

WORKING DOCUMENT (5/01/2017)

ANNEX

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
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	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		All recitals to be discussed after the compromise
THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	Commission proposal unchanged		
Having regard to the Treaty on the Functioning of the European Union, and in particular the first paragraph of Article 42 and Article 43(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular the first paragraph of Article 42 and Article 43(2) thereof,		
Having regard to the proposal from the European Commission,	Commission proposal unchanged		

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After transmission of the draft legislative act to the national Parliaments,	Commission proposal unchanged		
Having regard to the opinion of the European Economic and Social Committee ¹ ,	Commission proposal unchanged		
Having regard to the opinion of the Committee of the Regions ² ,	Commission proposal unchanged		
Acting in accordance with the ordinary legislative procedure,	Commission proposal unchanged		
Whereas:	Commission proposal unchanged		
(1) Organic production is an overall system of farm management and food production that combines best environmental and climate action practices, a high level of biodiversity, the preservation of natural resources, the application of high animal welfare standards and production standards in line with the demand of a growing number of consumers for products	Commission proposal unchanged	Commission proposal unchanged	

¹ OJ C , , p. .

² OJ C , , p. .

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produced using natural substances and processes. Organic production thus plays a dual societal role, where it, on the one hand, provides for a specific market responding to consumer demand for organic products and, on the other hand, delivers publicly available goods contributing to the protection of the environment and animal welfare, as well as to rural development.			
Amendment 1			
Recital 2			
(2) The observance of high health, environmental and animal welfare standards in the production of organic products is intrinsic to the high quality of those products. As underlined in the Communication from the Commission to the European Parliament and to the Council, the European Economic and Social Committee and the Committee of the Regions on agricultural product	Commission proposal unchanged	(2) The observance of high health, environmental and animal welfare standards in the production of organic products is intrinsic to the wholesomeness of those products. As underlined in the Communication from the Commission to the European Parliament and to the Council, the European Economic and Social Committee and the Committee of the Regions on agricultural product quality	

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quality policy ³ , organic production forms part of the Union's agricultural product quality schemes together with geographical indications, traditional specialties guaranteed and products of the outermost regions of the Union, as laid down in Regulation (EU) No 1151/2012 of the European Parliament and of the Council ⁴ and Regulation (EU) No 228/2013 of the European Parliament and of the Council ⁵ , respectively. In this sense, organic production pursues the same objectives within the common agricultural policy ('CAP') which are inherent to all the agricultural product quality schemes of the Union.		policy ⁶ , organic production forms part of the Union's agricultural product quality schemes together with geographical indications, traditional specialties guaranteed and products of <i>mountainous regions and of</i> the outermost regions of the Union, as laid down in Regulation (EU) No 1151/2012 of the European Parliament and of the Council ⁷ and Regulation (EU) No 228/2013 of the European Parliament and of the Council ⁸ , respectively. In this sense, organic production <i>plays a leading role in establishing more sustainable farming and food systems, and to that end, it</i> pursues the same	

³ COM (2009) 234 final.

⁴ Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

⁵ Regulation (EU) No 228/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in the outermost regions of the Union and repealing Council Regulation (EC) No 247/2006 (OJ L 78, 20.3.2013, p. 23).

⁶ COM (2009) 234 final.

⁷ Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

⁸ Regulation (EU) No 228/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in the outermost regions of the Union and repealing Council Regulation (EC) No 247/2006 (OJ L 78, 20.3.2013, p. 23).

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		objectives within the common agricultural policy ('CAP') which are inherent to all the agricultural product quality schemes of the Union.	
Amendment 2			
Recital 3			
(3) In particular, the objectives of the organic production policy are embedded in the objectives of the CAP by ensuring that farmers receive a fair return for complying with the organic production rules. In addition, the growing consumer demand for organic products creates conditions for further development and expansion of the market in those products and thus for an increase in the return of farmers engaged in organic production.	Commission proposal unchanged	(3) In particular, the objectives of the organic production policy are embedded in the objectives of the CAP by ensuring that farmers receive a fair return for complying with the organic production rules. In addition, the growing consumer demand for organic products creates conditions for further development and expansion of the market in those products and thus for an increase in the return of farmers engaged in organic production. <i>Taking into account the fact that Union farmers face increased problems in receiving a fair income from the food chain, this Regulation should also contribute to helping farmers and consumers to reconnect through direct marketing in</i>	

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		<i>short food chains and so create a fair share of the added value of food and positive externalities created in organic farming.</i>	
Amendment 3			
Recital 4			
(4) Furthermore, organic production is a system that contributes to the integration of environmental protection requirements into the CAP, and promotes sustainable agricultural production. That is why, measures financially supporting organic production have been introduced under the CAP, most recently under Regulation (EU) No 1307/2013 of the European Parliament and of the Council ⁹ , and in particular strengthened in the recent reform of the legal	Commission proposal unchanged	(4) Furthermore, organic production is a system that contributes to the integration of environmental protection requirements into the CAP, and promotes sustainable agricultural production. That is why, measures financially supporting organic production have been introduced under the CAP, most recently under Regulation (EU) No 1307/2013 of the European Parliament and of the Council ¹¹ , and in particular strengthened in the recent reform of	

⁹ Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ L 347, 20.12.2013, p. 608).

¹¹ Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ L 347, 20.12.2013, p. 608).

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framework for rural development policy as established by Regulation (EU) No 1305/2013 of the European Parliament and of the Council ¹⁰ .		the legal framework for rural development policy as established by Regulation (EU) No 1305/2013 of the European Parliament and of the Council ¹² . <i>This Regulation should therefore refer to eligible measures within the national rural development programmes which are to contribute to the support of organic breeding and improved supply of organic seeds and animal feed. Furthermore, there is an urgent need for reliable data on existing gaps of supply of organic seeds, feed and protein sources, and proposals should be put forward and action plans launched to cover those gaps so as to start phasing out existing derogations in respect of those matters.</i>	

¹⁰ Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).

¹² Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).

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(5) Organic production also contributes to the achievements of the Union environmental policy objectives, in particular those of the 2020 Biodiversity Strategy ¹³ , the Green Infrastructure Communication ¹⁴ , the Soil Thematic Strategy ¹⁵ and environmental legislation such as the Birds ¹⁶ and Habits ¹⁷ Directives, the Nitrates Directive ¹⁸ , the Water Framework Directive ¹⁹ , the National Emissions Ceiling Directive ²⁰ and the	Commission proposal unchanged	Commission proposal unchanged	

¹³ COM(2011) 244 final, 'Our life insurance, our natural capital: an EU biodiversity strategy to 2020'.

¹⁴ SWD(2013) 155 final, 'Green Infrastructure (GI) – Enhancing Europe's Natural Capital'.

¹⁵ COM(2006) 231 final, 'Thematic Strategy for Soil Protection'.

¹⁶ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p.7).

¹⁷ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p.7).

¹⁸ Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p.1).

¹⁹ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p.1).

²⁰ Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants (OJ L 309, 27.11.2001, p. 22).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Directive on the sustainable use of pesticides ²¹ .			
(6) In view of the objectives of the Union's organic production policy, the legal framework established for implementing that policy should aim at ensuring fair competition and a proper functioning of the internal market in organic products, and at maintaining and justifying consumer confidence in products labelled as organic. It should further aim at providing conditions under which the policy can progress in line with production and market developments.	Commission proposal unchanged	Commission proposal unchanged	
(7) The policy priorities of the Europe 2020 strategy as set out in the Commission Communication entitled 'Europe 2020: A strategy for smart, sustainable and inclusive growth' ²² include the aims of achieving a competitive economy based on	Commission proposal unchanged	Commission proposal unchanged	

²¹ Directive 2009/18/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides (OJ L 309, 24.11.2009, p. 71)

²² COM(2010)2020 final.

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knowledge and innovation, fostering a high-employment economy delivering social and territorial cohesion and supporting the shift towards a resource-efficient and low-carbon economy. The organic production policy should therefore provide operators with the right tools to better identify and promote their products while protecting them against unfair practices.			
<p>Amendment 4</p> <p>Recital 7 a (new)</p>			
		<i>(7a) The organic farming sector in the Union has developed rapidly in the past years, in terms not only of the area used for organic farming but also of the number of holdings and the overall number of organic operators registered in the Union.</i>	
<p>Amendment 5</p> <p>Recital 8</p>			

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<p>(8) Given the dynamic evolution of the organic sector, Council Regulation (EC) No 834/2007²³ identified the need for a future review of the Union rules on organic production, taking into account the experience gained from the application of those rules. The results of that review carried out by the Commission show that the Union legal framework governing organic production should be improved to provide for rules that correspond to the high expectations of consumers and that guarantee sufficient clarity for those to whom they are addressed. Therefore, Regulation (EC) No 834/2007 should be repealed and replaced by a new Regulation.</p>	Commission proposal unchanged	<p>(8) Given the dynamic evolution of the organic sector, Council Regulation (EC) No 834/2007²⁴ identified the need for a future review of the Union rules on organic production, taking into account the experience gained from the application of those rules. The results of that review carried out by the Commission show that the Union legal framework governing organic production should be improved to provide for rules that correspond to the high expectations of consumers and that guarantee sufficient clarity for those to whom they are addressed. Therefore, Regulation (EC) No 834/2007 should be repealed and replaced by a new Regulation.</p> <p><i>Nevertheless, the provisions of Regulation (EC) No 834/2007 responding to those aims should be preserved in this Regulation.</i></p> <p><i>Furthermore, this Regulation should</i></p>	

²³ Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 (OJ L 189, 20.7.2007, p. 1).

²⁴ Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 (OJ L 189, 20.7.2007, p. 1).

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		<i>mainly improve the implementation of current principles and rules and create a dynamic through which the sector can meet the challenges it faces.</i>	
Amendment 6			
Recital 9			
(9) Experience gained so far with the application of Regulation (EC) No 834/2007 shows a need to clarify the products to which this Regulation applies. Primarily, it should cover agricultural products, including aquaculture products, listed in Annex I to the Treaty on the Functioning of the European Union ('the Treaty'). Moreover, it should cover processed agricultural products for use as food or feed because the placing on the market of such products as organic provides a major outlet for agricultural products and ensures visibility to the consumer of the organic nature of the agricultural products from which they are processed. Likewise, this Regulation	(9) Experience gained so far with the application of Regulation (EC) No 834/2007 shows a need to clarify the products to which this Regulation applies. Primarily, it <u>This new Regulation</u> should cover agricultural products, including aquaculture products, listed in Annex I to the Treaty on the Functioning of the European Union ('the Treaty'). Moreover, it should cover processed agricultural products for use as food or feed because the placing on the market of such products as organic provides a major outlet for agricultural products and ensures visibility to the consumer of the organic nature of the agricultural products from which they	(9) Experience gained so far with the application of Regulation (EC) No 834/2007 shows a need to clarify the <i>production processes and</i> products to which this Regulation applies. Primarily, it should cover agricultural <i>production methods and beekeeping</i> products. Moreover, it should cover processed agricultural products for use as food or feed because the placing on the market of such products as organic provides a major outlet for agricultural products and ensures visibility to the consumer of the organic nature of the agricultural products from which they are processed. Likewise, this Regulation	

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<p>should cover certain other products which are linked to agricultural products in a similarly close way as processed agricultural products because those other products either constitute a major outlet for agricultural products or form an integral part of the production process. Finally, <i>sea</i> salt should be included in the scope of this Regulation because it is produced by applying natural production techniques and its production contributes to the development of rural areas, and thus falls within the objectives of this Regulation. <i>For reasons of clarity, those other products, not listed in Annex I to the Treaty, should be listed in an Annex to this Regulation.</i></p>	<p>are processed. Likewise, this Regulation should cover certain other products which are linked to agricultural products in a similarly close way as processed agricultural products because those other products either constitute a major outlet for agricultural products or form an integral part of the production process. <u>Finally, salt should be included in the scope of this Regulation because it is produced by applying natural production techniques and its production contributes to the development of rural areas, and thus falls within the objectives of this Regulation.</u> For reasons of clarity, those other products, not listed in Annex I to the Treaty, should be listed in an Annex to this Regulation.</p>	<p>should cover certain other products which are <i>closely</i> linked to agricultural products in a similarly close way as processed agricultural products because those other products either constitute a major outlet for agricultural products or form an integral part of the production process. Finally, salt should be included in the scope of this Regulation because it is produced by applying natural production techniques and its production contributes to the development of rural areas, and thus falls within the objectives of this Regulation.</p>	
<p>(10) In order to supplement or amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the</p>	Commission proposal unchanged	Commission proposal unchanged	

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Commission. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.			
Amendment 7			
Recital 11			
<i>(11) In order to take into account new production methods or material or international commitments, the power to adopt certain acts should be delegated to the Commission in respect of the amendment of the list of other products falling within the scope of this Regulation. Only products which are closely linked to agricultural products should be eligible for inclusion in that list.</i>	(11) In order to take into account new production methods or material or international commitments, the power to adopt certain acts should be delegated to the Commission in respect <u>view</u> of the <u>supplementing amendment</u> of the list of other products falling within the scope of this Regulation. Only products which are closely linked to agricultural products should be eligible for inclusion in that list.	<i>deleted</i>	

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Amendment 8			
Recital 12			
(12) <i>Because of the local nature of mass catering operations, measures taken by Member States and private schemes in this area are considered adequate to ensure the functioning of the single market. Therefore,</i> food prepared by mass caterers on their premises should <i>not</i> be subject to this Regulation. <i>Equally,</i> products of hunting and fishing of wild animals should not be covered by this Regulation since the production process cannot be fully controlled.	(12) Because of the local nature of mass catering operations, measures taken by Member States and private schemes in this area are considered adequate to ensure the functioning of the single market. Therefore, food prepared by mass caterers on their premises should not be subject to this Regulation <u>and should therefore not be labelled or advertised with the organic production logo of the European Union. Equally, P</u> products of hunting and fishing of wild animals should not be <u>considered as organic products covered by this Regulation</u> since the production process cannot be fully controlled.	(12) Food prepared by mass caterers on their premises should be subject to this Regulation. Products of hunting and fishing of wild animals should not be covered by this Regulation since the production process cannot be fully controlled.	
Amendment 9			
Recital 13			
(13) Research projects have demonstrated that consumer confidence is crucial in the market for	Commission proposal unchanged	(13) Research projects have demonstrated that consumer confidence is crucial in the market for	

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organic food. In the long run, rules that are not trustworthy can jeopardise public confidence and lead to market failure. Therefore the sustainable development of organic production in the Union should be based on sound production rules <i>which are harmonised at Union level. In addition, those production rules should meet operators' and consumers' expectations regarding the quality of organic products and the compliance with the principles and rules laid down in this Regulation.</i>		organic food. In the long run, rules that are not trustworthy, <i>and insufficient implementation of existing rules and controls at Union level,</i> can jeopardise public confidence and lead to market failure. Therefore, the sustainable development of organic production in the Union should be based on sound <i>and transparent</i> production rules <i>and harmonised implementation at national and Union levels. Past experience has revealed major deficiencies in controls at Union level. It is of the utmost importance to improve data collection, communication, monitoring and coordination of the implementation of those rules in all Member States and at Union level.</i>	
Amendment 10			
Recital 14			
(14) This Regulation should apply without prejudice to <i>related</i> legislation, <i>such as in the field of safety of the</i>	Commission proposal unchanged	(14) This Regulation should apply without prejudice to <i>other Union</i> legislation <i>or national provisions, in</i>	

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<p><i>food chain, animal health and welfare, plant health, plant reproductive material, labelling and the environment.</i> More specifically, as regards the authorisation of products and substances that may be used for the production of organic products, it is important to highlight that such products and substances have to be authorised at Union level first. Therefore this Regulation should apply without prejudice to other specific Union provisions relating to the authorisation and placing on the market of those products and substances.</p>		<p><i>conformity with Union law concerning products specified in this Regulation, such as provisions governing the production, preparation, marketing, labelling and control of those products, and including legislation on foodstuffs and animal nutrition.</i> More specifically, as regards the authorisation of products and substances that may be used for the production of organic products, it is important to highlight that such products and substances have to be authorised at Union level first. Therefore this Regulation should apply without prejudice to other specific Union provisions relating to the authorisation and placing on the market of those products and substances.</p>	
Amendment 11			
Recital 15			
(15) As a matter of principle, the general production rules of this	(15) As a matter of principle, the general production rules of this	(15) As a matter of principle, the general production rules of this	

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Regulation should include a prohibition on the use of ionising radiation and genetically modified organisms (GMOs) and products produced from or by GMOs. Since consumers are more and more concerned about environmental impacts of food processing and transportation, organic operators other than farmers and operators producing seaweed or aquaculture animals should be required to manage their environmental performance according to a harmonised system . With the objective of minimising the regulatory burden of micro-enterprises as defined in Commission Recommendation 2003/361/EC ²⁵ involved in organic production, it is appropriate to exempt them from this requirement. In order to ensure the correct application of the general production rules, the power to adopt certain acts should be delegated to the Commission in respect of	Regulation should include a prohibition on the use of ionising radiation, animal cloning and genetically modified organisms (GMOs) and products produced from or by GMOs. Organic operators should take appropriate preventive measures at all stages of production, preparation and distribution in order to ensure prevention and control of pests and weeds and in particular to avoid contamination with products and substances that are not authorised in organic production. Since consumers are more and more concerned about environmental impacts of food processing and transportation, organic operators other than farmers and operators producing seaweed or aquaculture animals should be required to manage their environmental performance according to a	Regulation should include a prohibition on the use of ionising radiation and genetically modified organisms (GMOs) and products produced from or by GMOs. Efforts should be made to develop the market in respect of veterinary medicinal products without GMOs. Since consumers are increasingly concerned about environmental impacts of food processing and transportation, organic operators other than micro-enterprises , farmers, beekeepers, retailers and operators producing algae or aquaculture animals should be required to improve their environmental performance in accordance with a harmonised framework . With the objective of minimising the regulatory burden of micro-enterprises as defined in Commission Recommendation 2003/361/EC ²⁷	

²⁵ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, of 20.05.2003, p. 36).

²⁷ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, of 20.05.2003, p. 36).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<i>establishing the criteria to which the environmental management system is to correspond.</i>	harmonised system. With the objective of minimising the regulatory burden of micro-enterprises as defined in Commission Recommendation 2003/361/EC ²⁶ involved in organic production, it is appropriate to exempt them from this requirement. In order to ensure the correct application of the general production rules, the power to adopt certain acts should be delegated to the Commission in respect of establishing the criteria to which the environmental management system is to correspond.	involved in organic production, it is appropriate to exempt them from this requirement. In order to ensure the correct application of the general production rules, the power to adopt certain acts should be delegated to the Commission in respect of <i>supplementing certain criteria of the environmental management framework.</i>	
Amendment 12			
Recital 16			
(16) The risk of non-compliance with the organic production rules is considered higher in agricultural holdings which include units not managed under organic production	(16) <u>All operators who aim to become organic should manage their entire holding in compliance with the requirements applicable to organic production. However, to facilitate</u>	(16) The risk of non-compliance with the organic production rules is considered higher in agricultural holdings which include units not managed under organic production	

²⁶ ~~Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, of 20.05.2003, p. 36).~~

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<p>rules. Therefore, after an appropriate conversion period, all agricultural holdings in the Union which aim to become organic should be entirely managed in compliance with the requirements applicable to organic production. <i>Organic agricultural holdings should undergo the same conversion period in all Member States, irrespective of whether they have previously adhered to agri-environmental measures supported by Union funds.</i> However, no conversion period is necessary in the case of fallow land. In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the general conversion rules or supplementing <i>and amending</i> the specific conversion rules.</p>	<p><u>entering the organic scheme and to favour the development of environmental practices in agriculture, a holding may be split into separated units which are not all managed according to this Regulation.</u> The risk of non-compliance with the organic production rules is considered higher in agricultural holdings which include units not managed under organic production rules. Therefore, after an appropriate conversion period, all agricultural holdings in the Union which aim to become organic should be entirely managed in compliance with the requirements applicable to organic production. Organic agricultural holdings should undergo the same conversion period in all Member States, irrespective of whether they have previously adhered to agri-environmental measures supported by Union funds. However, no conversion period is necessary in the case of fallow land. In order to ensure quality,</p>	<p>rules. Therefore, after an appropriate conversion period, all agricultural holdings in the Union which aim to become organic should be entirely managed in compliance with the requirements applicable to organic production. However, <i>mixed farms including production units dedicated to non-organic production and production units which are in compliance with this Regulation should be allowed in cases where conventional farming activities are clearly differentiated from organic farming activities.</i> Moreover, no conversion period <i>should be</i> necessary in the case of fallow land <i>or where there is evidence that only substances authorised for organic production have been used on the land concerned for at least the time period required for conversion and provided that other necessary requirements are fulfilled.</i> In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to</p>	

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	traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the general conversion rules or supplementing and amending the specific conversion rules.	adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the general conversion rules or supplementing the specific conversion rules.	
Amendment 13			
Recital 16 a (new)			
		<i>(16a) The choice of species or variety to be cultivated should take account of their ability to adapt to climatic and pedo-climatic conditions and their resistance to disease.</i>	
	<u>(16a) The conversion to the organic production method requires certain periods of adaptation. Specific time periods for the various production sectors should be laid down. Organic agricultural and aquaculture holdings should undergo the same conversion</u>		

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	<u>periods in all Member States and third countries. To facilitate entering the organic scheme and to favour the development of environmental practices in agriculture, under certain conditions, previous periods may be recognised retroactively as being part of the conversion period.</u>		
	<u>(16b) Products produced during the relevant conversion periods cannot be marketed as organic. Products of plant origin containing only one crop ingredient of agricultural origin can be marketed as in-conversion products and can be allowed in organic production under the condition that a 12 months conversion period has been respected, since these products can usefully contribute to supplying livestock with feed from the farm or the region and are allowed to be used in organic production. However, products that are not of plant origin or products of plant origin that contain more than one crop</u>		

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	<u>ingredient of agricultural origin or that have been harvested before the 12 months conversion period, should not be marketed as in-conversion products as such products might create confusion in the market of organic products.</u>		
(17) Specific production rules should be established with regard to plant, livestock and aquaculture production, including rules for the collection of wild plants and seaweeds, and with regard to the production of processed food and feed, as well as of wine and yeast to ensure harmonisation and respect of the objectives and principles of organic production.	(17) Specific P roduction rules should be established with regard to plant, livestock and aquaculture production, including rules for the collection of wild plants and seaweeds algae , and with regard to the production of processed food and feed, as well as of wine and yeast to ensure harmonisation and respect of the objectives and principles of organic production.	Commission proposal unchanged	
Amendment 14			
Recital 17 a (new)			
		<i>(17a) The specific requirements of plant and animal breeding have not been sufficiently taken into account in</i>	

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		<i>previous Regulations and should be clearly defined and developed in this Regulation. This is specifically necessary in order to solve the problem of existing gaps in the availability of organic seeds and animals suitable for organic production on the internal market. The Commission should therefore take the necessary steps to enhance organic breeding of plants and animals through respective measures and research programmes.</i>	
(18) As organic plant production is based on nourishing the plants primarily through the soil ecosystem, hydroponic production should not be allowed. In addition, organic plant production should involve the use of production techniques that prevent or minimise any contribution to the contamination of the environment.	(18) As organic plant production is based on nourishing the plants, <u>which grow naturally in soil,</u> primarily through the soil ecosystem, hydroponic production should not be allowed. In addition, organic plant production should involve the use of production techniques that prevent or minimise any contribution to the contamination of the environment.	Commission proposal unchanged	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Amendment 15			
Recital 19			
(19) Concerning soil management and fertilisation, conditions should be laid down for the use of cultivation practices allowed in organic plant production and for the use of fertilisers and conditioners.	Commission proposal unchanged	(19) Concerning soil management and fertilisation, conditions should be laid down for the use of cultivation practices allowed in organic plant production and for the use of fertilisers and conditioners. <i>Member States should, in this respect, encourage producers in organic farming areas to form groups in order to reduce the risk of contamination by substances used in conventional farming. Given the potential of biochar, which increases soil fertility in a natural way, reduces the use of fertilisers and water and helps reduce greenhouse gas emissions, its use should be permitted in soil management.</i>	
Amendment 16			
Recital 19 a (new)			
		<i>(19a) Since groundwater is the main vector for the transport of residues</i>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>generated by conventional farming practices, Member States should encourage organic farming practices in upstream areas.</i>	
Amendment 17			
Recital 20			
(20) The use of pesticides, should be significantly restricted. Preference should be given to the application of measures that prevent any damage by pests <i>and weeds</i> through techniques which do not involve the use of plant protection products such as crop rotation. Presence of pests <i>and weeds</i> should be monitored to decide whether any intervention is economically and ecologically justified. The use of certain plant protection products should be allowed if such techniques do not provide adequate protection and only if those plant protection products have been authorised in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the	Commission proposal unchanged	(20) The use of pesticides should be significantly restricted. Preference should be given to the application of measures that prevent any damage by pests, <i>weeds and diseases</i> through techniques which do not involve the use of plant protection products such as crop <i>alternation and</i> rotation. Presence of pests, <i>weeds and diseases</i> should be monitored to decide whether any intervention is economically and ecologically justified. The use of certain plant protection products should be allowed if such techniques do not provide adequate protection and only if those plant protection products have been authorised in accordance with Regulation (EC) No 1107/2009 of the	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Council ²⁸ , after having been assessed to be compatible with objectives and principles of organic production, including with restrictive conditions of use, and consequently authorised in accordance with this Regulation.		European Parliament and of the Council ²⁹ , after having been assessed to be compatible with objectives and principles of organic production, including with restrictive conditions of use, and consequently authorised in accordance with this Regulation.	
Amendment 18			
Recital 21			
(21) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules <i>amending or</i> supplementing the specific plant production rules as regards <i>cultivation practices</i> , soil management and fertilisation, plant health and management of pests <i>and weeds</i> , management of mushroom	(21) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules amending or supplementing the specific plant production rules as regards cultivation practices, soil management and fertilisation, plant health and management of pests and	(21) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the specific plant production rules as regards soil management and fertilisation, plant health and management of pests, <i>weeds and diseases</i> , management of mushroom	

²⁸ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

²⁹ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
production and other specific plants and plant production systems, <i>the production origin of plant reproductive material</i> and the collection of wild plants.	weeds, management of mushroom production and other specific plants and plant production systems, the production origin of plant reproductive material and the collection of wild plants.	production and other specific plants and plant production systems and the collection of wild plants.	
<p>Amendment 19</p> <p>Recital 21 a (new)</p>			
		<i>(21a) Given that it is important to develop the use of seeds and plants that are suited to soil and climate conditions and that meet consumer expectations, the production of organic seeds and plants should be encouraged while continuing to provide for the possibility of using non-organic seeds and plants where no organic equivalents are available, or in order to ensure that a sufficient genetic base is maintained.</i>	
<p>Amendment 20</p> <p>Recital 21 b (new)</p>			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(21b) Given that organic farming needs to be able to rely on genetically high-quality animals for breeding, and that those animals must be reared in accordance with organic farming rules, it is desirable to maintain the possibility of using non-organic breeding animals under certain conditions in order to offset a lack of availability or to ensure a sufficient genetic base, particularly in the case of rarer species and breeds.</i>	
Amendment 21			
Recital 22			
(22) 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 take account of their capacity to adapt to local conditions, their vitality and their resistance to disease, and a wide	Commission proposal unchanged	(22) 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 take account of their capacity to adapt to local conditions, their vitality and their resistance to disease, and a wide biological diversity should be encouraged, <i>provided that this is</i>	Non paper from EP on 06/09 (22) 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 <i>aim at enhancing/widening genetic/biologic diversity while relying on the natural reproductive</i>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
biological diversity should be encouraged.		<i>not at the expense of indigenous and local breeds and species, the keeping of which should be supported.</i>	<i>ability of the animals. It should</i> take account of their capacity to adapt to <i>climatic, natural and local</i> conditions, their longevity, vitality and their resistance to disease, <i>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.</i> Agreed at T12
(23) Organic livestock and aquaculture production housing, including where relevant the aquatic medium, should satisfy the behavioural needs of the animals. Specific housing conditions and husbandry practices should be laid down with regard to certain animals, including bees. Those conditions and practices should ensure a high level of animal welfare, which in	(23) Organic livestock and aquaculture production housing, including where relevant the aquatic medium, should satisfy the behavioural needs of the animals. Specific housing conditions and husbandry practices should be laid down with regard to certain animals, including bees. Those conditions and practices should	Commission proposal unchanged	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
certain aspects should go beyond the Union animal welfare standards applicable to livestock production in general. In most cases livestock should have permanent access to open air areas for grazing and such open air areas should in principle be organised under an appropriate system of rotation.	ensure a high level of animal welfare, which in certain aspects should go beyond the Union animal welfare standards applicable to livestock production in general. In most cases livestock should have permanent access to open air areas for grazing and such open air areas should in principle be organised under an appropriate system of rotation.		
Amendment 22			
Recital 23 a (new)			
		<i>(23a) Due to existing exceptions to higher animal welfare standards in organic production, the associated farming practices for animals vary considerably across the Union.</i>	
Amendment 23			
Recital 24			
(24) In order to avoid environmental pollution of natural resources such as soil and water by nutrients, an upper limit for the use of	Commission proposal unchanged	(24) In order to avoid environmental pollution of natural resources such as soil, <i>aquifers</i> and water by nutrients, an upper limit for the use of manure	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
manure per hectare and for keeping livestock per hectare should be set. That limit should be related to the nitrogen content of the manure.		per hectare and for keeping livestock per hectare should be set. That limit should be related to the nitrogen content of the manure.	
Amendment 24			
Recital 25			
(25) Mutilations which lead to stress, harm, disease or suffering of animals should be prohibited.	(25) Mutilations which lead to stress, harm, disease or suffering of animals should be prohibited. <u>However, tail docking, trimming of beaks, dehorning including disbudding and castration of piglets may be allowed only on a case by case basis and under certain conditions, when they improve the health, welfare or hygiene of the livestock or when workers' safety is compromised. These operations should be authorised by a competent authority and carried out by qualified personnel and by applying adequate anaesthesia and/or analgesia in order to reduce to a minimum any suffering to the animals.</u>	(25) <i>All</i> mutilations which lead to stress, harm, disease or suffering of animals should be prohibited. <i>It should be possible for competent authorities to authorise the trimming of the beaks of poultry, when undertaken in the first three days of life, attaching elastic bands to the tails of sheep and tail-docking, for reasons of safety or animal and human health or if those practices are intended to improve the health, welfare or hygiene of the livestock concerned. Dehorning and castration of young mammals should be approved only if adequate anaesthesia and/or analgesia are applied.</i>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Amendment 25			
Recital 26			
(26) Livestock should be fed on feed materials produced in accordance with the rules of organic production, and preferably coming from the own holding, taking their physiological needs into account. In addition, in order to provide for the basic nutritional requirements of livestock, certain minerals, trace elements and vitamins may need to be used under well-defined conditions.	(26) Livestock should be fed on feed materials produced in accordance with the rules of organic production, and preferably coming from the own holding, taking their physiological needs into account. <u>However, because of the limited availability of certain organic feed materials on the EU market, in certain cases, non-organic feed materials may be used in the feeding of organic animals and in the processing of organic feed.</u> In addition, in order to provide for the basic nutritional requirements of livestock, certain minerals, trace elements and vitamins may need to be used under well-defined conditions.	(26) Livestock should be fed on feed materials produced in accordance with the rules of organic production, and preferably coming from the own holding, taking their physiological needs into account <i>in terms of both quality and quantity. It should be possible for part of the ration to contain feed from holdings which are in the process of converting to organic farming.</i> In addition, in order to provide for the basic nutritional requirements of livestock, certain minerals, trace elements and vitamins may need to be used under well-defined conditions. <i>However, given the fact that vegetable proteins are currently not available on the market in sufficient quantities and are needed in order to ensure animal health in organic production, the Commission should take the necessary steps to support the</i>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>production of proteins in organic form.</i>	
<p>(27) Animal health management should mainly be based on prevention of disease. In addition, specific cleaning and disinfection measures should be applied. The preventive use of chemically-synthesised allopathic medicinal products should not be permitted in organic production, except in the event of sickness or injury of an animal requiring immediate treatment and limited to the minimum necessary to re-establish the well-being of the animal. In such cases, in order to guarantee the integrity of organic production for consumers, it should be possible to take restrictive measures such as doubling the official withdrawal period after use of such medicinal products as specified in the relevant Union legislation. Regarding beekeeping, it is necessary to lay down specific rules for disease prevention and veterinary treatment.</p>	<p>(27) Animal health management should mainly be based on prevention of disease. In addition, specific cleaning and disinfection measures should be applied. The preventive use of chemically-synthesised allopathic medicinal products should not be permitted in organic production, except in the event of sickness or injury of an animal requiring immediate treatment and limited to the minimum necessary to re-establish the well-being of the animal. In such cases, in order to guarantee the integrity of organic production for consumers, it should be possible to take restrictive measures such as doubling the official withdrawal period after use of such medicinal products as specified in the relevant Union legislation. Regarding beekeeping, it is necessary to lay down specific rules for disease prevention and veterinary treatment.</p>	Commission proposal unchanged	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Amendment 26			
Recital 28			
(28) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules <i>amending or</i> supplementing the specific livestock production rules as <i>regards the origin of animals, livestock housing, including minimum surface areas indoors and outdoors and the maximum number of animals per hectare, husbandry practices, breeding, feed and feeding</i> , disease prevention and veterinary treatment.	(28) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules amending or supplementing the specific livestock production rules as regards the origin of animals, livestock housing, including minimum surface areas indoors and outdoors and the maximum number of animals per hectare, husbandry practices, breeding, feed and feeding, disease prevention and veterinary treatment.	(28) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the specific livestock production rules as regards <i>nutrition</i> , disease prevention and veterinary treatment.	
(29) This Regulation reflects the objectives of the new Common Fisheries Policy as regards aquaculture, which plays a key role in ensuring sustainable, long-term food security as well as growth and employment while reducing pressure on wild fish stocks, in	Commission proposal unchanged	Commission proposal unchanged	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
a context of growing global aquatic food demand. The 2013 Communication from the Commission to the Council and the European Parliament on Strategic Guidelines for the sustainable development of European aquaculture ³⁰ highlights the main challenges faced by the Union aquaculture and its potential for growth. It identifies organic aquaculture as a particularly promising sector, and highlights the competitive advantages deriving from organic certification.			
(30) Organic aquaculture is a relatively new field of organic production compared to organic agriculture where long experience exists at the farm level. Given consumers' growing interest in organic aquaculture products, further growth in the conversion of aquaculture units to organic production is likely. This is leading to increased experience, technical knowledge and development,	Commission proposal unchanged	Commission proposal unchanged	

³⁰ COM(2013) 229 of 29.4.2013.

