbivores shall have access to pasturage whenever conditions allow.
2. In cases where herbivores have access to pasturage during the grazing period and where the winter-housing system gives freedom of movement to the animals, the obligation to provide open-air exercise areas or open-air runs during the winter months may be waived.
3. Bulls over one year old shall have access to pasturage or an open-air exercise area or an open-air run.
4. Poultry shall have access to an open-air run for at least one third of their life.
5. Open-air runs for poultry shall be mainly covered with vegetation and be provided with protective facilities and permit animals to have easy access to adequate numbers of drinking and feeding troughs.
6. Where poultry are kept indoors due to restrictions or obligations imposed on the basis of Community legislation, they shall permanently have access to sufficient

quantities of roughage and suitable material in order to meet the poultry's ethological needs.

#### *Article 13*

### **Outdoor stocking density**

1. Where necessary, the total stocking density shall be reduced to avoid exceeding the limit of 170 kg of Nitrogen per year and hectare of agricultural area as referred to in Article 3(2).
2. To determine the appropriate density of livestock referred to above, the livestock units equivalent to the above limit are laid down in Annex IV.

#### *Article 14*

### **Simultaneous production of organic and non-organic livestock**

1. Non organic livestock may be present on the holding provided they are reared on units where the buildings and parcels are separated clearly from the units producing in accordance with the organic production rules and a different species is involved.
2. Non-organic livestock may use organic pasturage, provided that such animals come from extensive husbandry and that organic animals are not present at the same time on that pasture.
3. Organic animals may be grazed on common land, providing that:
  - (a) the land has not been treated with products not authorised for organic production for at least three years;
  - (b) any non-organic animals which use the land concerned are derived from extensive husbandry;
  - (c) any livestock products from organic animals, whilst using this land, shall not be regarded as being from organic-production, unless adequate segregation from non-organic animals can be proved.
4. During the period of transhumance animals may graze on non-organic land when they are being moved on foot from one grazing area to another. The uptake of non-organic feed, in the form of grass and other vegetation on which the animals graze, during this period shall not exceed 10 % of the total feed ration per year. This figure shall be calculated as a percentage of the dry matter of feedingstuffs from agricultural origin.

#### *Article 15*

### **Management of animals**

1. Operations such as attaching elastic bands to the tails of sheep, tail-docking, cutting of teeth, trimming of beaks and dehorning shall not be carried out systematically in organic farming. However, some of these operations may be allowed for reasons of

safety or if they are intended to improve the health, welfare or hygiene of the livestock on a case by case basis.

Any suffering to the animals shall be reduced to a minimum by applying adequate anaesthesia by carrying out the operation only at the most appropriate age by qualified personnel.

2. Physical castration is allowed in order to maintain the quality of products and traditional production practices but only under the conditions set out in the second subparagraph of paragraph 1.
3. Mutilation such as clipping the wings of queen bees is prohibited.
4. Loading and unloading of animals shall be carried out without the use of any type of electrical stimulation to coerce the animals. The use of allopathic tranquillisers, prior to and during transport, is prohibited.

### **SECTION 3** **FEED**

#### *Article 16*

#### **Feed from own holding or from other organic holdings in the same region**

1. In the case of herbivores, except during the period each year when the animals are under transhumance, at least 50 % of the feed shall come from the farm unit itself or in case this is not feasible, be produced in cooperation with other organic farms in the same region.
2. In the case of bees, at the end of the production season hives shall be left with reserves of honey and pollen sufficiently abundant to survive the winter.
3. The artificial feeding of bee colonies where the survival of the hives is endangered due to extreme climatic conditions and only between the last honey harvest and 15 days before the start of the next nectar or honeydew flow period; artificial feeding shall be made with organically produced honey.
4. Organically produced sugar syrup, or organic sugar molasses instead of organically-produced honey for artificial feeding, may be used, in particular when it is required by climatic conditions that provoke crystallisation of honey.

#### *Article 17*

#### **Feed meeting animals' nutritional requirements**

1. All young mammals shall be fed on natural milk for a minimum period of three months for bovines including *bubalus* and bison species and equidae, 45 days for sheep and goats and 40 days for pigs.

2. At least 60 % of the dry matter in daily rations of herbivores shall consist of roughage, fresh or dried fodder, or silage. A reduction to 50% for animals in dairy production for a maximum period of three months in early lactation is allowed.
3. Roughage, fresh or dried fodder, or silage shall be added to the daily ration for pigs and poultry.
4. The keeping of livestock in conditions, or on a diet, which may encourage anaemia, is prohibited.
5. Fattening practices shall be reversible at any stage of the rearing process. Force-feeding is forbidden.

#### *Article 18*

#### **In-conversion feed**

1. Up to 30 % of the feed formula of rations on average may comprise in-conversion feedingstuffs. When the in-conversion feedingstuffs come from a unit of the holding itself, this percentage may be increased to 60 %.
2. Up to 20% of the total average amount of feeding stuffs fed to the live stock may originate from the grazing or harvesting of permanent pastures or perennial forage parcels in their first year of conversion, provided that they are part of the holding itself and have not been part of an organic production unit of that holding in the last five years. When both in-conversion feedingstuffs and feedingstuffs from parcels in their first year of conversion are being used, the total combined percentage of such feedingstuffs shall not exceed the maximum percentages fixed in paragraph 1.

These figures shall be calculated annually as a percentage of the dry matter of feedingstuffs of agricultural origin.

#### *Article 19*

#### **Products and substances referred to in Article 14(1)(d)(iv) of Regulation (EC) No 834/2007**

1. Non-organic feed materials of agricultural origin may be used in organic production subject to the restrictions laid down in Article 38 and only if they are listed in Annex V and the restrictions laid down therein are complied with.
2. Organic feed materials of animal origin and feed materials of mineral origin may be used in organic production only if they are listed in Annex V and the restrictions laid down therein are complied with.
3. Feed additives, certain products used in animal nutrition and processing aids may be used in organic production only if they are listed in Annex VI and the restrictions laid down therein are complied with.

## **SECTION 4**

### **DISEASE PREVENTION AND VETERINARY TREATMENT**

#### *Article 20*

#### **General rules on disease prevention**

1. Where livestock is obtained from non-organic units, special measures such as screening tests or quarantine periods may apply, depending on local circumstances.
2. Housing, pens, equipment and utensils shall be properly cleaned and disinfected to prevent cross-infection and the build-up of disease carrying organisms. Faeces, urine and uneaten or spilt food shall be removed as often as necessary to minimise smell and to avoid attracting insects or rodents.

For the purpose of Article 14(1)(f) of Regulation (EC) No 834/2007, the products listed in Annex VII can be used for cleaning and disinfection of livestock buildings and installations; rodenticides and the products listed in Annex II can be used for the elimination of insects and other pests in buildings and other installations where livestock is kept.

3. Buildings shall be emptied of livestock between each batch of poultry reared. The buildings and fittings shall be cleaned and disinfected during this time. In addition, when the rearing of each batch of poultry has been completed, runs shall be left empty to allow vegetation to grow back. Member States shall establish the period in which runs must be empty. These requirements shall not apply to small numbers of poultry which are not kept in runs and which are free to roam, throughout the day.

#### *Article 21*

#### **Veterinary treatment**

1. With the exception of vaccinations, treatments for parasites and compulsory eradication schemes where an animal or group of animals receive more than three courses of treatments with chemically-synthesised allopathic veterinary medicinal products or antibiotics within one year, or more than one course of treatment if their productive lifecycle is less than one year, the livestock concerned, or produce derived from them, may not be sold as organic products, and the livestock shall undergo the conversion periods laid down in Article 34. This must be notified to the control body or authority.
2. The withdrawal period between the last administration of an allopathic veterinary medicinal product to an animal under normal conditions of use, and the production of organically produced foodstuffs from such animals, is to be twice the legal withdrawal period or, in a case in which this period is not specified, 48 hours.

#### Article 22

### **Specific rules on disease prevention and veterinary treatment in beekeeping**

1. For the purposes of protecting frames, hives and combs, in particular from pests, only rodenticides and appropriate products listed in Annex II are permitted.
2. Physical treatments for disinfection of apiaries such as steam or direct flame are permitted.
3. If despite all preventive measures, the colonies become sick or infested, they shall be treated immediately and, if necessary, the colonies can be placed in isolation apiaries.
4. Veterinary medicinal products can be used in organic beekeeping in so far as the corresponding use is authorised in the Member State in accordance with the relevant Community provisions or national provisions in conformity with Community law.
5. Formic acid, lactic acid, acetic acid and oxalic acid as well as menthol, thymol, eucalyptol or camphor can be used in cases of infestation with *Varroa jacobsoni*.
6. If a treatment is applied with chemically synthesised allopathic products, during such a period, the colonies treated shall be placed in isolation apiaries and all the wax shall be replaced with organic wax. Subsequently, the conversion period of one year will apply to those colonies.
7. The requirements laid down in paragraph 6 shall not apply to products listed in paragraph 5.

## **Chapter 3 Processed products**

#### Article 23

### **General rules for the production of processed feed and food**

1. Operators producing processed feed or food shall establish and update appropriate procedures, based on the principles of the HACCP (Hazard Analysis and Critical Control Points) system. The procedures shall identify all elements of the activities crucial for guaranteeing at all times that the produced processed products comply with the organic production rules.
2. Operators shall comply with and implement the procedures referred to in paragraph 1 based on an evaluation of the risks of not complying with the organic production rules. In particular, operators shall:
  - (a) take precautionary measures to reduce the risk of contamination by unauthorised substances or products;
  - (b) store organic products, before and after the operations, separate by place or time from non-organic products;

- (c) implement suitable cleaning measures, monitor their effectiveness and record these operations;
  - (d) guarantee that products which do not conform to the organic production rules are not placed on the market with an indication referring to the organic production method.
3. Further to the provisions laid down in paragraphs 1 and 2, when non-organic products are also prepared or stored in the preparation unit concerned, the operator shall:
- (a) inform the control authority or body thereof;
  - (b) take the necessary measures to ensure identification of lots and to avoid mixtures or exchanges with non-organic products;
  - (c) carry out operations on organic products only after suitable cleaning of the production equipment.

#### *Article 24*

#### **Use of certain products and substances in processing of food**

1. For the purpose of Article 19(2)(b) of Regulation (EC) No 834/2007, only the following substances can be used in the processing of organic food:
- (a) substances listed in Annex VIII to this Regulation;
  - (b) preparations of micro-organism normally used in food processing;
  - (c) natural flavouring substances or natural flavouring preparations within the meaning of Council Directive 88/388/EEC<sup>5</sup>;
  - (d) colours for stamping eggshells in accordance with Article 2(9) of European Parliament and Council Directive 94/36/EC<sup>6</sup>.
2. For the purpose of Article 19(2)(c) of Regulation (EC) No 834/2007, non-organic agricultural ingredients listed in Annex IX to this Regulation can be used in the processing of organic food.
3. As long as an ingredient of agricultural origin is not included in Annex IX to this Regulation, that ingredient may be used under the following conditions:
- (a) the operator has notified to the competent authority of the Member State all the requisite evidence showing that the ingredient concerned is not produced in sufficient quantity in the Community in accordance with the organic production rules or cannot be imported from third countries;

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<sup>5</sup> OJ L 184, 15.7.1988, p. 61.

