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Subject: Proposal for a Regulation of the European Parliament and of the Council
on organic production and labelling of organic products, amending
Regulation (EU) No XXX/XXX of the European Parliament and of the
Council [Official controls Regulation] and repealing Council Regulation
(EC) No 834/2007
- Information from the Presidency on the outcome of the last trilogue on the
structure (Part II of Annex II only)

In view of the forthcoming Special Committee on Agriculture on 3 October 2016, delegations will find attached the state of play of the negotiation on the structure (Part II of Annex II only), following the outcome of the Trilogue on 28 September 2016 and the drafting group that took places on 29 September 2016. A first document (ANNEX I) is a revised version of the table containing the orientation on the structure and the empowerment to be given to the Commission. The second text is the corresponding draft consolidated text (ANNEX II). This consolidated text is still under discussion but most of the text received preliminary positive signals from EP negotiators, except the parts under square brackets on which compromised texts have to be found.

Delegations are invited to express their views on this text, and in particular on the remaining parts under square brackets.

ANNEX II Part II -

State of play, following trilogue of 28/09 and drafting group on 29/09

NB: the structure of this table follows the numbering of the COM proposal and not the numbering of the consolidated text

All points agreed except the ones into brackets [...]

1.1	Basic act (Annex) + COD
1.2 all points (point 1.2.3 deleted during T5)	Basic act (Annex) + COD But empowerment for conversion period for other livestock species (not regulated in point 1.2.) needed – empowerment in Art. 8 (DA amending by supplementing 1.2.2, Annex II, part II)
1.3.1	Basic act (Annex) + COD
1.3.2	Basic act (Annex) + COD (empowerment covered above in 1.2)
1.3.3	Basic act (Annex) + COD
1.3.4	Basic act (Annex) + COD
[1.3.4a] (If EP AM 305 accepted)	Basic act (Annex) + DA Point 1.34a of AM 305 withdrawn
[1.3.4b]	To be moved to a general article
[1.3.4c]	Solution to be found in a recital (recital 22?)

1.3.5	Basic act (Annex) + COD
[1.3.5.1-5 (or 1.3.5a-d)] (if derogations are accepted)	Basic act (Annex) + DA to amend (i.e. to change the percentages, to add derogation for new species or to end) the derogation regarding non-organic animals
1.4. all points, except 1.4.4 as amended by EP	Basic act (Annex) + COD
[1.4.4 as amended by EP]	Basic act (Annex) + DA to amend derogations (COM: + authorisations) – to be seen with Article 19 (relation with Art. 19 still to be discussed)
1.5 all points	Basic act (Annex) + COD
1.6 all points, except 1.6.6	Basic act (Annex) + COD
1.6.6	Basic act (Annex) + DA
[1.7 all points]	Basic act (Annex) + DA (EP: Basic Act + COD)
2.1.1	To be deleted as will be covered by 1.2.2
[2.1.2(a-c)]	Basic act (Annex) + COD (COM prefers: Basic act (Annex) + DA)
2.1.2 (d)	Main requirements (including percentages of feed from farm) in BA (that would replace EP AM 330) + COD
2.1.2(e-f)	Main requirements ¹ basic act + technical details in a separate IA

¹ By „main requirements“ the following is meant: the main rules/principles have to be in the basic act (but would be moved to the general rules section in a spirit of compromise).

2.1.3 (a-c)	Main requirements basic act + technical details in a separate IA
2.1.3 (ca)	Basic act (Annex) + COD (if content agreed)
2.1.4	Main requirements basic act + technical details (tables) in a separate IA
2.2.1	To be deleted as covered by 1.2.2
[2.2.2(a-b)]	Basic act (Annex) + COD (COM prefers: Basic act (Annex) + DA)
2.2.2 (c)	Main requirements (including percentages of feed from farm) in BA (that would replace EP AM 333) + COD
2.2.2 (d) + (e)	Main requirements basic act + technical details in a separate IA
2.2.3	Main requirements basic act + technical details in a separate IA
2.2.4	Main requirements basic act + technical details (tables) in a separate IA
2.2a (new) (rabbits)	If content agreed, structure (BA and corresponding empowerments) to follow the same logic as for other species
2.3.1	To be deleted as covered by 1.2.2
2.3.2 (except (a))	Main requirements basic act + technical details in a separate IA
2.3.2 (a)	Main requirements (including percentages of feed from farm) in BA (that would replace EP AM 337) + COD

2.3.3 (a-b)	Main requirements basic act + technical details in a separate IA
[2.3.3(ba)- (e)]	Basic act (Annex) + COD (COM prefers: Basic act (Annex) + DA)
2.3.4	Main requirements basic act + technical details (tables) in a separate IA
2.3.4(1)(a) (new) (If EP AM 341 is accepted)	Basic act (Annex) + COD
2.4.1	To be deleted as covered by 1.2.2
2.4.2	Basic act (Annex) + COD (but growth rates to be set by competent authorities)
2.4.3 (a)	Main requirements (including percentages of feed from farm) in BA (that would replace EP AM 347) + COD
2.4.3 (b)	Main requirements = basic act + COD
2.4.4 (a)	In principle BA +COD (but already covered by point 1.6.7a new in general requirements as agreed at T8)
[2.4.4(b)]	Basic act (Annex) + COD (COM prefers: Basic act (Annex) + DA)
2.4.4. (e) —(d)	Duplication of rules with 2.4.6 - to be deleted
2.4.4 (da) and (db) (new) (If EP AMs 349 and 350 are accepted)	Basic act (Annex) + COD
[2.4.4 (e) - (g)]	Main requirements basic act + technical details in a separate IA

2.4.5	Main requirements basic act + technical details (tables) in a separate IA
[2.4.6]	Main requirements (a), (b - 2 first sentences), (c) and (d) basic act + technical details (2nd part of (b) in a separate IA
2.4.7	Basic act (Annex) + COD
2.5.1	To be deleted as covered by 1.2.2
2.5.2	Basic act (Annex) + COD
2.5.3 (a)	Basic act + COD
2.5.3 (b)	Basic act (Annex) + DA to possibly amend in the future
2.5.4 all letters, except letter (b) and (e)	Basic act + COD
2.5.4 (b) +(e)	Basic act (Annex) + DA amending
2.5.5	Basic act (Annex) + COD
2.5.6	Basic act (Annex) + COD
[2.5.7]	Basic act (Annex) + DA to possibly amend in the future (EP insists on Basic Act + COD for animal welfare rules)
2.5a (new) - deer, mouflon	If content agreed, structure (BA and corresponding empowerments) to follow the same logic as for other species

Non-paper-Draft compromise on structure for livestock rules

Articles 3, 8, 11 + Part II of Annex II

State of play, following trilogue on 28/09 and drafting group on 29/09

Proposal for a Regulation of the European Parliament and of the Council on organic production and labelling of organic products

Article 3

Definitions

"..."