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
with improvements in organic aquaculture that should be reflected in the production rules.			
(31) In order to ensure common understanding, avoid ambiguities and guarantee uniform application of the organic aquaculture animal and seaweed production rules, certain definitions relating to aquaculture should accompany those production rules.	(31) In order to ensure common understanding, avoid ambiguities and guarantee uniform application of the organic aquaculture animal and seaweed production rules, certain definitions relating to aquaculture should accompany those production rules.	Commission proposal unchanged	
Amendment 27			
Recital 32			
(32) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules <i>amending or</i> supplementing the specific <i>seaweed</i> production rules as regards the <i>suitability of the aquatic medium and the sustainable management plan, the harvesting of</i>	(32) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules amending or supplementing the specific <i>seaweed production rules for the production of aquaculture animals</i> as regards <i>disease prevention and veterinary</i>	(32) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the specific <i>algae</i> production rules as regards the <i>harvesting of wild algae and algae cultivation, including for different species of algae</i> , and	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<p>wild seaweed, seaweed cultivation, and antifouling measures and cleaning of production equipment and facilities, and in respect of the establishment of rules supplementing the specific production rules for aquaculture animals as regards the suitability of the aquatic medium and the sustainable management plan, the origin of aquaculture animals, aquaculture husbandry, including aquatic containment systems, production systems and maximum stocking density, breeding, management of aquaculture animals, feed and feeding, and disease prevention and veterinary treatment.</p>	<p>treatment in particular, the suitability of the aquatic medium and the sustainable management plan, the harvesting of wild seaweed, seaweed cultivation, and antifouling measures and cleaning of production equipment and facilities, and in respect of the establishment of rules supplementing the specific production rules for aquaculture animals as regards the suitability of the aquatic medium and the sustainable management plan, the origin of aquaculture animals, aquaculture husbandry, including aquatic containment systems, production systems and maximum stocking density, breeding, management of aquaculture animals, feed and feeding, and disease prevention and veterinary treatment.</p>	<p>antifouling measures and cleaning of production equipment and facilities, and in respect of the establishment of rules supplementing the specific production rules for aquaculture animals, including for specific aquaculture species, as regards the origin of aquaculture animals, housing conditions and husbandry practices, management of molluscs, feed and feeding, disease prevention and veterinary treatments.</p>	
<p>(33) Operators producing organic food or feed should follow appropriate procedures based on systematic identification of critical processing steps in order to ensure that processed</p>	<p>Commission proposal unchanged</p>	<p>Commission proposal unchanged</p>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
products comply with the organic production rules. Organic processed products should be produced by means of processing methods which guarantee that the organic integrity and vital qualities of the products are maintained through all stages of organic production.			
Amendment 28			
Recital 33 a (new)			
		<i>(33a) The Commission should ensure that Member States adopt measures to tackle unfair practices in the food supply chain within the organic sector.</i>	
Amendment 29			
Recital 34			
(34) Provisions concerning the composition of organic processed food should be laid down. In particular, such food should be produced <i>mainly</i> from agricultural ingredients that are organic with a limited possibility to use certain	Commission proposal unchanged	(34) Provisions concerning the composition of organic processed food should be laid down. In particular, such food should be produced from agricultural ingredients that are organic with a limited	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
non-organic agricultural ingredients specified in this Regulation. In addition, only certain substances authorised in accordance with this Regulation should be allowed for use in the production of organic processed food.		possibility to use certain non-organic agricultural ingredients specified in this Regulation. In addition, only certain substances authorised in accordance with this Regulation should be allowed for use in the production of organic processed food.	
Amendment 30			
Recital 35			
(35) Processed food should be labelled as organic only where all or almost all the ingredients of agricultural origin are organic. However, special labelling provisions should be laid down for processed foods which include agricultural ingredients that cannot be obtained organically, as is the case for products of hunting and fishing. Moreover, for the purposes of consumer information and transparency in the market, and to encourage the use of organic ingredients, it should also be made possible to refer to organic production	(35) Processed food should be labelled as organic only where all or almost all the ingredients of agricultural origin are organic. However, special labelling provisions should be laid down for processed foods which include agricultural ingredients that cannot be obtained organically, as is the case for products of hunting and fishing. Moreover, for the purposes of consumer information and transparency in the market, and to encourage the use of organic ingredients, it should also be made possible to refer to organic	(35) Processed food should be labelled as organic only where all or almost all the ingredients of agricultural origin are organic. However, special labelling provisions should be laid down for processed foods which include agricultural ingredients that cannot be obtained organically, as is the case for products of hunting and fishing. Moreover, for the purposes of consumer information and transparency in the market, and to encourage the use of organic ingredients, it should also be made possible to refer to organic production in the ingredients list under certain	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
in the ingredients list under certain conditions.	production in the ingredients list under certain conditions.	conditions, <i>and to the origin of organic products.</i>	
(36) Provisions concerning the composition of organic processed feed and the use of certain substances and techniques in the production of that feed should be laid down.	Commission proposal unchanged	Commission proposal unchanged	
Amendment 31			
Recital 37			
(37) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules <i>amending or</i> supplementing the specific production rules for processed <i>food and</i> feed as regards <i>the procedures to be followed, preventive measures to be taken, the composition of processed food and feed, cleaning measures, the placing on the market of processed products including their labelling and identification, separation</i>	(37) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules amending or supplementing the <i>specific</i> production rules for processed food and feed as regards the <i>procedures to be followed, preventive measures to be taken</i> , the <i>type</i> , composition <i>and condition of use of products and substances allowed for use in of</i> processed food and <i>supplementing</i>	(37) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the specific production rules for processed feed as regards <i>preventive and precautionary</i> measures to be taken <i>and the techniques used in feed processing, and in respect of the specific production rules for processed food as regards preventive and precautionary measures to be</i>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<i>of organic products, agricultural ingredients and feed materials from non-organic products, agricultural ingredients and feed materials</i> , the list of non-organic agricultural ingredients which may exceptionally be used in the production of organic processed products, calculation of the percentage of agricultural ingredients, and the techniques used in food <i>or feed</i> processing.	<u>the production rules for processed</u> feed. cleaning measures, the placing on the market of processed products including their labelling and identification, separation of organic products, agricultural ingredients and feed materials from non-organic products, agricultural ingredients and feed materials, the list of non-organic agricultural ingredients which may exceptionally be used in the production of organic processed products, calculation of the percentage of agricultural ingredients, and the techniques used in food or feed processing.	<i>taken, the composition and conditions of use of products and substances allowed for use in processed food</i> , the list of non-organic agricultural ingredients which may exceptionally be used in the production of organic processed products, calculation of the percentage of agricultural ingredients, and the techniques used in food processing.	
Amendment 32			
Recital 38			
(38) Organic wine should be produced entirely from organic raw material and only certain substances authorised in accordance with this Regulation should be allowed to be added. Certain oenological practices, processes and treatments should be	Commission proposal unchanged	(38) Organic wine should be produced entirely from organic raw material and only certain substances authorised in accordance with this Regulation should be allowed to be added. Oenological practices, processes and treatments must be performed in	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<i>prohibited in the production of organic wine. Other practices, processes and treatments should be permitted under well-defined conditions.</i>		<i>accordance with production rules as defined in this Regulation.</i>	
Amendment 33			
Recital 39			
(39) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules amending or supplementing the specific wine production rules as regards oenological practices and restrictions.	(39) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules amending or supplementing the specific wine production rules as regards oenological practices and restrictions.	(39) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the specific wine production rules as regards oenological practices and restrictions.	
(40) Initially yeast was not considered an agricultural ingredient under Regulation (EC) No 834/2007 and therefore it did not count for the agricultural composition of organic products. However, Commission	(40) Initially yeast was not considered an agricultural ingredient under Regulation (EC) No 834/2007 and therefore it did not count for the agricultural composition of organic products. However, Commission	Commission proposal unchanged	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Regulation (EC) No 889/2008 ³¹ introduced the obligatory calculation of yeast and yeast products as agricultural ingredients for the purposes of organic production as of 31 December 2013, which gave the industry sufficient time to adjust to that rule. Accordingly, only organically produced substrates should be used in the production of organic yeast and only certain substances should be allowed for use in its production, confection and formulation. In addition, organic yeast should not be present in organic food or feed together with non-organic yeast.	Regulation (EC) No 889/2008 ³² introduced the obligatory calculation of yeast and yeast products as agricultural ingredients for the purposes of organic production as of 31 December 2013, which gave the industry sufficient time to adjust to that rule. Accordingly, only organically produced substrates should be used in the production of organic yeast and only certain substances should be allowed for use in its production, confection and formulation. In addition, organic yeast should not be present in organic food or feed together with non-organic yeast. <u>However, to ensure a smooth transition to the new production rules, it is necessary to allow, for a limited period of time, the use of a limited percentage of non-organic</u>		

³¹ Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control (OJ L 250, 18.9.2008, p. 1).

³² Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control (OJ L 250, 18.9.2008, p. 1).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>yeast extract for the production of organic yeast.</u>		
Amendment 34			
Recital 41			
(41) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules <i>amending or</i> supplementing the specific production rules for organic yeast as regards the processing and the substrates used in its production.	(41) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules <i>amending or</i> supplementing the specific production rules for organic yeast as regards the processing and the substrates used in its production.	(41) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the specific production rules for organic yeast as regards the processing and the substrates used in its production.	
Amendment 35			
Recital 42			
(42) <i>In order to take account of any future need to have specific</i> production rules <i>for products whose production does not fall within any of the categories of specific production rules laid down in this Regulation, as well as</i>	(42) <u>This Regulation covers a wide range of products and lays down production rules for different categories of products: plants, livestock, algae and aquaculture animals, as well as processed food,</u>	(42) <i>Where this Regulation does not lay down detailed</i> production rules <i>for certain animal species, certain aquatic plants and certain micro-algae, national rules or, in the absence thereof, private standards</i>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<p><i>in order to ensure quality, traceability and compliance with this Regulation and, subsequently, adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing specific production rules for such products, including amendments or supplements thereof.</i></p>	<p><u>including wine, processed feed and yeast used as food and feed. In the cases where no specific production rules are laid down for plants or plant products, livestock, algae or aquaculture animals, it should be clarified that products marketed as organic have to comply with the production rules laid down for the relevant category of products, with the general production rules and with the principles of organic production. In the absence of specific production rules laid down in an implementing act for specific plants, plant products or plant production systems and implementing act for livestock species other than bovine, ovine, caprine, equine, porcine animals, poultry and bees, Member States may apply national rules for those products. However, the harmonisation achieved through this Regulation and in particular the free movements of products complying with this Regulation should not be endangered. National rules should</u></p>	<p><i>recognised by the Member States should apply pending the inclusion of detailed production rules in this Regulation. Such national rules or private standards should be notified to the Commission. The rules laid down in this Regulation in respect of labelling, controls and certification should apply accordingly.</i></p>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<p><u>therefore respect the principles and rules of this Regulation and should only apply to products produced in the Member States laying down national rules. They should not apply to products that are produced in accordance with this Regulation in other Member States.</u> In order to take account of any future need to have specific production rules for products whose production does not fall within any of the categories of specific production rules laid down in this Regulation, as well as in order to ensure quality, traceability and compliance with this Regulation and, subsequently, adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing specific production rules for such products, including amendments or supplements thereof.</p>		
	<p><u>(42a) In the cases where products are covered by the scope of the</u></p>		

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<p><u>Regulation, but do not fall under one of the previously mentioned categories of products (plants, livestock, algae and aquaculture animals, as well as processed food, including wine, processed feed and yeast used as food and feed), it should be clarified that, pending the adoption of production rules for such products, they have to comply with the general production rules and with the principles of organic production in order to be marketed as organic. To be able to take account of any future need in the internal market to have production rules for such products, the power to adopt certain acts should be delegated to the Commission in respect of establishing production rules for such products. In the absence of these production rules laid down in a delegated act, Member States may apply national rules for such products. However, the harmonisation achieved through this Regulation and in particular the free movement of products complying</u></p>		

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>with this Regulation should not be endangered. National rules should therefore respect the principles and rules of this Regulation and should only apply to products produced in the Member State laying down national rules. They should not apply to products that are produced in accordance with this Regulation in other Member States.</u>		
Amendment 36			
Recital 43			
(43) Regulation (EC) No 834/2007 provided for different exceptions from organic production rules. The experience gained from the application of those provisions has shown that such exceptions have <i>a negative impact on organic production</i> . In particular, it has been found that the very existence of such exceptions <i>impedes the production</i> of inputs in organic form and that the high level of animal welfare associated with organic production is not ensured. In addition,	(43) Regulation (EC) No 834/2007 provided for different exceptions from organic production rules. The experience gained from the <u>diverse</u> application of those provisions has shown that such exceptions have a negative impact on organic production. <u>I</u> in particular, it has been found that the very existence of such exceptions impedes the production of inputs in organic form and that the high level of animal welfare associated with organic production is	(43) Regulation (EC) No 834/2007 provided for different exceptions from organic production rules. The experience gained from the application of those provisions has shown that such exceptions have <i>not created sufficient stimulus to make such exceptions superfluous</i> . In particular, it has been found that the very existence of such exceptions <i>can impede an increase in supply</i> of inputs in organic form and that the high level of animal welfare associated with	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
the management and control of exceptions entail considerable administrative burden, both for the national administrations and operators. Finally, the existence of exceptions has created conditions for distortions in competition and has threatened to undermine consumer confidence. Accordingly, <i>the scope for allowing exceptions from organic production rules</i> should be <i>further restricted and limited to cases of catastrophic circumstances.</i>	not ensured. In addition , the management and control of exceptions entail considerable administrative burden, both for the national administrations and <u>for</u> operators. FinallyIn addition , the existence of exceptions has created conditions for distortions in competition and has threatened to undermine consumer confidence. Accordingly, <u>where exceptions have to be maintained, they should be applied in a harmonised way to all operators in all Member States and third countries.</u> the scope for allowing exceptions from organic production rules should be further restricted and limited to cases of catastrophic circumstances.	organic production is not <i>always</i> ensured. In addition, the management and control of exceptions entail considerable administrative burden, both for the national administrations and operators. Finally, the existence of exceptions has created conditions for distortions in competition and has threatened to undermine consumer confidence. Accordingly, <i>measures to stimulate the development of organic breeding and to close existing gaps in the organic inputs market</i> should be <i>established through this Regulation so that exceptions can be phased out as soon as possible.</i>	
Amendment 37			
Recital 44			
(44) <i>In order to allow organic production to continue or recommence in cases of catastrophic circumstances, the power to adopt certain acts should</i>	(44) In order to allow organic production to continue or recommence in cases of catastrophic circumstances, the power to adopt	(44) <i>The Commission should be empowered to adopt delegated acts in accordance with Article 36 establishing the criteria by which</i>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<i>be delegated to the Commission in respect of establishing the criteria for qualifying cases of catastrophic circumstances and to lay down specific rules for addressing such cases and for the necessary monitoring and reporting requirements.</i>	certain acts should be delegated to the Commission in respect of establishing the criteria for qualifying cases of catastrophic circumstances and to lay down specific rules for addressing such cases and for the necessary monitoring and reporting requirements.	<i>situations may be categorised as requiring exceptional production rules and the ways of dealing with such situations, and laying down monitoring and reporting requirements, taking into account expertise from the organic sector.</i>	
Amendment 38 Recital 44 a (new)			
		<i>(44a) The consumption of food produced and marketed locally should be encouraged and promoted, in order to ensure that greenhouse gas emissions in the transport sector are as low as possible. In addition, in order to reduce waste generation, unpackaged products should be promoted and excess packaging must be avoided as far as possible.</i>	
Amendment 39 Recital 45			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(45) Under certain conditions organic products and non-organic products can be collected and transported simultaneously. In order to duly separate organic from non-organic products during handling and to avoid any commingling, specific provisions should be laid down.	(45) Under certain conditions organic products and non-organic products can be collected and transported simultaneously. In order to ensure duly due separate separation of organic from non-organic products during handling and to avoid any commingling, specific provisions should be laid down.	(45) Under certain conditions organic products and non-organic products can be collected and transported simultaneously. In order to duly separate organic from non-organic products during such handling for collection, transportation and processing purposes , and to avoid any commingling, specific provisions should be laid down.	
Amendment 40			
Recital 46			
(46) In order to ensure the integrity of organic production and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules amending or supplementing the specific rules on collection, packaging, transport and storage of organic products.	(46) In order to ensure the integrity of organic production and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules amending or supplementing the specific rules on collection, packaging, transport and storage of organic products.	(46) In order to ensure the integrity of organic production and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the specific rules on collection, packaging, transport and storage of organic products.	
Amendment 41			
Recital 47			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<p>(47) The use in organic production of products and substances such as plant protection products, fertilisers, soil conditioners, nutrients, components of animal nutrition, feed or food additives, processing aids and products for cleaning and disinfection should be limited to the minimum and under the specific conditions laid down in this Regulation. The same approach should be followed regarding the use of products and substances as food additives and processing aids in the production of organic processed food. Therefore, provisions should be laid down to define any possible use of such products and substances in organic production in general and in the production of organic processed food in particular, subject to the principles laid down in this Regulation and to certain criteria.</p>	Commission proposal unchanged	<p>(47) The use in organic production of products and substances such as plant protection products, fertilisers, soil conditioners, nutrients, components of animal nutrition, feed or food additives, processing aids, <i>products for use in animal husbandry</i> and products for cleaning and disinfection should be limited to the minimum and under the specific conditions laid down in this Regulation. The same approach should be followed regarding the use of products and substances as food additives and processing aids in the production of organic processed food, <i>products and substances for oenological practices and products for cleaning and disinfection</i>. Therefore, provisions should be laid down to define any possible use of such products and substances in organic production in general and in the production of organic processed food in particular, subject to the principles laid down in this Regulation and to certain criteria.</p>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Amendment 42			
Recital 48			
(48) In order to ensure quality, traceability and compliance with this Regulation as regards organic production in general and the production of organic processed food in particular, and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission <i>to provide for additional criteria for the authorisation or withdrawal of</i> the authorisation of products and substances <i>for use</i> in organic production in general and in the production of <i>organic</i> processed food in particular, and other requirements for the use of such authorised products and substances.	Commission proposal unchanged	(48) In order to ensure quality, traceability and compliance with this Regulation as regards organic production in general and the production of organic processed food in particular, and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission <i>in respect of authorising or withdrawing</i> the authorisation of products and substances <i>that may be used</i> in organic production in general and <i>products and substances that may be used</i> in the production of processed <i>organic</i> food in particular, and other requirements for the use of such authorised products and substances.	
Amendment 43			
Recital 49			
<i>(49) In the absence of specific Union rules on the measures to take</i>	<i>(49) In the absence of specific Union rules on the measures to take</i>	<i>deleted</i>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<i>when non-authorised substances or products are present in organic products, different approaches have been developed and implemented across the Union. This situation creates uncertainties for operators, control authorities and control bodies. It may also entail a different treatment of operators in the Union and affect consumers' confidence in organic products. It is therefore appropriate to lay down clear and uniform provisions to prohibit marketing as organic those products in which any non-authorised products or substances are present beyond given levels. Those levels should be established taking account in particular of Commission Directive 2006/125/EC³³ on processed cereal-based foods and baby foods for infants and young children.</i>	when non-authorised substances or products are present in organic products, different approaches have been developed and implemented across the Union. This situation creates uncertainties for operators, control authorities and control bodies. It may also entail a different treatment of operators in the Union and affect consumers' confidence in organic products. It is therefore appropriate to lay down clear and uniform provisions to prohibit marketing as organic those products in which any non-authorised products or substances are present beyond given levels. Those levels should be established taking account in particular of Commission Directive 2006/125/EC ³⁴ on processed cereal-based foods and baby foods for infants and young children.		

³³ Commission Directive 2006/125/EC of 5 December 2006 on processed cereal-based foods and baby foods for infants and young children (OJ L 339, 6.12.2006, p. 16).

³⁴ ~~Commission Directive 2006/125/EC of 5 December 2006 on processed cereal-based foods and baby foods for infants and young children (OJ L 339, 6.12.2006, p. 16).~~

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Amendment 44			
Recital 50			
(50) <i>In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the power to adopt certain acts should be delegated to the Commission in respect of specific criteria and conditions for the establishment and application of the levels of presence of non-authorised products and substances beyond which products shall not be marketed as organic and with respect to the establishment of those levels and their adaptation in the light of technical developments.</i>	(50) In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the power to adopt certain acts should be delegated to the Commission in respect of specific criteria and conditions for the establishment and application of the levels of presence of non-authorised products and substances beyond which products shall not be marketed as organic and with respect to the establishment of those levels and their adaptation in the light of technical developments.	<i>deleted</i>	
Amendment 45			
Recital 51			
(51) Organic production is based on the general principle of restriction of the use of external inputs. Farmers are required to take measures to prevent the risk of contamination by non-	(51) Organic production is based on the general principle of restriction of the use of external inputs. Farmers are required to take measures to prevent the risk of contamination by	(51) Organic production is based on the general principle of restriction of the use of external inputs. Farmers are required to take measures to prevent the risk of contamination by non-	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
authorised products or substances. Despite such measures, there may be instances where farmers are prevented from marketing their agricultural products as organic due to the unintentional presence of non- authorised products or substances. <i>It is therefore appropriate to provide for the possibility whereby Member States may, in accordance with Article 42 of the Treaty, be authorised by the Commission to grant national payments to compensate for the losses incurred in such instances. Member States may also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.</i>	non-authorised products or substances. Despite such measures, there may be instances where farmers are prevented from marketing their agricultural products as organic due to the unintentional presence of non-authorised products or substances. It is therefore appropriate to provide for the possibility whereby Member States may, in accordance with Article 42 of the Treaty, be authorised by the Commission to grant national payments to compensate for the losses incurred in such instances. Member States may also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.	authorised products or substances. Despite such measures, there may be instances where farmers are prevented from marketing their agricultural products as organic due to the unintentional presence of non- authorised products or substances.	
Amendment 46			
Recital 52			
(52) The labelling of agricultural products and foodstuffs should be subject to the general rules laid down in Regulation (EU) No 1169/2011 of the	(52) The labelling of agricultural products and foodstuffs should be subject to the general rules laid down in Regulation (EU) No 1169/2011 of	(52) The labelling of agricultural products and foodstuffs should be subject to the general rules laid down in Regulation (EU) No 1169/2011 of	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
European Parliament and of the Council ³⁵ , and in particular the provisions aimed at preventing labelling that may confuse or mislead consumers. In addition, specific provisions relating to the labelling of organic products should be laid down in this Regulation. They should protect both the interests of operators in having their products correctly identified on the market and enjoying conditions of fair competition, and	the European Parliament and of the Council ³⁶ , and in particular the provisions aimed at preventing labelling that may confuse or mislead consumers. In addition, specific provisions relating to the labelling of organic products <u>and in-conversion products of plant origin</u> should be laid down in this Regulation. They should protect both the interests of operators in having their products correctly identified on the market and enjoying conditions of fair competition, and	the European Parliament and of the Council ³⁷ and, in particular, <i>strict compliance with the common labelling standards and</i> the provisions aimed at preventing labelling that may confuse or mislead consumers. In addition, specific provisions relating to the labelling of organic products should be laid down in this Regulation. They should protect both the interests of operators in having their products correctly identified on the market and enjoying conditions of fair	

³⁵ Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).–

³⁶ Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).

³⁷ Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
those of consumers in enabling them to make informed choices.	those of consumers in enabling them to make informed choices.	competition, and those of consumers in enabling them to make informed choices.	
(53) Accordingly, the terms used to indicate organic products should be protected from being used in the labelling of non-organic products throughout the Union and independently of the language used. The protection should also apply to the usual derivatives or diminutives of those terms, whether they are used alone or combined.	Commission proposal unchanged	Commission proposal unchanged	
	<u>(53a) Processed food should be labelled as organic only where all or almost all the ingredients of agricultural origin are organic. To encourage the use of organic ingredients, it should also be made possible to refer to organic production in the ingredients list of non-organic processed food under certain conditions in particular that the food in question complies with certain production rules of this Regulation. Special labelling</u>		

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>provisions should also be laid down to give the possibility to operators to identify organic ingredients used in the labelling of products of hunting and fishing.</u>		
	<u>(53b) Processed feed should be labelled as organic only where all or almost all the ingredients of agricultural origin are organic.</u>		
(54) In order to create clarity for consumers throughout the Union market, the use of the organic production logo of the European Union should be made obligatory for all organic pre-packed food produced within the Union. It should otherwise be possible to use that logo on a voluntary basis in the case of non pre-packed organic products produced within the Union or any organic products imported from third countries. The model of the organic production logo of the European Union should be set out in this Regulation.	Commission proposal unchanged	Commission proposal unchanged	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(55) However, in order not to mislead consumers as to the organic nature of the entire product, it is considered appropriate to limit the use of that logo to products which contain only, or almost only, organic ingredients. It should therefore not be allowed to use it in the labelling of in-conversion products or processed products of which less than 95 % of their ingredients of agricultural origin are organic.	Commission proposal unchanged	Commission proposal unchanged	
(56) For the sake of avoiding any possible confusion amongst consumers about the Union or non-Union origin of a product, whenever the organic production logo of the European Union is used, consumers should be informed about the place where the agricultural raw materials of which the product is composed have been farmed. In this context, it should be allowed to refer to aquaculture in the label of products from organic aquaculture instead of referring to agriculture.	Commission proposal unchanged	Commission proposal unchanged	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Amendment 47			
Recital 57			
<p>(57) In order to provide clarity for consumers and to ensure that the appropriate information is communicated to them, the power to adopt certain acts should be delegated to the Commission in respect of adapting the list of terms referring to organic production set out in this Regulation, <i>establishing the specific labelling and composition requirements applicable to feed and ingredients thereof</i>, laying down further rules on labelling and the use of the indications, other than the organic production logo of the European Union, set out in this Regulation, and amending the organic production logo of the European Union and the rules relating thereto.</p>	<p>(57) In order to provide clarity for consumers and to ensure that the appropriate information is communicated to them, the power to adopt certain acts should be delegated to the Commission in respect of adapting the list of terms referring to organic production set out in this Regulation, establishing the specific labelling and composition requirements applicable to feed and ingredients thereof, laying down further rules on labelling and the use of the indications, other than the organic production logo of the European Union, set out in this Regulation, and amending the organic production logo of the European Union and the rules relating thereto.</p>	<p>(57) In order to provide clarity for consumers and to ensure that the appropriate information is communicated to them, the power to adopt certain acts should be delegated to the Commission in respect of adapting the list of terms referring to organic production set out in this Regulation, laying down further rules on labelling and the use of the indications, other than the organic production logo of the European Union, set out in this Regulation, and amending the organic production logo of the European Union and the rules relating thereto.</p>	
Amendment 48			
Recital 58			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(58) Organic production is only credible if accompanied by effective verification and controls at all stages of production, processing and distribution. Organic production should be subject to official controls or other official activities carried out in accordance with Regulation (EU) No (XXX/XXXX) of the European Parliament and of the Council³⁸ to verify compliance with the rules on organic production and labelling of organic products.	(58) Organic production is only credible if accompanied by effective verification and controls at all stages of production, processing and distribution. Organic production should be subject to official controls or other official activities carried out in accordance with Regulation (EU) No (XXX/XXXX) of the European Parliament and of the Council ³⁹ to verify compliance with the rules on organic production and labelling of organic products. <u>In addition to the rules of Regulation (EU) No XXX/XXX</u>	(58) Organic production is only credible if accompanied by effective verification and controls at all stages of production, processing and distribution. Organic production should be subject to official controls or other official activities carried out in accordance with this Regulation to verify compliance with the rules on organic production and labelling of organic products. <i>Therefore, specific rules for organic production, concerning the control of the production process throughout the</i>	

³⁸ Regulation (EU) No XX/XXX of the European Parliament and of the Council of [...] on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health, plant reproductive material, plant protection products and amending Regulations (EC) No 999/2001, 1829/2003, 1831/2003, 1/2005, 396/2005, 834/2007, 1099/2009, 1069/2009, 1107/2009, Regulations (EU) No 1151/2012, [...] /2013 [Office of Publications, please insert number of Regulation laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material], and Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC, 2008/120/EC and 2009/128/EC (Official controls Regulation) (OJ L ...).