<sup>6</sup> OJ L 237, 10.9.1994, p. 13.

- (b) the competent authority of the Member State has provisionally authorised, the use for a maximum period of three months after having verified that the operator has taken the necessary contacts with the other suppliers in the Community to ensure himself on the unavailability of the ingredients concerned with the required quality requirements;
- (c) no decision has been taken, in accordance with the provisions of paragraphs 6 or 8 that a granted authorisation with regard to the ingredient concerned shall be withdrawn.

Without prejudice of paragraph 8, the Member State may prolong the authorisation provided for in point (b) maximum three times for seven months each.

4. Where an authorisation as referred to in paragraph 3 has been granted, the Member State shall immediately notify to the other Member States and to the Commission, the following information:
  - (a) the date of the authorisation and in case of a prolonged authorisation, the date of the first authorisation;
  - (b) the name, address, telephone, and where relevant, fax and e-mail of the holder of the authorisation; the name and address of the contact point of the authority which granted the authorisation;
  - (c) the name and, where necessary, the precise description and quality requirements of the ingredient of agricultural origin concerned;
  - (d) the type of products for the preparation of which the requested ingredient is necessary;
  - (e) the quantities that are required and the justification for those quantities;
  - (f) the reasons for, and expected period of, the shortage;
  - (g) the date on which the Member State sends this notification to the other Member States and the Commission. The Commission and/or Member States may make this information available to the public.
5. Where a Member State submits comments to the Commission and to the Member State which granted the authorisation, which show that supplies are available during the period of the shortage, the Member State shall consider withdrawal of the authorisation or reducing the envisaged period of validity, and shall inform the Commission and the other Member States of the measures it has taken or will take, within 15 days from the date of receipt of the information.
6. At the request of a Member State or at the Commission's initiative, the matter shall be submitted for examination to the Committee set up by Article 37 of Regulation (EC) No 834/2007. It may be decided, in accordance with the procedure laid down in that Article, that a granted authorisation shall be withdrawn or its period of validity amended, or where appropriate, that the ingredient concerned be included in Annex IX to this Regulation.

7. In case of a prolongation as referred to in the second subparagraph of paragraph 3, the procedures of paragraphs 4 and 5 shall apply.
8. Where a Member State wants to ensure that an ingredient from non-organic production can still be used after the third prolongation of the authorisation referred to in paragraph 3(b), this Member State shall, together with the notification for the third prolongation of a granted authorisation notify a request for inclusion of the ingredient in Annex IX. As long as no decision has been adopted in accordance with the procedure referred to in Article 37(2) of Regulation (EC) No 834/2007, in order to include the ingredient in Annex IX to this Regulation or to withdraw the authorisation, the Member State may continue to prolong the authorisation for successive periods of seven months in due respect of the conditions of paragraphs 3, 4 and 5 of this Article.

#### *Article 25*

#### **Use of certain products and substances in the production of yeast**

For the purpose of the application of Article 20(1) of Regulation (EC) No 834/2007, only food additives and processing aids referred to in Annex VIII to this Regulation may be used in the production of yeast.

## **Chapter 4**

### **Packaging, transport and storage of products**

#### *Article 26*

#### **Collection of products**

Operators may carry out simultaneous collection of organic and non-organic milk, eggs and egg-products, only where appropriate measures are taken to prevent any possible mixture or exchange with non-organic products and to ensure the identification of the organic products. The operator shall keep the information relating to collection days, hours, circuit and date and time of reception of the products available to the control body or authority.

#### *Article 27*

#### **Packaging and transport of products to other operators or units**

1. Operators shall ensure that organic products are transported to other units, including wholesalers and retailers, only in appropriate packaging, containers or vehicles closed in such a manner that substitution of the content cannot be achieved without manipulation or damage of the seal and provided with a label stating, without prejudice to any other indications required by law:
  - (a) the name and address of the operator and, where different, of the owner or seller of the product;
  - (b) the name of the product or a description of the compound feedingstuff accompanied by a reference to the organic production method;

- (c) the name and/or the code number of the control body or authority to which the operator is subject; and
- (d) where relevant, the lot identification mark according to a marking system either approved at national level or agreed with the control body or authority and which permits to link the lot with the accounts referred to in Article 61.

The information referred to in points (a) to (d) may also be presented on an accompanying document, if such a document can be undeniably linked with the packaging, container or vehicle of the product. This accompanying document shall include information on the supplier and/or the transporter.

2. By way of derogation from paragraph 1, the closing of packaging, containers or vehicles shall not be required where:
  - (a) transportation is direct between a producer and another operator who are both subject to the organic control system, and
  - (b) the products are accompanied by a document giving the information required under the previous subparagraph, and
  - (c) the control body or authority of both the expediting and the receiving operators have been informed of such transport operations and have agreed thereto with regard to one or more transport operations.

#### *Article 28*

#### **Special rules for transporting feed to other production/preparation units or storage premises**

In addition to the provisions of Article 27, when transporting feed to other production or preparation units or storage premises, operators shall ensure that the following conditions are met:

- (a) during transport, organically-produced feed, in-conversion feed, and non-organic feed shall be effectively physically separated;
- (b) the vehicles and/or containers which have transported non-organic products are used to transport organic products provided that:
  - (i) suitable cleaning measures, the effectiveness of which has been checked, have been carried out before commencing the transport of organic products; operators shall record these operations,
  - (ii) all appropriate measures are implemented, depending on the risks evaluated in accordance with Article 82(3) and, where necessary, operators shall guarantee that non-organic products cannot be placed on the market with an indication referring to organic production,
  - (iii) the control body or authority of the operator has been informed of such transport operations and has agreed thereto for one or more transport operations;

- (c) the transport of finished organic feed shall be separated physically or in time from the transport of other finished products;
- (d) during transport, the quantity of products at the start and each individual quantity delivered in the course of a delivery round shall be recorded.

#### *Article 29*

### **Reception of products from other units and other operators**

On receipt of an organic product, the operator shall check the closing of the packaging or container where it is required and the presence of the indications provided to in Article 27.

The operator shall crosscheck the information on the label referred to in Article 27 with the information on the accompanying documents. The result of these verifications shall be explicitly mentioned in the documentary accounts referred to in Article 61.

#### *Article 30*

### **Special rules for the reception of products from a third country**

Organic products shall be imported from a third country in appropriate packaging or containers, closed in a manner preventing substitution of the content and provided with identification of the exporter and with any other marks and numbers serving to identify the lot with the certificate of control for import from third countries.

On receipt of an organic product, imported from a third country, the first consignee shall check the closing of the packaging or container and, in the case of products imported in accordance with Article 33 of Regulation (EC) No 834/2007, the correspondence of the identification of the consignment with the certificate mentioned in that Article. The result of this verification shall be explicitly mentioned in the accounts referred to in Article 61.

#### *Article 31*

### **Storage of products**

1. For the storage of products, areas shall be managed in such a way as to ensure identification of lots and to avoid any mixing with or contamination by products and/or substances not in compliance with the organic production rules. Organic products shall be clearly identifiable at all times.
2. Where imported organic products are stored in storage facilities in which also other agricultural products or foodstuffs are stored:
  - (a) the organic products shall be kept separate from the other agricultural products and/or foodstuffs,
  - (b) every measure shall be taken to ensure identification of consignments and to avoid mixtures or exchanges with non-organic products.
3. The storage of allopathic veterinary medicinal products and antibiotics is permitted on holdings provided that they have been prescribed by a veterinarian in connection with treatment as referred to in Art. 14(1)(e)(ii) of Regulation (EC) No 834/2007,

that they are stored in a supervised location and that they are entered in the livestock record as referred to in Article 70 of this Regulation.

## **Chapter 5**

### **Conversion rules**

#### *Article 32*

#### **Plant and plant products**

1. For plants and plant products to be considered organic, the production rules as referred to in Chapter 1 of this Regulation and Articles 11 and 12 of Regulation (EC) No 834/2007 must normally have been applied on the parcels during a conversion period of at least two years before sowing, or, in the case of grassland, at least two years before its exploitation as feed from organic farming, or, in the case of perennial crops other than grassland, at least three years before the first harvest of organic products.”
2. Notwithstanding paragraph 1, the competent authority may decide to recognise retroactively as being part of the conversion period any previous period in which:
  - (a) the land parcels were part on a programme implemented pursuant to [Council Regulation (EC) No 1257/99 and Council Regulation (EC) No 1698/2005] or as part of another official programme, provided that the programmes concerned guarantee that non authorised products have not been used on those parcels, or
  - (b) the parcels were natural or agricultural areas which were not treated with non authorised products.

The period referred to in point (b) can be taken into consideration retroactively only under the condition that satisfactory proof has been furnished to the control authority or control body allowing it to satisfy itself that the conditions were met for a period of at least three years.

3. The competent authority may decide, in certain cases, to extend the conversion period beyond the period referred to in paragraph 1 having regard to previous parcel use.
4. In the case of parcels which have already been converted to or were in the process of conversion to organic farming, and which are treated with a product not authorised for organic production, the Member State may reduce the length of the conversion period to less than the period referred to in paragraph 1 in the following two cases:
  - (a) parcels treated with a product not authorised for organic production as part of a compulsory disease or pest control measure imposed by the competent authority of the Member State;
  - (b) parcels treated with a product not authorised for organic production as part of scientific tests approved by the competent authority of the Member State.

In the cases provided for in points (a) and (b) of the first subparagraph, the length of the conversion period shall be fixed taking into account all of the following points:

- (a) the process of degradation of the plant protection product concerned shall guarantee, at the end of the conversion period, an insignificant level of residues in the soil and, in the case of a perennial crop, in the plant;
- (b) the harvest following the treatment may not be sold with reference to organic production methods.

The Member State concerned shall inform the other Member States and the Commission of its decision to require compulsory measures.

### *Article 33*

#### **Specific conversion rules for land associated with organic livestock production**

Notwithstanding the provisions in Article 32(1), the conversion period may be reduced to one year for pasturages, open air runs and exercise areas used by non-herbivore species and to six months where the land concerned has not [during the last year], received treatments with products not authorised for organic production.