(xxx) a pen shall mean an enclosure that must include a part where animals are provided with protection from the weather;

Article 8

Conversion

"..."

In order to ensure quality, traceability and compliance with this Regulation as regards organic production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending by adding to the rules set out in point 1.2.2 of Annex II, part II as regards conversion for species other than those regulated in Part II of Annex II [article 8 (6) COM non-paper 9/02]

Article 11

Livestock production rules

1. Livestock operators shall in particular comply with the detailed production rules set out in Part II of Annex II and in the implementing acts referred to in paragraph 4.

[1a. Amendment 142 on reporting: taken up in substance in Article on reporting.]

2. (list of empowerments for which rules in the basic act are included and for which flexibility is needed). In order to ensure quality, traceability and compliance with this Regulation as regards organic livestock production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending the detailed livestock production rules set out in Part II of Annex II as regards:
- the reduction of percentages and the phasing out of the derogations as regards the origin of animals as laid down in points 1.3.5.1 to 1.3.5.5. for specific livestock species when organic livestock is available in sufficient quantities on the EU market;
 - acceptable treatments for disinfection of apiaries and for the fight against Varroa destructor as referred to in points ex 2.5.4 (b) and (e)
 - the limit of organic nitrogen linked to the total stocking density as referred to in point 1.6.6;
 - [animal welfare rules as referred to in point 1.7 and 1.8.6.4.];
 - feeding of bee colonies as referred to in point ex 2.5.3 (b)

-[if EP amendment 317 is accepted: acceptable feed materials and substances — linked to Article 19].

*[COM also considers that amendments of rules on nutrition and housing conditions and husbandry practices for **specific livestock species** regulated in Annex II (ex 2.1.2 (a-c), ex 2.2.2(a-b), ex 2.3.3 (ba)-(e), ex 2.4.4 (b), +similar rules for rabbits / deer are necessary to ensure sufficient flexibility, as well as amendment for specific rules on practices in beekeeping]*

3. *(list of empowerments for which rules will need to be laid down in future for new species other than those already regulated in Annex II, part II: this can be done by adding these rules in the basic act ("amending by adding ").*

In order to ensure quality, traceability and compliance with this Regulation as regards organic livestock production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending by adding to the detailed livestock production rules set out in Part II of Annex II as regards:

- derogations as regards the origin of animals for species other than those regulated in Annex II, part II;- nutrition for species other than those regulated in Part II of Annex II;
 - housing conditions and husbandry practices for species other than those regulated in Part II of Annex II;
 - health care for species other than those regulated in Part II of Annex II;
 - animal welfare for species other than those regulated in Part II of Annex II;
4. The Commission shall adopt implementing acts laying down rules on:
- the minimum period referred to in point 1.4.1. (g) to be respected for feeding of suckling animals with maternal milk;
 - the stocking density and minimum surface for indoor and outdoor areas to be respected for specific livestock species to ensure, in accordance with points 1.6.3a and 1.7.2, that the developmental, physiological and ethological needs of animals are met;
 - housing conditions for poultry as regards characteristics of buildings to ensure, in accordance with point 1.7.2., that the developmental, physiological and ethological needs of animals are met. (ex 2.4.4e and 2.4.4 g (2nd part)- to be checked for the other animals)
 - access to open air as regard vegetation and protected facilities for poultry (ex 24.6(b) . to be checked for other animals)

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).

ANNEX II

PART II: Livestock production rules

In addition to the production rules laid down in Articles 7, 8, 9 and 11, the rules laid down in this Part shall apply to livestock production.

General requirements

1.1 Except in the case of beekeeping, landless livestock production shall be prohibited, where the farmer intending to produce organic livestock does not manage agricultural land and has not established a written cooperation agreement with a farmer as regards the use of organic production units or in-conversion production units for that livestock.

1.2 Conversion

1.2.1. deleted

1.2.2. Conversion periods specific to the type of animal production are set out as follows (ex Annex II - Part II - 1.2.2: GA):

- (a) 12 months in the case of bovine and equine animals for meat production, and in any case at least three quarters of their lifetime;
- (b) six months in the case of ovine, caprine and porcine animals and animals for milk production;
- (c) 10 weeks for poultry for meat production, except for Peking ducks, brought in before they are three days old;
- (d) Seven weeks for Peking ducks, brought in before they are three days old; *(Comment: change proposed by COM to be coherent with slaughter age).*
- (e) six weeks in the case of poultry for egg production, brought in before they are three days old;

- (f) 12 months for bees.

During the conversion period, the wax shall be replaced with wax coming from organic beekeeping.

However, non-organic beeswax may be used:

- (i) where beeswax from organic beekeeping is not available on the market;
 - (ii) where it is proven free of contamination by products or substances not authorised for organic production; and
 - (iii) provided that it comes from the cap
- (g) three months for rabbits (ex Annex II - Part II - 2.2 a.1: EP Amendment 336)
- (h) twelve months for cervine animals (ex Annex II - Part II - 2.5 a): EP AM 357)

1.2.3. deleted

1.2.4. *Heading to be prepared*

In the case of simultaneous conversion of the whole production unit, including livestock, pasturage or any land used for animal feed, the total combined conversion period for both existing animals and their offspring, and for pasturage and/or any land used for animal feed, may be reduced to 24 months if the animals are fed with products from organic or in-conversion production units coming mainly from the holding itself. (ex Annex II - Part II - 1.2.4 EP(AM 302))

1.3 Origin of animals

1.3.1. Without prejudice to the rules on conversion, organic livestock shall be born or hatched and raised on organic production units. (ex Annex II - Part II - 1.3.1 EP(AM 303))

1.3.2 Animals existing on the agricultural holding at the beginning of the conversion period and their products may be deemed organic after compliance with the applicable conversion period referred to in point 1.2.2 and the provision in point 1.2.4. (ex Annex II - Part II - 1.3.2 CLS)

1.3.3 With regard to the breeding of organic animals:

- (a) reproduction shall use natural methods; however, artificial insemination shall be allowed;
- (b) reproduction shall not be induced or impeded by treatment with hormones or other substances with a similar effect, unless as a form of veterinary therapeutic treatment in case of an individual animal;
- (c) other forms of artificial reproduction, such as cloning and embryo transfer, shall not be used;
- (d) the choice of breeds shall be appropriate, shall ensure a high standard of animal welfare and shall contribute to the prevention of any suffering and to avoiding the need for the mutilation of animals.