³⁹ Regulation (EU) No XX/XXX of the European Parliament and of the Council of [...] on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health, plant reproductive material, plant protection products and amending Regulations (EC) No 999/2001, 1829/2003, 1831/2003, 1/2005, 396/2005, 834/2007, 1099/2009, 1069/2009, 1107/2009, Regulations (EU) No 1151/2012, [...] /2013 [Office of Publications, please insert number of Regulation laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material], and Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC, 2008/120/EC and 2009/128/EC (Official controls Regulation) (OJ L ...).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>(Official controls Regulation), specific rules for official controls and other official activities in relation to organic production and labelling of organic products should be laid down in this Regulation.</u>	<i>organic production chain, should fall within the scope of this Regulation.</i>	
(59) Specific requirements should be laid down to ensure compliance with the rules that are peculiar to organic production. In particular, provisions should be made for notification of the activities of the operators and for a certification system to identify the operators that comply with the rules governing organic production and labelling of organic products. Those provisions should also apply to any subcontractors of the operators concerned. The transparency of the certification system should be ensured by requiring Member States to make public the list of operators that have notified their activities and any fees that may be collected in relation to the controls for verifying compliance with the organic production rules.	(59) Specific requirements should be laid down to ensure compliance with the rules that are peculiar specific to organic production. In particular, provisions should be made for notification of the activities of the operators and for a certification system <u>that allows the competent authorities</u> to identify the operators <u>or groups of operators whose that activities relate to organic production so that these authorities or, as appropriate, the control authorities or control bodies verify their compliance</u> comply with the rules governing organic production and labelling of organic products. <u>In order to avoid disproportionate burden and costs, these notification and certification requirements should not</u>	Commission proposal unchanged	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<p><u>apply to the retail operators who sell products directly to the final consumers or users and do not produce, prepare or store organic products other than at the point of sale, do not import organic products and have not contracted out those activities to third parties.</u> Those provisions should also apply to any <u>Subcontractors of the operators should comply with the notification and certification requirements, concerned unless the subcontracted activities are covered by the organic certification of the operators concerned.</u> The transparency of the certification system should be ensured by requiring Member States to make public the list of operators that have notified their activities and any fees that may be collected in relation to the controls for verifying compliance with the organic production rules.</p>		
	<p><u>(59a) The certification system should encompass the delivery of an organic certificate that, being an</u></p>		

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>official certification within the meaning of Regulation (EU) No (XXX/XXXX) of the European Parliament and of the Council (Official controls Regulation), certifies the compliance of the notified activity with this Regulation, and should allow the identification of the operator or group of operators, the categories of products that are certified, as well as of the length of its validity.</u>		
Amendment 49			
Recital 60			
(60) Small farmers in the Union face, individually, relatively high inspection costs and administrative burden linked to organic certification. A system of group certification should be allowed with a view to reducing the inspection and certification costs and the associated administrative burden, strengthening local networks, contributing to better market outlets and ensuring a level playing field with	(60) Small- <u>scale</u> farmers <u>and operators producing algae or aquaculture animals</u> in the Union face, individually, relatively high inspection costs and administrative burden linked to organic certification. A system of group certification should be allowed with a view to reducing the inspection and certification costs and the associated administrative burden, strengthening local networks,	(60) Small farmers in the Union face, individually, relatively high inspection costs and administrative burden linked to organic certification. A system of group certification should be allowed with a view to reducing the inspection and certification costs and the associated administrative burden, strengthening local networks, contributing to better market outlets and ensuring a level playing field with	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
operators in third countries. For that reason, the concept of 'group of operators' should be introduced and defined.	contributing to better market outlets and ensuring a level playing field with operators in third countries. For that reason, the concept of 'group of operators' should be introduced and defined.	operators in third countries. For that reason, the concept of 'group of operators' should be introduced and defined. <i>.That concept should also include cross-border groups. Furthermore, Member States should make dedicated use of cooperation measures between farmers, especially small farmers eligible under Regulation (EU) No 1305/2013.</i>	
Amendment 50			
Recital 61			
<i>(61) In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the power to adopt certain acts should be delegated to the Commission in respect of the requirements for keeping of records by operators or groups of operators, the requirements for publication of the list of operators, the requirements and procedures to be applied for publication of the fees that may be collected in relation to the controls for</i>	<i>(61) In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the power to adopt certain acts should be delegated to the Commission in respect of the requirements for keeping of records by operators or groups of operators, the requirements for publication of the list of operators, the requirements and procedures to be applied for publication of the fees that may be</i>	<i>deleted</i>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<i>verifying compliance with the organic production rules and for supervision by the competent authorities of the application of those fees, as well as the criteria for defining the groups of products in respect of which operators should be entitled to have only one organic certificate issued by the control authority or control body concerned.</i>	collected in relation to the controls for verifying compliance with the organic production rules and for supervision by the competent authorities of the application of those fees, as well as the criteria for defining the groups of products in respect of which operators should be entitled to have only one organic certificate issued by the control authority or control body concerned.		
Amendment 51			
Recital 62			
<i>(62) In order to ensure that the certification of a group of operators is done effectively and efficiently, the power to adopt certain acts should be delegated to the Commission in respect of the responsibilities of the individual members of a group of operators, the composition and size of that group, the categories of products to be produced by a group of operators, the conditions for participation in the group, and the set</i>	<i>(62) In order to ensure that the certification of a group of operators is done effectively and efficiently, the power to adopt certain acts should be delegated to the Commission in respect of the responsibilities of the individual members of a group of operators, the composition and size of that group, the categories of products to be produced by a group of operators, the conditions for participation in the group, and the set</i>	<i>deleted</i>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<i>up and functioning of the group's system for internal controls, including the scope, content and frequency of the controls to be carried out.</i>	up and functioning of the group's system for internal controls, including the scope, content and frequency of the controls to be carried out.		
Amendment 52 Recital 62 a (new)			
		<i>(62a) In order to maximise opportunities for small farmers and encourage individual farmers to form groups of operators, the rules concerning groups of operators should reflect the needs and resource capacity of all small farmers.</i>	
	<u>(62a) Specific, additional provisions to define the aspects that should be included as part of verification of compliance should be laid down in this Regulation, as regards the essential elements for the risk-based approach underpinning the performance of official controls, the minimum frequency of verification of compliance for all organic operators or groups of operators, the specific</u>		

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>conditions for the delegation of official control tasks, including in respect of the approval, supervision, and suspension or withdrawal of the delegated bodies, and measures in case of non compliance.</u>		
	<u>(62b) As regards the measures to take when non-authorised substances or products are present in organic products, different approaches have been developed and implemented across the Union. This situation creates uncertainties for operators, control authorities and control bodies. It may also entail a different treatment of operators in the Union and affect consumers' confidence in organic products. It is therefore appropriate to lay down clear and uniform provisions requiring competent authorities or, where appropriate, control authorities or control bodies to carry out an investigation in order to determine the source and the cause of the presence of such substances or</u>		

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>products in organic products and to conclude on whether such products can be placed on the market as organic. It is also appropriate that, based on information transmitted by Member States on the cases where non authorised products or substances have been detected, the Commission presents a report to the European Parliament and the Council by 2021. In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards the methodology to be used in order to detect and evaluate the presence of products or substances that have not been authorised and the related procedures.</u>		
(63) The experience with the arrangements for import of organic products into the Union under Regulation (EC) No 834/2007 has shown that there is a need to revise those arrangements in order to	Commission proposal unchanged	Commission proposal unchanged	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
respond to consumer expectations that imported organic products meet rules as high as those of the Union, as well as to better ensure the access of Union organic products to the international market. In addition, it is necessary to provide for clarity regarding the rules applicable to export of organic products, in particular by establishing a certificate of export and laying down provisions for export to third countries recognised for the purpose of equivalence under Regulation (EC) No 834/2007.			
	<u>(63a) The arrangements for import of organic products into the Union should be conducted within the framework of the principles and objectives of the Union's external action, and in particular with the goal of full coherence with the development cooperation as set out in Article 21(2)(d) and (e) of the Treaty on European Union.</u>		
(64) The provisions governing the import of products that comply with	Commission proposal unchanged	Commission proposal unchanged	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<p>the Union production and labelling rules and in respect of which operators have been subject to the control of control authorities and control bodies recognised by the Commission as competent to carry out controls and certification in the field of organic production in third countries, should be further reinforced. In particular, requirements concerning the accreditation bodies which accredit control bodies for the purposes of import of compliant organic products into the Union should be laid down, aiming at ensuring a level playing field for the supervision of the control bodies by the Commission.</p> <p>Furthermore, it is necessary to provide for the possibility for the Commission to contact directly the accreditation bodies and competent authorities in third countries to render the supervision of control authorities and control bodies respectively more efficient.</p>			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(65) The possibility for organic products to get access to the Union market where such products do not comply with the Union rules on organic production but come from third countries whose organic production and control systems have been recognised as equivalent to those of the Union should be preserved. However, the recognition of equivalence of third countries, as laid down in Regulation (EC) No 834/2007, should only be granted through an international agreement between the Union and those third countries, where a reciprocal recognition of equivalence would be also pursued for the Union.	Commission proposal unchanged	Commission proposal unchanged	
(66) Third countries recognised for the purpose of equivalence under Regulation (EC) No 834/2007 should continue to be recognised as such under this Regulation, for a limited period of time necessary to ensure a smooth transition to the scheme of recognition through an international agreement, provided that they	Commission proposal unchanged	Commission proposal unchanged	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
continue to ensure the equivalence of their organic production and control rules to the relevant Union rules in force and that they fulfil all requirements relating to the supervision of their recognition by the Commission. That supervision should be based in particular on the annual reports the third countries send to the Commission.			
Amendment 53			
Recital 67			
(67) The experience with the scheme of control authorities and control bodies recognised as competent to carry out controls and issue certificates in third countries for the purpose of import of products providing equivalent guarantees shows that the rules applied by those authorities and bodies are different and could be difficult to be considered as equivalent to the respective Union rules. Furthermore, multiplication of control authorities and control bodies	Commission proposal unchanged	(67) Experience with the scheme of control authorities and control bodies recognised as competent to carry out controls and issue certificates in third countries for the purpose of import of products providing equivalent guarantees shows that the rules applied by those authorities and bodies are different and could be difficult to be considered as equivalent to the respective Union rules. Furthermore, multiplication of control authorities and control bodies	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
standards hampers adequate supervision by the Commission. Therefore that scheme of recognition of equivalence should be abolished . However, sufficient time should be given to those control authorities and control bodies so that they can prepare themselves for obtaining recognition for the purposes of import of products complying with Union rules.		standards hampers adequate supervision by the Commission. Therefore, that scheme of recognition of equivalence should be modified so as to introduce a new system of adapted compliance where appropriate . However, sufficient time should be given to those control authorities and control bodies so that they can prepare themselves for obtaining recognition for the purposes of import of products complying with Union rules.	
(68) The placing on the market as organic of any organic product imported into the Union, under any of the import arrangements provided for in this Regulation, should be subject to the availability of the information necessary to ensure the traceability of the product on the food chain.	Commission proposal unchanged	Commission proposal unchanged	
Amendment 54			
Recital 69			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<p>(69) In order to ensure <i>fair competition among operators</i>, the traceability of the imported products intended to be placed on the market within the Union as organic or the transparency of the recognition and supervision procedure for control authorities and control bodies within the context of import of compliant organic products, and in order to ensure the management of the list of third countries recognised for the purpose of equivalence under Regulation (EC) No 834/2007, the power to adopt certain acts should be delegated to the Commission in respect of the documents <i>intended for customs authorities in third countries, in particular an organic export certificate, in electronic form wherever possible, the documents</i> necessary for the purposes of import, also in electronic form wherever possible, the criteria for recognition or withdrawal of the recognition of control authorities and control bodies in the context of import of compliant organic products,</p>	<p>(69) In order to ensure fair competition among operators, the traceability of the imported products intended to be placed on the market within the Union as organic, or the transparency of the recognition and supervision procedure for control authorities and control bodies within the context of import of compliant organic products, <u>the effectiveness, efficiency and transparency of controls of imported products</u> and in order to ensure the management of the list of third countries recognised for the purpose of equivalence under Regulation (EC) No 834/2007, the power to adopt certain acts should be delegated to the Commission in respect of the documents intended for customs authorities in third countries, in particular an organic export certificate, in electronic form wherever possible, the documents necessary for the purposes of import, also in electronic form wherever possible, the additional criteria for recognition or withdrawal of the</p>	<p>(69) In order to ensure the traceability of the imported products intended to be placed on the market within the Union as organic or the transparency of the recognition and supervision procedure for control authorities and control bodies within the context of import of compliant organic products, and in order to ensure the management of the list of third countries recognised for the purpose of equivalence under Regulation (EC) No 834/2007, the power to adopt certain acts should be delegated to the Commission in respect of the documents necessary for the purposes of import, also in electronic form wherever possible, <i>in respect of fulfilment of</i> the criteria for recognition or withdrawal of the recognition of control authorities and control bodies in the context of import of compliant organic products, in respect of the information to be sent by third countries recognised under that Regulation <i>which is</i> necessary for the supervision of their recognition, <i>in</i></p>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
and in respect of the information to be sent by third countries recognised under that Regulation necessary for the supervision of their recognition and the exercise of that supervision by the Commission, including on-the-spot examination.	recognition of control authorities and control bodies in the context of import of compliant organic products, <u>in respect of the exercise of the supervision on those control authorities and control bodies by the Commission, including through on-the-spot examination, in respect of the controls and other actions to be performed by control authorities and control bodies recognised for the import of compliant organic products,</u> and in respect of the information to be sent by third countries recognised under that Regulation necessary for the supervision of their recognition and the exercise of that supervision by the Commission, including on-the-spot examination.	<i>respect of laying-down the provisions for the</i> exercise of that supervision by the Commission, including on-the-spot examination, <i>in respect of the procedure to be followed for the recognition of the control authorities and control bodies, including the content of the technical dossier to be submitted, as well as a withdrawal of recognition, and in respect of the controls and other actions to be performed by control authorities and control bodies recognised by the Commission. Where serious or repeated infringements of the rules governing inspection and certification are detected, recognition of the control bodies concerned should be immediately withdrawn, in the third countries concerned as well as throughout the Union market for national accreditation bodies established in the Union.</i>	
Amendment 55			
Recital 69 a (new)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<p><i>(69a) The power to adopt certain acts should be delegated to the Commission in respect of the application of measures relating to non-compliance, or suspected non-compliance, with the applicable rules, affecting the integrity of organic products imported from third countries recognised under Article 33(2) of Regulation (EC) No 834/2007 and as regards the system to be used to transmit the information necessary for the implementation and monitoring of this Regulation. All information about suspected non-compliance, withdrawal of recognition or suspension of authorisation should be immediately communicated to all competent authorities and control bodies in order to avoid the placing on the market of non-authorised products.</i></p>	
<p>Amendment 56</p> <p>Recital 70</p>			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(70) Provision should be made to ensure that the movement of organic products that have been subject to a control in one Member State and which comply with this Regulation cannot be restricted in another Member State. <i>In order to ensure the proper functioning of the single market and trade between Member States, the power to adopt certain acts should be delegated to the Commission to lay down rules relating to the free movement of organic products.</i>	(70) Provision should be made to ensure that the movement of organic products that have been subject to a control in one Member State and which comply with this Regulation cannot be restricted in another Member State. <i>In order to ensure the proper functioning of the single market and trade between Member States, the power to adopt certain acts should be delegated to the Commission to lay down rules relating to the free movement of organic products.</i>	(70) Provision should be made to ensure that the movement of organic products that have been subject to a control in one Member State and which comply with this Regulation cannot be restricted in another Member State.	
Amendment 57			
Recital 71			
(71) For the purpose of obtaining reliable information needed for the implementation of this Regulation, Member States should provide the Commission annually with the necessary information. For reasons of clarity and transparency, Member States should keep updated lists of competent authorities, control	(71) For the purpose of obtaining reliable information needed for the implementation of this Regulation, Member States should provide the Commission annually with the necessary information, <u>including the relevant statistical data which shall be defined within the context of the European Statistical Programme.</u> For	(71) For the purpose of obtaining reliable information needed for the implementation of this Regulation, Member States should provide the Commission annually with the necessary <i>up-to-date statistical</i> information. For reasons of clarity and transparency, Member States should keep updated lists of competent	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
authorities and control bodies. The lists of control authorities and control bodies should be made public by the Member States and annually published by the Commission.	reasons of clarity and transparency, Member States should keep updated lists of competent authorities, control authorities and control bodies. The lists of control authorities and control bodies, and any change thereof, should be made public transmitted by the Member States to the Commission, that shall regularly and annually published by the Commission them.	authorities, control authorities and control bodies. The lists of control authorities and control bodies should be made public by the Member States and annually published by the Commission.	
Amendment 58			
Recital 72			
(72) It is necessary to lay down measures to ensure a smooth transition to some modifications of the legal framework governing the import of organic products into the Union, as introduced by this Regulation. In particular, in order to ensure a smooth transition from the old to the new legal framework, the power to adopt certain acts should be delegated to the Commission in respect of the rules relating to conversion periods starting	(72) It is necessary to lay down measures to ensure a smooth transition to some modifications of the legal framework governing the import of organic products into the Union, as introduced by this Regulation. In particular, in order to ensure a smooth transition from the old to the new legal framework, the power to adopt certain acts should be delegated to the Commission in respect of the rules relating to	(72) It is necessary to lay down measures to ensure a smooth transition to some modifications of the legal framework governing the import of organic products into the Union, as introduced by this Regulation. In particular, in order to ensure a smooth transition from the old to the new legal framework, the power to adopt certain acts should be delegated to the Commission in respect of the rules relating to	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
under Regulation (EC) No 834/2007, <i>by way of derogation from the general rule that no previous periods may be recognised retroactively as being part of the conversion period.</i>	conversion periods starting under Regulation (EC) No 834/2007, by way of derogation from the general rule that no previous periods may be recognised retroactively as being part of the conversion period.	conversion periods starting under Regulation (EC) No 834/2007.	
(73) Furthermore, a date for the expiration of the recognition of control authorities and control bodies for the purpose of equivalence should be set and provisions to address the situation until the expiration of their recognition should be laid down. Provisions should also be laid down regarding applications from third countries for the purpose of equivalence which have been submitted under Regulation (EC) No 834/2007 and which are pending at the time of entry into force of this Regulation.	Commission proposal unchanged	Commission proposal unchanged	
(74) In order to ensure the management of the list of control authorities and control bodies recognised for the purpose of equivalence under Regulation (EC) No 834/2007 and to facilitate the	Commission proposal unchanged	Commission proposal unchanged	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
completion of the examination of applications from third countries for recognition for the purpose of equivalence that are pending at the date of entry into force of this Regulation, the power to adopt certain acts should be delegated to the Commission in respect of the information to be sent by those control authorities and control bodies that is necessary for the supervision of their recognition and in respect of the exercise of that supervision by the Commission, as well as in respect of any procedural rules necessary for the examination of the pending applications from third countries.			
Amendment 59			
Recital 75			
(75) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards the technical details for the establishment of the database for the	(75) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards <u>the following:</u> <u>the separation of the organic and</u>	(75) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards the technical details for the establishment of the	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
listing of the varieties for which plant reproductive material obtained by the organic production method is available, as regards the authorisation or the withdrawal of the authorisation of the products and substances that may be used in organic production in general and in the production of processed organic food in particular, including the procedures to be followed for the authorisation and the lists of those products and substances and, where appropriate, their description, compositional requirement and conditions for use, as regards the specific and practical modalities regarding the presentation, composition and size of the indications referring to the code numbers of control authorities and control bodies and of the indication of the place where the agricultural raw materials have been farmed, the assignment of code numbers to control authorities and control bodies and the indication of the place where the agricultural raw materials have been farmed, as regards	<u>non-organic units of a holding; the documents to be supplied in view of the retroactive recognition of a previous period as part of conversion; the requirements for specific plants, plant products or plant production systems</u> , the technical details for the establishment of the database for the listing of the varieties <u>and populations</u> for which plant reproductive material, <u>excluding seedlings</u> , obtained by the organic production method is available, <u>and the conditions for the use of non-organic plant reproductive material; specific rules for bovine, ovine, caprine, equine, porcine animals, poultry, bees, and other livestock species; the use of non-organic animals for breeding purposes; specific rules for algae cultivation and sustainable harvesting of wild algae; specific rules for different species of aquaculture animals; the use of non-organic aquaculture juveniles; specific rules concerning the production methods and the techniques authorised in the</u>	<i>single</i> database for the listing of the varieties, <i>in particular traditional and rare varieties</i> , for which plant reproductive material obtained by the organic production method is available, as regards the authorisation or the withdrawal of the authorisation of the products and substances that may be used in organic production in general and in the production of processed organic food in particular, including the procedures to be followed for the authorisation and the lists of those products and substances and, where appropriate, their description, compositional requirement and conditions for use, as regards the specific and practical modalities regarding the presentation, composition and size of the indications referring to the code numbers of control authorities and control bodies and of the indication of the place where the agricultural raw materials have been farmed, the assignment of code numbers to control authorities and control bodies	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
the details and specifications regarding the content, form and way of notification of the notifications by operators and groups of operators of their activity to the competent authorities and the form of publication of the fees that may be collected for the controls, as regards the exchange of information between groups of operators and competent authorities, control authorities and control bodies and between Member States and the Commission, as regards the recognition or withdrawal of the recognition of control authorities and control bodies which are competent to carry out controls in third countries and the establishment of the list of those control authorities and control bodies and rules to ensure the application of measures in relation to cases of non-compliance, or suspicion thereof, affecting the integrity of imported organic products, as regards the establishment of a list of third countries recognised under Article 33(2) of Regulation (EC) No 834/2007 and the	<u>processing of specific food or feed products; the identification of oenological practices, processes and treatments prohibited and restricted in the production of organic wine; specific rules on how to deal with catastrophic circumstances, possible exceptions to be applied in such cases for a limited period of time and monitoring and reporting requirements;</u> the authorisation or the withdrawal of the authorisation of the products and substances that may be used in organic production in general and in the production of processed organic food in particular, including the procedures to be followed for the authorisation and the lists of those products and substances and, where appropriate, their description, compositional requirement and conditions for use; <u>specific labelling rules for in-conversion products of plant origin;</u> the specific and practical modalities regarding the <u>use</u> , presentation, composition and size of the	and the indication of the place where the agricultural raw materials have been farmed, as regards the details and specifications regarding the content, form and way of notification of the notifications by operators and groups of operators of their activity to the competent authorities and the form of publication of the fees that may be collected for the controls, as regards the exchange of information between groups of operators and competent authorities, control authorities and control bodies and between Member States and the Commission, as regards the recognition or withdrawal of the recognition of control authorities and control bodies which are competent to carry out controls in third countries and the establishment of the list of those control authorities and control bodies and rules to ensure the application of measures in relation to cases of non-compliance, or suspicion thereof, affecting the integrity of imported organic products, as regards	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
amendment of that list as well as rules to ensure the application of measures in relation to cases of non-compliance, or suspicion thereof, affecting the integrity of organic products imported from those countries, as regards the system to be used to transmit the information necessary for the implementation and monitoring of this Regulation, and as regards the establishment of the list of control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007 and the amendment of that list. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council ⁴⁰ .	indications referring to the code numbers of control authorities and control bodies and of the indication of the place where the agricultural raw materials have been farmed, and the assignment of code numbers to control authorities and control bodies and the indication of the place where the agricultural raw materials have been farmed; the requirements for the content, form and way of the notification to be made by operators or groups of operators, the keeping of records by operators or groups of operators, the publication by Member States of the list of operators or groups of operators, the requirements on the form and procedures to be applied for the publication of the fees that may be collected in relation to the controls for verifying compliance with the organic production rules and for the	the establishment of a list of third countries recognised under Article 33(2) of Regulation (EC) No 834/2007 and the amendment of that list as well as rules to ensure the application of measures in relation to cases of non-compliance, or suspicion thereof, affecting the integrity of organic products imported from those countries, as regards the system to be used to transmit the information necessary for the implementation and monitoring of this Regulation, and as regards the establishment of the list of control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007 and the amendment of that list. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council. ⁴²	

⁴⁰ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

⁴² Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of *the* Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>supervision by the competent authorities of the application of those fees; the content and the form of the organic certificate; the composition and dimension of the group of operators, the criteria for the geographical proximity of its members, the conditions for participation in the group including in respect of the product categories produced by its members, the set up and functioning of the group's system for internal controls, including the scope, content and frequency of the controls to be carried out, the responsibilities and obligations of the members of the group, and the exchange of information between the group and the competent authorities, control authorities and control bodies as well as between the Member States and the Commission; the specific tasks of the competent authorities, the timing, methods and techniques for the controls to be performed, the modalities for sampling as regards in particular the</u>		

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>range of samples to be taken and the stage of production, processing and distribution where samples shall be taken, the modalities for establishing the likelihood of non-compliance and the frequency of sampling, the reporting obligations for the competent authorities, the control authorities and the control bodies, the specific obligations, arrangements and undertakings by operators, the cases where competent authorities are to take which actions and measures in case of non compliance, the exchange of information between competent authorities, control authorities and control bodies concerning cases of non-compliance so as to be adapted to the specific needs of the organic production sector; the documents intended for customs authorities in third countries, in particular an organic export certificate, in electronic form wherever possible; the content of the certificates confirming that all operators or</u>		

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<p><u>groups of operators are in compliance with this Regulation and of the certificates of inspection and the procedure to be followed for their issuance and verification</u>, as regards the details and specifications regarding the content, form and way of notification of the notifications by operators and groups of operators of their activity to the competent authorities and the form of publication of the fees that may be collected for the controls, as regards the exchange of information between groups of operators and competent authorities, control authorities and control bodies and between Member States and the Commission; the recognition or withdrawal of the recognition of control authorities and control bodies which are competent to carry out controls in third countries and the establishment of the list of those control authorities and control bodies; <u>the procedures for the recognition or withdrawal of those control authorities and control</u></p>		

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<p><u>bodies, including the content of the technical dossier to be submitted,</u></p> <p>and rules to ensure the application of measures in relation to cases of non-compliance, or suspicion thereof, affecting the integrity of imported organic products; the establishment of a list of third countries recognised under Article 33(2) of Regulation (EC) No 834/2007 and the amendment of that list as well as rules to ensure the application of measures in relation to cases of non-compliance, or suspicion thereof, affecting the integrity of organic products imported from those countries; the system to be used to transmit the information necessary for the implementation and monitoring of this Regulation, and as regards the establishment of the list of control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007 and the amendment of that list. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of</p>		

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	the European Parliament and of the Council ⁴¹ .		
(76) The Commission should be empowered to adopt immediately applicable implementing acts where, in duly justified cases relating to the protection against unfair practices or practices which are incompatible with the principles and rules on organic production, the protection of consumers' confidence or the protection of fair competition between operators, imperative grounds of urgency so require to ensure the application of measures in relation to cases of non-compliance, or the suspicion thereof, affecting the integrity of imported organic products under the control of recognised control authorities or control bodies.	(76) The Commission should be empowered to adopt immediately applicable implementing acts where, in duly justified cases relating to the protection against unfair practices or practices which are incompatible with the principles and rules on organic production, the protection of consumers' confidence or the protection of fair competition between operators, imperative grounds of urgency so require to ensure the application of measures in relation to cases of non-compliance, or the suspicion thereof, affecting the integrity of imported organic products <u>or to decide on the withdrawal of the recognition under of</u> the control of <u>recognised control</u> authorities <u>and or</u> control bodies.	Commission proposal unchanged	

⁴¹ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Amendment 60			
Recital 77			
<p>(77) In order to ensure a smooth transition between on the one hand the rules on the organic origin of plant reproductive material and on animals for breeding purposes provided for in Regulation (EC) No 834/2007 and the exception to production rules adopted pursuant to Article 22 of that Regulation, and on the other hand the new production rules for plants and plant products and livestock provided for in this Regulation, the power to adopt certain acts should be delegated to the Commission in respect of the granting of exceptions where exceptions are deemed necessary, in order to ensure access to plant reproductive material and live animals for breeding purposes that may be used in organic production. <i>Since</i> those acts are transitional in nature, <i>they should</i> apply for <i>a</i> limited period of time.</p>	<p>(77) In order to ensure a smooth transition between on the one hand the rules on the organic origin of plant reproductive material and on animals for breeding purposes provided for in Regulation (EC) No 834/2007 and the exception to production rules adopted pursuant to Article 22 of that Regulation, and on the other hand the new production rules for plants and plant products and livestock provided for in this Regulation, the power to adopt certain acts should be delegated to the Commission in respect of the granting of exceptions where exceptions are deemed necessary, in order to ensure access to plant reproductive material and live animals for breeding purposes that may be used in organic production. Since those acts are transitional in</p>	<p>(77) In order to ensure a smooth transition between, on the one hand, the rules on the organic origin of plant reproductive material and on animals for breeding purposes provided for in Regulation (EC) No 834/2007 and the exception to production rules adopted pursuant to Article 22 of that Regulation, and, on the other hand, the new production rules for plants and plant products and livestock provided for in this Regulation, the power to adopt certain acts should be delegated to the Commission in respect of the granting of exceptions where exceptions are deemed necessary, in order to ensure access to plant reproductive material and live animals for breeding purposes that may be used in organic production. Those acts are <i>only</i> transitional in nature, <i>however, and will therefore</i> apply <i>only</i> for <i>the</i> limited period of time <i>needed in order to identify and</i></p>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	nature, they should apply for a limited period of time.	<i>fill gaps in the availability of organic reproductive material for plants and of organic animals raised for breeding purposes.</i>	
<p>Amendment 61</p> <p>Recital 77 a (new)</p>			
		<i>(77a) The Commission's Action Plan for the future of Organic Production in the European Union should be used to help fund research and innovation with a view to increasing the production and availability of organic seed and plant reproductive material.</i>	
<p>Amendment 62</p> <p>Recital 77 b (new)</p>			
		<i>(77b) In order to increase the production, availability and use of organic seed and plant reproductive material, partnership arrangements between seed growers, breeders and all those involved in organic farming should be encouraged. In addition, the Expert Group for Technical Advice</i>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>on Organic Production (EGTOP) should be entrusted with the task of developing a new system for the effective and sustainable use of organic seed, providing an incentive for organic seed growers and breeders.</i>	
Amendment 63			
Recital 78			
(78) The Commission should <i>consider</i> the situation <i>of the availability of organic plant reproductive material and animals for breeding purposes and present a report to this end to the European Parliament and the Council in 2021.</i>	(78) The Commission should consider the situation of the availability of organic plant reproductive material, <i>and</i> animals for breeding purposes <i>and young stock of aquaculture animals</i> and present a report to this end to the European Parliament and the Council in 202 <i>1</i> .	(78) <i>In order to ensure that organic plant reproductive material, feed, and animals raised for breeding purposes are available on the market in sufficient quantities, and before submitting any proposals for the phasing-out of exceptions,</i> the Commission should <i>carry out a study based on data collection and on analysis of</i> the situation <i>in the Member States. On the basis of that study, the Commission should by the end of 2020 present a report to the European Parliament and the Council comprising an analytical part on the state of development of organic</i>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>farming and progress made, and a strategic part on measures applied or needed in order to improve the performance of organic farming and its institutional framework.</i>	
(79) Provision should be made to allow the exhaustion of stocks of products which have been produced in accordance with Regulation (EC) No 834/2007 and placed on the market before this Regulation starts to apply.	(79) Provision should be made to allow the exhaustion of stocks of products which have been produced in accordance with Regulation (EC) No 834/2007 and placed on the market before this Regulation starts to apply. <u>That provision should also apply to those products which require a specific refining or ageing period in case this period has already started at the date of application of this Regulation.</u>	Commission proposal unchanged	
Amendment 64			
Recital 80			
<i>(80) The review of the legislative framework for organic production and labelling of organic products showed that the specific needs relating to the official controls and other official</i>	(80) The review of the legislative framework for organic production and labelling of organic products showed that the specific needs relating to the official controls and	<i>deleted</i>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<i>activities carried out in accordance with Regulation (EU) No XXX/XXX (Official controls Regulation) require provisions to better address instances of non-compliance. In addition, the provisions of Regulation (EU) No XXX/XXX [official controls Regulation] relating to the tasks and responsibilities of competent authorities, the approval and supervision of delegated bodies, official certification, reporting obligations and administrative assistance should be adapted to the specific needs of the organic production sector. Regulation (EU) No XXX/XXX [official controls Regulation] should therefore be amended accordingly.</i>	other official activities carried out in accordance with Regulation (EU) No XXX/XXX (Official controls Regulation) require provisions to better address instances of non-compliance. In addition, the provisions of Regulation (EU) No XXX/XXX [official controls Regulation] relating to the tasks and responsibilities of competent authorities, the approval and supervision of delegated bodies, official certification, reporting obligations and administrative assistance should be adapted to the specific needs of the organic production sector. Regulation (EU) No XXX/XXX [official controls Regulation] should therefore be amended accordingly.		
(81) Since the objectives of this Regulation, in particular fair competition and proper functioning of the internal market in organic products as well as ensuring consumer confidence in those products and in the	Commission proposal unchanged	Commission proposal unchanged	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
organic production logo of the European Union, cannot be sufficiently achieved by the Member States themselves but can instead, because of the required harmonisation of the rules on organic production, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.			
(82) It is appropriate to provide for a date of application of this Regulation that would give the possibility to operators to adapt to the new requirements introduced.	Commission proposal unchanged	Commission proposal unchanged	
Chapter I			
Subject matter	Commission proposal unchanged	Commission proposal unchanged	Subject matter
Amendment 65 Article 1			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
This Regulation establishes the principles of organic production and lays down the rules concerning organic production and the use of indications referring <i>thereto</i> in labelling and advertising.	This Regulation establishes the principles of organic production and lays down the rules concerning organic production, <u>certification and controls</u> and the use of indications referring thereto in labelling and advertising.	This Regulation establishes the principles of organic production and <i>the control and certification thereof, and</i> lays down the rules concerning organic production, <i>processing, distribution, controls,</i> and the use of indications referring <i>to organic production</i> in labelling and advertising. <i>It shall provide the basis for the sustainable development of organic production and its positive effects on the environment and public health, while ensuring the effective functioning of the internal market and fair competition, thereby helping farmers to achieve a fair income, ensuring consumer confidence and protecting consumer interests.</i>	This Regulation establishes the principles of organic production and lays down the rules concerning organic production, processing, distribution, certification the use of indications referring to organic production in labelling and advertising, as well as rules on controls additional to those laid down in the Regulation (EU) XXX on OCR.. Seems acceptable for EP/PRES (the last sentence to be moved in article 3a dealing with objectives) To be agreed at T15
Article 2			
Scope	Commission proposal unchanged	Commission proposal unchanged	Scope
Amendment 66 Article 2 (1)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
1. This Regulation shall apply to <i>agricultural products listed in Annex I to the Treaty on the Functioning of the European Union ('the Treaty') and to some other products listed in Annex I to this Regulation, insofar as those agricultural products and those other products</i> are intended to be produced, prepared, distributed, placed on the market, imported or exported as organic.	1. This Regulation shall apply to agricultural products listed in Annex I to the Treaty on the Functioning of the European Union ('the Treaty') and to some other products listed in Annex I to this Regulation, insofar as those agricultural products and those other products are intended to be produced, prepared, distributed, placed on the market, imported or exported as organic. <u>This Regulation shall apply to the following products listed in Annex I to the TFEU or originating from such products, where they are produced, prepared, distributed, placed on the market, imported or exported or are intended to be produced, prepared, distributed, placed on the market, imported or exported:</u>	1. This Regulation shall apply to <i>the following products originating from agriculture, including aquaculture and beekeeping, where such products are, or</i> are intended to be, produced, prepared, <i>labelled</i> , distributed, placed on the <i>Union</i> market, <i>or</i> imported <i>into</i> or exported <i>from the Union</i> as organic:	This Regulation shall apply to the following products originating from agriculture, including aquaculture and beekeeping, as listed in Annex I to the Treaty on the functioning of the European Union ('the Treaty') or originating from these products, where such products are, or are intended to be, produced, prepared, labelled, distributed, placed on the market, or imported into or exported from the Union:
	<u>(a) live or unprocessed agricultural products;</u>	<i>(a) live or unprocessed agricultural products, including seed and other plant reproductive material;</i>	<u>(a) live or unprocessed agricultural products, including seed and other plant reproductive material.</u>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>(b) processed agricultural products for use as food;</u>	<i>(b) processed agricultural products for food;</i>	<u>(b) processed agricultural products for use as food;</u>
	<u>(c) feed;</u>	<i>(c) feed;</i>	<u>(c) feed;</u>
	<u>(d) plant reproductive material.</u>	<i>(d) algae and aquaculture animals;</i>	<i>Withdrawn</i>
		<i>(e) wine;</i>	Withdrawn
		<i>(f) yeast;</i>	Withdrawn
		<i>(g) mushrooms;</i>	Withdrawn
		<i>(h) collected wild plants and parts thereof,</i>	Withdrawn
	<u>This Regulation shall also apply to the other products listed in Annex I to this Regulation where such products are produced, prepared, distributed, placed on the market, imported or exported or are intended to be produced, prepared, distributed, placed on the market, imported or exported.</u>	<i>and to other products closely linked to agriculture which are intended to be produced, prepared, labelled, distributed, placed on the market, imported or exported.</i>	<i>and to other products closely linked to agriculture listed in Annex I to this Regulation which are, or are intended to be produced, prepared, labelled, distributed, placed on the market, imported or exported.</i> Agreed