### *Article 34*

#### **Livestock and livestock products**

1. If livestock products are to be sold as organic products, the livestock shall have been reared according to the organic production rules for at least:
  - (a) 12 months in the case of equidae and bovines, including *bubalus* and bison species, for meat production, and in any case at least three quarters of their lifetime;
  - (b) six months in the case of small ruminant and pigs and animals for milk production;
  - (c) 10 weeks for poultry for meat production, brought in before they are three days old;
  - (d) six weeks in the case of poultry for egg production.
2. If there is simultaneous conversion of the complete production unit, including livestock, pasturage and/or any land used for animal feed, the total combined conversion period for both livestock, pasturage and/or any land used for animal feed, shall be reduced to 24 months, if the animals are mainly fed with products from the production unit.
3. Beekeeping products can be sold with references to the organic production method only when the organic production rules have been complied with for at least one year.
4. The conversion period for apiaries does not apply in the case of application of Article 7(5) of this Regulation.

## **Chapter 6**

### **Exceptional production rules**

#### **SECTION 1**

#### **EXCEPTIONAL PRODUCTION RULES RELATED TO CLIMATIC, GEOGRAPHICAL OR STRUCTURAL CONSTRAINTS IN ACCORDANCE WITH ARTICLE 22(2)(a) OF REGULATION (EC) No 834/2007**

##### *Article 35*

#### **Tethering of animals**

Competent authorities may authorise cattle in small holdings which have been granted the derogation provided for in part B, paragraph 6.16 of Annex I to Regulation (EEC) No 2092/91 to be tethered if it is not possible to keep the cattle in groups appropriate to their behaviour requirements, provided they have at least twice a week access to pastures, open air runs or exercise areas.

##### *Article 36*

#### **Parallel production**

1. A producer may run organic and non-organic production units in the same area:
  - (a) in the case of the production of edible fruit bearing trees, vines and hops provided the following conditions are met:
    - (i) the production in question forms part of a conversion plan in respect of which the producer gives a firm undertaking and which provides for the beginning of the conversion of the last part of the area concerned to organic production in the shortest possible period which may not in any event exceed a maximum of five years;
    - (ii) appropriate measures have been taken to ensure the permanent separation of the products obtained from each unit concerned;
    - (iii) the control authority or control body is notified of the harvest of each of the products concerned at least 48 hours in advance;
    - (iv) upon completion of the harvest, the producer records the exact quantities harvested on the units concerned and the measures applied to separate the products;
    - (v) the conversion plan and the measures referred to in Article 58 have been approved by the control body or authority; this approval shall be confirmed each year after the start of the conversion plan;

- (b) in the case of areas intended for agricultural research agreed by the Member States' competent authorities;
  - (c) in the case of production of seed, vegetative propagating material and transplants;
  - (d) in the case of grassland exclusively used for grazing.
2. The competent authority may authorise holdings carrying out agricultural research to rear organic and non-organic livestock of the same species, where the following conditions are met:
- (a) appropriate measures, agreed with the control authority or control body have been taken in order to guarantee the permanent separation between livestock, livestock products, manure and feedingstuffs of each of the units;
  - (b) the producer informs the control authority or control body in advance of any delivery or selling of the livestock or livestock products;
  - (c) the operator informs the control authority or control body of the exact quantities produced in the units together with all characteristics permitting the identification of the products and confirms that the measures taken to separate the products have been applied.
3. An operator can run organic and non-organic beekeeping units on the same holding, provided that all the requirements of the organic production rules are fulfilled with the exception of the provisions for the siting of the apiaries until [31 December 2013].

## **SECTION 2**

### **EXCEPTIONAL PRODUCTION RULES RELATED TO NON- AVAILABILITY OF ORGANIC FARM INPUTS IN ACCORDANCE WITH ARTICLE 22(2)(B) OF REGULATION (EC) NO 834/2007**

#### *Article 37*

#### **Use of non-organic animals**

When a flock is constituted for the first time, renewed or reconstituted and organically reared poultry are not available in sufficient numbers, non-organically reared poultry may be brought into an organic poultry production unit, provided that the pullets for the production of eggs and poultry for meat production are less than three days old.

Non-organically reared pullets for egg production of not more than 18 weeks may be brought into an organic livestock unit when organically reared pullets are not available provided that the relevant provisions laid down in Section 3 and 4 of Chapter 6 are complied with regard to non-organically reared pullets intended to be brought into organic livestock units.

*Article 38*  
**Use of non-organic feed**

The use of a limited proportion of non-organic feed of agricultural origin is allowed where farmers are unable to obtain feed exclusively from organic production. The maximum percentage of non-organic feed authorised per period of 12 months for species other than herbivores shall be:

- (a) 10 % during the period from 1 January 2009 to 31 December 2009;
- (b) 5 % during the period from 1 January 2010 to 31 December 2011.

The figures shall be calculated annually as a percentage of the dry matter of feed from agricultural origin. The maximum percentage authorised of non-organic feed in the daily ration, except during the period each year when the animals are under transhumance, shall be 25 % calculated as a percentage of the dry matter.

*Article 39*  
**Use of non-organic bee wax**

In the case of new installations or during the conversion period non-organic bee wax may be only used where organic bee wax is not available on the market and provided that it comes from the cap.

*Article 40*  
**Use of seed or seed potatoes not obtained by the organic production method**

1. Member States may, pursuant to paragraphs 4 to 8, authorise the use of seed or seed potatoes not obtained by the organic production method, provided that the seed or seed potatoes are not treated with plant protection products, other than those authorised for treatment of seed in accordance with Article 2(1), unless chemical treatment is prescribed in accordance with Council Directive 2000/29/EC<sup>7</sup> for phytosanitary purposes by the competent authority of the Member State for all varieties of a given species in the area where the seed or seed potatoes are to be used.
2. Species for which it is established that organically produced seed or seed potatoes are available in sufficient quantities and for a significant number of varieties in all parts of the Community are set out in Annex X.

The species listed in the Annex are not entitled to authorisations pursuant to paragraph 1, unless it is justified by one of the purposes referred to in paragraph 4(d).

3. Member States may delegate the responsibility for granting the authorisation referred to in paragraph 2 to the control authorities or control bodies referred to in Article 27 of Regulation (EC) No 834/2007.
4. Authorisation to use seed or seed potatoes not obtained by the organic production method may only be granted in the following cases:

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<sup>7</sup> OJ L 169, 10.7.2000, p. 1.

- (a) where no variety of the species which the user wants to obtain is registered in the database referred to in Article 44;
  - (b) where no supplier, meaning an operator who markets seed or seed potatoes to other operators, is able to deliver the seed or seed potatoes before sowing or planting in situations where the user has ordered the seed or seed potatoes in reasonable time;
  - (c) where the variety which the user wants to obtain is not registered in the database referred to in Article 44, and the user is able to demonstrate that none of the registered alternatives of the same species are appropriate and that the authorisation therefore is significant for his production;
  - (d) where it is justified for use in research, test in small-scale field trials or for variety conservation purposes agreed by the competent authority of the Member State.
5. The authorisation shall be granted before the sowing of the crop.
6. The authorisation shall be granted only to individual users for one season at a time and the authority or body responsible for the authorisations shall register the quantities of seed or seed potatoes authorised.
7. By way of derogation from paragraph 6, the competent authority of the Member State may grant to all users a general authorisation:
- (a) for a given species when and in so far as the condition laid down in paragraph 4(a) is fulfilled;
  - (b) for a given variety when and in so far as the conditions laid down in paragraph 4(c) are fulfilled.

The authorisations referred to in the first subparagraph shall be clearly indicated in the database referred to in Article 43.

8. Authorisation may only be granted during periods for which the database is updated in accordance with Article 45(3).

**SECTION 3**  
**EXCEPTIONAL PRODUCTION RULES RELATED TO NON-  
AVAILABILITY OF INGREDIENTS OF AGRICULTURAL ORIGIN IN  
ACCORDANCE WITH ARTICLE 22(2)(C) OF REGULATION (EC) NO  
834/2007**

*Article 41*

**Addition of non-organic yeast autolysat**

Addition of up to 5% of non-organic yeast autolysat is allowed for the production of yeast until [31 December 2012].

**SECTION 4**  
**EXCEPTIONAL PRODUCTION RULES RELATED TO SPECIFIC  
MANAGEMENT PROBLEMS IN ORGANIC LIVESTOCK IN  
ACCORDANCE WITH ARTICLE 22(2)(D) OF REGULATION (EC) NO  
834/2007**

*Article 42*

**Specific management problems in organic livestock**

The final fattening phase of adult bovines for meat production may take place indoors, provided that this indoors period does not exceed one fifth of their lifetime and in any case for a maximum period of three months.

**SECTION 5**  
**EXCEPTIONAL PRODUCTION RULES RELATED TO  
CATASTROPHIC CIRCUMSTANCES IN ACCORDANCE WITH  
ARTICLE 22(2)(F) OF REGULATION (EC) NO 834/2007**

*Article 43*

**Catastrophic circumstances**

The competent authority may authorise on a temporary basis:

- (a) in the case of high mortality of animals caused by health or catastrophic circumstances, the renewal or reconstitution of the herd or flock with non-organic animals, when organically reared animals are not available;
- (b) when forage production is lost or when restrictions are imposed, in particular as a result of exceptional meteorological conditions, the outbreak of infectious diseases, the contamination with toxic substances, or as a consequence of fires, individual

operators to use a higher percentage of non-organic feedingstuffs for a limited period and in relation to a specific area, where such authorisation is warranted.

- (c) the reconstitution of the apiaries with non-organic bees shall be allowed, when organic apiaries are not available, in case of high mortality of animals caused by health or catastrophic circumstances;

Upon approval by the competent authority, the individual operators shall notify to the control authority or body the use of the exception provided for in point (b) of the first subparagraph to. Member States will inform each other and the Commission on the exceptions they have granted.

## **Chapter 7**

### **Seed data base**

#### *Article 44*

#### **Database**

1. Each Member State shall ensure that a computerised database is established for the listing of the varieties for which seed or seed potatoes obtained by the organic production method are available on its territory.
2. The database shall be managed either by the competent authority of the Member State or by an authority or body designated for this purpose by the Member State, hereinafter referred to as "manager of the database". Member States may also designate an authority or a private body in another country.
3. Each Member State shall inform the Commission and the other Member States of the authority or private body designated to manage the database.

#### *Article 45*

#### **Registration**

1. Varieties for which seed or seed potatoes produced by the organic production method are available shall be registered in the database referred to in Article 44 at the request of the supplier.
2. Any variety which has not been registered in the database shall be considered as unavailable with regard to the application of Article 40(4).
3. Each Member State shall decide in which period of the year the database has to be regularly updated for each species or group of species cultivated on its territory. The database shall hold information with regard to that decision.

*Article 46*  
**Conditions for registration**

1. For registration, the supplier shall:
  - (a) demonstrate that he or the last operator, in cases where the supplier is only dealing with pre-packaged seed or seed potatoes, has been subject to the control system referred to in Article 27 of Regulation (EC) No 834/2007;
  - (b) demonstrate that the seed or seed potatoes to be placed on the market comply with the general requirements applicable to seed and vegetative propagating material;
  - (c) make available all the information required under Article 47 of this Regulation, and undertake to update this information at the request of the manager of the database or whenever such updating is necessary to ensure that the information remains reliable.
2. The manager of the database may, with the approval by the competent authority of the Member State, refuse a supplier's application for registration or delete an already accepted registration if the supplier does not comply with the requirements set out in paragraph 1.