1.3.4 In the choice of breeds or strains, account shall be taken of the capacity of animals to adapt to local conditions, without impairment of their welfare, their vitality and their resistance to disease. In addition, [organic] breeds or strains of animals shall be selected to avoid specific diseases or health problems associated with some breeds or strains used in intensive production, such as porcine stress syndrome, pale-soft-exudative (PSE) syndrome, sudden death, spontaneous abortion and difficult births requiring caesarean operations. Preference shall be given to indigenous breeds and strains.

[1.3.4a. Average growth and production rates shall be determined by the Commission in accordance with Article 11(2) for all fattening animals, including broilers and turkeys. Indicators shall be used where appropriate to assess and affirm the robustness and suitability of breeds in organic farming. Such indicators shall include average growth rates for all breeds and average production rates for all egg- and milk-producing breeds that are compatible with farming duration rules for each species (i.e. days until slaughter for poultry).] (ex Annex II - Part II - 1.3.4 a) EP(AM 305)) (COM comment: not feasible, requires academic research. Currently done by MS. A provision to this effect should be in the Article not here in the Annex. EP ready to withdraw its request for growth rate if minimum age at slaughter stays in basic act and solution is found on data for slow growing strains in 1.3.5.5))

[poss. recital 22 replacing 1.3.4(c), part of AM 305] As livestock production naturally involves the management of agricultural land, where the manure is used to nourish crop production, landless livestock production should be prohibited. The choice of breeds should **aim at enhancing/widening genetic/biologic diversity while relying on the natural reproductive ability of the animals. It should** take account of their capacity to adapt to **climatic, natural and local** conditions, their longevity, vitality and their resistance to disease, **and should promote local/indigenous and slow growth breeds and strains where relevant. If appropriate, support to the proper application and enforcement of those breeding selection criteria should be envisaged under a future Action Plan on organic production.] NP(06.09) from EP**

1.3.5a Use of non-organic animals

1.3.5 For breeding purposes, non-organically raised animals may be brought onto an agricultural holding when breeds are in danger of being lost to farming in accordance with Article 7(3) of Commission Delegated Regulation (EU) No 807/2014 and in that case animals of those breeds must not necessarily be nulliparous.

1.3.5.1 By way of derogation from points 1.3.1 and 1.3.5, non-organic animals may be brought onto a holding for breeding purposes only when organic animals are not available in sufficient numbers, and subject to the conditions set out below.

1.3.5.1.1 Non-organic young animals, when a herd or flock is constituted for the first time, shall be reared in accordance with the organic production rules immediately after they are weaned. Moreover, the following restrictions shall apply at the date on which those animals enter the herd or flock :

- (a) bovine and equine animals shall be less than six months old;
- (b) ovine and caprine animals shall be less than 60 days old;
- (c) cervine animal shall be less than [90] days old
- (d) porcine animals shall weigh less than 35 kg.
- (e) rabbits shall be less than [4] months old;

1.3.5.1.2 Non-organic adult male and nulliparous female animals shall, for the renewal of a herd or flock, be reared subsequently in accordance with the organic production rules. Moreover, the number of female animals shall be subject to the following restrictions per year:

- (a) up to a maximum of 10 % of adult equine or bovine animals [and rabbits and cervine] and 20 % of [the] adult porcine, ovine and caprine animals;
- (b) for units with fewer than 10 equine or bovine animals, or with fewer than five porcine, ovine or caprine animals, any renewal as mentioned above shall be limited to a maximum of one animal per year.

1.3.5.2. The percentages referred to in sub-point 1.3.5.1.2 may be increased up to 40%, provided that the competent authority has confirmed that the one of following conditions is fulfilled:

- (a) a major extension to the farm has been undertaken;
- (b) a breed has been changed;
- (c) a new livestock specialisation has been initiated;
- (d) breeds are in danger of being lost to farming as defined by Member States in accordance with Article 7(3) of Commission Delegated Regulation (EU) No 807/2014, and in that case animals of those breeds must not necessarily be nulliparous.

1.3.5.3 For the renovation of apiaries, 20% per year of the queen bees and swarms may 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. In any case, one swarm or queen bee may be replaced per year.

1.3.5.4 With regard to the provisions laid down in Article 11(1), when a flock is constituted for the first time, renewed or reconstituted and the competent authority has confirmed that 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.

1.3.5.4a In the cases referred to in points 1.3.5.1 to 1.3.5.4, non-organic animals and products derived from them may be considered as organic provided that the conversion period specified in point 1.2 of Part II of this Annex is respected.]

(PM : compromise proposal : preparation of an article for a database for availability and 'rendez-vous' clause for ending the derogations)

1.4 Nutrition

1.4.1 General nutrition requirements

With regard to nutrition the following rules shall apply:

- (a) feed for livestock shall be obtained primarily from the agricultural holding where the animals are kept or from organic or in-conversion production units of other holdings in the same region;
- (b) without prejudice to points 1.4.2.1, 1.4.2.2 and 1.4.3 (*ref to points to be checked*), livestock shall be fed with organic or in-conversion feed that meets the animal's nutritional requirements at the various stages of its development. Restricted feeding shall not be permitted in livestock production;
- (c) the keeping of livestock in conditions, or on a diet which may encourage anaemia, shall be prohibited;
- (d) fattening practices shall always respect the normal nutrition patterns for each species and animals' welfare at any stage of the rearing process. Force-feeding is forbidden;
- (e) with the exception of bees, livestock shall have permanent access to pasture whenever conditions allow or to roughage;
- (f) growth promoters and synthetic amino-acids shall not be used;

(g) suckling animals shall be fed in preference on maternal milk for a minimum period laid down by the Commission in accordance with Article 11; Milk replacers containing chemically synthesised or components of plant origin shall not be used during this period.