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
The products of hunting and fishing of wild animals shall not be considered as organic products.	Commission proposal unchanged	The products of hunting and fishing of wild animals shall not be considered <i>to constitute</i> organic products. <i>(The amendment of the word "seaweed " to "algae" applies throughout the text. Adopting it will necessitate corresponding changes throughout.)</i>	Keep COM text Agreed
Amendment 67 Article 2 (2)			
2. This Regulation shall apply to any operator involved in activities, at any stage of production, preparation and distribution, relating to the products referred to in paragraph 1.	Commission proposal unchanged	2. This Regulation shall apply to any operator involved in activities, at any stage of production, preparation, labelling and distribution, relating to the products referred to in paragraph 1	2. This Regulation shall apply to any operator involved in activities, at any stage of production, preparation and distribution, relating to the products referred to in paragraph 1. Agreed
Mass catering operations carried out by a mass caterer as defined in point (d) of Article 2(2) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council shall not be subject to this Regulation.	Commission proposal unchanged	Mass catering operations carried out by a mass caterer as defined in point (d) of Article 2(2) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council shall be subject to this Regulation.	Keep COM text Agreed at T13
Amendment 68			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Article 2 (2) (3)			
<i>Member States may apply national rules or, in the absence thereof, private standards on labelling and control of products originating from mass-catering operations.</i>	Member States may apply national rules or, in the absence thereof, private standards on <u>the production</u> , labelling and control of products originating from mass-catering operations. <u>The organic production logo of the European Union shall not be used in the labelling, presentation and advertising of these products or to advertise the mass caterer.</u>	<i>deleted</i>	Keep GA text seems acceptable for EP A list for T15
Amendment 69 Article 2 (3)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
3. This Regulation shall apply without prejudice to <i>related</i> Union legislation <i>in the fields of inter alia safety of the food chain, animal health and welfare, plant health, and plant reproductive material, and in particular to Regulation (EU) No XX/XXX of the European Parliament and of the Council</i> ⁴³ (plant reproductive material) and <i>Regulation (EU) No XX/XXXX of the European Parliament and of the Council</i> ⁴⁴ (protective measures against pests of plants).	3. This Regulation shall apply without prejudice to related Union legislation, in particular in the fields of <i>inter alia</i> safety of the food chain, animal health and welfare, plant health, and plant reproductive material, and in particular to Regulation (EU) No XX/XXX of the European Parliament and of the Council ⁴⁵ (plant reproductive material) and Regulation (EU) No XX/XXXX of the European Parliament and of the Council ⁴⁶ (protective measures against pests of plants).	3. This Regulation shall apply without prejudice to <i>other</i> Union legislation <i>or national provisions, in conformity with Union law concerning products specified in this Article, such as provisions governing the production, preparation, marketing, labelling and control of those products, and including legislation on foodstuffs and animal nutrition.</i>	Keep GA text Agreed
4. This Regulation shall apply without prejudice to other specific Union provisions relating to the placing of products on the market and, in particular, to Regulation (EU) No 1308/2013 of the European	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed

⁴³ [full title] (OJ L,...).

⁴⁴ [full title] (OJ L,...).

⁴⁵ ~~[full title] (OJ L,...).~~

⁴⁶ ~~[full title] (OJ L,...).~~

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Parliament and of the Council ⁴⁷ , and to Regulation (EU) No 1169/2011.			
Amendment 70 Article 2 (5)			
5. <i>In order to take into account new information on production methods or material or international commitments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending the list of products set out in Annex I. Only products which are closely linked to agricultural products shall be eligible for inclusion in that list.</i>	5. <u>In order to take into account new information on production methods or material or international commitments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the list of products set out in Annex I. Only products which are closely linked to agricultural products shall be eligible for inclusion in that list.</u>	<i>deleted</i>	5. In order to take into account new information on production methods or material or international commitments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing <i>amending by adding</i> to the list of products set out in Annex I. Only products which are closely linked to agricultural products shall be eligible for inclusion in that list. Agreed at T13
Article 3			
Definitions	Commission proposal unchanged	Commission proposal unchanged	Definitions

⁴⁷ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
For the purposes of this Regulation, the following definitions shall apply:	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed
(1) 'organic production' means the use of production methods compliant with this Regulation, at all stages of production, preparation and distribution;	Commission proposal unchanged	Commission proposal unchanged	(1) 'organic production' means the use of production methods compliant with this Regulation, at all stages of production, preparation and distribution, and also during the conversion period referred to in Article 8; Agreed
			(1a) 'organic products' means products coming from or related to organic production, excluding the products produced during the conversion period referred to in Article 8; Agreed
(2) 'organic' means coming from or related to organic production;	(2) 'organic' means coming from or related to organic production;	Commission proposal unchanged	Deleted Agreed
Amendment 71 Article 3 (3)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(3) 'agricultural raw material' means an agricultural product that has not been subjected to any operation of <i>preservation or processing</i> ;	Commission proposal unchanged	(3) 'agricultural raw material' <i>or 'aquaculture raw material'</i> means an agricultural <i>or aquaculture</i> product that has not been subjected to any operation of <i>processing, preparation or preservation</i> ;	(3) 'agricultural raw material' means an agricultural product that has not been subjected to any operation of <i>preservation or processing</i> Agreed
Amendment 72 Article 3 (4)			
(4) 'preventive measures' means measures to be taken in order to ensure <i>soil</i> quality as well as <i>prevention and control of pests and weeds</i> , and to prevent contamination with products or substances that are not authorised under this Regulation;	(4) 'preventive measures' means measures to be taken in order to ensure soil quality as well as prevention and control of pests and weeds <u>for plants, prevention and control of disease for animals, as well as, and</u> to prevent <u>in particular</u> contamination with products or substances that are not authorised under this Regulation <u>at all stages of production, preparation and distribution</u> ;	(4) 'preventive <i>and precautionary</i> measures' means measures to be taken in order to ensure <i>organic production</i> quality as well as <i>preservation of biodiversity</i> and to prevent contamination <i>and commingling</i> with products or substances that are not authorised under this Regulation <i>at all stages of production, preparation and distribution</i> ;	[(4) 'preventive measures' means measures to be taken <i>by operators at all stages of production, preparation and distribution</i> in order to ensure [the preservation of biodiversity], <i>soil</i> quality as well as prevention (and control) of pests and diseases (for plants and animals) (based on COM NP 09/02) (4a) ' <i>precautionary measures</i> ' means measures to be taken by operators at all stages of production, preparation, and distribution in order to ensure compliance of organic production with this Regulation as well as to prevent, in particular, contamination with products or substances which are not

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p><i>authorised under this Regulation, to avoid commingling of organic products with non-organic products and to avoid effects on the environment and on human, animal or plant health which are not in accordance with this Regulation]</i></p> <p>To be solved</p>
<p>Amendment 73</p> <p>Article 3 (5)</p>			
(5) ‘conversion’ means the transition from non-organic to organic production within a given period of time;	(5) ‘conversion’ means the transition from non-organic to organic production within a given period of time <u>during which the provisions of this Regulation concerning organic production have been applied;</u>	(5) ‘conversion’ means the transition from non-organic to organic production within a given period of time <i>during which the provisions relating to organic production have been applied;</i>	(5) ‘conversion’ means the transition from non-organic to organic production within a given period of time during which the provisions of this Regulation concerning organic production are applied; Agreed
	<u>(5a) ‘in-conversion products’ means products that are produced in accordance with Article 8 during the conversion period;</u>		Keep GA text Agreed

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>(6a) ‘holding’ means all the production units operated under a single management for the purpose of producing products referred to in Article 2(1);</u>	<i>(43f) 'holding' means all the production units operated under a single management for the purpose of producing the products referred to in Article 2(1);</i> (AM 103)	"‘holding’ means all the production units operated under a single management for the purpose of producing live or unprocessed agricultural products, including products originating from aquaculture and beekeeping, as referred to in Article 2 (1) (a) and/or producing products listed in Annex I to this Regulation, except essential oils." Agreed at T5, location to be considered at a later stage
	<u>(6b) ‘production unit’ means all assets to be used for a production sector such as primary production premises, land parcels, pasturages, open air areas, livestock buildings, hives, fish ponds, containment systems or sites for algae or aquaculture animals, rearing units, shore or seabed concessions, the premises for the storage of crops, crop products, algae products, animal products, raw materials and any other input relevant for this specific production sector;</u>	<i>(43b) 'production unit' means all assets used in a production sector, such as primary production premises, land, parcels, pastures, open-air areas, livestock buildings, hives, fish ponds, containment systems or sites for algae or aquaculture animals, rearing units, shore or seabed concessions, crop storage premises, crop products, algae products, animal products, raw materials and any other input relevant for the organic production sector concerned;</i>	(6b) ‘production unit’ means all assets of a holding, such as primary production premises, land parcels, pasturages, open air areas, livestock buildings, hives, fish ponds, containment systems or sites for algae or aquaculture animals, rearing units, shore or seabed concessions, the premises for the storage of crops, crop products, algae products, animal products, raw materials and any other relevant inputs; Agreed

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			(6d) ‘organic production unit’ means a production unit which is managed in compliance with the requirements applicable to organic production, excluding during the conversion period referred to in Article 8; Agreed
			(6e) ‘in-conversion production unit’ means a production unit which is managed in compliance with the requirements of organic production during the conversion period referred to in Article 8; Agreed
			(6f) ‘non-organic production unit’ means a production unit which is not managed in compliance with the requirements of organic production; Agreed
(6) ‘operator’ means the natural or legal person responsible for ensuring that this Regulation is complied with at all stages of	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
production, preparation and distribution under their control;			
Amendment 74 Article 3 (7)			
(7) ‘group of operators’ means a group <i>in which each operator is a farmer who has a holding of up to 5 hectares of utilised agricultural area and who may, in addition to producing food or feed, be engaged in processing of food or feed;</i>	(7) ‘group of operators’ means a group in of which each <u>member is a farmer or an operators</u> is a farmer <u>producing algae or aquaculture animals who in addition may be engaged in processing of food or feed and whose turnover is less than 25.000 Euro per year or standard output is less than 15.000 Euro per year or</u> who has a holding of up to 5 hectares of utilised agricultural area and who may, in addition to producing food or feed, be engaged in processing of food or feed;	(7) ‘group of operators’ means a group <i>fulfilling all of the following conditions:</i>	Text deleted here and new drafting introduced in article 26(1) To be seen in conjunction with new drafting in Article 26(1). In principle deletion is acceptable for PRES/EP A list for T15
		<i>(a) each member of the group is a farmer or is an operator producing algae or aquaculture products, and may, in addition to producing food and feed, be engaged in the processing, preparation or marketing of food or feed;</i>	Replaced by compromise on the definition (to be in art 26(1))

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(b) the production activities of the members of the group take place in geographical proximity to each other;</i>	Replaced by compromise on the definition (to be in art 26(1))
		<i>(c) a joint marketing system for the organic products produced by the group is established;</i>	Replaced by compromise on the definition (to be in art 26(1))
		<i>(d) the group has legal personality and an internal control system; and</i>	Replaced by compromise on the definition (to be in art 26(1))
		<i>(ve the turnover or standard output of organic production of each member of the group does not exceed EUR 15 000 per year, or each member produces on a holding of up to 5 hectares, or, in the case of production under glass or other intensive production under protective cover, on a holding of up to 0.5 hectares, or, in the case of exclusively permanent grassland, on a holding of up to 15 hectares.</i>	Replaced by compromise on the definition (to be in art 26(1))
		<i>The conditions set out under point (e) do not apply to groups of operators from third countries;</i>	Replaced by compromise on the definition (to be in art 26(1))

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(8) 'farmer' means a natural or legal person, or a group of natural or legal persons, regardless of the legal status granted to such group and its members by national law,-who exercises an agricultural activity.	Commission proposal unchanged	Commission proposal unchanged	(8) 'farmer' means a natural or legal person, or a group of natural or legal persons, regardless of the legal status granted to such group and its members by national law, who exercises an agricultural activity agreed
(9) 'agricultural area' means agricultural area as defined in point (e) of Article 4(1) of Regulation (EU) No 1307/2013;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10
	(9a) 'populations' means plant groupings which fulfil the requirements specified in temporary experiments allowed under Article 13a of Council Directives 66/401/EEC and 66/402/EEC, Article 14a of Council Directive 68/193/EEC, Article 19 of Council Directives 2002/54/EC and 2002/56/EC, Article 33 of Council Directive 2002/55/EC and Article 17 of Council Directive 2002/57/EC;		To be solved / discussed with the 'seeds package'

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(10) 'plants' means plants as defined in point 5 of Article 3 of Regulation (EC) No 1107/2009;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, accepted at T10
Amendment 75 Article 3 (10) (a) (new)			
		<i>(10a) 'organic plant breeding and variety development' means the enhancement of genetic diversity coupled with reliance on natural reproductive ability. Organic plant breeding is aimed at the development of new varieties which are particularly suited for organic production systems. It involves a holistic approach that respects natural crossing barriers and is based on fertile plants that can establish a viable relationship with the living soil. Organic plant breeding is undertaken under these organic plant breeding conditions in line with the requirements of this Regulation.</i>	To be solved / discussed with the 'seeds package'
Amendment 76 Article 3 (10) (b) (new)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>(6c) ‘plant reproductive material’ means plant(s) as well as all forms of plant(s) at any growth stage including seeds, capable of, and intended for, producing entire plants;</u>	<i>(10b) ‘plant reproductive material’ means plants as well as forms of plants at any stage, including seeds, capable of and intended for, producing entire plants;</i>	<p>(xx) plant reproductive material" means plants as well as all forms of plants at any growth stage including seeds, capable of, and intended for, producing entire plants]</p> <p><i>Agreed at T13</i> <i>To be discussed at SCA on 05/12</i> <i>See ST 15109/16</i></p>
			<p>(xx) ‘heterogeneous material’ means plant grouping within a single botanical taxon of the lowest known rank, which:</p> <p>(i) presents common phenotypic characteristics</p> <p>(ii) is, however, characterised by a high level of genetic and phenotypic diversity between individual reproductive units, so that this plant grouping is represented by the material as a whole, and not by a small number of units;</p> <p>(iii) does not meet the definition of variety within the meaning of Article 5(2) of Regulation 2100/94;</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			(iv) is not a mixture of varieties; <i>Agreed at T13.</i> <i>To be discussed at SCA on 05/12</i> <i>(see ST15109/16)</i>
			(xx) A plant grouping within a single botanical taxon of the lowest known rank is considered as seed and propagating material suitable for organic production if it: (i) is characterized by a high level of genetic and, if relevant, phenotypical diversity between individual reproductive units; (ii) is not protected by a Union plant variety right, as provided for in Council Regulation (EC) No 2100/94; or by a national plant variety right; (iv) results of organic plant breeding and variety development, (v) enhances productivity or quality of the products, and (vi) is coupled with reliance on natural reproductive ability and restricted within natural crossing barriers.

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<i>Agreed at T13. To be discussed at SCA on 05/12. see ST 15109/16</i> <i>To be discussed at T13 with the package deal</i>
Amendment 77 Article 3 (10) (c) (new)			
		<i>(10c) 'mother plant' means an identified plant from which plant reproductive material is taken for reproduction of new plants;</i>	To be solved / discussed with the 'seeds package'
Amendment 78 Article 3 (10) (d) (new)			
		<i>(10d) 'generation' means a group of plants constituting a single line of descent of plants;</i>	To be checked by COM <i>EP non paper on 06/09:</i> <i>'generation' means a group of plants constituting a single step in the line of descent of plants;</i> To be solved / discussed with the 'seeds package'
Amendment 79 Article 3 (10) (e) (new)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(10e) 'organic animal breeding' means the enhancement of genetic diversity coupled with reliance on the natural reproductive ability of the animals concerned. Organic animal breeding shall secure optimum compliance with the requirements of this Regulation, focussing on disease resistance, longevity, breeding value, and adaptation to climatic and natural conditions, and shall promote breeding aimed at slow growth where relevant;</i>	To be solved / discussed with the 'seeds package'
(11) 'plant production' means production of agricultural crop products including harvesting of wild plant products for commercial purposes;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10
(12) 'plant products' means plant products as defined in point 6 of Article 3 of Regulation (EC) No 1107/2009;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10
(13) 'pest' means a pest as defined in Article 1(1) of Regulation (EU) No XX/XXXX (protective measures against pests of plants);	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Amendment 80 Article 3 (13) (a) (new)			
		<i>(13a) ‘herbal preparations’ means extracts obtained from certain plants for the purpose of strengthening crops or repelling or eliminating pests and diseases;</i>	AM 80 withdrawn by EP Agreed at T7
Amendment 81 Article 3 (13) (b) (new)			
		<i>(13b) ‘biodynamic preparations’ means mixtures traditionally used in biodynamic farming and numbered from 500 to 508;</i>	Seems acceptable EP checks reference to numbers. If relevant, seems acceptable to add this reference EP non paper on 06/09: <i>(13b) ‘biodynamic preparations’ means mixtures traditionally used in biodynamic farming and numbered from 500 to 508 [as defined by Demeter];</i> To be solved
(14) ‘plant protection products’ means the products referred to in Article 2 of Regulation (EC) No 1107/2009;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed at T10

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(15) 'livestock production' means the production of domestic or domesticated terrestrial animals, including insects;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10
Amendment 82 Article 3 (16)			
(16) 'veranda' means an additional, roofed, uninsulated, outdoor part of a livestock building, the longest side being usually equipped with wire fencing or netting with outdoor climate, natural and artificial illumination and a littered floor;	Commission proposal unchanged	(16) 'veranda' means an additional, roofed, uninsulated, outdoor part of a livestock building, the longest side being usually equipped with wire fencing or netting with outdoor climate, natural and, where possible , artificial illumination and a littered floor;	Following compromise text agreed at T7 (16) 'veranda' means an additional, roofed, uninsulated, outdoor part of a livestock building, the longest side being usually equipped with wire fencing or netting with outdoor climate, natural and/or artificial illumination and a littered floor; Agreed
Amendment 83 Article 3 (16) (a) (new)			
		<i>(16a) 'laying pullets' means young animals of the Gallus gallus species intended for egg production and of an age of less than 18 weeks;</i>	<i>16a) 'laying pullets' means young animals of the Gallus gallus species intended for egg production and of an age of less than 18 weeks;</i> Agreed at T13

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Amendment 84 Article 3 (16) (b) (new)			
		<i>(16b) 'laying hens' means animals of the Gallus gallus species intended for the production of eggs for consumption and of an age of at least 18 weeks;</i>	Keep EP text Agreed at T13
Amendment 85 Article 3 (16) (c) (new)			
		<i>(16c) 'broilers' means animals of the Gallus gallus species kept for meat production;</i>	To be seen in conjunction with Annex If broilers is used in Annex, this def is needed here To be solved
Amendment 86 Article 3 (16) (d) (new)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(16d) 'usable area' means an area as defined in Council Directive 1999/74/EC⁴⁸, being an area (inside the poultry house) at least 30 cm wide with a floor slope not exceeding 14 % and with headroom of at least 45 cm. Nesting areas shall not be regarded as usable areas;</i>	<i>(16d) 'usable area' means an area as defined in Council Directive 1999/74/EC⁴⁹</i> agreed at T10
Amendment 87 Article 3 (16) (f) (new)			
		<i>(16f) 'core indicators' means indicators relating to the direct environmental aspects defined in Regulation (EC) No 1221/2009;</i>	EP withdrawal of AM 87 Agreed at T10
(17) 'aquaculture' means aquaculture as defined in point (25) of Article 4(1) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council ⁵⁰ ;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10

⁴⁸ *Directive 1999/74/EC of the Council of 19 July 1999 laying down minimum standards for the protection of laying hens (OJ L 203, 3.8.1999, p. 53.).*

⁴⁹ *Directive 1999/74/EC of the Council of 19 July 1999 laying down minimum standards for the protection of laying hens (OJ L 203, 3.8.1999, p. 53.).*

⁵⁰ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>COM non paper on 23 / 05</p> <p>(17a) new ‘aquaculture products’: means aquaculture products as defined in point 34 of Article 4 (1) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy⁵¹;</p> <p>To be solved</p>
	<p><u>(17a) ‘closed recirculation aquaculture facility’ means a facility where aquaculture takes place within an enclosed environment on land or on a vessel involving the recirculation of water, and depending on permanent external energy input to stabilise the environment for the aquaculture animals;</u></p>		<p>Keep GA text</p> <p>Agreed at T7</p>
	<p><u>(17b) ‘energy from renewable sources’ means renewable non-fossil energy sources such as wind, solar, geothermal wave, tidal, hydropower, landfill gas,</u></p>		<p>Keep GA text</p> <p>Agreed at T7</p>

⁵¹ OJ L 354, 28.12.2013, p. 22.

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>sewage treatment plant gas and biogases;</u>		
	<u>(17c) ‘hatchery’ in the framework of aquaculture and algae production means a place of breeding, hatching and rearing through the early life stages of aquaculture animals, finfish and shellfish in particular;</u>		Keep GA text Agreed at T7
	<u>(17d) ‘nursery’ in the framework of aquaculture and algae production means a place where an intermediate production system is applied between the hatchery and grow-out stages. The nursery stage is completed within the first third of the production cycle with the exception of species undergoing a smoltification process;</u>		Keep GA text Agreed at T7

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>(17e) ‘pollution’ in the framework of aquaculture and algae production means the direct or indirect introduction into the aquatic environment of substances or energy as defined in Directive 2000/60/EC of the European Parliament and of the Council⁵² and in Directive 2008/56/EC of the European Parliament and of the Council⁵³, in the waters to which those Directives apply, respectively;</u>		Keep GA text Agreed at T7
	<u>(17f) ‘polyculture’ in the framework of aquaculture and algae production means the rearing of two or more species usually from different trophic levels in the same culture unit;</u>		Keep GA text Agreed at T7
	<u>(17g) ‘production cycle’ in the framework of aquaculture and algae production means the lifespan of an aquaculture animal</u>		Keep GA text Agreed at T7

⁵² Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

⁵³ Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for Community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>or algae from the earliest life stage (fertilised eggs in the case of aquaculture animals) to harvesting;</u>		
	<u>(17h) ‘locally grown species’ in the framework of aquaculture and algae production means species which are neither alien nor locally absent species under Council Regulation (EC) No 708/2007⁵⁴, as well as the species listed in Annex IV to that Regulation;</u>		Keep GA text Agreed at T7
	<u>(17i) ‘stocking density’ in the framework of aquaculture and algae production means the live weight of aquaculture animals per cubic metre of water at any time during the grow-out phase and in the case of flatfish and shrimp the weight per square metre of surface;</u>		Keep GA text Agreed at T7
(18) ‘veterinary treatment’ means all courses of a curative or	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10

⁵⁴ Council Regulation (EC) No 708/2007 of 11 June 2007 concerning use of alien and locally absent species in aquaculture (OJ L 168, 28.6.2007, p. 1).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
preventive treatment against one occurrence of a specific disease;			
(19) ‘veterinary medicinal products’ means veterinary medicinal products as defined in point 2 of Article 1 of Directive 2001/82/EC of the European Parliament and of the Council ⁵⁵ ;	(19) ‘veterinary medicinal products’ means veterinary medicinal products as defined in point 2 of Article 1 of Directive 2001/82/EC of the European Parliament and of the Council <u>‘veterinary medicinal products’ means veterinary medicinal products as defined in point 1 of Article 4 of Regulation (EU) No XX/XXX (veterinary medicinal products)</u> ⁵⁶ ;	Commission proposal unchanged	To be checked by COM if reference to the Directive is up to date To be solved
Amendment 88 Article 3 (20)			

⁵⁵ Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products (OJ L 311, 28.11.2001, p.1).

⁵⁶ ~~Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products (OJ L 311, 28.11.2001, p.1).~~ Regulation (EU) No XX/XXX of the European Parliament and of the Council [...] on veterinary medicinal products (OJ L...)