*Article 47*  
**Registered information**

1. For each registered variety and for each supplier, the database referred to in Article 44 shall contain at least the following information:
  - (a) the scientific name of the species and the variety denomination;
  - (b) the name and contact details of the supplier or his representative;
  - (c) the area where the supplier can deliver the seed or seed potatoes to the user in the usual time needed for the delivery;
  - (d) the country or region in which the variety is tested and approved for the purpose of the common catalogues of varieties of agricultural plant species and vegetable species as defined in Council Directives 2002/53/EC on the common catalogue of varieties of agricultural plant species<sup>8</sup> and 2002/55/EC on the marketing of vegetable seed<sup>9</sup>;
  - (e) the date from which the seed or seed potatoes will be available;

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<sup>8</sup> OJ L 193, 20.7.2002, p. 1

<sup>9</sup> OJ L 193, 20.7.2002, p. 33

- (f) the name and/or code number of the control authority or control body in charge of the control of the operator as referred to in Article 27 of Regulation (EC) No 834/2007.
2. The supplier shall immediately inform the manager of the database if any of the registered varieties are no longer available. The amendments shall be recorded in the database.
3. Besides the information specified in paragraph 1, the database shall contain a list of the species listed in Annex X.

#### *Article 48*

#### **Access to information**

1. The information in the database referred to in Article 44 shall be available through the Internet, free of cost, to the users of seed or seed potatoes and to the public. Member States may decide that any user who has notified its activity in accordance with Article 28(1)(a) of Regulation (EC) No 834/2007 shall obtain, on request, an extract of data concerning one or several groups of species from the database manager.
2. The Member States shall ensure that all users referred to in paragraph 1 are informed, at least once a year, about the system and how to obtain the information in the database.

#### *Article 49*

#### **Registration fee**

Each registration may be subject to the levying of a fee, which shall represent the cost of introducing and maintaining the information in the database referred to in Article 44. The competent authority of the Member State shall approve the level of the fee practised by the manager of the database.

#### *Article 50*

#### **Annual report**

1. The authorities or bodies designated to grant authorisations in accordance with Article 40 shall register all authorisations, and shall make this information available in a report to the competent authority of the Member State and to the manager of the database.

The report shall contain, for each species concerned by an authorisation according to Article 40(4), the following information:

- (a) the scientific name of the species and the variety denomination;
- (b) the justification for the authorisation indicated by a reference to Article 40(4)(a), (b), (c) or (d);

- (c) the total number of authorisations;
  - (d) the total quantity of seed or seed potatoes involved;
  - (e) the chemical treatment for phytosanitary purposes, as referred to in Article 40(2).
2. For authorisations according to Article 40(7) the report shall contain the information referred to in point (a) of the second subparagraph of paragraph 1 and the period for which the authorisations were in force.

*Article 51*  
**Summary report**

The competent authority of the Member State shall, before 31 March each year, collect the reports and send a summary report covering all authorisations of the Member State from the previous calendar year to the Commission and to the other Member States. The report shall cover the information specified in Article 50. The information shall be published in the database referred to in Article 44. The competent authority may delegate the task of collecting the reports to the manager of the database.

*Article 52*  
**Information upon request**

Upon request from a Member State or the Commission, detailed information on authorisations granted in individual cases shall be made available to other Member States or to the Commission.

**Title III**  
**Labelling**

**Chapter 1**  
**Specific labelling requirements for feed**

*Article 53*  
**Scope and definitions**

This Chapter shall not apply to feed for fur animals or feed for aquaculture animals.

*Article 54*  
**Indications on processed feed**

1. Without prejudice to Articles 55 and 56, the terms referred to in Article 23(1) of Regulation (EC) 834/2007 may be used provided that:
  - a) the processed feed complies with Article 14(1) (d)(iv) and (v) and Article 18 of that Regulation and;
  - b) at least 95% of the product's dry matter is comprised of organically-produced feed materials.
  
2. Notwithstanding the requirement laid down in point (b) of paragraph 1 and subject to the requirements laid down in Articles 14(1)(d)(iv) and 18 of Regulation (EC) No 834/2007 and in Articles 18, 19 and 23 of this Regulation, the following statement is permitted in the case of products comprising variable quantities of feed materials from the organic production method and/or feed materials from products in conversion to organic farming and/or non-organic materials:

"may be used in organic production in accordance with Regulations (EC) 834/2007 and (EC) xxx/2008' [=this Regulation] subject to the percentages in Articles 16(1), 17(2), 18 and 38 of the latter"

#### *Article 55*

#### **Conditions for the use of indications**

1. The indication provided for in Article 54 of this Regulation shall be:
  - (a) separate from the wording referred to in Article 5 of Council Directive 79/373/EEC<sup>10</sup> or in Article 5(1) of Council Directive 96/25/EC<sup>11</sup>;
  - (b) presented in a colour, format or character font that does not draw more attention to it than to the description or name of the animal feedingstuff referred to in Article 5(1)(a) of Directive 79/373/EEC or in Article 5(1)(b) of Directive 96/25/EC respectively;
  - (c) accompanied, in the same field of vision, by an indication by weight of dry matter referring:
    - (i) to the percentage of feed material(s) from the organic production method;
    - (ii) to the percentage of feed material(s) from products in conversion to organic farming;
    - (iii) to the total percentage of animal feed of agricultural origin;
  - (d) accompanied by a list of names of feed materials from the organic production method;
  - (e) accompanied by a list of names of feed materials from products in conversion to organic farming.

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<sup>10</sup> OJ L 86, 6.4.1979, p. 30.

<sup>11</sup> OJ L 125, 23.5.1996, p. 35.

2. The indication provided for in Article 54 may be also accompanied by a reference to the requirement to use the feedingstuffs in accordance with Articles 18 and 19.

*Article 56*

**Use of trade marks and sales descriptions**

The trade marks and sales descriptions bearing an indication referred to in Article 23(1) of Regulation (EC) No 834/2007 may be used only if at least 95 % of the product's dry matter is comprised of feed material from the organic production method.

## **Chapter 2 Community Logo**

*Article 57*

**Community logo**

In accordance with Article 25(3) of Regulation (EC) No 834/2007, and subject to Article 88(3) of this Regulation, the Community logo shall comprise the model provided for in Annex XI to this Regulation.

The Community logo shall be used in accordance with the technical reproduction rules laid down in Annex XI to this Regulation.

## **Title IV Controls**

### **Chapter 1 General control requirements**

*Article 58*

**Initial control**

1. When the control arrangements are first implemented, the operator responsible shall draw up:
  - (a) a full description of the unit and/or premises and/or activity;
  - (b) all the practical measures to be taken at the level of the unit and/or premises and/or activity to ensure compliance with the organic production rules;
  - (c) the precautionary measures to be taken in order to reduce the risk of contamination by unauthorised products or substances and the cleaning

measures to be taken in storage places and throughout the operator's production chain.

Where appropriate, the description and measures provided for in the first subparagraph may be part of a quality system as set up by the operator.

2. The description and the measures referred to in paragraph 1 shall be contained in a declaration, signed by the responsible operator. In addition, this declaration shall include an undertaking by the operator:
  - (a) to perform the operations in accordance with the organic production rules;
  - (b) to accept, in the event of infringement or irregularities, the enforcement of the measures of the organic production rules;
  - (c) to undertake to inform in writing the buyers of the product in order to ensure that the indications referring to the organic production method are removed from this production.

The declaration provided for in the first subparagraph shall be verified by the control body or control authority that issues a report identifying the possible deficiencies and non-compliances with the organic production rules. The operator shall countersign this report and take the necessary corrective measures.

#### *Article 59*

### **Communications**

The operator responsible shall notify any change in the description or of the measures referred to in Article 58 and in the initial control requirements set out in the Articles 65, 68, 74, 76, 80 and 82 to the control authority or control body in due time.

#### *Article 60*

### **Control visits**

1. The control authority or control body shall make at least once a year a physical control of all operators.
2. The control authority or control body may take samples for testing of products not authorised under the organic production rules or for checking production techniques not in conformity with the organic production rules. Samples may also be taken and analysed for detecting possible contamination by unauthorised products. However, such analysis shall be carried out where the use of unauthorised products is suspected. A control report shall be drawn up after each visit, countersigned by the responsible person of the unit or his representative.
3. Moreover, the control authority or control body shall carry out random control visits, announced or not, based on the general evaluation of the risk of non-compliance with the organic production rules, taking into account at least the results of previous controls, the quantity of products concerned and the risk for exchange of products.

*Article 61*  
**Documentary accounts**

1. Stock and financial records shall be kept in the unit or premises and shall enable the operator to identify and the control authority or control body to verify:
  - (a) the supplier and, where different, the seller, or the exporter of the products;
  - (b) the nature and the quantities of organic products delivered to the unit and, where relevant, of all materials bought and the use of such materials, and, where relevant, the composition of the compound feedingstuffs;
  - (c) the nature and the quantities of organic products held in storage at the premises;
  - (d) the nature, the quantities and the consignees and, where different, the buyers, other than the final consumers, of any products which have left the unit or the first consignee's premises or storage facilities;
  - (e) in case of operators who do not store or physically handle such organic products, the nature and the quantities of organic products bought and sold, and the suppliers, and where different, the sellers or the exporters and the buyers, and where different, the consignees.
2. The documentary accounts shall also comprise the results of the verification at reception of organic products and any other information required by the control body or authority for the purpose of proper control. The data in the accounts shall be documented with appropriate justification documents. The accounts shall demonstrate the balance between the input and the output.

*Article 62*  
**Access to facilities**

1. The operator shall:
  - (a) give the control body or authority, for control purposes, access to all parts of the unit and all premises, as well as to the accounts and relevant supporting documents;
  - (b) provide the control body or authority with any information reasonably necessary for the purposes of the control;
  - (c) submit, when requested by the control body or authority, the results of its own voluntary control and sampling programmes.
2. In addition to the requirements set out in paragraph 1, importers and first consignees shall submit import authorisations and certificates of control for import from third countries.

*Article 63*  
**Documentary evidence**

For the purpose of the application of Article 29(1) of Regulation (EC) No 834/2007 the control body and the control authorities shall use the model of the documentary evidence set out in Annex XII to this Regulation.

*Article 64*  
**Vendor declaration**

For the purpose of the application of Article 9(3) of Regulation (EC) No 834/2007 the vendor declaration that products supplied have not been produced from or by GMOs may follow the model set out in Annex XIII to this Regulation.