[(h) feed materials of mineral origin, feed additives, certain products used in animal nutrition and processing aids shall be used only if they have been authorised for use in organic production pursuant to Article 19.] (*Comment: GA*) or

[(ha) non-organic feed materials of plant origin, feed materials of animal and mineral origin, feed additives, certain products used in animal nutrition and processing aids shall be used only if they have been authorised for use in organic production pursuant to Article 19 and in duly justified cases.] (*Comment: EP Amendment 309. No agreement. to be seen in conjunction with Article 19.*)

[Only organic feed materials of plant and animal origin, feed materials of invertebrate origin and fermentative products of organic origin, as well as feed materials and feed additives authorised for use in organic production pursuant to Article 19 may be used in the processing of organic feed and in the feeding of organic animals.](*Comment: EP NP of 6/9 for amendment 317 – to be discussed – to be seen in conjunction with Article 19*)

1.4.1a Grazing

With regard to grazing, the following rules shall apply:

1.4.1a.1. Grazing on organic land

Without prejudice to point 1.4.1a.2., organic animals shall graze on organic land. However, non-organic animals may use organic pasturage for a limited period of time each year, provided that such animals have been raised in an environmental friendly way supported under Articles 23, 25, 28, 30, 31 and 34 of Regulation (EC) No 1305/2013 and that non-organic animals are not present on the organic land at the same time as organic animals.

1.4.1a.2 Grazing on common land and transhumance

1.4.1a.2.1. Organic animals may graze on common land, provided that:

- (a) the common land has not been treated with products not authorised for organic production for at least three years;

[This condition shall not apply to extensive pastures which are grazed by animals for less than 120 days in a year; (*Comment : EP proposal at T10*).]

- (b) any non-organic animals which use the land concerned that have been raised in an environmental friendly way supported under Articles 23, 25, 28, 30, 31 and 34 of Regulation (EU) No 1305/2013;

- (c) any livestock products from organic animals, whilst using this land, are not regarded as organic products, unless adequate segregation from non-organic animals can be proved.

1.4.1a.2.2 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. During that period, organic livestock shall be kept separate from other livestock. The uptake of non-organic feed, in the form of grass and other vegetation on which the animals graze, shall be allowed:

- (a) for a maximum of 35 days covering both the outward and return journeys; or
- (b) for a maximum of 10% of the total feed ration per year calculated as percentage of the dry matter of feeding stuffs from agricultural origin.

(Addition of point 2.5a (2) (f)(ii)),

[1.4.2

[1.4.2.1 With regard to the provisions laid down in Article 11(1), where farmers are unable to obtain spices, herbs and [molasses] exclusively from organic production and the competent authority has confirmed that organic spices, herbs and molasses are not available in sufficient quantity, non-organic spices, herbs and molasses may be used, provided that the following conditions are fulfilled:

- (i) they are not available in organic form;
- (ii) they are produced or prepared without chemical solvents; and
- (iii) their use is limited to 1 % of the feed ration of a given species, calculated annually as a percentage of the dry matter of feed from agricultural origin. (ex Annex II - Part II - 1.4.4 (1) EP(AM317)).

In order to phase out the derogation hereby provided for, when a sufficient quantity of organic spices, herbs and [molasses] is available, the Commission is empowered to adopt delegated acts in accordance with Article 36 deleting the present point 1.4.4.2.

1.4.2.2 With regard to the provisions laid down in Article 11(1), where farmers are unable to obtain products from sustainable fisheries exclusively from organic production and the competent authority has confirmed that organic products from sustainable fisheries are not available in sufficient quantity, non-organic products from sustainable fisheries may be used, provided that the following conditions are fulfilled:

- (i) they are produced or prepared without chemical solvents;*
- (ii) their use is restricted to non-herbivores; and*
- (iii) the use of fish protein hydrolysate is restricted solely to young animals; (ex Annex II - Part II - 1.4.4 (1) EP(AM317)).*

In order to phase out the derogation hereby provided for, when a sufficient quantity of organic products from sustainable fisheries is available, the Commission is empowered to adopt delegated acts in accordance with Article 36 deleting the present point 1.4.4.3.] (Non paper from EP on 6/09:)] (COM Comment: link with Article 19)

1.4.3 In-conversion feed

1.4.3.1. For in-conversion livestock production units, up to 20% of the total average amount of feed fed to livestock may originate from the grazing or harvesting of permanent pastures, perennial forage parcels or protein crops, sown under organic management on lands 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 feed from parcels in their first and second year of conversion are being used for feeding, the total combined percentage of such feed shall not exceed the maximum percentages fixed in point 1.4.3.2.

1.4.3.2. For organic livestock production units, up to 25 % on average of the feed formula of rations may comprise feed from the second year of conversion. When this feed comes from the holding where the livestock is kept, this percentage may be increased to 100.

1.4.3.3 The figures in points 1.4.3.1. and 1.4.3.2. shall be calculated annually as a percentage of the dry matter of feed of plant origin.

1.4.4 Use of certain feed materials and substances in feed

[1.4.4.1. Only organic feed materials, as well as feed materials and feed additives authorised for use in organic production pursuant to Article 19 and to point 3 of part IV of Annex II may be used in the processing of organic feed and in the feeding of organic animals.] *(Comment: GA)*

[Only organic feed materials of plant and animal origin, feed materials of invertebrate origin and fermentative products of organic origin, as well as feed materials and feed additives authorised for use in organic production pursuant to Article 19 may be used in the processing of organic feed and in the feeding of organic animals.] *(EP alternative text, 1.4.4(1)),*

1.5 Health care

1.5.1 Disease prevention

1.5.1.1. Disease prevention shall be based on breed and strain selection, husbandry management practices, high quality feed and exercise, appropriate stocking density and adequate and appropriate housing maintained in hygienic conditions.