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(20) ‘preparation’ means the operations of preserving or processing of organic products, including slaughter and cutting for livestock products, packaging, labelling or alterations made to the labelling relating to organic production;	Commission proposal unchanged	(20) 'preparation' means the operations of preserving or processing of organic products, including slaughter and cutting for livestock products, packaging, labelling or alterations made to the labelling relating to <i>the</i> organic production <i>method used</i> ;	Alternative text from COM on 23/05 (20) ‘preparation’ means the operations of preserving or processing of organic or in-conversion products, or any other operation that is carried out on an unprocessed product without altering the initial product , such as including slaughtering, and cutting, cleaning, or milling for livestock products, and/or packaging, labelling or alterations made to the labelling relating to organic production; To be solved
(21) ‘food’ means food as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council ⁵⁷ ; ‘feed’ means feed as defined in point 4 of Article 3 of Regulation (EC) No 178/2002;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10

⁵⁷ Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(22) ‘feed’ means feed as defined in point 4 of Article 3 of Regulation (EC) No 178/2002;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10
(23) ‘feed material’ means feed material as defined in point (g) of Article 3(2) of Regulation (EC) No 767/2009 of the European Parliament and of the Council ⁵⁸ ;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10
Amendment 89 Article 3 (24)			
(24) ‘in-conversion <i>feed</i> ’ means <i>feed</i> produced during the conversion period, <i>with</i> the exclusion of those harvested in the 12 months following the beginning of the conversion;	(24) — ‘in-conversion feed’ means feed produced during the conversion period, with the exclusion of those harvested in the 12 months following the beginning of the conversion;	(24) ‘in-conversion <i>products</i> ’ means <i>plant products</i> produced during the conversion period, <i>to</i> the exclusion of those harvested in the 12 months following the beginning of the conversion;	Deletion agreed
(25) ‘placing on the market’ means placing on the market as defined in point 8 of Article 3 of Regulation (EC) No 178/2002;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10

⁵⁸ Regulation (EC) No 767/2009 of the European Parliament and of the Council of 13 July 2009 on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No 1831/2003 and repealing Council Directive 79/373/EEC, Commission Directive 80/511/EEC, Council Directives 82/471/EEC, 83/228/EEC, 93/74/EEC, 93/113/EC and 96/25/EC and Commission Decision 2004/217/EC (OJ L 229, 1.9.2009, p. 1).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(26) ‘traceability’ means traceability as defined in point 15 of Article 3 of Regulation (EC) No 178/2002;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10
(27) ‘stages of production, preparation and distribution’ means any stage from and including the primary production of an organic product up to and including its storage, processing, transport, sale or supply to the final consumer, and where relevant labelling, advertising, import, export and subcontracting activities;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T13
Amendment 90 Article 3 (28)			
(28) ‘catastrophic circumstances’ means circumstances deriving from an ‘adverse climatic event’, an ‘environmental incident’, a ‘natural disaster’ or a ‘catastrophic event’ as defined respectively in points (h), (j), (k) and (l) of Article 2(1) of Regulation (EU) No 1305/2013;	(28) ‘catastrophic circumstances’ means circumstances deriving from an ‘adverse climatic event’, an ‘environmental incident’, a ‘natural disaster’ or a ‘catastrophic event’ as defined respectively in points (h), (j), (k) and (l) of Article 2(1) of Regulation (EU) No 1305/2013;	(28) ‘catastrophic circumstances’ means circumstances deriving from an ‘adverse climatic event’, an ‘environmental incident’, a ‘natural disaster’, <i>an ‘animal disease’</i> or a ‘catastrophic event’ as defined respectively in points (h), (i), (j), (k) and (l) of Article 2(1) of Regulation (EU) No 1305/2013;	Withdrawn, agreed at T13 (PM: to be further discussed under article 17)

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(29) ‘ingredient’ means an ingredient as defined in point (f) of Article 2(2) of Regulation (EU) No 1169/2011;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10
(30) ‘labelling’ means labelling as defined in point (j) of Article 2(2) of Regulation (EU) No 1169/2011;	(30) ‘labelling’ means <u>any words, particulars, trade marks, brand name, pictorial matter or symbol relating to a product and placed on any packaging, document, notice, label, ring or collar accompanying or referring to such product labelling as defined in point (j) of Article 2(2) of Regulation (EU) No 1169/2011;</u>	Commission proposal unchanged	To be solved
(31) ‘advertising’ means any presentation of organic products to the public, by any means other than a label, that is intended or is likely to influence and shape attitude, beliefs and behaviours in order to promote directly or indirectly the sale of organic products;	(31) ‘advertising’ means any presentation of organic products to the public, by any means other than a label, that is intended or is likely to influence and shape attitude, beliefs and behaviours in order to promote directly or indirectly the sale of organic products;	Commission proposal unchanged	To be solved
(32) ‘competent authorities’ means competent authorities as defined in point 5 of Article 2 of Regulation (EU) No XXX/XXXX [<i>Official controls Regulation</i>];	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed at T8

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Amendment 91 Article 3 (33)			
(33) ‘control authority’ means <i>control</i> authority <i>for</i> organic production and labelling <i>of organic products as defined in point 39 of Article 2 of Regulation (EU) No XXX/XXXX [Official controls Regulation]</i> ;	Commission proposal unchanged	(33) 'control authority' means <i>a public administrative organisation of a Member State to which the competent authority has delegated, in whole or in part, its competence for inspection and certification in the field of</i> organic production and labelling <i>in accordance with the provisions set out in this Regulation. It also includes, where appropriate, the corresponding authority of a third country or the corresponding authority operating in a third country;</i>	Keep COM text Agreed at T8 (withdrawal of AM 91)
Amendment 92 Article 3 (34)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(34) ‘control body’ means <i>a delegated body as defined in point 38 of Article 2 of Regulation (EU) No XXX/XXXX [Official controls Regulation], as well as a body recognised by the Commission or by a third country recognised by the Commission to carry out controls in third countries for the import of organic products into the Union;</i>	Commission proposal unchanged	(34) 'control body' means <i>an independent private or public third party carrying out inspection and certification in the field of organic production in accordance with the provisions set out in this Regulation. It also includes, where appropriate, the corresponding body of a third country or the corresponding body operating in a third country;</i>	Keep COM text Agreed at T8 (withdrawal of AM 92)
(35) ‘non-compliance’ means non-compliance with this Regulation;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed at T8
Amendment 93 Article 3 (35) (a) (new)			
		(35a) ' <i>compliance</i> ' means <i>compliance with this Regulation and its Annexes, with the delegated and implementing acts adopted in accordance with this Regulation and with other Regulations to which this Regulation refers;</i>	Keep EP text Agreed at T8
Amendment 94 Article 3 (36)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(36) 'genetically modified organism' means a genetically modified organism as defined in <i>point (2) of Article 2 of Directive 2001/18/EC of the European Parliament and of the Council⁵⁹ which is not obtained through the techniques of genetic modifications listed in Annex I.B to that Directive</i> , hereinafter referred to as 'GMO';	Commission proposal unchanged	(36) 'genetically modified organism' means a genetically modified organism as defined in Directive 2001/18/EC of the European Parliament and of the Council ⁶⁰ , hereinafter referred to as 'GMO';	To be solved
(37) 'produced from GMOs' means derived in whole or in part from GMOs but not containing or consisting of GMOs;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10
(38) 'produced by GMOs' means derived by using a GMO as the last living organism in the production process, but not containing or consisting of GMOs nor produced from GMOs;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10

⁵⁹ Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC (OJ L 106, 17.4.2001, p. 1).

⁶⁰ Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC (OJ L 106, 17.4.2001, p. 1).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(39) 'food additive' means a food additive as defined in point (a) of Article 3(2) of Regulation (EC) No 1333/2008 of the European Parliament and of the Council ⁶¹ ;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10
(40) 'feed additive' means a feed additive as defined in point (a) of Article 2(2) of Regulation (EC) No 1831/2003 of the European Parliament and of the Council ⁶² ;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10
Amendment 95 Article 3 (40) (a) (new)			
		<i>(40a) 'engineered nanomaterial' means engineered nanomaterial as defined in point (t) of Article 2(2) of Regulation (EU) No1169/2011;</i>	Keep EP text Agreed at T13
Amendment 96 Article 3 (41)			

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- ⁶¹ Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives (OJ L 354, 31.12.2008, p. 16).
- ⁶² Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition (OJ L 268, 18.10.2003, p. 29).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(41) <i>‘equivalence’</i> means <i>meeting</i> the same objectives and principles by applying rules which ensure the same level of assurance of conformity; <i>‘processing aid’ means processing aid as defined in point (b) of Article 3(2) of Regulation (EC) No 1333/2008;</i>	Commission proposal unchanged	(41) <i>‘equivalent’, when describing different systems or measures,</i> means <i>that they meet</i> the same objectives and principles by applying rules which ensure the same level of assurance of conformity;	(41) <i>‘equivalence’</i> means <i>meeting</i> the same objectives and principles by applying rules which ensure the same level of assurance of conformity; Agreed at T13
	<u>(41a)</u> ‘processing aid’ means processing aid as defined in point (b) of Article 3(2) of Regulation (EC) No 1333/2008;		Keep GA text, agreed at T10
(42) ‘food enzyme’ means a food enzyme as defined in point (a) of Article 3(2) of Regulation (EC) No 1332/2008 of the European Parliament and of the Council ⁶³ ;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T10
Amendment 97 Article 3 (43)			

⁶³ Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97 (OJ L 354, 31.12.2008, p. 7).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(43) 'ionising radiation' means ionising radiation as defined in Article 1 of Council Directive 96/29/Euratom ⁶⁴ .	Commission proposal unchanged	(43) 'ionising radiation' means ionising radiation as defined in Article 1 of Council Directive 96/29/Euratom ⁶⁵ <i>and as regulated by Directive 1999/2/EC of the European Parliament and of the Council</i> ⁶⁶ ;	Keep COM text Agreed at T13
	<u>(43a) 'pre-packed food' means a pre-packed food as defined in Article 2(2)(e) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council;</u>	Amendment 104 (Article 3 (43) (g) (new)) (43g) 'pre-packed food' means a pre-packed food as defined in point (f) of Article 2(2) of Regulation (EU) No 1169/2011.	Keep GA text Agreed at T9
<p style="text-align: center;">Amendment 98 Article 3 (43) (a) (new)</p>			

⁶⁴ Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation (OJ L 159, 29.6.1996, p. 1).

⁶⁵ Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation (OJ L 159, 29.6.1996, p. 1).

⁶⁶ *Directive 1999/2/EC of the European Parliament and of the Council of 22 February 1999 on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation (OJ L 66, 13.3.1999, p. 16.).*

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(43a) 'mass catering operations' means the preparation and distribution of organic products in catering establishments such as restaurants, canteens, hospitals and prisons, and other types of food businesses at the point of sale or delivery to the final consumer;</i>	EP AM 98 withdrawn, agreed at T13
Amendment 99 Article 3 (43) (b) (new)			
			AM 99 shifted to Art 3(6b) new CSL. location to be considered.
Amendment 100 Article 3 (43) (c) (new)			
		<i>(43c) 'poultry house' means a covered, independent structure fitted out in such a way as to protect the animals housed within it from bad weather;</i>	To be solved
Amendment 101 Article 3 (43) (d) (new)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(43d) 'hydroponic production' means the method of growing plants with their roots in a mineral nutrient solution only or in an inert medium, such as perlite, gravel or mineral wool to which a nutrient solution is added;</i>	AM 101 withdrawn (definition stays in the Annex).
<p>Amendment 102</p> <p>Article 3 (43) (e) (new)</p>			
		<i>(43e) 'soil-bound crop cultivation' means production in living soil such as mineral soil mixed and/or fertilised with materials and products allowed in organic production, in connection with the subsoil and bedrock;</i>	<p>Compromise proposal:</p> <p>(43e) 'soil-related crop cultivation' means production in living soil or in soil mixed or fertilised with materials and products allowed in organic production, in connection with the subsoil and bedrock;</p> <p>Agreed at T13</p>
<p>Amendment 103</p> <p>Article 3 (43) (f) (new)</p>			
			AM 103 Shifted to Article 3(6a)new CSL. location to be considered.
			<p>COM non paper on 23 / 05</p> <p>(43i)new‘unprocessed products’: means unprocessed products as</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>defined in point (n) of Article 2 (1) of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs⁶⁷, irrespective of packaging or labelling operations;</p> <p>To be solved</p>
			<p>COM non paper on 23 / 05</p> <p>43(j)new ‘processed products’: means processed products as defined in point (o) of Article 2 (1) of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs, irrespective of packaging or labelling operations.’</p> <p>COM non paper on 23 / 05, revised by the drafting group on 3 June</p> <p>43(k)new ‘processing’ means any action as defined in point (m) of Article 2 (1) of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of</p>

⁶⁷ OJ L 139, 30.4.2004, p. 1.

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>foodstuffs⁶⁸, including the use of substances referred to in Article 19 of this Regulation. Packaging or labelling operations shall not be considered as processing;</p> <p>To be solved</p>
			<p>43(l) 'integrity', in relation to an organic or in-conversion product, means the absence of any failure by that product with this Regulation which:</p> <ul style="list-style-type: none"> - affects the organic or in-conversion characteristics of the product throughout all stages of its production, preparation, distribution and export, or - is repetitive or intentional. <p>Seems acceptable to PRES/EP</p> <p>A list for T15</p>
			<p>Withdrawn</p> <p>Seems acceptable</p> <p>A list T13</p>

⁶⁸ OJ L 139, 30.4.2004, p. 1.

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			43(m) new: a pen shall mean an enclosure that must include a part where animals are provided with protection from the weather; Agreed at T12
Chapter II			
Amendment 105 Chapter II - title			
Principles <i>of</i> organic production	Commission proposal unchanged	<i>Objectives of, and</i> principles <i>for</i> , organic production	Keep EP AM 105, agreed at T13
Amendment 106 Article 3 (a) (new)			
		<i>Article 3a</i> <i>Objectives</i>	Article 3a Objectives

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>This Regulation shall provide the basis for the sustainable development of organic production and its positive effects on the environment , while ensuring the effective functioning of the internal market and fair competition, thereby helping farmers to achieve a fair income, ensuring consumer confidence and protecting consumer interests</p> <p>Seems acceptable for EP/PRE</p> <p>A list T15</p>
		<p><i>In order to establish a sustainable management system for organic production, the following general objectives shall be pursued:</i></p>	<p><i>Compromise proposal:</i></p> <p>The organic production shall pursue the following general objectives:</p>
			<p><i>- contribution to protection of the environment, the climate and</i></p> <p><i>Agreed at T13</i></p>
		<p><i>(a) respecting nature's systems and cycles and sustaining and enhancing the health of soil, water, plants and animals and the balance between them;</i></p>	<p>Withdrawn</p> <p><i>(this amendment is covered by article 4(a))</i></p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(b) establishing appropriate management of biological processes based on ecological systems using natural resources which are internal to the system, by methods that:</i>	Withdrawn <i>(this amendment is covered by article 4(e))</i>
		<i>– maintain the long-term fertility of soils;</i>	Compromise proposal: - maintenance of the long-term fertility of soil
		<i>– contribute to a high level of biological diversity;</i>	Compromise proposal: <i>– contribution to a high level of biodiversity;</i>
		<i>– make a substantial contribution to a non-toxic environment;</i>	Compromise proposal: <i>– make a substantial contribution to a non-toxic environment;</i>
		<i>– make responsible use of, and contribute to the saving of, energy and water, and preserve natural resources such as water, soil, organic matter and air;</i>	Withdrawn <i>Covered by Art. 4(c)</i>
		<i>– respect high animal welfare standards and, in particular, meet animals' species-specific behavioural needs.</i>	Compromise proposal based on AM 107 in Art 4: <i>–contribution to respect high animal welfare standards and, in particular, meet animals' species-specific behavioural needs.</i> Agreed

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p><i>- encouragement of short distribution channels and local production in the various areas of the Union;</i></p> <p><i>Agreed at T13</i></p>
			<p><i>- encouragement of the preservation of rare and/or native breeds in danger of extinction</i> <i>shall be encouraged.</i></p> <p><i>Agreed</i></p>
			<p>-contribution to the development of the offer of plant genetic material adapted to the specific needs and objectives of organic agriculture;</p> <p><i>Agreed at T13. To be discussed at SCA on 05/12 (see ST 15109/16)</i></p>
			<p>-contribution to a high level of biodiversity, notably by using diverse plant genetic material, such as heterogeneous material and seeds and propagating material suitable for organic production;</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<i>Agreed at T13. To be discussed at SCA on 05/12 (see ST 15109/16)</i>
			<p>-foster the development of organic plant breeding activities in order to favourable economic perspectives of the organic production sector.</p> <p><i>Agreed at T13. To be discussed at SCA on 05/12 (see ST 15109/16)</i></p>
<i>Article 4</i>			
General principles	Commission proposal unchanged	Commission proposal unchanged	General principles
<p>Amendment 107</p> <p><i>Article 4</i></p>			
Organic production is a sustainable management system <i>for agriculture</i> that is based on the following general principles:	Organic production is a sustainable management system for agriculture that is based on the following general principles:	Organic production is a sustainable management system that is based on the following general principles:	Keep EP AM Agreed
(a) <i>respect for nature's systems and cycles and sustainment and enhancement of the state of soil, water, air and biodiversity, of the health of plants and animals and of the balance between them;</i>	(a) respect for nature's systems and cycles and sustainment and enhancement of the state of soil, water <u>and</u> , air and biodiversity , of the health of plants and animals and of the balance between them;	(a) <i>contribution to protection of the environment, the climate and human health;</i>	Keep GA text Agreed

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>(aa) Preservation of natural landscape elements such as 'natural heritage sites'</p> <p>Agreed at T13</p>
(b) contribution to a high level of biodiversity;	Commission proposal unchanged	(b) contribution to a high level of biodiversity;	This text is moved to Art. 3a
(c) responsible use of energy and natural resources, such as water, soil, organic matter and air;	Commission proposal unchanged	(c) responsible use of energy and natural resources, such as water, soil, organic matter and air;	<p>Keep COM text</p> <p>Agreed</p>
			<p>(gb) production of a wide variety of high quality food and other agricultural <i>and aquacultural</i> products that respond to consumers' demand for goods produced by the use of processes that do not harm the environment, human health, plant health or animal health and welfare;</p> <p>Agreed at T13</p>
		<i>(db) ensuring the quality of organic products at all stages of production, processing and distribution;</i>	<u>(gc) ensuring the integrity of organic production at all stages of production, processing and distribution of food and feed</u>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			Agreed at T13
(d) respect of high animal welfare standards and, in particular, fulfilment of animals' species-specific behavioural needs;	Commission proposal unchanged	(d) respect of high animal welfare standards and, in particular, fulfilment of animals' species-specific behavioural needs;	Partly acceptable and shifted to Art 3a (see compromise proposal) To be solved
		<i>(da) production of a wide variety of foods and other agricultural and aquacultural products of high quality which benefits the environment, human health, plant health or animal health and welfare;</i>	Withdrawn.
		<i>(dc) encouragement of short distribution channels and local production in the various areas of the Union;</i>	To be solved
(e) appropriate design and management of biological processes based on ecological systems using natural resources which are internal to the system by methods that:	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed
(i) use living organisms and mechanical production methods;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(ii) practice <i>land-related</i> crop cultivation and livestock production or <i>practice aquaculture</i> which complies with the principle of sustainable <i>exploitation of</i> fisheries;	(ii) practice land-related crop cultivation and livestock production or practice aquaculture which complies with the principle of sustainable exploitation of fisheries <u>aquatic resources</u> ;	(ii) practice <i>soil-bound</i> crop cultivation and <i>land-related</i> livestock production or aquaculture which complies with the principle of sustainable fisheries. <i>Additionally, such practices shall be based on the following principles:</i>	(ii) practice <i>soil-related</i> crop cultivation and [<i>land-related</i>] livestock production or practice aquaculture which complies with the principle of sustainable exploitation of fisheries Agreed at T13
		– <i>soil protection and cover against wind and water erosion;</i>	Withdrawn <i>This amendment is redundant with Art 5(a) of GA. Art 5(a) of GA is preferred as it is more comprehensive</i> Agreed
		– <i>protection of the quality of the water;</i>	Withdrawn <i>This amendment is redundant with Art 5(a) of GA. Art 5(a) is much more detailed</i> Agreed
		– <i>crop rotation, save in the case of permanent crops;</i>	Withdrawn <i>This amendment is redundant as already covered by Art 5(d) of GA. Art 5(d) is much more detailed</i> Agreed

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>– use of seeds and animals with a high degree of genetic diversity, resistance against diseases and longevity;</i>	Acceptable but shifted to Art 5
(iii) exclude the use of GMOs and products produced from or by GMOs with the exception of veterinary medicinal products;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed
(iv) are based on the use of <i>preventive</i> measures, when appropriate;	(iv) are based on <u>risk assessment, and</u> the use of <u>precautionary</u> of and preventive measures, when appropriate;	(iv) are based on <i>risk assessment as defined in Article 3 of Regulation (EC) No 178/2002</i> and the use of precautionary measures, when appropriate;	Compromise proposal: (iv) are based on risk assessment, and the use of precautionary measures and preventive measures, when appropriate; Agreed
(f) restriction of the use of external inputs. Where external inputs are required or the appropriate management practices and methods referred to in point (e) do not exist, these shall be limited to:	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(i) inputs from organic production;	Commission proposal unchanged	(i) inputs from organic production; <i>in the case of plant reproductive material, priority shall be given to varieties selected for their ability to meet the specific needs and objectives of organic farming where available;</i>	Compromise proposal (i) inputs from organic production; <i>in the case of plant reproductive material, priority shall be given to varieties selected for their ability to meet the specific needs and objectives of organic farming;</i> <i>Agreed</i>
(ii) natural or naturally-derived substances;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text <i>Agreed</i>
(iii) low solubility mineral fertilisers;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text <i>Agreed</i>
(g) adaptation, where necessary, and within the framework of this Regulation, of the production process, taking account of the sanitary status, regional differences in ecological balance, climate and local conditions, stages of development and specific husbandry practices.	Commission proposal unchanged	Commission proposal unchanged	Keep COM text <i>Agreed</i>
	<u>(ga) exclusion of animal cloning, rearing artificially induced polyploid animals and ionising radiation from the whole organic food chain;</u>		Keep GA text <i>Agreed</i>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>(gb) production of a wide variety of food and other agricultural products that respond to consumers' demand for goods produced by the use of processes that do not harm the environment, human health, plant health or animal health and welfare;</u>		See above Art. 4 (da)
	<u>(gc) ensuring the integrity of organic production at all stages of production, processing and distribution of food and feed</u>		See above art. 4 db
			Compromise proposal (gb) observance of a high level of animal welfare respecting species-specific needs; <i>(shifted from Art 5)</i> <i>Agreed</i>
<i>Article 5</i>			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Specific principles applicable to agricultural activities and aquaculture	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed
In the framework of agricultural activities and aquaculture, organic production shall in particular be based on the following specific principles:	Commission proposal unchanged	Commission proposal unchanged	In the framework of agricultural activities and aquaculture, organic production shall in particular be based on the following specific principles: Agreed
(a) maintenance and enhancement of soil life and natural soil fertility, soil stability, soil water retention and soil biodiversity preventing and combating loss of soil organic matter, soil compaction and soil erosion, and the nourishing of plants primarily through the soil ecosystem;	Commission proposal unchanged	Commission proposal unchanged	(a) maintenance and enhancement of soil life and natural soil fertility, soil stability, soil water retention and soil biodiversity preventing and combating loss of soil organic matter, soil compaction and soil erosion, and the nourishing of plants primarily through the soil ecosystem Agreed
(b) limitation of the use of non-renewable resources and external inputs to a minimum;	Commission proposal unchanged	Commission proposal unchanged	(b) limitation of the use of non-renewable resources and external inputs to a minimum; Agreed
(c) recycling of wastes and by-products of plant and animal origin as input in plant and livestock production;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(d) maintenance of plant health by preventive measures, in particular the choice of appropriate species, varieties or heterogeneous material resistant to pests and diseases, appropriate crop rotations, mechanical and physical methods and protection of the natural enemies of pests;	(d) maintenance of plant health by preventive measures, in particular the choice of appropriate species, varieties or heterogeneous material populations resistant to pests and diseases, appropriate crop rotations, mechanical and physical methods and protection of the natural enemies of pests;	Commission proposal unchanged	(d) maintenance of plant health by preventive measures, in particular the choice of appropriate species, varieties or [heterogeneous material / populations] resistant to pests and diseases, appropriate crop rotations, mechanical and physical methods and protection of the natural enemies of pests; To be further discussed in conjunction with Art 10 (conclusions from T3). This proposal takes into account AM 107-art 4e(ii), third indent, and AM 108-Art 5(da)(plant health) To be solved/discussed with the seed package
			– use of seeds and animals with a high degree of genetic diversity, resistance against diseases and longevity; Agreed
			EP proposal [(da)choice of plant breeds having regard to the particularities of the

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>organic production systems, focussing on agronomic performance, disease resistance, adaptation to diverse local soil and climate conditions and respect of the natural crossing barriers] ;</p> <p>[(db) equal access of farmers to heterogeneous material, [open pollinated varieties/seeds from open pollination] organic varieties and hybrid varieties and the use of traditional crop varieties obtained from their own farm in order to foster genetic resources adapted to the special conditions of organic production];</p> <p>To be discussed</p>
Amendment 108			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Article 5 (d) (a) (new)			
		<i>(da) sustaining the health of plants and animals;</i>	Withdrawn as already covered by (d) and (e) of Art 5 of GA Agreed
(e) choice of breeds having regard to the capacity of animals to adapt to local conditions, their vitality and their resistance to disease or health problems; the practice of site-adapted and land-related livestock production; the application of animal husbandry practices, which enhance the immune system and strengthen the natural defence against diseases, in particular including regular exercise and access to open air areas and pastureland, where appropriate;	Commission proposal unchanged	Commission proposal unchanged	Alternative EP proposal choice of [animal] breeds having regard to the capacity of animals to adapt to local conditions [and/or with a high degree of genetic diversity] , [their breeding value] , their vitality [and longevity] and their resistance to disease or health problems; the practice of site-adapted and land-related livestock production; the application of animal husbandry practices, which enhance the immune system and strengthen the natural defence against diseases, in particular including regular exercise and access to open air areas and pastureland; To be solved
(f) observance of a high level of animal welfare respecting species-specific needs;	Commission proposal unchanged	Commission proposal unchanged	Acceptable, but shifted to Art 4 as art 4(gb).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(g) feeding of livestock with organic feed composed of agricultural ingredients from organic production and of natural non-agricultural substances;	Commission proposal unchanged	Commission proposal unchanged	(g) feeding of livestock with organic feed composed of agricultural ingredients from organic production and of natural non-agricultural substances; Agreed
			(jb) production of organic livestock products derived from animals that have been raised on organic holdings since their birth or hatching and throughout their life; AM 113 moved here. Agreed
Amendment 109 Article 5 (h)			
(h) exclusion of <i>genetic engineering</i> , animal cloning, <i>artificially induced polyploidy and ionising radiation</i> from the whole organic food chain;	(h) — exclusion of genetic engineering, animal cloning, artificially induced polyploidy and ionising radiation from the whole organic food chain;	(h) exclusion of animal cloning from the whole organic food chain;	Withdrawn, covered by GA, Art 4 (ga). Agreed
Amendment 110 Article 5 (h) (a) (new)			
		<i>(ha) exclusion of food containing or consisting of artificially engineered nanomaterials;</i>	This amendment is shifted to Article 6

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Amendment 111 Article 5 (i)			
(i) continuing health of the aquatic environment and the quality of surrounding aquatic and terrestrial ecosystems;	Commission proposal unchanged	(i) <i>maintenance of biodiversity in natural aquatic ecosystems, and ensuring the</i> continuing health of the aquatic environment and the quality of surrounding aquatic and terrestrial ecosystems <i>in aquaculture production</i> ;	Keep COM text Agreed
(j) feeding of aquatic organisms with feed from sustainable exploitation of fisheries in accordance with Regulation (EU) No 1380/2013 or with organic feed composed of agricultural ingredients from organic production, including organic aquaculture, and of natural non-agricultural substances.	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed
			(k) avoiding any endangerment of species of conservation interest that might arise from organic production. Agreed
Amendment 112 Article (5) (j) (a) (new)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(ja) taking account of the local or regional ecological balance when taking production decisions;</i>	Withdrawn
Amendment 113 Article 5 (j) (b) (new)			
		<i>(jb) production of organic livestock products derived from animals that have been raised on organic holdings since their birth or hatching and throughout their life;</i>	Acceptable Shifted after Art 5(g)
Amendment 114 Article 6 - title			
Specific principles applicable to the processing of organic food <i>and feed</i>	Commission proposal unchanged	Specific principles applicable to the processing of organic food	EP amendment: Specific principles applicable to the processing of organic food Agreed
Amendment 115 Article 6			
Production of processed organic food <i>and feed</i> shall in particular be based on the following specific principles:	Commission proposal unchanged	Production of processed organic food shall, in particular, be based on the following specific principles:	EP amendment: Production of processed organic food shall, in particular, be based on the following specific principles:

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(a) production of organic food from organic agricultural ingredients;	Commission proposal unchanged	(a) <i>the</i> production of organic food from organic agricultural ingredients, <i>except where an ingredient is not available as an organic product at a certain point in time. In such cases, non-organic ingredients may, exceptionally, be authorised by the competent authority of the Member State concerned. Such authorisation shall be notified to the Commission and published by the Commission in such a way as to make this information accessible;</i>	(a) the production of organic food from organic agricultural ingredients, <i>[except where an ingredient is not available as an organic product at a certain point in time. In such cases, non-organic ingredients may, exceptionally, be authorised by the competent authority of the Member State concerned. Such authorisation shall be notified to the Commission and published by the Commission in such a way as to make this information accessible;]</i> To be solved
(b) <i>production of organic feed from organic feed materials;</i>	Commission proposal unchanged	<i>deleted</i>	<i>(b) — production of organic feed from organic feed materials;</i> Deletion agreed

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(c) <i>limitation</i> of the use of food additives, of non-organic ingredients with mainly technological and sensory functions, and of micronutrients and processing aids, so that they are used to a minimum extent and only in cases of essential technological need or for particular nutritional purposes;	Commission proposal unchanged	(b) <i>restriction</i> of the use of food additives, of non-organic ingredients with mainly technological and sensory functions, and of micronutrients and processing aids, so that they are used to a minimum extent and only in cases of essential technological need or for particular nutritional purposes;	(b) <i>restriction</i> of the use of food additives, of non-organic ingredients with mainly technological and sensory functions, and of micronutrients and processing aids, so that they are used to a minimum extent and only in cases of essential technological need or for particular nutritional purposes; Agreed
(d) <i>limitation of the use of feed additives and processing aids to a minimum extent and only in cases of essential technological or zootechnical needs or for particular nutritional purposes;</i>	Commission proposal unchanged	<i>deleted</i>	(d) <i>limitation of the use of feed additives and processing aids to a minimum extent and only in cases of essential technological or zootechnical needs or for particular nutritional purposes;</i> Deletion agreed
(e) exclusion of substances and processing methods that might be misleading as regards the true nature of the product;	Commission proposal unchanged	Commission proposal unchanged	(e) exclusion of substances and processing methods that might be misleading as regards the true nature of the product Agreed
(f) processing of food <i>or feed</i> with care, preferably through the use of biological, mechanical and physical methods.	Commission proposal unchanged	(d) processing of food with care, preferably through the use of biological, mechanical and physical methods.	(d) processing of food with care, preferably through the use of biological, mechanical and physical methods.