## **Chapter 2**

### **Specific control requirements for plants and plant products from farm production or collection**

*Article 65*  
**Initial control**

1. The full description of the unit referred to in Article 58(1)(a) shall:
  - (a) be drawn up even where the producer limits his activity to the collection of wild plants;
  - (b) indicate the storage and production premises and land parcels and/or collection areas and, where applicable, premises where certain processing and/or packaging operations take place; and
  - (c) specify the date of the last application on the parcels and/or collection areas concerned of products, the use of which is not compatible with the organic production rules.
  
2. In case of collection of wild plants, the practical measures referred to in Article 58(1)(b) shall include any guarantees given by third parties which the producer can provide to ensure that the provisions of Article 12(2) of Regulation (EC) No 834/2007 are complied with.

*Article 66*  
**Communications**

Each year, before the date indicated by the control authority or control body, the producer shall notify the authority or body of its schedule of production of crop products, giving a breakdown by parcel.

*Article 67*

**Several production units run by the same operator**

Where an operator runs several production units in the same area, the units producing non-organic crops, together with storage premises for farm input products shall also be subject to the general control requirements laid down in Article 59 as well as to the specific control requirements provided for in Articles 57, 58, and 60.

**Chapter 3**  
**Control requirements for livestock and livestock products**  
**produced by animal husbandry**

*Article 68*

**Initial control**

1. When the control system applying specifically to livestock production is first implemented, the full description of the unit referred to in Article 58(1)(a) shall include:
  - (a) a full description of the livestock buildings, pasturage, open-air exercise areas, open-air runs, etc., and, where applicable, the premises for the storage, packaging and processing of livestock;
  - (b) products, raw materials and inputs;
  - (c) a full description of the installations for the storage of livestock manure.
2. The practical measures referred to in Article 58(1)(b) shall include:
  - (a) a plan for spreading manure agreed with the control body or authority, together with a full description of the areas given over to crop production;
  - (b) where appropriate, as regards the spreading of manure, the written arrangements with other holdings as referred to in Article 3(3) of this Regulation complying with the provisions of the organic production rules;
  - (c) management plan for the organic-production livestock unit.

*Article 69*

**Identification of livestock**

The livestock shall be identified permanently using techniques adapted to each species, individually in the case of large mammals and individually or by batch in the case of poultry and small mammals.

*Article 70*  
**Livestock records**

Livestock records shall be compiled in the form of a register and kept available to the control authorities or bodies at all times at the premises of the holding. Such records shall provide a full description of the herd or flock management system comprising at least the following information:

- (a) as regards animals arriving at the holding: origin and date of arrival, conversion period, identification mark and veterinary record;
- (b) as regards livestock leaving the holding: age, number of heads, weight in case of slaughter, identification mark and destination;
- (c) details of any animals lost and reasons thereof;
- (d) as regards feed: type, including feed supplements, proportions of various ingredients of rations and periods of access to free-range areas, periods of transhumance where restrictions apply;
- (e) as regards disease prevention and treatment and veterinary care: date of treatment, diagnosis, type of treatment product, method of treatment and practitioner's prescription for veterinary care with reasons and withdrawal periods applying before livestock products can be marketed.

*Article 71*  
**Control measures on veterinary medicinal products for livestock**

Whenever veterinary medicinal products are to be used, the type of product shall be recorded clearly, including an indication of the active pharmacological substances involved, together with details of the diagnosis; the posology; the method of administration; the duration of the treatment, and the legal withdrawal period. This information is to be declared to the control authority or body before the livestock or livestock products are marketed as organically produced. Livestock treated shall be clearly identified, individually in the case of large animals; individually or by batch, in the case of poultry and small animals.

*Article 72*  
**Specific control measures on beekeeping**

1. A map on an appropriate scale listing the location of hives shall be provided to the control authority or control body by the beekeeper. Where no areas are identified in accordance with Article 11(2), the beekeeper shall provide the control authority or control body with appropriate documentation and evidence, including suitable analyses if necessary, that the areas accessible to his colonies meet the conditions required in this Regulation.
2. The following information shall be entered in the livestock record with regard to the use of artificial feeding: type of product, dates, quantities and hives where it is used.
3. Whenever veterinary medicinal products are to be used, the type of product, including the indication of the active pharmacological substance, together with

details of the diagnosis, the posology, the method of administration, the duration of the treatment and the legal withdrawal period shall be recorded clearly and declared to the control body or authority before the products are marketed as organically produced.

4. The zone where the apiary is situated shall be registered together with the identification of the hives. The control body or authority shall be informed of the moving of apiaries by a deadline agreed on with the control authority or body.
5. Particular care shall be taken to ensure adequate extraction, processing and storage of beekeeping products. All the measures to comply with this requirement shall be recorded.
6. The removals of the supers and the honey extraction operations shall be entered in the register of the apiary.

#### *Article 73*

#### **Several production units run by the same operator**

Where a producer manages several production units, as provided for in Articles 14(1) and 36 of this Regulation, the units which produce non-organic livestock or non-organic livestock products shall also be subject to the control system as regards Articles 68 to 72 on livestock and livestock products and as regards the provisions on livestock management, livestock records and the principles governing storage of animal husbandry products used.

## **Chapter 4**

### **Control requirements for units for preparation of plant and livestock products and foodstuffs composed of plant and livestock products**

#### *Article 74*

#### **Initial control**

In the case of a unit involved in the preparation for its own account or for account of a third party, and including in particular units involved in packaging and/or re-packaging of such products or units involved in labelling and/or re-labelling of such products, the full description of the unit referred to in Article 58(1)(a) shall show the facilities used for the reception, the processing, packaging, labelling and storage of agricultural products before and after the operations concerning them, as well as the procedures for the transport of the products.

## **Chapter 5**

### **Control requirements for imports of plants, plant products,**

# **livestock, livestock products and foodstuffs comprising plant and/or livestock products, animal feedingstuffs, compound feedingstuffs and feed materials from third countries**

## *Article 75*

### **Scope**

This Chapter applies to any operator involved, as importer and/or as first consignee, in the import and/or reception, for its own account or for account of another operator, of organic products.

## *Article 76*

### **Initial control**

1. In the case of the importer, the full description of the unit referred to in Article 58(1)(a) shall include the importer's premises and of his import activities, indicating the points of entry of the products into the Community and any other facilities the importer intends to use for the storage of the imported products pending their delivery to the first consignee.

In addition, the declaration referred to in Article 58(2) shall include an undertaking by the importer to ensure that any facilities that the importer will use for storage of products are submitted to control, to be carried out either by the control body or authority or, when these storage facilities are situated in another Member State or region, by a control body or authority approved for control in that Member State or region.

2. In the case of the first consignee, the full description of the unit referred to in Article 58(1)(a) shall show the facilities used for the reception and storage.
3. Where the importer and the first consignee are the same legal person and operate in one single unit, the reports referred to in the second subparagraph of Article 58(2) may be formalised within one single report.

## *Article 77*

### **Documentary accounts**

The importer and the first consignee shall keep separate stock and financial records, save where they are operating in one single unit.

On request of the control authority or control body, any details on the transport arrangements from the exporter in the third country to the first consignee and, from the first consignee's premises or storage facilities to the consignees within the Community shall be provided.

## *Article 78*

### **Information on imported consignments**

The importer shall, at the latest by the time that the certificate is submitted to the relevant Member State's authority in accordance with Articles 32 and 33 of Regulation (EC) No

834/2007, inform the control body or authority of each consignment to be imported into the Community, providing:

- (a) the name and address of the first consignee;
- (b) any details the control body or authority may reasonably require, such as a copy of the control certificate for the importation of products from organic farming.

On the request of the control body or authority of the importer, the latter shall forward the information referred to in the first paragraph to the control body or authority of the first consignee.

*Article 79*  
**Control visits**

The control authority or control body shall check the stock and financial records referred to in Article 77 of this Regulation and the certificate referred to in Article 33(1)d) or the documentary evidence referred to in Article 32(1)(c) of Regulation (EC) No 834/2007.

Where the importer performs the import operations by different units or premises, he shall make available on request the reports referred to in the second subparagraph of Article 58(2) of this Regulation for each of these facilities.

**Chapter 6**  
**Control requirements for units involved in the production, preparation or import of organic products and which have contracted out to third parties in part or in total the actual operations concerned**

*Article 80*  
**Initial control**

With regard to the operations, which are contracted out to third parties, the full description of the unit referred to in Article 58(1)(a) shall include:

- (a) a list of the subcontractors with a description of their activities and an indication of the control bodies or authorities to which they are subject;
- (b) confirmation that the subcontractors have agreed to have their holding being subject to the control regime of Title V of Regulation (EC) No 834/2007;
- (c) all the practical measures, including inter alia an appropriate system of documentary accounts, to be taken at the level of the unit to ensure that the products the operator places on the market can be traced to, as appropriate, their suppliers, sellers, consignees and buyers.

## **Chapter 7**

### **Control requirements for units preparing feed**

#### *Article 81*

##### **Scope**

This Chapter applies to any unit involved in the preparation of products referred to in Article 1(c) of Regulation (EC) No 834/2007 on its own account or on behalf of a third party.

#### *Article 82*

##### **Initial control**

1. The full description of the unit referred to in Article 58(1)(a) shall indicate:
  - (a) the facilities used for the reception, preparation and storage of the products intended for animal feed before and after the operations concerning them;
  - (b) the facilities used for the storage of other products used to prepare feedingstuffs;
  - (c) the facilities used to store products for cleaning and disinfection;
  - (d) where necessary, the description of the compound feedingstuff that the operator intends to produce, in accordance with [Article 5(1)(a) of Directive 79/373/EEC], and the livestock species or class for which the compound feedingstuff is intended;
  - (e) where necessary, the name of the feed materials that the operator intends to prepare.
2. The measures to be taken by operators, as referred to in Article 58(1)(b), to guarantee compliance with the organic production rules shall include the indications of measures referred to in Article 23.
3. The control authority or control body shall use the procedures to carry out a general evaluation of the risks attendant on each preparation unit and to draw up and control plan. This control plan shall provide for a minimum number of random samples depending on the potential risks.

#### *Article 83*

##### **Documentary accounts**

For the purposes of proper control of the operations, the documentary accounts referred to in Article 61 shall include information on the origin, nature and quantities of feed materials, additives, sales and finished products.

*Article 84*  
**Control visits**

The control visit referred to in Article 60 shall comprise a full physical control of all premises. Moreover, the control authority or control body shall make targeted visits based on a general evaluation of the potential risks of non-compliance with the organic production rules.

The control body or authority shall pay particular attention to the critical control points pointed out for the operator, with a view to establishing whether the surveillance and checking operations are carried out correctly.

All the premises used by the operator for the conduct of his activities may be checked as frequently as the attendant risks warrant.