1.5.1.2 The use of immunological veterinary medicinal products shall be allowed.

1.5.1.3. The use of chemically synthesised allopathic veterinary medicinal products, including bolus of synthesised allopathic chemical molecules, or antibiotics for preventive treatment shall be prohibited.

1.5.1.4 The use of substances to promote growth or production (including antibiotics, coccidiostatics and other artificial aids for growth promotion purposes) and the use of hormones or similar substances to control reproduction or for other purposes (e.g. induction or synchronisation of oestrus), shall be prohibited.

1.5.1.5 Where livestock is obtained from non-organic production units, special measures such as screening tests or quarantine periods shall apply, depending on local circumstances.

1.5.1.6 With regard to cleaning and disinfection, only the products for cleaning and disinfection in livestock buildings and installations authorised for use in organic production pursuant to Article 19 shall be used.

1.5.1.7 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 feed shall be removed as often as necessary to minimise smell and to avoid attracting insects or rodents. Rodenticides (to be used only in traps), and the products authorised for use in organic production pursuant to [Articles 7] and 19 may be used for the elimination of insects and other pests in buildings and other installations where livestock is kept. (Comment: Alternative COM text. To be discussed)

1.5.2 Veterinary treatment

1.5.2.1 Where despite preventive measures to ensure animal health animals become sick or injured they shall be treated immediately.

1.5.2.2 Disease shall be treated immediately to avoid suffering of the animal; chemically synthesised allopathic veterinary medicinal products including antibiotics may be used where necessary and under strict conditions and under the responsibility of a veterinarian, when the use of phytotherapeutic, homeopathic and other products is inappropriate. In particular restrictions with respect to courses of treatment and withdrawal periods shall be defined.

1.5.2.3 Feed materials of mineral origin and nutritional additives authorised for use in organic production pursuant to Article 19 and phytotherapeutic and homeopathic products shall be used in preference to chemically-synthesised allopathic veterinary treatment including antibiotics, provided that their therapeutic effect is effective for the species of animal, and the condition for which the treatment is intended.

1.5.2.4. 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 including antibiotics within 12 months, or more than one course of treatment if their productive lifecycle is less than one year, the livestock concerned, or produce derived from them, shall not be sold as organic products, and the livestock shall undergo the conversion periods referred to in points 1.2.

1.5.2.5. The withdrawal period between the last administration of a chemically synthesised allopathic veterinary medicinal product and antibiotics to an animal under normal conditions of use, and the production of organically produced foodstuffs from such animals, shall be twice the withdrawal period referred to in Article 11 of Directive 2001/82/EC and at least 48 hours.

1.5.2.6 Treatments related to the protection of human and animal health imposed on the basis of Union legislation shall be allowed.

1.6 Housing conditions and husbandry practices

1.6.1 Insulation, heating and ventilation of the building shall ensure that air circulation, dust level, temperature, relative air humidity and gas concentration, are kept within limits which ensure the well-being of the animals. The building shall permit plentiful natural ventilation and light to enter.

1.6.2. Housing for livestock shall not be mandatory in areas with appropriate climatic conditions to enable animals to live outdoors. Animals shall have access to shelters or shady areas to protect them from adverse weather conditions.

1.6.3 The stocking density in buildings shall provide for the comfort, the well-being and the species-specific needs 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 density shall ensure the animals' welfare by providing them with sufficient space to stand naturally, move, lie down easily, turn round, groom themselves, assume all natural postures and make all natural movements such as stretching and wing flapping.

1.6.4 The minimum surfaces for indoor and outdoor areas, and the technical details relating to housing, as laid down by the Commission in accordance with Article 11, shall be respected. (2.1.4., 2.2.4., 2.3.4. and 2.4.5) (points to be checked)

1.6.5 Open air areas may be partially covered. Verandas shall not be considered as open air areas.

1.6.6 The total stocking density shall not exceed the limit of 170 kg of organic nitrogen per year and hectare of agricultural area.

1.6.7 To determine the appropriate density of livestock referred to in point 1.6.5, the competent authority shall set out the livestock units equivalent to the limit referred to in point 1.6.5., following the figures laid down in each of the specific requirement by animal production.

1.6.7a The use of cages [/boxes/ flat deck?]to raise livestock shall not be permitted for any livestock species.

(a) housing shall have smooth, but not slippery floors. (Addition of ex point 2.1.3, 2.2.3, 2.3.3, 2.2a.3 (EP(AM 336) merged)

(b) 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. (ex2.1.3b; ex2.2.3b, ex2.3.3b, ex2.4.4e(i))

(ca) when livestock is treated individually for veterinary reasons, it shall be kept in spaces that have a solid floor and must be provided with straw or appropriate bedding. The animal shall be able to turn around easily and to lie down comfortably at full length. (ex Annex II - Part II - 2.1.3 c) EP(AM 332))

[Organic livestock rearing in a pen on very wet or marshy soil shall not be allowed;] (ex Annex II - Part II - ex2.5.a. (i) EP(AM 357)) (EP Amendment 357).

1.7 Animal welfare

1.7.1 All persons involved in keeping animals and in handling animals during transport and slaughter shall possess the necessary basic knowledge and skills as regards the health and the welfare needs of the animals and shall have followed adequate training as required in particular in Council Regulation (EC) 1/2005 and Council Regulation (EC) 1099/2009, to ensure proper application of the rules set out in this Regulation.

1.7.2 Husbandry practices, including stocking densities and housing conditions shall ensure that the developmental, physiological and ethological needs of animals are met.

1.7.3 Livestock shall have permanent access to open air areas allowing the animals to exercise, preferably pasture, whenever weather and seasonal conditions and the state of the ground allow this unless restrictions and obligations related to the protection of human and animal health are imposed on the basis of Union legislation.

1.7.4 The number of livestock shall be limited with a view to minimising overgrazing, poaching of soil, erosion, or pollution caused by animals or by the spreading of their manure.