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			Agreed
			(ha) exclusion of food containing or consisting of artificially engineered nanomaterials Agreed at T13
Amendment 116 Article 6 (a) (new)			
		Article 6a <i>Specific principles applicable to the processing of organic feed</i>	Article 6a Specific principles applicable to the processing of organic feed Agreed
		<i>Production of processed organic feed shall, in particular, be based on the following specific principles:</i>	Production of processed organic feed shall, in particular, be based on the following specific principles: Agreed
		<i>(a) the production of organic feed from organic feed materials;</i>	(a) production of organic feed from organic feed materials; Agreed
		<i>(b) restriction of the use of feed additives and processing aids, and authorisation of the use of such additives and aids only in cases of essential technological or zootechnical needs or for particular nutritional purposes;</i>	(b) restriction of the use of feed additives and processing aids to a minimum extent, and only in cases of essential technological or zootechnical needs or for particular nutritional purposes; Agreed

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(c) exclusion of substances and processing methods that might be misleading as regards the true nature of the product concerned;</i>	(c) exclusion of substances and processing methods that might be misleading as regards the true nature of the product; Agreed
		<i>(d) processing of feed with care, preferably through the use of biological, mechanical and physical methods.</i>	(d) processing of feed with care, preferably through the use of biological, mechanical and physical methods. Agreed
Chapter III			
Production rules	Commission proposal unchanged	Commission proposal unchanged	Production rules Agreed
<i>Article 7</i>			
General production rules	Commission proposal unchanged	Commission proposal unchanged	General production rules Agreed
1. Operators shall comply with the following general production rules:	Commission proposal unchanged	Commission proposal unchanged	1. Operators shall comply with the following general production rules: Agreed
Amendment 117 Article 7 (1) (a)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(a) the entire agricultural holding or aquaculture operation shall be managed in compliance with <i>the requirements applicable to organic production</i> ;	(a) the entire agricultural <u>or aquaculture</u> holding or aquaculture operation shall be managed in compliance with the requirements applicable to organic production.	(a) the entire agricultural holding or aquaculture operation shall be managed in compliance with <i>this Regulation</i> ;	(a) the entire agricultural or aquaculture holding or aquaculture operation shall be managed in compliance with the requirements applicable to organic production. Agreed at T5
Amendment 118 Article 7 (1) (b)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<p>(b) <i>save as otherwise provided</i> in point 2.2 of Part IV and point 1.3 of Part VI of Annex II, only products and substances authorised pursuant to Article 19 may be used in organic agriculture and aquaculture, provided that the product or substance in question has been authorised for use in agriculture and aquaculture, in accordance with the relevant provisions of Union law and, where necessary, in the Member States concerned, in accordance with national provisions based on Union law;</p>	<p>(b) <u>for the purposes mentioned in Article 19 and in save as otherwise provided in</u> point 2.2 of Part IV and point 1.3 of Part VI of Annex II, only products and substances authorised pursuant to <u>these provisions Article 19</u> may be used in organic agriculture and aquaculture, provided that the product or substance in question has been authorised for use in agriculture and aquaculture, in accordance with the relevant provisions of Union law and, where necessary, in the Member States concerned, in accordance with national provisions based on Union law; <u>the use of products and substances used for other purposes than those mentioned in Article 19 and point 2.2 of Part IV and point 1.3 of Part VI of Annex II are allowed provided that their use</u></p>	<p>(b) only products and substances authorised pursuant to point 2.2 of Part IV and point 1.3 of Part VI of Annex II <i>for the purposes mentioned in Article 19</i> may be used in organic agriculture and aquaculture, provided that the product or substance in question has been authorised for use in agriculture and aquaculture, in accordance with the relevant provisions of Union law and, where necessary, in the Member States concerned, in accordance with national provisions based on Union law; <i>the use of products and substances used for purposes other than those mentioned in Article 19 and authorised pursuant to point 2.2 of Part IV and point 1.3 of Part VI of Annex II shall be allowed provided that their use respects the principles laid down in Chapter II;</i></p>	<p>COM proposal (NP 9/02):</p> <p>Alternative text proposed by COM on 19/07 to take into account inert substances</p> <p>(b) for the purposes mentioned in Article 19 [and in point 2.2 of Part IV and point 1.3 of Part VI of Annex II], only products and substances authorised pursuant to these provisions may be used in organic agriculture and aquaculture production, provided that the product or substance in question has been authorised for use in agriculture and aquaculture organic production in accordance with Article 19 and Annex II and provided that their use has been authorised for conventional production in accordance with the relevant provisions of Union law and, where necessary, in the Member States concerned, in accordance with national provisions based on Union law.</p> <p>The following products and substances referred to in Article 2 (3) of Regulation (EC) No</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>respects the principles laid down in Chapter II.</u>		<p>1107/2009 shall be allowed for use in organic agriculture provided that they are authorised pursuant to Regulation (EC) No 1107/2009 :</p> <ul style="list-style-type: none"> - safeners, synergists and co-formulants as components of plant protection products - adjuvants to be mixed with plant protection products <p>The use of products and substances used for other purposes than those mentioned in Article 19 and in point 2.2 of Part IV and point 1.3 of Part VI of Annex II not regulated in this Regulation are allowed provided that their use respects the principles laid down in Chapter II;</p> <p>Seems acceptable for EP To the A-list T15</p>
(c) the use of ionising radiation for the treatment of organic food or feed, or of raw materials used in organic food or feed shall be prohibited;	Commission proposal unchanged	Commission proposal unchanged	<p>(c) the use of ionising radiation for the treatment of organic food or feed, or of raw materials used in organic food or feed shall be prohibited;</p> <p>Agreed</p>
<p>Amendment 119 Article 7 (1) (c) (a) (new)</p>			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>(ca) the use of animal cloning and the rearing of artificially induced polyploid animals is prohibited;</u>	<i>(ca) the use of animal cloning and the rearing of artificially induced polyploid animals is prohibited;</i>	<u>(ca) the use of animal cloning and the rearing of artificially induced polyploid animals is prohibited;</u> <u>Agreed</u>
Amendment 120 Article 7 (1) (c) (b) (new)			
	<u>(cb) preventive measures shall be taken as appropriate at all stages of production, preparation and distribution</u>	<i>(cb) preventive measures shall be taken as appropriate at all stages of production, preparation and distribution;</i>	(cb) preventive and precautionary measures shall be taken, as appropriate, at all stages of production, preparation and distribution; <u>Agreed</u>
Amendment 121 Article 7 (1) (d)			
(d) organic operators other than micro-enterprises, farmers and operators producing <i>seaweed</i> or aquaculture animals, shall <i>put in place an environmental management system with a view to improving their environmental performance.</i>	(d) — organic operators other than micro-enterprises, farmers and operators producing seaweed or aquaculture animals, shall put in place an environmental management system with a view to improving their environmental performance.	(d) organic operators other than micro-enterprises, farmers, <i>beekeepers, retailers,</i> and operators producing <i>algae</i> or aquaculture animals, shall <i>improve their environmental performance so as to protect biodiversity and to contribute to climate change mitigation by means such as carbon sequestration, establishing performance targets.</i>	AM 121 withdrawn COM Text is deleted as well. <u>Agreed at T13</u>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Amendment 122 Article 7 (2)			
2. In order to ensure the correct application of the general production rules, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 <i>providing</i> the criteria to which the environmental <i>management system</i> referred to in point (d) of paragraph 1 <i>is</i> to correspond. Those criteria shall take into account the specificities of small <i>and medium size</i> enterprises.	2. In order to ensure the correct application of the general production rules, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing the criteria to which the environmental management system referred to in point (d) of paragraph 1 is to correspond. Those criteria shall take into account the specificities of small and medium size enterprises	2. In order to ensure the correct application of the general production rules, the Commission shall be empowered to adopt delegated acts in accordance with Article 36, <i>based on the principles set out in Chapter II, laying down</i> the criteria to which the <i>requirements for</i> environmental <i>performance measures taken in organic operations as</i> referred to in point (d) of paragraph 1 <i>are</i> to correspond. Those criteria shall take into account the specificities of small and <i>medium-sized</i> enterprises.	AM 122 withdrawn COM Text is deleted as well. Agreed at T13
	<u>1a. By way of derogation from paragraph 1 (a), a holding may be split into clearly and effectively separated units or aquaculture production sites which are not all managed under organic production, provided that:</u>		3. Notwithstanding paragraph 1 (a), a holding may be split into clearly and effectively separated organic, in-conversion and non-organic production units, provided that for the non-organic production units: Agreed

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>(i) as regards livestock, different species shall be involved;</u>		(i) as regards livestock, different species are involved; Agreed
	<u>(ii) as regards plants, different varieties that can be easily differentiated shall be involved.</u>		(ii) as regards plants, different varieties that can be easily differentiated are involved. Agreed
	<u>As regards aquaculture, the same species may be involved, provided that there is a clear and effective separation between the production sites.</u>	See AM 123 (art 7a(1)(d))	(iii) as regards algae and aquacultural animals, different species are involved Agreed at T5.
		See AM 277	By way of derogation to point (ii), in the case of perennial crops which require a cultivation period of at least three years, different varieties that cannot be easily differentiated or the same varieties may be involved provided that the production in question forms part of a conversion plan approved by the competent authority and that the conversion to organic production of the last part of the area related to the production in question begins within the shortest

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>possible period and, in any event, is completed within a maximum of five years.</p> <p>In such cases:</p> <p>(a) the competent authority shall be notified of the harvest of each of the products concerned at least 48 hours in advance;</p> <p>(b) upon completion of the harvest, the producer shall inform the competent authority of the exact quantities harvested on the units concerned and of the measures applied to separate the products;</p> <p>(c) the conversion plan and the measures to ensure the effective and clear separation shall be approved by the competent authority; this approval shall be confirmed each year by the competent</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			authority after the start of the conversion plan. Agreed
	<u>In case of research and educational centers, nurseries, seed multipliers, hatcheries in the framework of aquaculture and algae production and breeding operations, the requirements concerning different species and varieties referred to in points (i) and (ii) shall not apply.</u>	See AM 123 (art 7a.1 last para)	COM proposal (NP 9/02): By way of derogation to points (i) and (ii) and (iii), in the case of research and educational centers, nurseries, seed multipliers, hatcheries in the framework of aquaculture and algae production and breeding operations, the requirements concerning different species and varieties shall not apply. Agreed at T5.
	<u>1b. In the case referred to in paragraph 1a, the operator shall keep the organic production and the products used for this organic production separate from the non-organic production and the products used for the non organic production. The operator shall keep adequate records to show the effective separation.</u>		4. Where, in the cases referred to in paragraph 3, not all production units of a holding are managed under organic production rules, the farmers and operators shall keep the products used for the organic and in-conversion production units separate from those used for the non-organic production units. Farmers and operators shall keep separate the products produced by the organic, in-conversion and non-organic production units.

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>Farmers and operators shall keep adequate records to show the effective separation of the production units and of the products.</p> <p>Agreed</p>
	<p><u>The Commission shall, by way of implementing acts, lay down more specific rules on the application of paragraphs 1a and 1b.</u></p>		Text of GA withdrawn
	<p><u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u></p>		<p>GA withdrawnText of GA withdrawn</p> <p>A list T15</p>
			<p>6. 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 laid down in paragraph 3 in particular as regards products listed in Annex I to this Regulation.</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			Agreed at T13
Amendment 123 Article 7 (a) (new)			
		<i>Article 7a Derogation from general production rules</i>	Withdrawn
		<i>1. By way of derogation from point (a) of Article 7(1), a holding may be separated into clearly distinct production units which are either in compliance with this Regulation or dedicated to non-organic production, provided that:</i>	Withdrawn
		<i>(a) appropriate measures have been taken to ensure the permanent separation of products obtained from each unit concerned;</i>	Withdrawn
		<i>(b) as regards livestock, different species are involved and feed and stables are clearly separated;</i>	Withdrawn
		<i>(c) as regards plants, cultivated land is clearly separated, different crops and easily distinguishable varieties are produced and harvests are separately stored and processed;</i>	Withdrawn

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(d) as regards aquaculture, production sites, feed and species are clearly separated;</i>	Withdrawn
		<i>(e) as regards perennial crops which have been cultivated over a period of at least three years, varieties which cannot be easily differentiated shall be accepted if they are being produced under a conversion plan not exceeding five years in duration and are subject to specific control procedures.</i>	Withdrawn
		<i>In the case of research and educational centres, nurseries, seed multipliers, hatcheries for aquaculture and algae production and breeding operations, the requirements concerning different species and varieties referred to in points (a) and (e) of the first subparagraph shall not apply.</i>	Withdrawn

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>2. An agricultural holding or aquaculture operation which includes organic and non-organic units may establish a conversion plan for the non-organic part of production to be implemented within a period of time which allows the holding to adapt to the requirements of this Regulation.</i>	Withdrawn
		<i>3. The derogation set out in paragraph 1 shall not apply to units producing products which are not covered by the scope of this Regulation or products for which detailed requirements have not yet been developed.</i>	Withdrawn
<i>Article 8</i>			
Conversion	Commission proposal unchanged	Commission proposal unchanged	Keep COM text agreed
Amendment 124 Article 8 (1)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
1. Farmers and operators producing <i>seaweed</i> or aquaculture animals shall respect a conversion period. During the whole conversion period they shall apply the rules on organic production laid down in this Regulation and, in particular, the specific rules on conversion set out in Annex II.	1. Farmers and operators producing seaweed <u>algae</u> or aquaculture animals shall respect a conversion period. During the whole conversion period they shall apply the rules on organic production laid down in this Regulation and, in particular, the relevant specific rules on conversion set out in Annex II.	1. Farmers, <i>beekeepers</i> and operators producing <i>algae</i> or aquaculture animals shall respect a conversion period. Throughout the conversion period they shall apply all rules on organic production laid down in this Regulation and, in particular, the specific rules on conversion set out in Annex II.	1. Farmers and operators producing algae or aquaculture animals shall respect a conversion period. During the whole conversion period they shall apply all rules on organic production laid down in this Regulation and, in particular, the relevant rules on conversion set out in this Article and in Annex II. Agreed at T5 but: EP would like to introduce "beekeepers" as, in its view, beekeepers are not covered by farmers

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>COM comment: "Beekeeping is generally considered under the Common Agricultural Policy (CAP) as an "agricultural activity". Therefore, they are covered by the definition of farmers laid down in Art. 3 point (8). Not considering beekeepers as "farmers" would be inconsistent with CAP legislation. Such a deviation specifically for organic production seems also unnecessary as all rules for farmers laid down in this Regulation should also apply to beekeepers. Therefore, there is no need to "single out" beekeepers. The purpose of laying down definitions in this regulation is to lay down the meaning for this Regulation. This does not mean that beekeepers have to consider themselves as farmers. It just means that the rules for farmers laid down in this Regulation apply also to beekeepers."</p> <p>To be solved</p>
<p>Amendment 125 Article 8 (2) (1) (a) (new)</p>			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
2. The conversion period shall start at the earliest when the farmer or the operator producing <i>seaweed</i> or aquaculture animals has notified his activity to the competent authorities in accordance with this Regulation.	2. The conversion period shall start at the earliest when the farmer or the operator producing seaweed <u>algae</u> or aquaculture animals has notified his activity to the competent authorities in accordance as referred to in article 24(1) and his holding is submitted to the organic certification and control system. <u>with this Regulation.</u>	2. The conversion period shall start at the earliest when the farmer or the operator producing <i>algae</i> or aquaculture animals has <i>subjected his holding to the certification and control system and</i> notified his activity to the competent authorities in accordance with this Regulation.	2. The conversion period shall start at the earliest when the farmer or the operator producing algae or aquaculture animals has notified his activity to the competent authorities as referred to in article 24(1) and his holding is submitted to the organic certification and control system. Agreed at T5 but EP would like to introduce "beekeepers" as, in its view, beekeepers are not covered by farmers See COM comment above (on AM 124) To be solved
		<i>The competent authority may decide to recognise retroactively as being part of the conversion period any previous period during which:</i>	[Withdrawn, to be seen in conjunction with the proposal on AM 126]

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(a) the land parcels were subject to measures specified in a programme implemented pursuant to Regulation (EC) No 1305/2013, or in any other official programme, provided that the measures concerned ensure that products not authorised for organic production have not been used on those parcels; or</i>	[Withdrawn, to be seen in conjunction with the proposal on AM 126]
		<i>(b) evidence can be provided by the operator showing that, over a period of at least three years, the parcels were either natural or agricultural areas which were not treated with products or substances not authorised for organic production.</i>	[Withdrawn, to be seen in conjunction with the proposal on AM 126]
		<i>The conversion period may be reduced to one year for pasture and open air areas used by non-herbivore species. This period may be reduced to six months where the land concerned has not during the last year received any treatment with products not authorised for organic production.</i>	Covered by Annex II, part II
(2a) By way of derogation from paragraph 2, in cases where the land	2a — By way of derogation from paragraph 2, in cases where the	Commission proposal unchanged	Deleted

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
has been left fallow before the notification referred to in Article 24(1) for at least the time period required for conversion and provided that other necessary requirements are fulfilled, no conversion period shall be necessary for this fallow land	land has been left fallow before the notification referred to in Article 24(1) for at least the time period required for conversion and provided that other necessary requirements are fulfilled, no conversion period shall be necessary for this fallow land.		
Amendment 126 Article 8 (3)			
3. <i>No previous period may be recognised retroactively as being part of the conversion period.</i>	3. No previous <u>retroactive</u> period may be recognised <u>retroactively as being</u> part of the conversion period., <u>except where:</u>	<i>deleted</i>	3.No previous period may be recognised retroactively as being part of the conversion period except where: Agreed
	<u>(a) the land parcels were subject of measures defined in a programme implemented pursuant to Regulation (EU) No 1305/2013 provided that these measures ensure that products or substances not authorised for organic production have not been used on those land parcels; or</u>		<u>(a) the land parcels were subject of measures defined in a programme implemented pursuant to Regulation (EU) No 1305/2013 provided that these measures ensure that products or substances not authorised for organic production have not been used on those land parcels; or</u> Agreed

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>(b) proof can be provided by the operator that the land parcels were natural or agricultural areas which were not treated with products or substances not authorised for organic production for a period of at least three years.</u>		(b) proof can be provided by the operator that the land parcels were natural or agricultural areas which were not treated with products or substances not authorised for organic production for a period of at least three years. Agreed
	<u>3a. The operator shall keep the organic products separate from the in-conversion products and shall keep adequate records to show the effective separation.</u>		Deleted
Amendment 127 Article 8 (4)			
4. Products produced during the conversion period shall not be marketed as organic.	4. Products produced during the conversion period shall not be marketed as organic.	4. <i>Animals and animal</i> products produced during the conversion period shall not be marketed as organic.	4. Products produced during the conversion period shall not be marketed as organic or as in-conversion products. Agreed

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>Products of plant origin produced during the conversion period and in compliance with paragraph 1 may be marketed as in-conversion products provided a conversion period of at least 12 months before the harvest has been complied with and the product contains only one crop ingredient of agricultural origin.</u>	Plant products harvested 12 months after the start of the conversion period may be marked as conversion products, provided that such products contain only one crop ingredient of agricultural origin.	<i>However, feed products of plant origin produced during the conversion period and in compliance with paragraph 1 may be marketed as in-conversion products provided that a conversion period of at least 12 months before the harvest has been complied with. and that the product contains [only one crop ingredient] of agricultural origin.</i> Agreed at T5.
Amendment 128 Article 8 (5)			
5. <i>By way of derogation from Article 7(1)(a), during the conversion period, the agricultural holding may be split into clearly separated units which are not all managed under organic production. As regards livestock, different species shall be involved in organic production during the conversion period. As regards aquaculture, the same species may</i>	5. By way of derogation from Article 7(1)(a), during the conversion period, the agricultural holding may be split into clearly separated units which are not all managed under organic production. As regards livestock, different species shall be involved in organic production during the conversion period. As regards aquaculture, the same	deleted	Deleted

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<i>be involved, provided that there is adequate separation between the production sites. As regards plants, different varieties that can easily be distinguished shall be involved in organic production during the conversion period.</i>	species may be involved, provided that there is adequate separation between the production sites. As regards plants, different varieties that can easily be distinguished shall be involved in organic production during the conversion period.		
Amendment 129 Article 8 (6)			
6. 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 supplementing the rules laid down in this Article or supplementing <i>and amending</i> the rules set out in Annex II as regards conversion.	6. — 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 supplementing the rules laid down in this Article or supplementing and amending the rules set out in Annex II as regards conversion.	6. 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 supplementing the rules laid down in this Article or supplementing the rules set out in Annex II as regards 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. Agreed at T12

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>The Commission shall, where appropriate, adopt implementing acts laying down specific rules regarding the documents to be supplied in view of the recognition of previous retroactive period, as referred to in Article 8.3 (a) and (b).</u>		<u>The Commission shall, where appropriate, adopt implementing acts specifying the documents to be supplied in view of the recognition of previous retroactive period, as referred to in Article 8.3 (a) and (b).</u> To A-list T15
	<u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u>		A list T15
<i>Article 9</i>			
Prohibition of the use of GMOs	Commission proposal unchanged	Commission proposal unchanged	Keep COM text agreed
1. GMOs and products produced from or by GMOs shall not be used in food or feed or as food, feed, processing aids, plant protection products, fertilisers, soil conditioners, plant reproductive material, micro-organisms and animals in organic production.	Commission proposal unchanged	Commission proposal unchanged	Keep COM text agreed
Amendment 130 Article 9 (2)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
2. For the purposes of paragraph 1, with regard to GMOs or products produced from or by GMOs for food and feed, operators <i>may</i> rely on the labels of a product or any other accompanying document, affixed or provided pursuant to Directive 2001/18/EC, Regulation (EC) No 1829/2003 of the European Parliament and of the Council ⁶⁹ or Regulation (EC) No 1830/2003 of the European Parliament and of the Council ⁷⁰ .	Commission proposal unchanged	2. For the purposes of <i>the prohibition laid down in</i> paragraph 1, with regard to GMOs or products produced from or by GMOs for food and feed, operators <i>shall</i> rely on the labels of a product or any other accompanying document, affixed or provided pursuant to Directive 2001/18/EC, Regulation (EC) No 1829/2003 of the European Parliament and of the Council ⁷¹ or Regulation (EC) No 1830/2003 of the European Parliament and of the Council ⁷² .	2. For the purposes of the prohibition laid down in paragraph 1, with regard to GMOs or products produced from or by GMOs for food and feed, operators <i>may</i> rely on the labels of a product or any other accompanying document, affixed or provided pursuant to Directive 2001/18/EC, Regulation (EC) No 1829/2003 of the European Parliament and of the Council⁷³ or Regulation (EC) No 1830/2003 of the European Parliament and of the Council⁷⁴. agreed

⁶⁹ Regulation (EC) 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed (OJ L 268, 18.10.2003, p. 1).

⁷⁰ Regulation (EC) 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC (OJ L 268, 18.10.2003, p. 24).

⁷¹ Regulation (EC) 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed (OJ L 268, 18.10.2003, p. 1).

⁷² Regulation (EC) 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC (OJ L 268, 18.10.2003, p. 24).

⁷³ Regulation (EC) 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed (OJ L 268, 18.10.2003, p. 1).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
3. Operators may assume that no GMOs or products produced from or by GMOs have been used in the manufacture of purchased food and feed when such products are not labelled, or accompanied by a document, pursuant to the Regulations referred to in paragraph 2, unless they have obtained other information indicating that the labelling of the products concerned is not in conformity with those Regulations.	Commission proposal unchanged	Commission proposal unchanged	Keep COM text agreed
<p style="text-align: center;">Amendment 131 Article 9 (3) (1) (a) (new)</p>			

⁷⁴ Regulation (EC) 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC (OJ L 268, 18.10.2003, p. 24).

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	3a. For the purpose of the prohibition referred to in paragraph 1, with regard to products not being food or feed, or products produced by GMOs, operators using such non-organic products purchased from third parties shall require the vendor to confirm that the products supplied have not been produced from or by GMOs.	<i>For the purposes of the prohibition laid down in paragraph 1, with regard to products which are not food or feed, or products produced from or by GMOs, operators using such non-organic products purchased from third parties shall require the vendor to confirm that the products supplied have not been produced from or by GMOs.</i>	4. For the purpose of the prohibition laid down in paragraph 1, with regard to products not covered by the provisions of paragraphs 2 and 3, operators using non-organic products purchased from third parties shall require the vendor to confirm that the products supplied have not been produced from or by GMOs. agreed
<i>Article 10</i>			
Plant production rules	Commission proposal unchanged	Commission proposal unchanged	Keep COM text- agreed at T5
Amendment 132 Article 10 (1)			
1. Operators producing plants or plant products shall in particular comply with the specific production rules set out in Part I of Annex II.	1. Operators producing plants or plant products shall in particular comply with the specific production rules set out in Part I of Annex II <u>and with the specific rules laid down in accordance with paragraph 4 (a) and (c).</u>	1. Operators producing plants or plant products shall in particular comply with the specific production rules set out in Part I of Annex II <i>and with the specific implementing rules laid down in accordance with paragraph 4 of this Article.</i>	1. Operators producing plants or plant products shall in particular comply with the detailed rules set out in Part I of Annex II [and with the implementing acts referred to in paragraph 5.] To be solved
Amendment 133			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Article 10 (2)			
2. Each Member State shall ensure that a computerised database is established for listing <i>the</i> varieties <i>and</i> heterogeneous material, <i>according to Regulation (EU) No XX/XXX (PRM law)</i> for which <i>plant reproductive material</i> obtained by the organic production method <i>is</i> available on its <i>territory</i> .	2. Each Member State shall ensure that a computerised database is established for listing the varieties and <u>populations</u> heterogeneous material, according to Regulation (EU) No XX/XXX (PRM law) for which plant reproductive material, <u>excluding seedlings</u> , obtained by the organic production method is available on its territory.	2. Each Member State shall ensure that a computerised database is established for <i>indicative</i> listing of varieties <i>including seed potatoes and</i> heterogeneous material, <i>such as populations or open pollinated varieties, meaning that they have not been obtained by controlled pollination of inbred lines</i> for which <i>seeds</i> obtained by the organic production method <i>are</i> available on its <i>national market</i> . <i>The organically bred varieties or heterogeneous material selected for their ability to meet the specific aims and objectives of organic farming shall be clearly identified in the list.</i>	No agreement To be solved

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>The databases shall be maintained by each Member State and shall be made public by the Commission. In order to ensure a timely overview of the availability of plant reproductive material suitable for organic production at Union level, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down:</i>	
		<i>– the technical minimum requirements for establishing the databases mentioned in this paragraph,</i>	
		<i>– the content of the information to be transmitted to the Commission by Member States, as well as the technical details and frequency of such procedure.</i>	
		<i>For heterogeneous material made available for use in organic agriculture,</i>	
		<i>(a) Council Directive 66/401/EEC⁷⁵,</i>	

⁷⁵ *Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed (OJ 125, 11.7.1966, p. 2298).*

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(b) Council Directive 66/402/EEC⁷⁶,</i>	
		<i>(c) Council Directive 68/193/EEC⁷⁷,</i>	
		<i>(d) Council Directive 98/56/EC⁷⁸,</i>	
		<i>(e) Council Directive 1999/105/EC⁷⁹,</i>	
		<i>(d) Council Directive 2002/53/EC⁸⁰.</i>	
		<i>(e) Council Directive 2002/54/EC⁸¹,</i>	
		<i>(f) Council Directive 2002/55/EC⁸²,</i>	

⁷⁶ *Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed (OJ 125, 11.7.1966, p. 2309).*

⁷⁷ *Council Directive 68/193/EEC of 9 April 1968 on the marketing of material for the vegetative propagation of the vine (OJ L 93, 17.4.1968, p. 15).*

⁷⁸ *Council Directive 2002/53/EC of 13 June 2002 on the common catalogue of varieties of agricultural plant species (OJ L 193, 20.7.2002, p. 1).*

⁷⁹ *Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed (OJ L 193, 20.7.2002, p. 12).*

⁸⁰ *Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed (OJ L 193, 20.7.2002, p. 33).*

⁸¹ *Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes (OJ L 193, 20.7.2002, p. 60).*

⁸² *Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants (OJ L 193, 20.7.2002, p. 74).*

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(g) Council Directive 2002/56/EC⁸³,</i>	
		<i>(h) Council Directive 2002/57/EC⁸⁴,</i>	
		<i>(i) Council Directive 2008/72/EC⁸⁵, and</i>	
		<i>(j) Council Directive 2008/90/EC⁸⁶</i>	
		<i>shall not apply.</i>	
<p style="text-align: center;">Amendment 134 Article 10 (3) - introductory part</p>			

⁸³ *Council Directive 2008/72/EC of 15 July 2008 on the marketing of vegetable propagating and planting material, other than seed (OJ L 205, 1.8.2008, p. 28).*

⁸⁴ *Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit propagating material and fruit plants intended for fruit production (OJ L 267, 8.10.2008, p. 10).*

⁸⁵ *Council Directive 2008/72/EC of 15 July 2008 on the marketing of vegetable propagating and planting material, other than seed (OJ L 205, 1.8.2008, p. 28).*

⁸⁶ *Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit propagating material and fruit plants intended for fruit production (OJ L 267, 8.10.2008, p. 10).*

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<p>3. In order to ensure quality, traceability and compliance with this Regulation as regards organic plant production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 <i>amending or</i> supplementing the specific plant production rules as regards:</p>	<p>3. In order to ensure quality, traceability and compliance with this Regulation as regards organic plant production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending or supplementing the specific plant production rules as regards:</p>	<p>3. In order to ensure quality, traceability and compliance with this Regulation as regards organic plant production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific plant production rules as regards:</p>	<p>3. In order to ensure quality, traceability and compliance with this Regulation as regards organic plant production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending the detailed plant production rules set out in Part I of Annex II as regards:</p> <p>[- derogations 1.1.a and 1.1.b]</p> <p>[- use of plant reproductive material / use of seed or vegetative material not obtained from organic production as referred to in points 1.4.2 and 1.4.2.1]</p> <p>4. In order to ensure quality, traceability and compliance with this Regulation as regards organic plant 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 plant</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>production rules set out in Part I of Annex II as regards</p> <ul style="list-style-type: none"> - the provisions concerning agreements with other agricultural holdings as referred to in point 1.5.5. - the measures related to pest and weed management as referred to in point 1.6.1 - detailed rules and cultivation practices for specific plants and plant production, including rules for sprouted seeds. <p>5.The Commission shall adopt delegated acts amending by adding to Annex II specific conditions on the cultivation practices referred to in Annex II, Part I (exact reference corresponding to paragraph 4 to be introduced), in particular, with regard to rules on conversion, preventive measures including crop rotation, soil and crop health, use of energy and natural resources, nutrient and soil fertility management, and the specific climatic conditions justifying the recourse to demarcated beds</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			Agreed at T13. To be discussed at SCA on 05/12 (see ST 15109/16)
Amendment 135 Article 10 (3) (a)			
(a) <i>cultivation practices;</i>	(a) — cultivation practices;	<i>deleted</i>	Deleted and replaced by para 3 and 4 above
Amendment 136 Article 10 (3) (b)			
(b) soil management and fertilisation;	(b) — soil management and fertilisation;	(b) soil management and fertilisation, <i>as laid down in points 1.5.4 and 1.5.5 of Part I of Annex II;</i>	Deleted and replaced by para 3 and 4 above (Annex II, part I, 1.5)
Amendment 137 Article 10 (3) (c)			
(c) plant health and management of pests <i>and weeds;</i>	(c) — plant health and management of pests and weeds;	(c) plant health and management of pests, <i>weeds and diseases, as laid down in point 1.6 of Part I of Annex II;</i>	Deleted and replaced by para 3 and 4 above
(d) management of mushroom production and other specific plant and plant production systems;	(d) — management of mushroom production and other specific plant and plant production systems;	Commission proposal unchanged	Deleted and replaced by para 3 and 4 above
Amendment 138 Article 10 (3) (e)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<i>(e) the origin of plant reproductive material;</i>	(e) the origin of plant reproductive material;	<i>deleted</i>	Deleted and replaced by para 3 and 4 above
Amendment 139 Article 10 (3) (f)			
(f) the collection of wild plants.	(f) the collection of wild plants.	(f) the collection of wild plants, <i>as laid down in point 2.2 of Part I of Annex II.</i>	Deleted and replaced by para 3 and 4 above
Amendment 140 Article 10 (4)			
4. The Commission shall adopt implementing acts laying down the technical details for establishing the database referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).	4. The Commission shall adopt implementing acts laying down:	4. The Commission shall adopt implementing acts laying down:	<p>5. The Commission shall adopt implementing acts laying down rules on:</p> <ul style="list-style-type: none"> - [the application of point 1.4.2, including the list of varieties or species for which point 1.4.2 cannot apply] <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</p> <p>To be solved</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>(a) requirements for specific plants, plant products or plant production systems;</u>	<i>(a) the requirements for specific plants, plant products or plant production systems;</i>	deleted and replaced by 10(4) above
	<u>(b) the technical details for establishing the database referred to in paragraph 2;</u>	<i>(b) the technical details for establishing the database referred to in paragraph 2.</i>	Deleted. To be seen in conjunction with the new art 19a where an IA is foreseen
	<u>(c) the conditions for the implementation of point 1.4.2 of Part. I of Annex II, including the list of varieties or species for which point 1.4.2.1 cannot be applied.</u>	<i>(c) the conditions for the implementation of point 1.4.2 of Part I of Annex II.</i>	deleted and replaced by 10(4) above
	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).	AM withdrawn by EP at T5 deleted and replaced by 10(4) above
<i>Article 10a</i>			
			Specific provisions for the marketing of heterogeneous material intended exclusively for organic production (PRES compromise on 5/12; see ST 15109/16)