## **Chapter 8** **Infringements and exchange of information**

*Article 85*  
**Measures in case of infringements and irregularities**

1. Where an operator considers or suspects that a product which he has produced, prepared, imported or been delivered from another operator, is not in compliance with organic production rules, he shall initiate procedures either to withdraw from this product any reference to the organic production method or to separate and identify the product. He may only put it into processing or packaging or on the market after elimination of that doubt, unless it is placed on the market without indication referring to the organic production method. In case of such doubt, the operator shall immediately inform the control body or authority. The control authority or control body may require that the product cannot be placed on the market with indications referring to the organic production method until it is satisfied, by the information received from the operator or from other sources, that the doubt has been eliminated.
2. Where a control authority or control body has a substantiated suspicion that an operator intends to place on the market a product not in compliance with the organic production rules but bearing a reference to the organic production method, this control authority or control body can require that the operator may provisionally not market the product with this reference for a time period to be set by that control authority or control body. Before taking such a decision, the control authority or control body shall allow the operator to comment. This decision shall be supplemented by the obligation to withdraw from this product any reference to the organic production method if the control authority or control body is sure that the product does not fulfil the requirements of organic production.

However, if the suspicion is not confirmed within the said time period, the decision referred to in the first subparagraph shall be cancelled not later than the expiry of that

time period... The operator shall cooperate fully with the control body or authority in resolving the suspicion.

#### *Article 86*

### **Exchange of information**

Where the operator and his subcontractors are checked by different control authorities or control bodies, the declaration referred to in Article 58(2) shall include an agreement by the operator on his behalf and that of his subcontractors, that the different control bodies or authorities can exchange information on the operations under their control and on the way this exchange of information can be implemented.

## **Final provisions**

#### *Article 87*

### **Statistical information**

Before 1 July each year, Member States shall notify the Commission by electronic means the statistics on organic production comprising in particular the following information: [the number of organic producers, the surface under organic production, ...].

#### *Article 88*

### **Transitional measures**

1. For a transitional period expiring on 31 December 2010, cattle can be tethered in buildings already existing before 24 August 2000, provided that regular exercise is provided and rearing takes place in line with animal welfare requirements with comfortably littered areas as well as individual management.
2. The competent authority may decide to extend, for a transitional period expiring on 31 December 2010, the exceptions concerning housing conditions and stocking density granted to livestock producing holdings on the basis of the derogation provided for in part B, paragraph 8.5.1 of Annex I to Regulation (EEC) No 2092/91. By the end of the transitional period, the operators benefiting from this extension shall present a plan to the control authority or control body, containing the description of arrangements which are intended to ensure compliance with the provisions of the organic production rules.
3. Stocks of products produced, packaged and labelled with the Community logo defined in Annex V to Regulation (EEC) No 2092/91 before 31 December 2008 may continue to be brought on the market as organic products and the logo defined under Regulation (EEC) No 2092/91 shall be deemed equivalent to the logo referred to in Article 25(1) of Regulation (EC) No 834/2007.

*Article 89*  
**Repeal**

Regulations (EEC) No 207/93, (EC) No 223/2003 and (EC) No 1452/2003 are repealed.

References to the repealed Regulations shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex XIV.

*Article 90*  
**Entry into force and application**

This Regulation shall enter into force on the seventh day following that of its publication in the *Official Journal of the European Union*.

It shall apply as from 1 January 2009.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

**[Remark: All products and substances listed in Annexes I, II, V,VI,VII, VIII and IX were approved under the conditions of Regulation (EEC) No 2091/92. They will be marked with an asterisk referring to, as appropriate, Article 16(3)c) or, to the fourth subparagraph of Article 21(2) of the Council Regulation (EC) No 834/2007 to indicate their legal bases.]**

**Annex I**

**Fertilisers and soil conditioners referred to in Article 3(1)**

Name	Description, compositional requirements, conditions for use
Compound products or products containing only materials listed hereunder: Farmyard manure	Product comprising a mixture of animal excrements and vegetable matter (animal bedding). coming from extensive husbandry is
Dried farmyard manure and dehydrated poultry manure	coming from extensive husbandry is
Composted animal excrements, including poultry manure and composted farmyard manure included	coming from extensive husbandry ( is
Liquid animal excrements	Use after controlled fermentation and/or appropriate dilution coming from extensive husbandry
Composted or fermented household waste	Product obtained from source separated household waste, which has been submitted to composting or to anaerobic fermentation for biogas production  Only vegetable and animal household waste Only when produced in a closed and monitored collection system, accepted by the Member State

Name	Description, compositional requirements, conditions for use
	Maximum concentrations in mg/kg of dry matter: cadmium: 0,7; copper: 70; nickel: 25; lead: 45; zinc: 200; mercury: 0,4; chromium (total): 70; chromium (VI): 0
Peat	Use limited to horticulture (market gardening, floriculture, arboriculture, nursery)
Mushroom culture wastes	The initial composition of the substrate shall be limited to products of this Annex
Dejecta of worms (vermicompost) and insects	
Guano	
Composted or fermented mixture of vegetable matter	Product obtained from mixtures of vegetable matter, which have been submitted to composting or to anaerobic fermentation for biogas production
Products or by-products of animal origin as below: blood meal hoof meal horn meal bone meal or degelatinized bone meal fish meal meat meal feather, hair and «chiquette» meal wool  fur hair dairy products	Maximum concentration in mg/kg of dry matter of chromium (VI): 0
Products and by-products of plant origin for fertilizers	Only by-products from processing plants to food and feed that contain Nitrogen in organic form, examples: oilseed cake meal, cocoa husks, malt culms
Seaweeds and seaweed products	As far as directly obtained by: (i) physical processes including dehydration, freezing and grinding; (ii) extraction with water or aqueous acid and/or alkaline solution; (iii) fermentation;
Sawdust and wood chips	Wood not chemically treated after felling
Composted bark	Wood not chemically treated after felling
Wood ash	From wood not chemically treated after felling
Soft ground rock phosphate	Product as specified in point 7 of Annex IA.2. of Regulation (EC) No 2003/2003 of the European Parliament and of the Council of

Name	Description, compositional requirements, conditions for use
	13 October 2003 relating to fertilisers (Text with EEA relevance) <sup>12, 7</sup> Cadmium content less than or equal to 90 mg/kg of P <sub>2</sub> O <sub>5</sub>
Aluminium calcium phosphate	Product as specified in Annex IA.2.6 of Regulation 2003/2003, Cadmium content less than or equal to 90 mg/kg of P <sub>2</sub> O <sub>5</sub> Use limited to basic soils (pH > 7,5)
Basic slag	Products as specified in Annex IA.2.1 of Regulation 2003/2003
Crude potassium salt	Products as specified in Annex IA.3.1 of Regulation 2003/2003
Potassium sulphate, possibly containing magnesium salt	Product obtained from crude potassium salt by a physical extraction process, containing possibly also magnesium salts
Stillage and stillage extract	Ammonium stillage excluded
Calcium carbonate of natural origin (chalk, marl, ground limestone, Breton ameliorant, (maerl), phosphate chalk)	
Magnesium and calcium carbonate of natural origin	Only of natural origin e.g. magnesian chalk, ground magnesium, limestone
Magnesium sulphate (kieserite)	Only of natural origin
Calcium chloride solution	Foliar treatment of apple trees, after identification of deficit of calcium
Calcium sulphate (gypsum)	Products as specified in Annex ID.1 of Regulation 2003/2003 Only of natural origin
Industrial lime from sugar production	By-product of sugar production from sugar beet
Industrial lime from vacuum salt production	By-product of the vacuum salt production from brine found in mountains
Elemental sulphur	Products as specified in Annex ID.3 of Regulation 2003/2003
Trace elements	inorganic micronutrients listed in Annex E of Regulation 2003/2003

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<b>Name</b>	<b>Description, compositional requirements, conditions for use</b>
Sodium chloride	Only mined salt
Stone meal and clays	

## Annex II

### Pesticides – plant protection products, referred to in Article 4(1)

#### *1. Substances of crop or animal origin*

<b>Name</b>	<b>Description, compositional requirement, conditions for use</b>
Azadirachtin extracted from <i>Azadirachta indica</i> (Neem tree)	Insecticide
Beeswax	Pruning agent
Gelatine	Insecticide
Hydrolysed proteins.	Attractant, only in authorized applications in combination with other appropriate products of this list
Lecithin	Fungicide
Plant oils (e.g. mint oil, pine oil, caraway oil).	Insecticide, acaricide, fungicide and sprout inhibitor.
Pyrethrins extracted from <i>Chrysanthemum cinerariaefolium</i>	Insecticide
Quassia extracted from <i>Quassia amara</i> .	Insecticide, repellent
Rotenone extracted from <i>Derris spp.</i> and <i>Lonchocarpus spp.</i> and <i>Terphrosia spp.</i>	Insecticide

#### *2. Micro-organisms used for biological pest control*

<b>Name</b>	<b>Description, compositional requirement, conditions for use</b>
Micro-organisms (bacteria, viruses and fungi)	

#### *3. Substances to be used in traps and/or dispensers*

<b>Name</b>	<b>Description, compositional requirement, conditions for use</b>
Diammonium phosphate	Attractant, only in traps
Pheromones	Attractant; sexual behaviour disrupter; only in traps and dispensers.
Pyrethroids (only deltamethrin or lambda-cyhalothrin)	Insecticide; only in traps with specific attractants; only against <i>Batrocera oleae</i> and <i>Ceratitis capitata wied</i>

#### *4. Preparations to be surface-spread between cultivated plants*

<b>Name</b>	<b>Description, compositional requirement, conditions for use</b>
Ferric phosphate (iron (III) orthophosphate)	Molluscide

5. Other substances from traditional use in organic farming

Name	Description, compositional requirement, conditions for use
Copper in the form of copper hydroxide, copper oxychloride, (tribasic) copper sulphate, cuprous oxide	Fungicide. up to 6 kg copper per ha per year  For perennial crops, Member States may, by derogation to the previous paragraph, provide that the 6 kg copper limit can be exceeded in a given year provided that the average quantity actually used over a 5-year period consisting of that year and of the four preceding years does not exceed 6 kg
Ethylene	Degreening bananas, kiwis and kakis; Flower induction of pineapple
Fatty acid potassium salt (soft soap)	Insecticide
Potassium aluminium (aluminium sulphate) (Kalinite)	Prevention of ripening of bananas
Lime sulphur (calcium polysulphide)	Fungicide, insecticide, acaricide
Paraffin oil	Insecticide, acaricide
Mineral oils	Insecticide, fungicide;  only in fruit trees, vines, olive trees and tropical crops (e.g. bananas);
Potassium permanganate	Fungicide, bactericide; only in fruit trees, olive trees and vines.
Quartz sand	Repellent
Sulphur	Fungicide, acaricide, repellent

6. Other substances

Name	Description, compositional requirement, conditions for use
Calcium hydroxide	Fungicide  Only in fruit trees, including nurseries, to control <i>Nectria galligena</i>

### Annex III

#### Minimum surface areas indoors and outdoors and other characteristics of housing in the different species and types of production, referred to in Article 8(4)