[1.7.6. Tethering or isolation of livestock shall be prohibited, unless for individual animals for a limited period of time, and in so far as this is justified for veterinary reasons. Isolation of livestock may be authorised, for a limited period of time, only when workers safety is compromised and for animal welfare reasons. Competent authorities may authorise cattle in farms with a maximum of 50 animals (excluding young stock) to be tethered if it is not possible to keep the cattle in groups appropriate to their behaviour requirements, provided they have access to pastures during the grazing period, and at least twice a week access to open air areas when grazing is not possible].(GA)

or

[1.7.6. Tethering or isolation of livestock shall be prohibited, unless for individual animals for a limited period of time, and in so far as this is justified for veterinary reasons. Isolation of livestock may be authorised, for a limited period of time, only when workers safety is compromised and for animal welfare reasons. In areas as defined in Article 32 (1)(a) and (b) of Regulation (EU) No 1305/2013, competent authorities may authorise cattle in farms with a maximum of 50 animals (including young stock) to be tethered if it is not possible to keep the cattle in groups appropriate to their behaviour requirements, provided they have access to pastures during the grazing period, and at least twice a week access to open air areas when grazing is not possible.] (EP non paper on 6/09

(At T10 PRES tentatively agreed to replace 'excluding' by 'including' under the condition that a solution is found to the issue related to the mountain area)

1.7.7 Duration of transport of livestock shall be minimised.

[1.7.8. Any suffering shall be kept to a minimum during the entire life of the animal, including at the time of slaughter.] *(Comment: COM original proposal)* or

[1.7.8. When organic production is carried out in accordance with this Regulation, its effect on animal welfare, understood in the light of Article 13 of the Treaty on the Functioning of the European Union, should be considered in order to spare the animals any avoidable pain, distress or suffering. Animal welfare legislation such as Council Regulation (EC) No 1/2005 and Council Regulation (EC) No 1099/2009 should necessarily continue to apply and be properly implemented. The rules contained in this Regulation should not duplicate or overlap with them.] *(Comment: EP Amendment 325. COM will make a proposal (to complete COM text with some elements from EP AM) and EP will propose a recital.)*

9. Mutilation of animals shall be prohibited. However, disbudding of young mammals may be authorised by a competent authority only on a case-by-case basis when workers' or livestock's health is compromised, only under the conditions set out in point 1.7.10.] (*Comment: Alternative text. to replace AM 327 and 1.7.9a of GA). or*

9. *Compromise text between EP/PRES at T10* : Tail-docking, beak trimming when undertaken within the first three days of life, and dehorning, including disbudding may be allowed only on a case-by-case basis when they improve the health, welfare or hygiene of the livestock or when workers' health is compromised. These operations shall be authorised by a competent authority and carried out by qualified personnel.] (*Comment : COM does not support this compromise*)

10. Any suffering to the animals shall be reduced to a minimum by applying adequate anaesthesia and/or analgesia and by carrying out **any** operation only at the most appropriate age by qualified personnel.

11. Physical castration shall be allowed in order to maintain the quality of products and traditional production practices but only under the conditions set out in 1.7.10.

12. Loading and unloading of animals shall be carried out without the use of any type of electrical or other painful stimulation to coerce the animals. The use of allopathic tranquillisers, sedatives or during transport, shall be prohibited.

Text 1.8a (new) If preparation operations, other than processing, are carried out on livestock, the same legal requirements laid down in points 1.2., 1.3, 1.4., 1.5 of Part IV shall apply *mutatis mutandis* to such prepared products.] (*Comment: new text proposed by COM. To be discussed in conjunction with the definition of processed products*).

Additional general rules

1.8.1. For bovine, ovine, caprine and equine animals

1.8.1.1. Nutrition

At least [70%/60%] of the feed shall come from the farm itself or, in case this is not available/feasible be produced in cooperation with other organic or in-conversion production units in the same region. [ex Annex II - Part II - 2.1.2 a) / 2.2.2] (*Comment : EP is ready to give up on the definition of region if 70 % is accepted*)

[Local production of organic feed shall be encouraged]. To that end, Member States may increase, for domestic production, those percentages depending on the availability of organic feed in the farms and the region;(to be put to art 11?), (Annex II - Part II - 2.1.2 (d) (EP AM 330))

(a) animals shall have access to pasturage for grazing whenever conditions allow; (ex Annex II - Part II - 2.1.2 a) / 2.2.2 a) COM)

(b) notwithstanding point (a), male bovine animals over one year old shall have access to pasturage or an open air area; (ex Annex II - Part II - 2.1.2 b): COM)

(b) in cases where animals 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 areas during the winter months may be waived;

(c) rearing systems shall be based on maximum use of grazing pasturage according to the availability of pastures in the different periods of the year; at least 60% of the dry matter in daily rations of bovine, ovine and caprine, equine animals, 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 shall be allowed.

1.8.2. For cervine animals

1.8.2.1. Nutrition

At least [70%/60%] of the feed shall come from the farm itself or, in case this is not available/feasible be produced in cooperation with other organic or in-conversion production units in the same region. (*Comment : EP is ready to give up on the definition of region if 70 % is accepted*)

[Local production of organic feed shall be encouraged]. To that end, Member States may increase, for domestic production, those percentages depending on the availability of organic feed in the farms and the region;(to be put to art 11?, EP AM 330]

(a) animals shall have access to pasturage for grazing whenever conditions allow;

(b) in cases where animals 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 areas during the winter months may be waived;

(c) rearing systems shall be based on maximum use of grazing pasturage according to the availability of pastures in the different periods of the year;

(d) rearing systems shall be based on maximum use of grazing pasturage according to the availability of pastures in the different periods of the year; at least 60% of the dry matter in daily rations of cervine animals, shall consist of roughage, fresh or dried fodder, or silage. A reduction to 50% for cervine animals in dairy production for a maximum period of three months in early lactation shall be allowed.

(e) for cervine animals, natural grazing must be ensured in a pen during the period of vegetation. Pens that cannot provide feed by grazing during the period of vegetation shall not be allowed; (ex point 2.2a.2. (a) to (c)]

(f) for cervine animals, feeding shall only be allowed in the event of a shortage of grazing due to poor weather conditions; (ex point 2.5a.2 (xi) and (xii),)

(g) for cervine animals, farmed animals in a pen must be provided with [clean and] fresh water. If a natural source of water that is easily accessible to animals is not available, watering places must be provided.