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>1. By way of derogation from Directive 2002/53/EC (varietal aspects to be screened), and from:</p> <p>(a) Article 2(1)(B), point (d) of Article 2(3)(A), point (b) of Article 4a(1), point (c) of Article 14(a), Article 17, Article 19(2), Annex I, points (1) and (4), and Annex II of Directive 66/401/EEC;</p> <p>(b) Article 2(1)(B), Article 2(1)(C), Article 2(1)(D), point (d) of Article 2(3)(A) Article 7(1), point (c) of Article 14a, Article 17, Article 19(2), Annex I and Annex II to Directive 66/402/EEC;</p> <p>(c) point (c) of Article 2(1), Article 2(2), point (d) of Article 2(3)(A), point (b) of Article 6(1), Article 9(1), Article 21(c), Article 24, Article 25(2), and Annexes 1, III and IV to Directive 2002/54/EC;</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>(d) points (c), (d) and (e) of Article 2(1), Article 2(3), Article 2(4)(A)(d), Article 3(1), Article 23(1), Article 26(3), Article 35(c), points (a) and (b) of Article 37(1), Article 38, point (b) of Article 39(2), Article 40, Article 41, Article 42, and Annexes I, II, IV and V to Directive 2002/55/EC;</p> <p>(e) point (c) of Article 2(1), Article 2(3), point (b) of Article 6(1), Article 9(1), point (a) of Article 12(1), Article 18(c), Article 19a, Article 21, point (b) of Article 22(2), and Annexes I, II, IV and V to Directive 2002/57/EC,</p> <p>(f) Directive 68/193 – varietal aspects to be screened</p> <p>(g) Directive 2008/90 – varietal aspects to be screened</p> <p>(h) Directive 2008/72 – varietal aspects to be screened</p> <p>(i) Directive 2002/56 – varietal aspects to be screened</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>Heterogeneous material may be marketed without belonging to a variety accepted in the Common Catalogues established pursuant to those Directives.</p> <p>2. Heterogeneous material may only be produced and marketed following the adoption of the delegated act referred to in paragraph 2, and in accordance with the rules set out in that act.</p> <p>3. The Commission shall be empowered to adopt a delegated act, in accordance with Article 36, setting out proportionate rules concerning the marketing of heterogeneous material of particular genera or species intended exclusively for organic production as regards:</p> <p>(a) the description of the material, including, where applicable, the breeding methods and parental material used;</p> <p>(b) the minimum quality requirements of seed lots (identity, specific purity, germination rates and sanitary quality);</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>[(c) the establishment by the competent authorities of lists for heterogeneous material and professional operators producing that material, modalities for that listing and content of those lists.]</p> <p>4. The Commission shall adopt implementing acts laying down technical details concerning heterogeneous material as regards:</p> <p>(a) labelling and packaging;</p> <p>(b) information and samples of production to be kept by the professional operators;</p> <p>(c) maintenance of the material.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</p> <p><i>No agreement at T13. As a compromise, PRES could support the above article Y only.</i></p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p><i>In addition, a Declaration from the COM could be explored to use the existing implementing power provided in Directives 54/2002, 55/2002, 56/2002, 57/2002 (art 27) in order to promote the marketing of PRM fit to organic production</i></p> <p><i>EP proposed a counter proposal, as follows.</i></p> <p><i>New Article y</i></p> <p><i>Specific provisions for the marketing of heterogeneous material for organic production</i></p> <p><i>1. Heterogeneous material for organic production shall not be subject to the following Directives:</i></p> <p><i>(a) Council Directive 66/401/EEC;</i></p> <p><i>(b) Council Directive 66/402/EEC;</i></p> <p><i>(c) Council Directive 68/193/EEC;</i></p> <p><i>(d) Council Directive 98/56/EC;</i></p> <p><i>(e) Council Directive 1999/105/EC;</i></p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>(f) Council Directive 2002/53/EC;</p> <p>(g) Council Directive 2002/54/EC;</p> <p>(h) Council Directive 2002/55/EC;</p> <p>(i) Council Directive 2002/56/EC;</p> <p>(j) Council Directive 2002/57/EC;</p> <p>(k) Council Directive 2008/72/EC;</p> <p>(l) Council Directive 2008/90/EC</p> <p>2. Operators marketing heterogeneous material for organic production shall provide information regarding:</p> <p>(a) when the material was harvested</p> <p>(b) where the material was harvested</p> <p>(c) the origin or development of the material</p> <p>(d) the breeding methods used to establish the material</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p><i>(e) the composition of the material if applicable</i></p> <p>3. <i>When evidence has been established that the provisions of paragraph (1) of this Article led to significant distortions of the market of plant reproductive material for organic production or to a significant degree of persistent user complaints, the Commission shall be empowered to adopt a delegated act, in accordance with Article 36, setting out proportionate rules concerning the marketing of heterogeneous material for organic production as regards:</i></p> <p><i>(a) the description of the material, including, where applicable, the breeding methods and parental material used;</i></p> <p><i>(b) the minimum quality requirements of seed lots (identity, specific purity, germination rates and sanitary quality);</i></p> <p><i>To be discussed at SCA on 05/12. (see ST 15109/16)</i></p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p><i>No agreement at T13.</i></p> <p><i>PRES proposed to delete the new article Z</i></p> <p><i>EP proposed the counter proposal, as follows</i></p> <p><i>New Article Z</i></p> <p><i>Specific provisions for the marketing of seeds and propagating material, other than heterogeneous material, suitable for organic production</i></p> <p><i>For plant reproductive material suitable for use in organic production, the minimum requirements as regards the uniformity, distinctness and stability of a variety, and, where applicable, its value for cultivation and use (VCU), as set out in Directives</i></p> <p><i>(a) Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed, Articles 3 (1) and 3 (2);</i></p> <p><i>(b) Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed, Article 3 (1)</i></p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>(c) Council Directive 68/193/EEC of 9 April 1968 on the marketing of material for the vegetative propagation of the vine, Article 3 (1);</p> <p>(d) Council Directive 2002/53/EC of 13 June 2002 on the common catalogue of varieties of agricultural plant species, Articles 4 (1) and 4 (2);</p> <p>(e) Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed, Article 3 (1);</p> <p>(f) Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed, Article 3 (1);</p> <p>(g) Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes, Article 3 (1);</p> <p>(h) Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants, Articles 3 (1) and 3 (2);</p> <p>(i) Council Directive 2008/72/EC of 15 July 2008 on the marketing of vegetable propagating and planting material, other than seed, Articles 9 (1) and 9 (2);</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p><i>(j) Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit propagating material and fruit plants intended for fruit production, Articles 3(1) and 7 (1) shall not apply.</i></p> <p><i>2. Operators marketing seeds and propagating material, other than heterogeneous material, suitable for organic production shall provide information regarding:</i></p> <p><i>(a) when the material was harvested</i></p> <p><i>(b) where the material was harvested</i></p> <p><i>(c) the origin of the material if applicable</i></p> <p><i>(d) the breeding methods used to establish the material</i></p> <p><i>(e) the composition of the material if applicable</i></p> <p><i>(f) the organic certificate for the seed lot concerned</i></p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p><i>When evidence has been established that the provisions of paragraph (1) of this Article led to significant distortions of the market of seeds and propagating material, other than heterogeneous material, suitable for organic production or to a significant degree of persistent user complaints, the Commission shall be empowered to adopt a delegated act, in accordance with Article 36, setting out proportionate rules concerning the marketing of heterogeneous material for organic production as regards :</i></p> <p><i>(a) the description of the seeds and propagating material suitable for organic production, including, where applicable, the description of the breeding methods and parental material used;</i></p> <p><i>(b) the determination of the conditions in which seeds and propagating material are considered as suitable for organic production within defined geographical regions;]</i></p> <p><i>To be discussed at SCA on 05/12. (see ST 15109/16)</i></p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<i>Article 11</i>			
Livestock production rules	Commission proposal unchanged	Commission proposal unchanged	Keep COM text- agreed at T5
Amendment 141 Article 11 (1)			
1. Livestock operators shall in particular comply with the <i>specific</i> production rules set out in Part II of Annex II.	1. Livestock operators shall in particular comply with the specific production rules set out in Part II of Annex II <u>and with the specific rules laid down in accordance with paragraphs 2a, 2b and 2c.</u>	1. Livestock operators shall in particular comply with the production rules set out in Part II of Annex II.	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. Agreed at T12
Amendment 142 Article 11 (1) (a) (new)			
		<i>1a. By 1 July 2017 the Commission shall present to the European Parliament and to the Council a report on new species-specific rules to be incorporated into this Regulation. Those rules must be designed to meet all physiological and behavioural needs of the species concerned.</i>	NB: paragraph 1a deleted as the substance of EP AM 142 will be dealt with in Article 35 on reporting Agreed

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<p><i>This part of AM 142 is moved down to Annex II, Part II, 1.6.7a new</i></p> <p><i>The use of cages shall not be permitted [for any vertebrate species except fish].</i></p>	Following revised text agreed and moved to 1.6.7a " the use of cages, boxes and flat decks to raise livestock shall not be permitted for any livestock species
<p>Amendment 143</p> <p>Article 11 (2) - introductory part</p>			
<p>2. 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 <i>amending or</i> supplementing the specific livestock production rules as regards:</p>	<p>2. — 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 or supplementing the specific livestock production rules as regards:</p>	<p>2. 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 supplementing the specific livestock production rules as regards:</p>	<p>2. 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:</p> <p>Agreed at T12</p>
<p>Amendment 144</p> <p>Article 11 (2) (a)</p>			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(a) <i>the origin of animals;</i>	(a) — the origin of animals	<i>deleted</i>	– 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, 1.3.5.2., 1.3.5.3., 1.3.5.4. and 1.3.5.4a once the sufficient availability on the EU market of organic animals has been established; To be solved
Amendment 145 Article 11 (2) (b)			
(b) <i>livestock housing, including minimum surface areas indoors and outdoors and the maximum number of animals per hectare;</i>	(b) — livestock housing, including minimum surface areas indoors and outdoors and the maximum number of animals per hectare;	<i>deleted</i>	– the limit of organic nitrogen linked to the total stocking density as referred to in point 1.6.6; Agreed at T12
Amendment 146 Article 11 (2) (c)			
(c) <i>husbandry practices;</i>	(c) — husbandry practices;	<i>deleted</i>	Deleted agreed at T12
Amendment 147 Article 11 (2) (d)			
(d) <i>breeding;</i>	(d) — breeding;	<i>deleted</i>	Deleted, agreed at T12
Amendment 148			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Article 11 (2) (e)			
(e) <i>feed and feeding;</i>	(e) — feed and feeding;	(e) <i>nutrition, as laid down in points 2.1.2, 2.2.2, 2.3.2, 2.4.3 and 2.5.3 of Part II of Annex II;</i>	<p>– feeding of bee colonies as referred to in point 1.8.6.2b ; Agreed at T12</p> <p>—[acceptable feed materials and substances] To be deleted (provided that points 1.4.2.1 and 1.4.2.2 are moved into an IA foreseen in article 19)</p> <p>To A-list T15</p>
Amendment 149 Article 11 (2) (f)			
(f) disease prevention and veterinary treatment.	(f) — disease prevention and veterinary treatment.	(f) disease prevention and veterinary treatment, <i>as laid down in point 2.5.4 of Part II of Annex II.</i>	<p>– 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) Agreed at T12</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			3. 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: Agreed at T12
			– derogations as regards the origin of animals for species other than those regulated in Annex II, part II; Agreed at T12
			– nutrition for species other than those regulated in Part II of Annex II; Agreed at T12
			– housing conditions and husbandry practices for species other than those regulated in Part II of Annex II; Agreed at T12

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			– health care for species other than those regulated in Part II of Annex II; Agreed at T12
			– animal welfare for species other than those regulated in Part II of Annex II; Agreed at T12
	<u>2a. The Commission shall adopt implementing acts laying down specific rules on nutrition requirements, housing conditions, stocking density, disease prevention, veterinary treatments, animal welfare and husbandry practices for the following specific livestock species:</u>		4. The Commission shall adopt implementing acts laying down rules on: Agreed at T12
	<u>(a) bovine, ovine and caprine animal;</u>		– the minimum period referred to in point 1.4.1. (g) to be respected for feeding of suckling animals with maternal milk; Agreed at T12

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>(b) equine animal;</u>		– the stocking density and minimum surface for indoor and outdoor areas to be respected for specific livestock species to ensure, in accordance with points 1.6.3 and 1.7.2, that the developmental, physiological and ethological needs of animals are met; Agreed at T12
	<u>(c) porcine animal;</u>		– the characteristics and technical requirements of the minimum surface for indoor and outdoor areas; Agreed at T12
	<u>(d) poultry;</u>		– the characteristics and technical requirements of buildings and pens for all livestock species, except for bees, to ensure, in accordance with point 1.7.2., that the developmental, physiological and ethological needs of animals are met; Agreed at T12
	<u>(e) bees;</u>		- vegetation requirements and characterises of protected facilities and open air areas; Agreed at T12

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u>		Keep GA text Agreed at T12
	<u>2b. The Commission may adopt implementing acts laying down specific rules on nutrition requirements, housing conditions, stocking density, disease prevention, veterinary treatments, animal welfare, husbandry practices and conversion periods for livestock species other than those referred to in paragraph 2a.</u>		GA withdrawn, agreed at T12
	<u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u>		GA withdrawn, agreed at T12
	<u>2c. The Commission shall, where appropriate, adopt implementing acts laying down specific rules on the application of point 1.3.5. of Part II of Annex II.</u>		GA withdrawn, agreed at T12

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u>		GA withdrawn, agreed at T12
Amendment 150 Article 11 (2) (1) (a) (new)			
		<i>Those delegated acts shall cover the following species:</i>	AM 150 withdrawn by EP, confirmed at T5
		<i>(a) bovine, ovine and caprine animals;</i>	
		<i>(b) equine animals;</i>	
		<i>(c) porcine animals;</i>	
		<i>(d) poultry;</i>	
		<i>(e) bees.</i>	
Article 12			
Amendment 151 Article 12 - title			
Production rules for <i>seaweed</i> and aquaculture animals	Production rules for seaweed <u>algae</u> and aquaculture animals	Production rules for <i>algae</i> and aquaculture animals	Keep GA text (identical to EP text) (agreed at T7)
Amendment 152 Article 12 (1)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
1. Operators producing <i>seaweed</i> and aquaculture animals shall in particular comply with the <i>specific</i> production rules set out in Part III of Annex II.	1. Operators producing seaweed <i>algae</i> and aquaculture animals shall in particular comply with the specific production rules set out in Part III of Annex II <u>and with the specific rules laid down in accordance with paragraph 3a.</u>	1. Operators producing <i>algae</i> and aquaculture animals shall in particular comply with the production rules set out in Part III of Annex II <i>and with the specific rules laid down in accordance with paragraph 3a of this Article.</i>	1. Operators producing algae and aquaculture animals shall in particular comply with the detailed production rules set out in Part III of Annex II and in the implementing acts referred to in paragraph 4. agreed at T11
Amendment 153 Article 12 (2) - introductory part			
2. In order to ensure quality, traceability and compliance with this Regulation as regards organic <i>seaweed</i> production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 <i>amending or</i> supplementing the specific <i>seaweed</i> production rules as regards:	2. In order to ensure quality, traceability and compliance with this Regulation as regards organic seaweed production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending or supplementing the specific seaweed production rules as regards:	2. In order to ensure quality, traceability and compliance with this Regulation as regards organic <i>algae</i> production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific <i>algae</i> production rules as regards:	2. In order to ensure quality, traceability and compliance with this Regulation as regards organic algae and aquaculture animals production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending the production rules for algae and aquaculture animals as regards: (a) feed for carnivorous animals as

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			referred to in Annex II, Part III, point 4.1.3.3; (b) veterinary treatments for aquaculture animals as referred to in Annex II, Part III, point 4.1.4.2. agreed at T11
Amendment 154 Article 12 (2) (a)			
(a) <i>the suitability of the aquatic medium and the sustainable management plan;</i>	(a) — the suitability of the aquatic medium and the sustainable management plan;	<i>deleted</i>	Deletion agreed at T7
(b) the harvesting of wild seaweed;	(b) — the harvesting of wild seaweed;	Commission proposal unchanged	Deleted agreed at T11
Amendment 155 Article 12 (2) (c)			
(c) <i>seaweed</i> cultivation;	(c) — seaweed cultivation;	(c) <i>algae</i> cultivation, <i>including for different species of algae;</i>	Deleted agreed at T11
(d) antifouling measures and cleaning of production equipment and facilities.	(d) — antifouling measures and cleaning of production equipment and facilities.	Commission proposal unchanged	Deleted agreed at T11

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<p style="text-align: center;">Amendment 156 Article 12 (3) - introductory part</p>			
<p>3. In order to ensure quality, traceability and compliance with this Regulation as regards organic aquaculture animals production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 <i>amending or</i> supplementing the specific production rules for aquaculture animals as regards:</p>	<p>3. In order to ensure quality, traceability and compliance with this Regulation as regards organic aquaculture animals production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 <i>amending or</i> supplementing the <i>specific</i> production rules for aquaculture animals as regards:</p>	<p>3. In order to ensure quality, traceability and compliance with this Regulation as regards organic aquaculture animals production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific production rules for aquaculture animals, <i>including for specific aquaculture species</i>, as regards:</p>	<p>3. In order to ensure quality, traceability and compliance with this Regulation as regards organic algae and aquaculture animals 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 production rules for algae and aquaculture animals as regards:</p> <p>(a) detailed conditions per species for broodstock management, breeding and juvenile production [as referred to in point 4.1.2.2];</p> <p>(b) feed for certain aquaculture animals as referred to in Annex II, Part III, point 4.1.3.4.</p> <p>agreed at T11</p>
<p style="text-align: center;">Amendment 157 Article 12 (3) (a)</p>			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(a) <i>the suitability of the aquatic medium and the sustainable management plan;</i>	(a) — the suitability of the aquatic medium and the sustainable management plan;	<i>deleted</i>	Deletion agreed at T7
Amendment 158 Article 12 (3) (b)			
(b) the origin of aquaculture animals;	(b) — the origin of aquaculture animals;	(b) the origin of aquaculture animals <i>for each particular species, as laid down in point 4.1.2 of Part III of Annex II;</i>	Deleted Redrafted by COM, see 3) a agreed at T11
Amendment 159 Article 12 (3) (c)			
(c) <i>aquaculture</i> husbandry, including aquatic containment systems, production systems, maximum stocking density and, where appropriate, minimum stocking density;	(c) — aquaculture husbandry, including aquatic containment systems, production systems, maximum stocking density and, where appropriate, minimum stocking density;	(c) <i>housing conditions and</i> husbandry <i>practices, as laid down in points 4.1.5 and 4.2.2 of Part III of Annex II;</i>	Deleted Redrafted by COM, see 3) a agreed at T11
Amendment 160 Article 12 (3) (d)			
(d) <i>breeding;</i>	(d) — breeding;	<i>deleted</i>	Deletion agreed at T7
Amendment 161			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Article 12 (3) (e)			
(e) management of <i>aquaculture animals</i> ;	(e) — management of aquaculture animals;	(e) management of <i>molluscs, as laid down in point 4.2.4 of Part III of Annex II</i> ;	Deleted Redrafted by COM, see 3) a agreed at T11
Amendment 162 Article 12 (3) (f)			
(f) feed and feeding;	(f) — feed and feeding;	(f) feed and feeding, <i>as laid down in points 4.1.3.3 and 4.1.3.4 of Part III of Annex II</i> ;	Deleted Redrafted by COM, see 3) b agreed at T11
Amendment 163 Article 12 (3) (g)			
(g) disease prevention and veterinary <i>treatment</i> .	(g) — disease prevention and veterinary treatment <u>as referred to in points 4.1.4.1 and 4.1.4.2 of Part III of Annex II</u>.	(g) disease prevention and veterinary <i>treatments, as laid down in point 4.1.4 of Part III of Annex II</i> .	Deleted Redrafted by COM, see 2) b agreed at T11
	<u>3a. The Commission shall adopt implementing acts laying down specific rules on:</u>		4. The Commission shall adopt implementing acts laying down detailed rules per species or group of species on the stocking density and on the specific characteristics for production and/or containment systems to ensure the species specific needs. agreed at T11

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>(a) algae cultivation and sustainable harvesting of wild algae;</u>		Deleted Outcome DGM 14/10, agreed at T11
	<u>(b) origin of seed, nutrition requirements, housing conditions, stocking density, disease prevention, veterinary treatments, animal welfare and husbandry practices for the different species of aquaculture animals.</u>		Deleted Outcome DGM 14/10, agreed at T11
	<u>(c) the conditions for the implementation of point 4.1.2.1 (db) of part III of Annex II.</u>		Deleted Outcome DGM 14/10, agreed at T11
	<u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u>		<u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u> <u>agreed</u>
Amendment 164 Article 12 (3) (a) (new)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>3a. The Commission shall adopt implementing acts laying down specific rules on the conditions for the implementation of the database referred to in point 4.1.2.1 of Part III of Annex II.</i>	To be dealt with in Article 19a (new) on databases
		<i>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</i>	Deleted Outcome DGM 14/10, agreed at T11
Article 13			
Amendment 165 Article 13 - title			
Production rules for processed <i>food and</i> feed	Commission proposal unchanged	Production rules for processed feed	Compromise proposal Production rules for processed food (Pro memoria: AM 165 is acceptable but moved down in new Article 13b below dealing with processed feed) Agreed at T13
Amendment 166 Article 13 (1)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
1. Operators producing processed food and feed shall in particular comply with the specific production rules set out in Part IV of Annex II.	1. Operators producing processed food and feed shall in particular comply with the specific production rules set out in Part IV of Annex II.	1. Operators producing processed feed shall comply with the production rules set out in Part IV of Annex II.	Compromise proposal Article 13 1. Operators producing processed food and feed shall in particular comply with the specific detailed production rules set out in Part IV of Annex II. <i>Agreed at T13</i> <i>(Pro memoria: AM 166 is partly acceptable and taken in board in new Article 13a)</i>
Amendment 167 Article 13 (2) - introductory part			
2. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed food and feed production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending or supplementing the specific production rules for processed food and feed as regards:	2. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed food and feed production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending or supplementing the specific production rules for processed food and feed as regards:	2. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed feed production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific production rules for processed feed as regards:	2. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed food and feed production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 [amending/amending by adding] the detailed -production rules for processed food and feed as regards:

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>COM prefers "amending", PRES can support this.</p> <p>Solution to be found. To be discussed at T15</p> <p>(Pro memoria :AM 167 is acceptable but moved down to Article 13a (new) dealing with processed feed).</p> <p>(pro memoria: AM 177(part 3) moved up here)</p>
<p>Amendment 168</p> <p>Article 13 (2) (a)</p>			
<i>(a) procedures to be followed;</i>	(a) procedures to be followed;	<i>deleted</i>	<p>Deletion agreed at T13</p> <p>Pro memoria: AM 168 moved down and discussed in Art 13a</p>
<p>Amendment 169</p> <p>Article 13 (2) (b)</p>			
(b) preventive measures to be taken;	(b) preventive measures to be taken;	(b) <i>precautionary and</i> preventive measures to be taken;	<p><i>(a)preventive measures to be taken as referred to in point 1.4 of Part IV of Annex II;</i></p> <p>To be discussed at T15 (definition of preventive measures to be discussed and check the coherency to link it to point 1.4 of part IV)</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Amendment 170 Article 13 (2) (c)			
(c) <i>the composition and conditions of use of processed food and feed, including products and substances allowed for use in processed food and feed;</i>	(e) —the type , composition and conditions of use of processed food and feed, including products and substances allowed for use in processed food and feed as laid down in points 2.2.2 of Part IV of Annex II;	<i>deleted</i>	(c) <i>the type</i> , composition and conditions of use processed food and feed, including of products and substances allowed for use in processed food, <i>as laid down in point 2.2.2 of Part IV of Annex II;</i> Seems acceptable, to be agreed at T14.A-list
Amendment 171 Article 13 (2) (d)			
(d) <i>cleaning measures;</i>	(d) — cleaning measures;	<i>deleted</i>	Deletion seems acceptable for EP (<i>pro memoria: AM 171 moved down and discussed in art 13a new</i>) to be agreed at T15. A list.
Amendment 172 Article 13 (2) (e)			
(e) <i>the placing on the market of processed products including their labelling and identification;</i>	(e) — the placing on the market of processed products including their labelling and identification;	<i>deleted</i>	Deletion seems acceptable for EP to be agreed at T14. A list
Amendment 173			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Article 13 (2) (f)			
<i>(f) separation of organic products, agricultural ingredients and feed materials from non-organic products, agricultural ingredients and feed materials;</i>	(f) — separation of organic products, agricultural ingredients and feed materials from non-organic products, agricultural ingredients and feed materials;	<i>deleted</i>	Deletion to be agreed at T15. A list <i>(pro memoria: AM 173 is moved down to Art 13a)</i>
Amendment 174 Article 13 (2) (g)			
<i>(g) the list of non-organic agricultural ingredients which may exceptionally be used for the production of organic processed products;</i>	(g) — the list, of non-organic agricultural ingredients which may exceptionally be used for the production of organic processed products;	<i>deleted</i>	Deletion seems acceptable to be agreed at T15. A list (AM 174 moved down to Art 13anew for further discussion)
			<i>Outcome of DGM on 21/11:</i> <i>[(ga) the procedure for the authorisation of non-organic agricultural ingredients which may exceptionally be used for the production of organic processed products;]</i> <i>Deletion seems acceptable for EP/PRES; To be agreed at T15 (A list)</i>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Amendment 175 Article 13 (2) (h)			
<i>(h) calculation of the percentage of agricultural ingredients referred to in Article 21(3)(a)(ii) and (b);</i>	(h) — calculation of the percentage of agricultural ingredients referred to in Article 21(3)(a)(ii) and (b);	<i>deleted</i>	<p>Outcome of DGM on 22/11: (h) the calculation of the percentage of agricultural ingredients referred to in Article 21(3)(a) (ii) and (b) ,as laid down in point 2.2.3 of Part IV of Annex II, including the list of food additives authorised for use in organic production pursuant to Article 19 that shall be calculated as agricultural ingredients; <i>Seems acceptable for EP/PRES, to be agreed at T14 (A-list).</i> Agreed at T13 (AM 175 moved down to Art 13 anew for further discussion) (pro memoria: AM 177 (part 3(d)) foresees a DA for this provision while CSL foresees co-decision)</p>
Amendment 176 Article 13 (2) (i)			
<i>(i) techniques used in food or feed processing.</i>	(i) — techniques used in food or feed processing.	(i) techniques used in feed processing.	No agreement (IA issue - see article 13(2b) of GA) AM 176 moved down in Art 13a new.

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			Solution to be found. To be discussed at T13
	<u>2a. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed feed production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the production rules for processed feed as regards products other than those referred to in points 3.2a and 3.2b of Part IV of Annex II.</u>		Moved down to Art 13a new
	<u>2b. The Commission may adopt implementing acts laying down specific rules concerning the production methods and the techniques authorised in the processing of specific food or feed products.</u>		No agreement (IA issue) <i>Alternative:</i> <i>[2a. The Commission may adopt implementing acts specifying the techniques authorised in the processing of specific food products.]</i> Solution to be found. To be discussed at T15

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u>		No agreement (IA issue) Solution to be found. To be discussed at T15
<p>In order to facilitate the reading of Art 13, a corresponding consolidated text resulting from the negotiations is introduced here:</p> <p>1. Operators producing processed food and feed shall <i>in particular</i> comply with the specific detailed production rules set out in Part IV of Annex II.</p> <p>[1a. In addition to the general production rules laid down in Article 7, the following rules shall apply to operators producing processed food:</p> <p>(a) the preparation of processed organic food shall be kept separate in time or space from that of non-organic food;</p> <p>(b) the following conditions shall apply to the composition of organic processed food:</p> <p>(i) the product shall be produced mainly from ingredients of agricultural origin; for the purposes of determining whether a product is produced mainly from ingredients of agricultural origin, added water and cooking salt shall not be taken into account;</p> <p>(ii) only additives, processing aids, flavourings, water, salt, preparations of micro-organisms and enzymes, minerals, trace elements, vitamins, and amino acids and other micronutrients may be used, and only in so far as they have been authorised for use in organic production in accordance with Article 19;</p> <p>(iii) non-organic agricultural ingredients may only be used if they have been authorised for use by a Member State;</p> <p>(iv) an organic ingredient shall not be present together with the same ingredient in non-organic form or an ingredient in conversion;</p> <p>(v) food produced from in-conversion crops shall contain only one crop ingredient of agricultural origin.]</p>			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<p>2. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed food and feed production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 [amending/amending by adding] the detailed-production rules for processed food and feed as regards:</p> <p>(a) procedures to be followed;</p> <p>(b) preventive measures to be taken <i>as referred to in point 1.4 of Part IV of Annex II</i>;</p> <p>(c) <i>the type</i>, composition and conditions of use processed food and feed, including of products and substances allowed for use in processed food, <i>as laid down in point 2.2.2 of Part IV of Annex II</i>;</p> <p>(d) cleaning measures;</p> <p>(e) the placing on the market of processed products including their labelling and identification;</p> <p>(f) separation of organic products, agricultural ingredients and feed materials from non-organic products, agricultural ingredients and feed materials;</p> <p>[(g) the list of non-organic agricultural ingredients which may exceptionally be used for the production of organic processed products;]</p> <p>[(ga) the procedure for the authorisation of non-organic agricultural ingredients which may exceptionally be used for the production of organic processed products;]</p> <p>(h) [the rules for the] <u>the calculation of the percentage of agricultural ingredients referred to in Article 21(3)(a) (ii) and (b) ,as laid down in point 2.2.3 of Part IV of Annex II, including the list of food additives authorised for use in organic production pursuant to Article 19 that shall be calculated as agricultural ingredients;</u></p> <p style="text-align: center;">Production rules for processed food</p> <p>[(i) techniques used in food or feed processing.]</p> <p><i>Alternative to GA: [2a. The Commission may adopt implementing acts specifying the techniques authorised in the processing of specific food products.]</i></p>			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Amendment 177 Article 13 (a) (new)			
		<i>Article 13a</i> <i>Production rules for processed food</i>	PM: AM 177 moved up in art 13
		<i>1. Operators producing processed food shall comply with the production rules set out in Part IV of Annex II.</i>	This provision is moved up in Art 13. It was agreed to add "in particular" in the text. <u>See Art 13 above.</u>
		<i>2. In addition to the general production rules laid down in Article 7, the following rules shall apply to operators producing processed food:</i>	This provision is moved up in Art 13 for discussion <u>See Art 13 above.</u> Withdrawal seems acceptable for EP as covered by Annex II, part IV. A list for T13
		<i>(a) the preparation of processed organic food shall be kept separate in time or space from that of non-organic food;</i>	This provision is moved up in Art 13 for discussion Withdrawal seems acceptable for EP as covered by Annex II, part IV. A list for T13
		<i>(b) the following conditions shall apply to the composition of organic processed food:</i>	This provision is moved up in Art 13 for discussion Withdrawal seems acceptable for EP as covered by Annex II, part IV. A list for T13

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(i) the product shall be produced mainly from ingredients of agricultural origin; for the purposes of determining whether a product is produced mainly from ingredients of agricultural origin, added water and cooking salt shall not be taken into account;</i>	This provision is moved up in Art 13 for discussion Withdrawal seems acceptable for EP as covered by Annex II, part IV. A list for T13
		<i>(ii) only additives, processing aids, flavourings, water, salt, preparations of micro-organisms and enzymes, minerals, trace elements, vitamins, and amino acids and other micronutrients may be used, and only in so far as they have been authorised for use in organic production in accordance with Article 19;</i>	This provision is moved up in Art 13 for discussion Withdrawal seems acceptable for EP as covered by Annex II, part IV. A list for T13
		<i>(iii) non-organic agricultural ingredients may only be used if they have been authorised for use by a Member State;</i>	This provision is moved up in Art 13 for discussion Withdrawal seems acceptable for EP. A list for T13
		<i>(iv) an organic ingredient shall not be present together with the same ingredient in non-organic form or an ingredient in conversion;</i>	This provision is moved up in Art 13 for discussion Withdrawal seems acceptable for EP as covered by Annex II, part IV. A list for T13

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(v) food produced from in-conversion crops shall contain only one crop ingredient of agricultural origin.</i>	This provision is moved up in Art 13 for discussion Withdrawal seems acceptable for EP as covered by Annex II, part IV. A list for T13
		<i>3. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed food production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific production rules for processed food as regards:</i>	To be dealt in Article 13 above
		<i>(a) precautionary and preventive measures to be taken;</i>	To be dealt in Article 13 above
		<i>(b) the composition and conditions of use of products and substances allowed for use in processed food, as laid down in point 2.2.2 of Part IV of Annex II;</i>	To be dealt in Article 13 above

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(c) the procedure for the authorisation of non-organic agricultural ingredients which may exceptionally be used for the production of organic processed products;</i>	To be dealt in Article 13 above
		<i>(d) the rules for the calculation of the percentage of agricultural ingredients referred to in points (a)(i) and (b) of Article 21(3), as laid down in point 2.2.3 of Part IV of Annex II;</i>	To be dealt in Article 13 above
		<i>(e) techniques used in food processing.</i>	To be dealt in Article 13 above
Production rules for processed food and feed	Commission proposal unchanged	AM 265 Production rules for processed feed	Compromise proposal Article 13a (new) Production rules for processed feed <i>Agreed at T13</i>
1. Operators producing processed food and feed shall in particular comply with the specific production rules set out in Part IV of Annex II.	1. Operators producing processed food and feed shall in particular comply with the specific production rules set out in Part IV of Annex II.	AM 266 1. Operators producing processed feed shall comply with the production rules set out in Part IV of Annex II.	1. Operators producing processed food and feed shall in particular comply with the detailed specific production rules set out in Part IV of Annex II. <i>Agreed at T13</i>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<ul style="list-style-type: none"> Art 13(2a) <p>2a. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed feed production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the production rules for processed feed as regards products other than those referred to in points 3.2a and 3.2b of Part IV of Annex II.</p>	<p>AM167</p> <p>2. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed feed production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific production rules for processed feed as regards:</p>	<p>2. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed feed 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 production rules for processed feed as regards:</p> <p>To A-list T15</p>
(a) <i>procedures to be followed;</i>	(a) — procedures to be followed;	AM 168 <i>deleted</i>	Deletion seems acceptable A list for T13
(b) preventive measures to be taken;	(b) — preventive measures to be taken;	AM 169 (b) <i>precautionary and</i> preventive measures to be taken;	b) preventive measures to be taken as referred to in point 1.4 of Part IVa of Annex II; <i>To be discussed at T15 (to discuss definition of preventive measures and check the coherency to make a ref to point 1.4 of Annex IV)</i>
(c) <i>the composition and conditions of use of processed food</i>	deleted	AM 170 <i>deleted</i>	Deleted Agreed at T13