##### 1. BOVINES, OVINE AND PIGS

	Indoors area (net area available to animals)		Outdoors area (exercise area, excluding pasturage)
	Live weight minimum (kg)	M <sup>2</sup> /head	M <sup>2</sup> /head
Breeding and fattening bovine and equidae	up to 100	1,5	1,1
	up to 200	2,5	1,9
	up to 350	4,0	3
	over 350	5 with a minimum of 1 m <sup>2</sup> /100 kg	3,7 with a minimum of 0,75 m <sup>2</sup> /100 kg
Dairy cows		6	4,5
Bulls for breeding		10	30
Sheep and goats		1,5 sheep/goat	2,5
		0,35 lamb/kid	2,5 with 0,5 per lamb/kid
Farrowing sows with piglets up to 40 days		7,5 sow	2,5
Fattening pigs	up to 50	0,8	0,6
	up to 85	1,1	0,8
	up to 110	1,3	1
Piglets	over 40 days and up to 30 kg	0,6	0,4
Brood pigs		2,5 female	1,9
		10 m <sup>2</sup> /boar	8,0

## 2. POULTRY

	Indoors area (net area available to animals)			Outdoors area (m <sup>2</sup> of area available in rotation/head)
	No animals/m <sup>2</sup>	cm perch/animal	nest	
Laying hens	6	18	7 laying hens per nest or in case of common nest 120 cm <sup>2</sup> /bird	4, provided that the limit of 170 kg of N/ha/year is not exceeded
Fattening poultry (in fixed housing)	10 with a maximum of 21 kg liveweight/m <sup>2</sup>	20 (for guinea fowl only)		4 broilers and guinea fowl 4,5 ducks 10 turkey 15 geese  In all the species mentioned above the limit of 170 kg of N/ha/year is not exceeded
Fattening poultry in mobile housing	16 <sup>13</sup> in mobile poultry houses with a maximum of 30 kg liveweight/m <sup>2</sup>			2,5, provided that the limit of 170 kg of N/ha/year is not exceeded

<sup>13</sup> Only in the case of mobile houses not exceeding 150 m<sup>2</sup> floor space.

## Annex IV

### Maximum number of animals per hectare, referred to in Article 13(2)

Maximum number of animals per ha Class or species	Maximum number of animals per ha equivalent to 170 kg N/ha/year
Equines over six months old	2
Calves for fattening	5
Other bovine animals less than one year old	5
Male bovine animals from one to less than two years old	3,3
Female bovine animals from one to less than two years old	3,3
Male bovine animals two years old or over	2
Breeding heifers	2,5
Heifers for fattening	2,5
Dairy cows	2
Cull dairy cows	2
Other cows	2,5
Female breeding rabbits	100
Ewes	13,3
Goats	13,3
Piglets	74
Breeding sows	6,5
Pigs for fattening	14
Other pigs	14
Table chickens	580
Laying hens	230

## Annex V

### Feed materials referred to in Article 19(1) and (2)

#### *1. Non-organic feed materials of plant origin*

##### *1.1. Cereals, grains, their products and by-products:*

- Oats as grains, flakes, middlings, hulls and bran
- Barley as grains, protein and middlings
- Rice germ expeller
- Millet as grains
- Rye as grains and middlings
- Sorghum as grains
- Wheat as grains, middlings, bran, gluten feed, gluten and germ
- Spelt as grains
- Triticale as grains
- Maize as grains, bran, middlings, germ expeller and gluten
- Malt culms
- Brewers' grains

##### *1.2. Oil seeds, oil fruits, their products and by-products:*

- Rape seed, expeller and hulls
- Soya bean as bean, toasted,  
– expeller and hulls
- Sunflower seed as seed and expeller
- Cotton as seed and seed expeller
- Linseed as seed and expeller Sesame seed as expeller
- Palm kernels as expeller
- Pumpkin seed as expeller
- Olives, olive pulp
- Vegetable oils (from physical extraction).

*1.3. Legume seeds, their product and by-products:*

- Chickpeas as seeds, middlings and bran
- Ervil as seeds, middlings and bran
- Chickling vetch as seeds submitted to heat treatment, middlings and bran
- Peas as seeds, middlings, and bran
- Broad beans as seeds, middlings and bran
- Horse beans as seeds middlings and bran
- Vetches as seeds, middlings and bran
- Lupin as seeds, middlings and bran

*1.4. Tuber, roots, their products and by-products:*

- Sugar beet pulp
- Potato
- Sweet potato as tuber
- Potato pulp (by-product of the extraction of potato starch)
- Potato starch
- Potato protein
- Manioc.

*1.5. Other seeds and fruits, their products and by-products:*

- Carob
- Carob pods and meals thereof
- Pumpkins,
- Citrus pulp
- Apples, quinces, pears, peaches, figs, grapes and pulps thereof
- Chestnuts
- Walnut expeller
- Hazelnut expeller
- Cocoa husks and expeller
- Acorns.

*1.6. Forages and roughages:*

- Lucerne

- Lucerne meal
- Clover
- Clover meal
- Grass (obtained from forage plants)
- Grass meal
- Hay
- Silage
- Straw of cereals
- Root vegetables for foraging

*1.7. Other plants, their products and by-products:*

- Molasses
- Seaweed meal (obtained by drying and crushing seaweed and washed to reduce iodine content)
- Powders and extracts of plants
- Plant protein extracts (solely provided to young animals)
- Spices
- Herbs

**2. Feed materials of animal origin**

*2.1. Milk and milk products:*

- Raw milk
- Milk powder
- Skimmed milk, skimmed-milk powder,
- Buttermilk, buttermilk powder
- Whey, whey powder, whey powder low in sugar, whey protein powder (extracted by physical treatment)
- Casein powder
- Lactose powder
- Curd and sour milk

*2.2. Fish, other marine animals, their products and by-products:*

- Fish
- Fish oil and cod-liver oil not refined

- Fish molluscan or crustacean autolysates
- Hydrolysate and proteolysates obtained by an enzyme action, whether or not in soluble form, solely provided to young animals
- Fish meal

### 2.3. Egg and egg products

- Eggs and egg products for use as poultry feed, primarily from the same holding.

## 3. Feed materials of mineral origin

### **Sodium:**

unrefined sea salt  
 coarse rock salt  
 sodium sulphate  
 sodium carbonate  
 sodium bicarbonate  
 sodium chloride

### **Potassium:**

potassium chloride

### **Calcium:**

lithotamnion and maerl  
 shells of aquatic animals (including cuttlefish bones)  
 calcium carbonate  
 calcium lactate  
 calcium gluconate

### **Phosphorus:**

defluorinated dicalcium phosphate  
 defluorinated monocalcium phosphate  
 monosodium phosphate  
 calcium-magnesium phosphate  
 calcium-sodium phosphate

### **Magnesium:**

magnesium oxide (anhydrous magnesia)  
 magnesium sulphate  
 magnesium chloride  
 magnesium carbonate  
 magnesium phosphate

### **Sulphur:**

sodium sulphate.

## Annex VI

### Feed additives and certain substances used as in animal nutrition, referred to in Article 19(3)

#### **1 Feed additives**

Additives listed must have been approved under Regulation (EC) No 1831/2003 of the European Parliament and of the Council on additives for use in animal nutrition (Text with EEA relevance)<sup>14</sup>

##### *1.1 Nutritional additives*

(a) *Vitamins:*

- (i) Vitamins derived from raw materials occurring naturally in feedingstuffs;
- (ii) Synthetic vitamins identical to natural vitamins for monogastric animals;
- (iii) Synthetic vitamins A,D, and E identical to natural vitamins for ruminants with prior authorisation of the Member States based on the assessment of the possibility for organic ruminants to obtain the necessary quantities of the said vitamins through their feed rations.

*b) Trace elements.*

- E1 Iron:  
ferrous (II) carbonate  
ferrous (II) sulphate monohydrate and/or heptahydrate  
ferric (III) oxide;
- E2 Iodine:  
calcium iodate, anhydrous  
calcium iodate, hexahydrate  
sodium iodide;
- E3 Cobalt:  
cobaltous (II) sulphate monohydrate and/or heptahydrate  
basic cobaltous (II) carbonate, monohydrate;
- E4 Copper:  
copper (II) oxide  
basic copper (II) carbonate, monohydrate

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<sup>14</sup> OJ L 268, 18.10.2003, p. 29

- copper (II) sulphate, pentahydrate;
- E5 Manganese:  
 manganous (II) carbonate  
 manganous oxide and manganic oxide  
 manganous (II) sulfate, mono- and/or tetrahydrate;
- E6 Zinc:  
 zinc carbonate  
 zinc oxide  
 zinc sulphate mono- and/or heptahydrate;
- E7 Molybdenum:  
 ammonium molybdate, sodium molybdate;
- E8 Selenium:  
 sodium selenate  
 sodium selenite.

### ***1.2. Zoo-technical additives:***

Enzymes and micro-organisms

### ***1.3. Technological additives***

#### ***a) Preservatives***

- E 200 Sorbic acid  
 E 236 Formic acid\*  
 E 260 Acetic acid\*  
 E 270 Lactic acid\*  
 E 280 Propionic acid\*  
 E 330 Citric acid.

\* only when weather conditions do not allow for adequate fermentation.

#### ***b) Antioxidant substances***

E 306 - Tocopherol-rich extracts of natural origin used as an antioxidant

#### ***c) Binders, anti-caking agents and coagulants***

- E 470 Calcium stearate of natural origin  
 E 551b Colloidal silica  
 E 551c Kieselgur  
 E 558 Bentonite  
 E 559 Kaolinitic clays  
 E 560 Natural mixtures of stearites and chlorite

- E 561 Vermiculite
- E 562 Sepiolite
- E 599 Perlite.