1.8.2.2. Veterinary treatment

[Cervine animals must be provided with a natural method of hoof treatment. If this is not adequate due to the composition of the soil, adequacy must be ensured through other appropriate measures (e.g. by consolidating the soil around feeding sites);] (Comment: EP Amendment 357. To be discussed) (ex point 2.5a.2 (iv))

1.8.2.3. Housing and husbandry practices

[(a) cervine animals must be provided with hiding places and shelters;

(b) in red deer pens, animals must be able to roll in the mud to ensure skin grooming and body temperature regulation;

(c) for cervine animals, feeding places must be installed in areas protected from the weather and accessible both to animals and to persons attending to them. The soil where feeding places are located must be consolidated, and the feeding apparatus must be equipped with a roof;]

(d) for cervine animals, if permanent access to feed cannot be ensured, the feeding places must be designed so that all animals can feed at the same time;

(e) for cervine animals, the outer and inner fences must be clearly visible to animals so that they cannot be harmed. The fence must not have sharp edges.] (Addition of ex point 2.5a.2 (iii), (v), (vi), (vii) and (viii))

1.8.3. For porcine animals

1.8.3.1. Nutrition

At least 30% of the feed shall come from the farm itself or, in case this is not available/feasible be produced in cooperation with other organic or in-conversion production units in the same region.

[Local production of organic feed shall be encouraged]. To that end, Member States may increase, for domestic production, those percentages depending on the availability of organic feed in the farms and the region;(to be put to art 11?, EP AM 330] (ex Annex II - Part II - 2.3.2(a))

(dc) for porcine animals, roughage, fresh or dried fodder, or silage shall be added to the daily ration. (Addition of ex point 2.3.2 (c))

[With regard to the provisions laid down in Article 11(1), where farmers are unable to obtain protein feed exclusively from organic production for porcine animals and the competent authority has confirmed that organic protein feed is not available in sufficient quantity, non-organic protein feed may be used, provided that the following conditions are fulfilled:

- (i) it is not available in organic form;
- (ii) it is produced or prepared without chemical solvents; and
- (iii) its use is limited to piglets up to 35kg and specific protein compounds
- (iv) the maximum percentage authorised per period of 12 months for those animals shall not exceed 5 %. The percentage of the dry matter of feed from agricultural origin shall be calculated.] (Non paper from EP on 6/09, 1.4.4.1)

In order to phase out the derogation hereby provided for, when a sufficient quantity of organic protein feed is available, the Commission is empowered to adopt delegated acts in accordance with Article 36 deleting the present point 1.4.4.1.](COM Comment: linked with Article 19)

1.8.3.2. Housing and husbandry practices

(ba) there shall always be a straw bed [made of straw or other suitable/similar material] large enough to ensure that all pigs in a pen can lie down at the same time in the most space-consuming way;] (ex point 2.3.3 (ba) - EP amendment 339)

(c) sows shall be kept in groups, except in the last stages of pregnancy and during the suckling period, during which time the sow shall be able to move freely in her pen and shall only be tethered for short times. (ex point 2.3.3 (c) - EP amendment 339)

Without prejudice to any additional requirements for straw, a few days before expected farrowing, sows must be provided with a quantity of straw or other suitable natural material sufficient to enable them to build nests; (Addition of ex point 2.3.3. (c) – EP amendment 340)

(d) exercise areas shall permit dunging and rooting by porcine animals. For the purposes of rooting different substrates can be used. (Addition of ex point 2.3.3. (e))

[The size of pig production units shall be limited in all cases to 1 500 slaughter pigs per year or 200 sows or their equivalent in the case of farrowing-fattening units. These maximum figures for each production unit may be exceeded where 100 % of the feed is produced on the holding].(ex point 2.3.4. (1) (a) new – EP Amendment 341)

1.8.4 . For poultry

1.8.4.1. Origin of animals

[Poultry shall either be reared until they reach a minimum age or else shall come from slow-growing poultry strains adapted to outdoor rearing, as defined by the competent authority.] (ex point 2.4.2)

Poultry shall come from slow-growing poultry strains which meet limited daily growth rates [established by the Competent authority] that are compatible with the minimum rearing ages for each species.

[Where slow-growing poultry is not available, competent authorities shall, by way of exception, authorise the use of poultry reared until they reach a minimum age]. (ex Annex II - Part II - 2.4.2 EP(AM 343))

Where slow-growing poultry strains are not used by the farmer the minimum age at slaughter shall be as follows: (ex 2.4.2)

- (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 male turkeys and roasting geese; and
- (i) 100 days for female turkeys.

1.8.4.2. Nutrition

At least 30% of the feed shall come from the farm itself or, in case this is not available/feasible be produced in cooperation with other organic or in-conversion production units in the same region.

[Local production of organic feed shall be encouraged]. To that end, Member States may increase, for domestic production, those percentages depending on the availability of organic feed in the farms and the region;(to be put to art 11?, EP AM 347)

For poultry, roughage, fresh or dried fodder, or silage shall be added to the daily ration.

[1.4.4.1 With regard to the provisions laid down in Article 11(1), where farmers are unable to obtain protein feed exclusively from organic production for poultry species and the competent authority has confirmed that organic protein feed is not available in sufficient quantity, non-organic protein feed may be used, provided that the following conditions are fulfilled:(ex Annex II - Part II - 2.4.4 (1): EP(AM 317))

- (i) it is not available in organic form;
- (ii) it is produced or prepared without chemical solvents; and
- (iii) its use is limited to young poultry and specific protein compounds
- (iv) the maximum percentage authorised per period of 12 months for those animals shall not exceed 5 %. The percentage of the dry matter of feed from agricultural origin shall be calculated.] (Non paper from EP on 6/09

In order to phase out the derogation hereby provided for, when a sufficient quantity of organic protein feed is available, the Commission is empowered to adopt delegated acts in accordance with Article 36 deleting the present point 1.4.4.1.] (*COM comment: link with Article 19*)

1.8.4.3. Animal welfare

Live plucking of poultry shall be prohibited.

1.8.4.4. Housing and husbandry practices

Laying hens and finisher poultry shall have access to an open air area for at least one third of their life, except in the case of temporary restrictions imposed on the basis of Union legislation;(ex2.4.6a, EP AM 355).