#### ***d) Silage additives***

Enzymes, yeasts and bacteria can be used as silage additives

The use of lactic, formic, propionic and acetic acid in the production of silage shall only be permitted when weather conditions do not allow for adequate fermentation

## **2. Certain substances used in animal nutrition**

Substance listed must have been approved under Council Directive 82/471/EEC concerning certain products used in animal nutrition<sup>15</sup>

### **Brewer's yeasts**

### **[3. Sugar sources for silage production**

- sea salt
- coarse rock salt
- whey
- sugar
- sugar beet pulp
- cereal flour
- molasses

### **4. Carriers and dust reducer in compound mineral feedingstuffs:**

- Wheat bran
- Wheat milling
- Molasses]

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<sup>15</sup> OJ L 213, 21.7.1982, p. 8

## Annex VII

### Products for cleaning and disinfection, referred to in Article 20(2)

*Products for cleaning and disinfection of ponds, cages, buildings and installations for animal production.*

- Potassium and sodium soap
- Water and steam
- Milk of lime
- Lime
- Quicklime
- Sodium hypochlorite (e.g. as liquid bleach)
- Caustic soda
- Caustic potash
- Hydrogen peroxide
- Natural essences of plants
- Citric, peracetic acid, formic, lactic, oxalic and acetic acid
- Alcohol
- Nitric acid (dairy equipment)
- Phosphoric acid (dairy equipment)
- Formaldehyde
- Cleaning and disinfection products for teats and milking facilities
- Sodium carbonate

## Annex VIII

### Non-organic material for use in production of processed organic food and yeast, referred to in Article 24(1)(a) and Article 25

#### SECTION A — FOOD ADDITIVES, INCLUDING CARRIER

**[Remark: this text reflects Annex VI.A.1 of Reg.2092/91 as amended by Reg. 780/2006. However, there is a current proposal (which would modify the list)]**

Code	Name	Preparation of foodstuffs of		Preparation of	Specific conditions
		plant origin	animal origin	yeast	
E 153	Vegetable carbon		X		Ashy goat cheese Morbier cheese
E 160b	Annatto, Bixin, Norbixin		X		Red Leicester cheese Double Gloucester cheese Scottish cheddar Mimolette cheese
E 170	Calcium carbonate	X	X	X	Shall not be used for colouring or calcium enrichment of products
E 220 Or E 224	Sulphur dioxide  Potassium metabisulphite	X  X	X  X		In fruit wines (*) without added sugar (including cider and perry) or in mead: 50 mg [a] For cider and perry prepared with addition of sugars or juice concentrate after fermentation: 100 mg [a] Maximum levels available from all sources, expressed as SO <sub>2</sub> in mg/l.  (* ) In this context, "fruit wine" is defined as wine made from fruits other than grapes.
E 250 or E 252	Sodium nitrite  Potassium nitrate		X  X		For E 250: indicative ingoing amount expressed as NaNO <sub>2</sub> : 80 mg/kg  For E 252: indicative ingoing amount expressed as NaNO <sub>3</sub> : 80 mg/kg  For E 250: maximum residual amount expressed as NaNO <sub>2</sub> : 50 mg/kg  For E 252: maximum residual amount expressed as NaNO <sub>3</sub> : 50 mg/kg
E 270	Lactic acid	X	X	X	

Code	Name	Preparation of foodstuffs of		Preparation of	Specific conditions
		plant origin	animal origin	yeast	
E 290	Carbon dioxide	X	X	X	
E 296	Malic acid	X			
E 300	Ascorbin acid	X	X		Meat products
E 301	Sodium ascorbate		X		Meat products in connection with nitrates and nitrites
E 306	Tocopherol-rich extract	X	X		Anti-oxidant for fats and oils
E 322	Lecithins	X	X	X	Milk products (1)
E 325	Sodium lactate		X		Milk-based and meat products
E 330	Citric acid	X		X	
E 331	Sodium citrates		X		
E 333	Calcium citrates	X			
E 334	Tartaric acid (L(+)-)	X			
E 335	Sodium tartrates	X			
E 336	Potassium tartrates	X			
E 341 (i)	Monocalcium-phosphate	X			Raising agent for self raising flour
E 400	Alginic acid	X	X		Milk-based products (1)
E 401	Sodium alginate	X	X		Milk-based products (1)
E 402	Potassium alginate	X	X		Milk-based products (1)
E 406	Agar	X	X		Milk-based and meat products (1)
E 407	Carrageenan	X	X		Milk-based products (1)
E 410	Locust bean gum	X	X		
E 412	Guar gum	X	X		
E 414	Arabic gum	X	X		
E 415	Xanthan gum	X	X		
E 422	Glycerol	X			For plant extracts

Code	Name	Preparation of foodstuffs of		Preparation of	Specific conditions
		plant origin	animal origin	yeast	
E 440 (i)	Pectin	X	X		Milk-based products (1)
E 464	Hydroxypropyl methyl cellulose	X	X		Encapsulation material for capsules
E 500	Sodium carbonates	X	X		"Dulce de leche" (2) and soured-cream butter (1)
E 501	Potassium carbonates	X			
E 503	Ammonium carbonates	X			
E 504	Magnesium carbonates	X		X	
E 509	Calcium chloride		X		Milk coagulation
E 516	Calcium sulphate	X			Carrier
E 524	Sodium hydroxide	X			Surface treatment of "Laugengebäck"
E 551	Silicon dioxide	X			Anti-caking agent for herbs and spices
E 553b	Talc	X	X		Coating agent for meat products
E 938	Argon	X	X		
E 939	Helium	X	X		
E 941	Nitrogen	X	X	X	
E 948	Oxygen	X	X	X	

(1) The restriction concerns only animal products.

(2) "Dulce de leche" or "Confiture de lait" refers to a soft, luscious, brown cream, made of sweetened, thickened milk

**SECTION B — PROCESSING AIDS AND OTHER PRODUCTS, WHICH MAY BE USED FOR  
PROCESSING OF INGREDIENTS OF AGRICULTURAL ORIGIN FROM ORGANIC PRODUCTION**

Name	Preparation of foodstuffs of plant origin	Preparation of foodstuffs of animal origin	Preparation of yeast	Specific conditions
Water	X	X	X	Drinking water within the meaning of Council Directive 98/83/EC
Calcium chloride	X			Coagulation agent
Calcium carbonate	X			
Calcium hydroxide	X			
Calcium sulphate	X			Coagulation agent
Magnesium chloride (or nigari)	X			Coagulation agent
Potassium carbonate	X			Drying of grapes
Sodium carbonate	X			Sugar(s) production
Citric acid	X			Oil production and hydrolysis of starch
Sodium hydroxide	X			Sugar(s) production Oil production from rape seed (Brassica spp)
Sulphuric acid	X			Sugar(s) production
Carbon dioxide	X	X	X	
Nitrogen	X	X	X	
Ethanol	X	X		Solvent
Tannic acid	X			Filtration aid
Egg white albumen	X			
Casein	X			
Gelatin	X			
Isinglass	X			
Vegetal oils	X	X	X	Greasing, releasing or anti- foaming agent
Silicon dioxide gel or colloidal solution	X			
Activated carbon	X			

Name	Preparation of foodstuffs of plant origin	Preparation of foodstuffs of animal origin	Preparation of yeast	Specific conditions
Talc	X			
Bentonite	X	X		Sticking agent for mead <sup>16</sup>
Kaolin	X	X		Propolis <sup>21</sup>
Diatomaceous earth	X			
Perlite	X			
Hazelnut shells	X			
Rice meal	X			
Beeswax	X			Releasing agent
Carnauba wax	X			Releasing agent

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<sup>16</sup> the restriction concerns only animal products

## Annex IX

### Ingredients of agricultural origin which have not been produced organically, referred to in Article 24(2)

#### *1. Unprocessed vegetable products as well as products derived therefrom by processes*

##### *1.1. Edible fruits, nuts and seeds:*

acorns	<i>Quercus</i> spp.
cola nuts	<i>Cola acuminata</i>
gooseberries	<i>Ribes uva-crispa</i>
maracujas (passion fruit)	<i>Passiflora edulis</i>
raspberries (dried)	<i>Rubus idaeus</i>
red currants (dried)	<i>Ribes rubrum</i>

##### *1.2. Edible spices and herbs:*

pepper (Peruvian)	<i>Schinus molle</i> L.
horseradish seeds	<i>A Armoracia rusticana</i>
lesser galanga	<i>Alpinia officinarum</i>
safflower flowers	<i>Carthamus tinctorius</i>
watercress herb	<i>Nasturtium officinale</i>

##### *1.3. Miscellaneous:*

algae, including seaweed, permitted in non-organic foodstuffs preparation

#### *2. Vegetable products*

##### *2.1. Fats and oils whether or not refined, but not chemically modified, derived from plants other than:*

cocoa	<i>Theobroma cacao</i>
coconut	<i>Cocos nucifera</i>
olive	<i>Olea europaea</i>

sunflower	<i>Helianthus annuus</i>
palm	<i>Elaeis guineensis</i>
rape	<i>Brassica napus, rapa</i>
safflower	<i>Carthamus tinctorius</i>
sesame	<i>Sesamum indicum</i>
soya	<i>Glycine max</i>

.2.2. *The following sugars, starches and other products from cereals and tubers:*

- fructose
- rice paper
- unleavened bread paper
- starch from rice and waxy maize, not chemically modified

2.3. *Miscellaneous:*

pea protein                      *Pisum spp.*

- rum, only obtained from cane sugar juice
- kirsch prepared on the basis of fruits and flavourings as referred to in section 2 of this Annex.

3. *Animal products:*

aquatic organisms, not originating from aquaculture, and permitted in no-organic foodstuffs preparation

- gelatin
- whey powder «herasuola»
- casings

**Annex X**

**Species for which organically produced seed or seed potatoes are available in sufficient quantities and for a significant number of varieties in all parts of the Community, referred to in Article 40(2)**

Annex XI

Community logo, referred to in Article 57

**Annex XII**

**Model of documentary evidence to the operator according to Article 29(1) of Regulation (EC) No 834/2007, referred to in Article 63 of this Regulation**

Model of documentary evidence to the operator according to Article 29(1) of Regulation (EC) No 834/2007	
Name and address of operator:	Name, address and code number of control body/authority:
Product groups: - Plant and plant products:  - Livestock and livestock products:  - Processed products:	declared for:  (organic production, in-conversion products, non-organic production)
Validity period: Plant products        from ..... to ..... Livestock products    from .....to..... Processed products    from.....to.....	Date of control(s):
This is to confirm that this document has been issued on the basis of the controls required under Article 29(1) of Regulation (EC) No 834/2007 and that the products designated above have been produced in accordance with the provisions of that Regulation.	
Date, place:	Signature of the issuing control body/authority:

**Annex XIII**

**Model of a vendor declaration referred to in Article 63**

Model of a vendor declaration according to Article 9(3) of Council Regulation (EC) No 834/2007	
Name, address of producer:	
Stock number:	Product name:
<p>Components:</p> <p>(Specify all components existing in the product/used the last in the production process)</p> <ul style="list-style-type: none"><li>- .....</li><li>- .....</li><li>- .....</li><li>- .....</li><li>- .....</li></ul>	

I declare that this product was manufactured neither "from" nor "by" GMOs as those terms are used in Articles 2 and 9 of Council Regulation (EC) No 834/2007. I do not have any information which could suggest that this statement is inaccurate.

Thus, I declare that the above named product complies with Article 9 of Regulation (EC) No 834/2007 regarding the prohibition on the use of GMOs.

[I undertake to inform our customer and its control body/authority immediately if this declaration is withdrawn or modified, or if any information comes to light which would undermine its accuracy.]

I authorise the control body or control authority, as defined in Article 2 of Council Regulation (EC) No 834/2007 which supervises our customer to examine the accuracy of this declaration and if necessary to take samples for analytic proof. I also accept that this task may be carried out by an independent institution which has been appointed in writing by the control body.

The undersigned takes responsibility for the accuracy of this declaration.

Country, place, date, signature of producer:	Company stamp of producer ( <i>if appropriate</i> ):
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**Annex XIV**

**Correlation Table, referred to in Article 89**