Open air areas for poultry shall be mainly covered with vegetation (ex 2.4.6(b). 1st sentence COM)

By way of derogation from point 1.6.5, in the case of breeding birds and pullets aged under 18 weeks and when the conditions specified in point 1.7.3 as regards restrictions and obligations related to the protection of human and animal health imposed on the basis of Union legislation are met and prevent breeding birds and pullets aged under 18 weeks from having access to open air areas, verandas shall be considered as open air areas and in such cases shall have a wire mesh barrier to keep other birds out (COM non paper from 02/06) (ex Annex II - Part II - 2.4.6 a) COM)

Under conditions where feed availability from the range area is limited, due for instance to long term snow cover or arid weather conditions, supplementary feeding of roughage must be included as part of poultry diets; (ex 2.4.6(c) COM)

Where poultry are kept indoors due to restrictions or obligations imposed on the basis of Union legislation, they shall permanently have access to sufficient quantities of roughage and suitable material in order to meet their ethological needs. (ex 2.4.6(d) COM)

[(b) water fowl shall have access to a stream, pond, lake or a pool whenever the weather and hygienic conditions permit in order to respect their species-specific needs and animal welfare requirements; when weather conditions do not permit, they shall have access to water which enables them to dip their head therein so as to clean plumage;] (ex Annex II - Part II - 2.4.4 b) COM)

[(da) the total usable surface area of poultry buildings for fattening poultry of any production unit shall not exceed 1 600 m²;] (Comment: EP Amendment 349. To be discussed) (ex point 2.4.4.(da) and (db) new)

[(db) the total number of laying hens shall not exceed 12 000 hens in a production unit. Not more than 3 000 laying hens shall be allowed in one poultry house. For young poultry, specific rules shall apply;] (EP Amendment 350.)

(c) 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;(ex 2.4.4 f)

(d) buildings shall be emptied of livestock between each batch of poultry reared. The buildings and fittings shall be cleaned and disinfected during this time (ex 2.4.4 g (1st part))

1.8.5. For rabbits

1.8.5.1. Nutrition

At least 70% of the feed shall come from the farm itself or, in case this is not available/feasible be produced in cooperation with other organic or in-conversion production units in the same region.

[Local production of organic feed shall be encouraged]. To that end, Member States may increase, for domestic production, those percentages depending on the availability of organic feed in the farms and the region;(to be put to art 11?, EP AM 330)

(a) rabbits shall have access to pasturage for grazing whenever conditions allow;

(b) rearing systems shall be based on maximum use of grazing pasturage according to the availability of pastures in the different periods of the year;

(c) for rabbits, fibrous food such as straw and/or hay must be provided when grass is not sufficient. Forage shall comprise at least 60% of the diet; (ex Annex II - Part II - 2.2a1. Housing and husbandry practices (Addition of ex point 2.2a.3))

(d) all rabbits shall be kept in groups.

(e) [rabbits] farms shall use robust breeds adapted to outdoor conditions;

(f) all rabbits shall have access to:

(i) covered shelter including dark hiding places;

(ii) an outdoor run with vegetation, preferably pasture,

(iii) a raised platform on which they can sit, either inside or out;

(iv) nesting material for all nursing does.

1.8.6. For bees

1.8.6.1. Origin of animals

For beekeeping, preference shall be given to the use of *Apis mellifera* and their local ecotypes. (ex Annex II - Part II - 2.5.2 COM)

1.8.6.2. Nutrition

(a) at the end of the production season hives shall be left with sufficient reserves of honey and pollen to survive the winter;

(b) the feeding of bee colonies shall only be permitted where the survival of the hives is endangered due to climatic conditions. Feeding shall be with organic honey, organic sugar syrups, or organic sugar. (ex point 2.5.3 on bees)

1.8.6.3. Health care

[[a) For the purposes of protecting frames, hives and combs, in particular from pests, only rodenticides (to be used only in traps), and appropriate products authorised for use in organic production pursuant to Articles 7 and 19 shall be permitted;] (Addition of ex point 2.5.4 (b))

(b) Physical treatments for disinfection of apiaries such as steam or direct flame shall be permitted.

(c) the practice of destroying the male brood shall be permitted only to isolate the infestation of *Varroa destructor*;

(d) if despite all preventive measures, the colonies become sick or infested, they shall be treated immediately and, if necessary, the colonies may be placed in isolation apiaries;

(e) formic acid, lactic acid, acetic acid and oxalic acid as well as menthol, thymol, eucalyptol or camphor may be used in cases of infestation with *Varroa destructor*;

(f) 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 wax coming from organic beekeeping. Subsequently, the conversion period of one year laid down in point 2.5.1. shall apply to those colonies;

(g) point (f) shall not apply to products authorised for use in organic production pursuant to [Article 7] and Article 19.]

1.8.6.4. Animal welfare

[With regard to beekeeping, the following additional general rules shall apply:

(a) the destruction of bees in the combs as a method associated with the harvesting of beekeeping products shall be prohibited;

(b) mutilation such as clipping the wings of queen bees shall be prohibited.(ex point 2.5.7)]

1.8.6.5. Housing and husbandry practices

[With regard to the housing conditions the following rules shall apply:

(a) apiaries shall be placed in areas which ensure nectar and pollen sources consisting essentially of organically produced crops or, as appropriate, of spontaneous vegetation or non-organically managed forests or crops that are only treated with low environmental impact methods;

(b) apiaries shall be kept at sufficient distance from sources that may lead to the contamination of beekeeping products or to the poor health of the bees;

(c) 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 or spontaneous vegetation or crops treated with low environmental impact methods equivalent to those as provided for in Articles 28 and 30 of Regulation (EU) No 1305/2013 which cannot affect the qualification of beekeeping production as being organic. These requirements do not apply where flowering is not taking place, or the hives are dormant;

(d) the hives and materials used in beekeeping shall be made basically of natural materials presenting no risk of contamination to the environment or the apiculture products;](addition

With regard to beekeeping practices, the following rules shall apply: (ex Annex II - Part II - 2.5.6)

- (a) the beeswax for new foundations shall come from organic production units;
 - (b) only natural products such as propolis, wax and plant oils may be used in the hives;
 - (c) the use of chemical synthetic repellents shall be prohibited during honey extraction operations;
 - (d) the use of brood combs shall be prohibited for honey extraction;
 - (e) beekeeping shall not be considered as organic when practiced in regions or areas designated by Member States as regions or areas where organic beekeeping is not practicable.]
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