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<i>and feed, including products and substances allowed for use in processed food and feed;</i>			
(d) <i>cleaning measures;</i>	deleted	AM 171 deleted	Deletion Agreed at T13
(e) <i>the placing on the market of processed products including their labelling and identification;</i>	deleted	AM 172 deleted	Deletion Agreed at T13
(f) <i>separation of organic products, agricultural ingredients and feed materials from non-organic products, agricultural ingredients and feed materials;</i>	deleted	AM 173 deleted	Deletion Agreed at T13
(g) <i>the list of non-organic agricultural ingredients which may exceptionally be used for the production of organic processed products;</i>	deleted	AM 174 deleted	[(g)—the list of non-organic agricultural ingredients which may exceptionally be used for the production of organic processed products;] Deletion Agreed at T13
(h) <i>calculation of the percentage of agricultural ingredients referred to in Article 21(3)(a)(ii) and (b);</i>	deleted	AM 175 deleted	[(h)—calculation of the percentage of agricultural ingredients referred to in Article 21(3)(a)(ii) and (b);]

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			Deletion <i>Agreed at T13</i>
(i) techniques used in <i>food or</i> feed processing.	Covered by IA in Art 13 (2b) in GA	AM 176 (i) techniques used in feed processing.	No agreement (IA issue) on the following provision: [(i) techniques used in feed processing.] To be solved
			<u>[No agreement on the following paragraph (2a) of GA</u> <ul style="list-style-type: none"> <u>2a. The Commission may adopt implementing acts laying down specific rules concerning the production methods and the techniques authorised in the processing of specific food or feed products.</u> <u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).]</u> <u>To be solved</u> <u>To be discusse at T15</u>
<p>In order to facilitate the reading of Art 13a, a corresponding consolidated text resulting from the negotiations is introduced here:</p> <p style="text-align: center;">Production rules for processed feed</p> <p>1. Operators producing processed feed and feed shall <i>in particular</i> comply with the detailed specific production rules set out in Part IV of Annex II.</p>			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<p>2. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed food and feed 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 production rules for processed food and feed as regards</p> <p><i>(a) procedures to be followed;</i></p> <p><i>(b) preventive measures to be taken as referred to in point 1.4 of Part IVa of Annex II;</i></p> <p><i>[(c) the composition and conditions of use processed food and feed, including of products and substances allowed for use in processed food, as laid down in point 2.2.2 of Part IV of Annex</i></p> <p><i>(d) cleaning measures;</i></p> <p><i>(e) the placing on the market of processed products including their labelling and identification;</i></p> <p><i>(f) separation of organic products, agricultural ingredients and feed materials from non-organic products, agricultural ingredients and feed materials;</i></p> <p><i>[(g) the list of non-organic agricultural ingredients which may exceptionally be used for the production of organic processed products;]</i></p> <p><i>[(h) calculation of the percentage of agricultural ingredients referred to in Article 21(3)(a)(ii) and (b);]</i></p> <p><i>[(i) techniques used in food or feed processing.]</i></p> <p><i>[2a. The Commission may adopt implementing acts laying down specific rules concerning the production methods and the techniques authorised in the processing of specific food or feed products.</i></p> <p><i>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).]</i></p>			
Article 14			
Production rules for wine	Commission proposal unchanged	Commission proposal unchanged	-----

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
1. Operators producing products of the wine sector shall in particular comply with the specific production rules set out in Part V of Annex II.	1. Operators producing products of the wine sector shall in particular comply with the specific production rules set out in Part V of Annex II.	Commission proposal unchanged	1. Operators producing products of the wine sector shall in particular comply with the specific detailed production rules set out in Part V of Annex II. <i>Agreed at T13</i>
Amendment 178 Article 14 (2)			
2. In order to ensure quality, traceability and compliance with this Regulation as regards organic wine production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 <i>amending or</i> supplementing the specific wine production rules as regards oenological practices and restrictions.	2. In order to ensure quality, traceability and compliance with this Regulation as regards organic wine production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending or supplementing the specific wine production rules as regards oenological practices and restrictions. <u>Amongst the oenological practices, processes and treatments provided for in Regulations (EU) No.1308/2013 and 606/2009, the Commission shall by way of implementing acts, identify:</u>	2. In order to ensure quality, traceability and compliance with this Regulation as regards organic wine production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific wine production rules as regards oenological practices and restrictions, <i>as laid down in points 3.2, 3.3, 3.4 and 3.5 of Part V of Annex II.</i>	No agreement COM NP 21.11.2016: [2. In order to ensure quality, traceability and compliance with this Regulation as regards organic wine production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36: - amending by adding oenological practices, processes and treatments that are prohibited to point 3.2 of Part V of Annex II; and - amending point 3.3. of Part V of Annex II <i>OR GA text (IA):</i> <u>Amongst the oenological practices, processes and treatments provided</u>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p><u>for in Regulations (EU) No.1308/2013 and 606/2009, the Commission shall by way of implementing acts, identify:</u></p> <p>- <u>the oenological practices, processes and treatments prohibited in the production of products of the wine sector;</u></p> <p>- <u>the oenological practices, processes and treatments permitted in the production of products of the wine sector, and the conditions of and restrictions to their use.</u></p> <p><u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).] (GA)</u></p> <p>To be solved</p>
	<p><u>- the oenological practices, processes and treatments prohibited in the production of products of the wine sector;</u></p>		

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>- the oenological practices, processes and treatments permitted in the production of products of the wine sector, and the conditions of and restrictions to their use.</u>		
	<u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u>		
<i>Article 15</i>			
Production rules for yeast used as food or feed	Commission proposal unchanged	Commission proposal unchanged	Keep COM text. Agreed at T6
1. Operators producing yeast to be used as food or feed shall in particular comply with the specific production rules set out in Part VI of Annex II.	1. Operators producing yeast to be used as food or feed shall in particular comply with the specific production rules set out in Part VI of Annex II.	Commission proposal unchanged	Operators producing yeast to be used as food or feed shall in particular comply with the detailed production rules set out in Part VI of Annex II. Agreed at T11
Amendment 179 Article 15 (2)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
2. In order to ensure quality, traceability and compliance with this Regulation as regards organic yeast production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 <i>amending or</i> supplementing the specific yeast production rules as <i>regards the processing and the substrates used</i> .	2. In order to ensure quality, traceability and compliance with this Regulation as regards organic yeast production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending or supplementing the specific yeast production rules <u>for yeast</u> as regards the processing and the substrates used <u>under point 1.3 of Part VI of Annex II</u> .	2. In order to ensure quality, traceability and compliance with this Regulation as regards organic yeast production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific yeast production rules, as <i>laid down in point 1.3 of Part VI of Annex II</i> .	2. In order to ensure quality, traceability and compliance with this Regulation as regards organic yeast 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 yeast production rules as laid down in point 1.3. of Part VI of Annex II. Agreed at T11
<i>Article 16</i>			
			<p>Absence of certain production rules for specific livestock species and species of aquaculture animals</p> <p>Pending the adoption of:</p> <p>(a) additional general rules for other livestock species than those regulated in point 1.8. of Part II of Annex II;</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>(b) the implementing rules referred to in paragraph 4 of Article 11 for livestock species;</p> <p>or</p> <p>(c) the implementing rules referred to in paragraph 4 of Article 12 for species or group of species of aquaculture animals;</p> <p>Member States may apply detailed national production rules for specific species or group of species of animals on the elements to be covered by the rules referred to in points (a) to (c), provided that these rules comply with this Regulation and that they do not prohibit, restrict or impede the placing on the market of products produced outside their territory and which comply with the requirements of this Regulation.</p> <p><i>Agreed at T13</i></p>
<i>Article 16a (new)</i>			
Production rules for other products	<u>Absence of specific p</u>Production rules for other products	Commission proposal unchanged	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>Production rules for products not falling within the categories of products referred to in Articles 10 to 15</p> <p>In order to take account of any future need to have detailed production rules for products that do not fall within the categories of products referred to in Articles 10 to 15, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending by adding to Annex II detailed production rules for those products.</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>Those delegated acts have to be based on the objectives and principles of organic production laid down in Chapter II and have to take into account general production rules laid down in Articles 7 to 9 and existing detailed production rules laid down for similar products. They shall lay down requirements concerning in particular allowed or prohibited treatments, practices, inputs or conversion periods. In the absence of such detailed production rules as referred to in paragraph 1:</p> <p>In the absence of such detailed production rules as referred to in paragraph 1:</p> <p>(a) operators shall comply with the principles laid down in Articles 4 and 5, <i>mutatis mutandis</i> with the principles laid down in Article 6, and with the general production rules laid down in Articles 7 to 9;</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>(b) Member States may apply detailed national production rules for those products referred to in paragraph 1, provided that these rules comply with this Regulation and that they do not prohibit, restrict or impede the placing on the market of products produced outside their territory and which comply with the requirements of this Regulation.</p> <p><i>Agreed at T13</i></p>
<p>Amendment 180</p> <p>Article 16</p>			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
<i>In order to take account of any future need to have specific production rules for products other than those referred to in Articles 10 to 15, and in order to ensure quality, traceability and compliance with this Regulation as regards organic production of those additional other products and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending or supplementing Annex II with regard to specific production rules for those products.</i>	In order to take account of any future need to have specific production rules for products other than those referred to in Articles 10 to 15, and in order to ensure quality, traceability and compliance with this Regulation as regards organic production of those additional other products and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending or supplementing Annex II with regard to specific production rules for those products.	<i>Where this Regulation does not lay down detailed production rules for certain animal species, certain aquatic plants and certain micro algae, national rules or, in the absence thereof, private standards recognised by the Member States shall apply pending the inclusion of detailed production rules in this Regulation. Such national rules or private standards shall be notified to the Commission. The rules laid down in Chapter IV in respect of labelling, and in Chapter V in respect of controls and certification, shall apply accordingly.</i>	<i>Deleted Taken on board in Article 16a new above</i>
	<u>1. In the absence of specific production rules for plants, livestock, algae and aquaculture animals, operators shall comply with the principles laid down in Articles 4 to 6, with the general production rules laid down in Articles 7 to 9 and with the relevant requirements laid down in Parts I to III of Annex II.</u>		

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>Until the implementing acts referred to in Article 10.4(a), Article 11.2b and Article 12.3a are adopted, Member States may apply national rules provided that these rules comply with this Regulation and in particular with Article 32. Notably, Member States shall not prohibit or restrict the marketing of organic products produced outside the territory of the Member State concerned.</u>		<i>Deleted</i> <i>Taken on board in Article 16a new above</i>
	<u>2. In the absence of production rules for products listed in Annex I to TFEU or in Annex I to this Regulation not falling within the categories referred in Articles 10 to 15, operators shall comply with the principles laid down in Articles 4 and 5, and <i>mutatis mutandis</i> with the principles in Article 6 and with the general production rules laid down in Articles 7 to 9.</u>		<i>Deleted</i> <i>Taken on board in Article 16a new above</i>
	<u>Taking into account the future need to have specific production rules for the purpose of achieving</u>		<i>Deleted</i> <i>Taken on board in Article 16a new above</i>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>fair competition, a proper functioning of the internal market and consumer confidence in organic production, the Commission shall be empowered to adopt delegated acts, in accordance with Article 36, laying down production rules for products listed in Annex I to TFEU or in Annex I to this Regulation not falling within the categories referred to in Articles 10 to 15. Those delegated acts have to be based on the principles of organic production laid down in Articles 4 to 6 and have to take into account general production rules laid down in Articles 7 to 9 and existing specific rules set out for similar products. They shall lay down general and specific requirements, concerning in particular allowed or prohibited treatments, practices, inputs or conversion.</u>		
	<u>Until those delegated acts are adopted, Member States may apply national rules to the products referred to in the first subparagraph, provided that</u>		<i>Deleted Taken on board in Article 16a new above</i>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>these rules comply with this Regulation and in particular with Article 32. Notably, Member States shall not prohibit or restrict the marketing of organic products produced outside the territory of the Member State concerned.</u>		
Article 17			
Adoption of exceptional production rules	Commission proposal unchanged	Commission proposal unchanged	Acceptable
Amendment 181 Article 17			
In order to allow organic production to continue or recommence in the event of <i>catastrophic</i> circumstances <i>and subject to the principles laid down in Chapter II, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for the criteria to qualify such situations as catastrophic and laying down specific rules on how to deal with them, on monitoring and on reporting requirements.</i>	1. In order To allow organic production to continue or recommence in the event of catastrophic circumstances <u>deriving from an ‘adverse climatic event’, animal disease, an ‘environmental incident’, a ‘natural disaster’ or a ‘catastrophic event’ as defined respectively in points (h), (i), (j), (k) and (l) of Article 2(1) of Regulation (EU) No 1305/2013</u> and subject to the principles laid down in Chapter II, the	1. In order to allow organic production to continue or recommence in the event of circumstances <i>resulting from an adverse climatic event, an animal pandemic, a plant disease or pest, an environmental incident or a natural disaster, competent authorities may grant individual authorisations for exceptions, subject to the following:</i>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	Commission shall be empowered to adopt delegated implementing acts in accordance with Article 36 providing for the criteria to qualify such situations as catastrophic and laying down specific rules on how to deal with them <u>such situations, and</u> on monitoring and on reporting requirements. <u>Those implementing acts shall provide exceptions to the productions rules set out in this Regulation, for a limited period of time.</u>		[1. In order To allow organic production to continue or recommence in the event of catastrophic circumstances <u>deriving from an ‘adverse climatic event’, animal disease, an ‘environmental incident’, a ‘natural disaster’ or a ‘catastrophic event’ as defined respectively in points (h), (i), (j), (k) and (l) of Article 2(1) of Regulation (EU) No 1305/2013</u> and subject to the principles laid down in Chapter II] COM to reflect. and will prepare a text. To be solved
		<i>(a) derogations from the production rules laid down in this Chapter shall be subject to the principles laid down in Chapter II;</i>	
		<i>(b) derogations as referred to in point (a) shall be kept to a minimum and, where appropriate, limited in time, and may only be provided for in the following cases:</i>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(i) where they are necessary in order to ensure that organic production can be initiated or maintained on holdings confronted with climatic, geographical or structural constraints;</i>	
		<i>(ii) where they are necessary in order to ensure access to feed, seed and vegetative propagating material, live animals and other farm inputs, in circumstances where such inputs are not available on the market in organic form;</i>	
		<i>(iii) where they are necessary in order to ensure access to ingredients of agricultural origin, in circumstances where such ingredients are not available on the market in organic form;</i>	
		<i>(iv) where they are necessary in order to solve specific problems related to the management of organic livestock;</i>	

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(e) where temporary measures are necessary in order to allow organic production to continue or recommence in the case of catastrophic circumstances.</i>	
		<i>2. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down the criteria according to which situations are to be categorised as situations requiring exceptional production rules and rules on how to deal with them, as well as rules on monitoring and on reporting requirements, taking into account expertise from the organic sector.</i>	
		<i>3. The competent authorities of the Member States shall be responsible for authorising exceptions on a case-by-case basis.</i>	
	<u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u>		
	<u>2. In cases where the Member State has formally recognised an event as a natural</u>		

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
	<u>disaster as defined in point (k) of Article 2(1) of Regulation (EU) No 1305/2013 and this event makes it impossible to respect production rules laid down in this Regulation, Member States may take measures, subject to the principles laid down in Chapter II, that grant exceptions to these production rules for a limited period of time and until organic production can be re-established.</u>		
<i>Article 18</i>			
Collection, packaging, transport and storage	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T11
1. Organic products shall be collected, packaged, transported and stored in accordance with the rules set out in Annex III.	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T11
Amendment 182 Article 18 (2)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
2. In order to ensure the integrity of organic production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending or supplementing the rules set out in Annex III.	2. In order to ensure the integrity of organic production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending or supplementing the rules set out in <u>points 2, 3 and 4 of</u> Annex III.	2. In order to ensure the integrity of organic production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the rules set out in <i>points 2, 3, 4 and 6 of</i> Annex III.	Outcome of DGM on 13/10 2. In order to ensure the integrity of organic production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36: - amending the rules set out in <i>point 2 of</i> Annex III. - amending by adding to the rules set out in <i>points 3, 4 and 6 of</i> Annex III. Agreed at T11
<i>Article 19</i>			
Authorisation of products and substances used in organic production	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed
1. The Commission may authorise certain products and substances for use in organic production and include them in restricted lists, for the following purposes:	1. The Commission may <u>shall</u> authorise certain products and substances for use in organic production and include them in restricted lists, for the following purposes:	Commission proposal unchanged	Compromise text agreed at T6: 1. The Commission may <u>shall</u> authorise certain products and substances for use in organic production and <u>shall</u> include them in restricted lists, for the following purposes:
Amendment 183			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Article 19 (1) (1) (a)			
(a) as plant protection products;	Commission proposal unchanged	(a) as plant protection products <i>throughout the European Union or in one or more of the zones defined in Annex I to Regulation (EC) No 1107/2009</i> ;	Alternative text proposed by COM on 19/07: (a) as active substances to be used in plant protection products <i>Seems acceptable for EP To the A-list T14</i>
(b) as fertilisers, soil conditioners and nutrients;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed
(c) as feed materials;	(c) as feed materials, <u>including non-organic feed material of plant or animal origin, or feed material of mineral origin</u> ;	Commission proposal unchanged	(c) as non-organic feed material of plant, <u>algae, animal or yeast origin or as feed material of microbial or mineral origin</u> ; To A-list T15
(d) as feed additives and processing aids;	Commission proposal unchanged	Commission proposal unchanged	Keep COM Agreed at T6
Amendment 184 Article 19 (1) (1) (d) (a)			
		(da) as substances for use for the purposes of animal health other than those mentioned under points (d) and (e);	EP AM184 withdrawn, Agreed at T13

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(e) as products for cleaning and disinfection of ponds, cages, tanks, raceways, buildings and installations used for animal production;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed
(f) as products for cleaning and disinfection of buildings and installations used for plant production, including storage on an agricultural holding.	Commission proposal unchanged	Commission proposal unchanged	<i>Keep COM text</i> <i>Agreed at T13</i>
			(fa) as products for cleaning and disinfection in processing and storage facilities. <i>Agreed at T13</i>
Amendment 185 Article 19 (1) (1) (fa) (new)			
		<i>(fa) as non-therapeutic medicines and products which contribute to animal health and animal welfare.</i>	EP withdraws AM 185, agreed at T10
Amendment 186 Article 19 (1) (2) - introductory part			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
In particular, the Commission <i>may</i> authorise certain products and substances for use in the production of organic processed food and include them in restricted lists, for the following purposes:	1a. In particular addition , the Commission may authorise certain products and substances for use in the production of organic processed organic food and of yeast used as food or feed and include them in restricted lists, for the following purposes:	In particular, the Commission <i>shall</i> authorise certain products and substances for use in the production of organic processed food and include them in restricted lists, for the following purposes:	1a. In particular addition , the Commission may authorise certain products and substances for use in the production of organic processed organic food and of yeast used as food or feed and shall include them in restricted lists, for the following purposes: <u>agreed at T6:</u>
Amendment 187 Article 19 (1) (2) (a)			
(a) as food additives, food enzymes <i>and</i> processing aids;	Commission proposal unchanged	(a) as food additives, food enzymes, processing aids, <i>flavours, preparations of micro-organisms, minerals, trace elements, vitamins, amino acids and micro-nutrients</i> ;	(a) as food additives <i>and</i> processing aids; <i>Agreed at T13</i>
	<u>(aa) as non-organic agricultural ingredients to be used for the production of organic processed food;</u>		Keep GA text <i>Agreed at T13)</i>
(b) as processing aids for the production of yeast and yeast products.	Commission proposal unchanged	Commission proposal unchanged	Keep COM text <i>Agreed at T13</i>
Amendment 188 Article 19 (1) (2) (b) (a) (new)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>(ba) as products and substances for oenological practices;</i>	withdrawal EP AM, Agreed at T13
<p style="text-align: center;">Amendment 189</p> <p style="text-align: center;">Article 19 (1) (2) (b) (b) (new)</p>			
		<i>(bb) as products for cleaning and disinfection in processing and storage facilities.</i>	<i>EP AM seems acceptable for PRES but moved up in 19 (1) (1) fa (Agreed at T13)</i>
2. The authorisation of the products and substances referred to in the first subparagraph of paragraph 1 for use in organic production shall be subject to the principles laid down in Chapter II and to the following criteria which shall be evaluated as a whole:	2. The authorisation of the products and substances referred to in the first subparagraph of paragraph 1 for use in organic production shall be subject to the principles laid down in Chapter II and to the following criteria which shall be evaluated as a whole:	Commission proposal unchanged	GA text is agreed at T6
(a) their use is necessary for sustained production and essential for its intended use;	Commission proposal unchanged	Commission proposal unchanged	EP suggests to rephrase a), as follows:: (a) their use is essential for sustained production and for its intended use; No agreement from PRES at T13

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(b) all products and substances are of plant, animal, microbial or mineral origin, except where products or substances from such sources are not available in sufficient quantities or qualities or if alternatives are not available;	Commission proposal unchanged	Commission proposal unchanged	(b) all products and substances are of plant, algae , animal, microbial or mineral origin, except where products or substances from such sources are not available in sufficient quantities or qualities or if alternatives are not available; To A-list T15
(c) in the case of products referred to in point (a) of the first subparagraph of paragraph 1, the following shall apply:	(c) in the case of products referred to in point (a) of the first subparagraph of paragraph 1, the following shall apply:	Commission proposal unchanged	GA text is agreed at T6
(i) their use is essential for the control of a pest for which other biological, physical or breeding alternatives or cultivation practices or other effective management practices are not available;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text agreed

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(ii) if products are not of plant, animal, microbial or mineral origin and are not identical to their natural form, they may be authorised only if their conditions for use preclude any direct contact with the edible parts of the crop;	Commission proposal unchanged	Commission proposal unchanged	(ii) if products are not of plant, algae , animal, microbial or mineral origin and are not identical to their natural form, they may be authorised only if their conditions for use preclude any direct contact with the edible parts of the crop; A-list T15
Amendment 190 Article 19 (2) (1) (c) (ii) (a) (new)			
		<i>(iia) zonal authorisation of products is possible only if, through a reduction in the use of other products and substances, a positive ecological effect can be achieved and, otherwise, an unacceptable deterioration in traditionally organic-quality crops in the zone concerned is likely;</i>	Withdrawal seems acceptable for EP To the A-list T15

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(d) in the case of products referred to in point (b) of the first subparagraph of paragraph 1, their use is essential for obtaining or maintaining the fertility of the soil or to fulfil specific nutrition requirements of crops, or for specific soil-conditioning purposes	(d) in the case of products referred to in point (b) of the first subparagraph of paragraph 1, their use is essential for obtaining or maintaining the fertility of the soil or to fulfil specific nutrition requirements of crops, or for specific soil-conditioning purposes;		GA text is agreed at T6
<p style="text-align: center;">Amendment 191</p> <p style="text-align: center;">Article 19 (2) (1) (e) - introductory part</p>			
(e) in the case of products referred to in points (c) <i>and</i> (d) of the first subparagraph of paragraph 1, the following shall apply:	(e) in the case of products referred to in points (c) and (d) of the first subparagraph of paragraph 1, the following shall apply:	(e) in the case of products referred to in points (c), (d) and (<i>da</i>) of the first subparagraph of paragraph 1, the following shall apply:	<p>Keep GA text</p> <p><i>Agreed at T13</i></p>
(i) their use is necessary to maintain animal health, animal welfare and vitality and contribute to an appropriate diet fulfilling the physiological and behavioral needs of the species concerned or their use is necessary to	Commission proposal unchanged	Commission proposal unchanged	Keep COM text agreed

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
produce or preserve feed because the production or preservation of feed is not possible without having recourse to such substances;			
(ii) feed of mineral origin, trace elements, vitamins or provitamins shall be of natural origin, except where products or substances from such sources are not available in sufficient quantities or qualities or if alternatives are not available.	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed
	<u>(iia) the use of non-organic feed material of plant or animal origin may be authorised only when feed material of plant or animal origin produced in accordance with organic production rules is not available in sufficient quantity.</u>		<u>(iia) the use of non-organic feed material of plant or animal origin may be authorised only when feed material of plant or animal origin produced in accordance with organic production rules is not available in sufficient quantity;</u>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p><u>(iib) the use of non-organic spices, herbs, and molasses may be authorised only provided that:</u></p> <p><u>(i) they are not available in organic form;</u></p> <p><u>(ii) they are produced or prepared without chemical solvents;</u></p> <p><u>(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;</u></p> <p><i>Agreed at T13</i></p>
The authorisation of the products and substances referred to in the second subparagraph of paragraph 1 for use in the production of organic processed food shall be subject to the principles laid down in Chapter II and to the following criteria which shall be evaluated as a whole:	<p><u>2a.</u> The authorisation of the products and substances referred to in the second subparagraph of paragraph 1 <u>a</u> for use in the production of organic processed <u>organic</u> food <u>and of yeast used as food or feed</u> shall be subject to the principles laid down in Chapter II and to the following criteria which shall be evaluated as a whole:</p>	Commission proposal unchanged	GA text is agreed at T6
<p>Amendment 192</p> <p>Article 19 (2) (2) (a)</p>			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
(a) <i>alternatives</i> authorised in accordance with this Article are not available;	Commission proposal unchanged	(a) <i>alternative substances</i> authorised in accordance with this Article <i>or technologies compliant with this Regulation</i> are not available;	(a) <i>alternative products or substances</i> authorised in accordance with this Article <i>or techniques compliant with this Regulation</i> are not available; Agreed at T13
(b) it would be impossible to produce or preserve the food or to fulfil given dietary requirements provided for on the basis of the Union legislation, without having recourse to those products and substances;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text agreed
(c) they are to be found in nature and may have undergone only mechanical, physical, biological, enzymatic or microbial processes, except where products and substances from such sources are not available in sufficient quantities or qualities.	(c) they are to be found in nature and may have undergone only mechanical, physical, biological, enzymatic or microbial processes, except where products and substances from such sources are not available in sufficient quantities or qualities.;	Commission proposal unchanged	Keep GA text Agreed at T13
	<u>(ca) the organic ingredient is not available in sufficient quantity.</u>		Keep GA text Agreed at T13

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
Amendment 193 Article 19 (2) (3)			
The authorisation of <i>the use of chemically synthesised products or substances</i> shall be strictly limited to cases where the use of external inputs referred to in Article 4(f) would contribute to unacceptable <i>environmental</i> impacts.	2b The authorisation of the use of chemically synthesised products or substances referred to in paragraphs 1 and 1a shall be strictly limited to cases where the use of external inputs referred to in Article 4(f) would contribute to unacceptable environmental impacts.	The authorisation of <i>products and substances not covered by point (f) of Article 4</i> shall be strictly limited to cases where the use of external inputs referred to in <i>point (f) of Article 4</i> would contribute to unacceptable impacts <i>on the environment, animal or human health or product quality</i> .	The authorisation of [the use of chemically synthesised / products and substances] referred to in paragraphs 1 and 1a shall be strictly limited to cases where the use of external inputs referred to in <i>point (f) of Article 4</i> would contribute to unacceptable impacts <i>on the environment</i> . <i>Revised text agreed except regarding 'chemically synthesised / products and substances'</i> To be solved

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
3. In order to ensure quality, traceability and compliance with this Regulation as regards organic production in general and the production of processed organic food in particular, and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for additional criteria for the authorisation or withdrawal of the authorisation of products and substances referred to in paragraph 1 for use in organic production in general and in the production of organic processed food in particular, and other requirements and conditions for the use of such authorised products and substances.	3. In order to ensure quality, traceability and compliance with this Regulation as regards organic production in general and the production of processed organic food in particular, and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for <u>additional</u> criteria <u>additional to those referred to in paragraphs 2 and 2a</u> for the authorisation or withdrawal of the authorisation of products and substances referred to in paragraphs 1 <u>and 1a</u> for use in organic production in general and in the production of organic processed <u>organic</u> food in particular, and other requirements and conditions for the use of such authorised products and substances.	Commission proposal unchanged	3. In order to ensure quality, traceability and compliance with this Regulation as regards organic production in general and the production of processed organic food in particular, and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 <u>amending paragraphs 2 and 2a by adding further</u> criteria for the authorisation or withdrawal of the authorisation of products and substances referred to in <u>paragraphs 1 and 1a</u> for use in organic production in general and in the production of organic processed <u>organic</u> food in particular, and other requirements and conditions for the use of such authorised products and substances. <i>Agreed at T13</i>
4. Where a Member State considers that a product or substance should be added to, or withdrawn from the lists of authorised products and substances referred to in	4. Where a Member State considers that a product or substance should be added to, or withdrawn from the lists of authorised products and substances		4. Where a Member State considers that a product or substance should be added to, or withdrawn from the lists of authorised products and substances

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
paragraph 1, or that the specifications of use mentioned in the production rules should be amended, the Member State concerned shall ensure that a dossier giving the reasons for the inclusion, withdrawal or amendments is sent officially to the Commission and to the other Member States.	referred to in paragraphs <u>1 and 1a</u> , or that the specifications of use mentioned in the production rules should be amended, the Member State concerned shall ensure that a dossier giving the reasons for the inclusion, withdrawal or amendments is sent officially to the Commission and to the other Member States.		referred to in paragraphs <u>1 and 1a</u> , or that the specifications of use mentioned in the production rules should be amended, the Member State concerned shall ensure that a dossier giving the reasons for the inclusion, withdrawal or amendments is sent officially to the Commission and to the other Member States [and is publicly available, subject to legislation on data protection.] <i>alternative text seems acceptable for EP, including text in brackets, but not for PRES.</i> No agreement. COM will prepare a compromise text. To be solved
Amendment 194 Article 19 (4) (2)			
<i>Requests for</i> amendment or withdrawal shall be published by Member States.	Requests for amendment or withdrawal shall be published by <u>the Commission</u> Member States .	<i>The dossier in respect of</i> amendment or withdrawal shall be published by Member States <i>and by the Commission.</i>	No agreement To be disc together with AM193 To be solved
Amendment 195 Article 19 (4) (a) (new)			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
		<i>4a. The Commission shall review the lists referred to in paragraph 1 every four years.</i>	The Commission shall review regularly the lists referred to in this Article. <i>Agreed at T13</i>
Amendment 196 Article 19 (5)			
5. The Commission shall adopt <i>implementing acts</i> authorising or withdrawing the authorisation of products and substances that may be used in organic production in general and products and substances that may be used in the production of processed organic food in particular, and establishing the procedures to be followed for the authorisation and the lists of those products and substances and, where appropriate, their description, compositional requirements and conditions for use. <i>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</i>	5. The Commission shall adopt implementing acts authorising or withdrawing the authorisation of products and substances <u>referred to in paragraphs 1 and 1a</u> that may be used in organic production in general and products and substances that may be used in the production of processed organic food in particular, and establishing the procedures to be followed for the authorisation and the lists of those products and substances and, where appropriate, their description, compositional requirements and conditions for use. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).	5. The Commission shall <i>be empowered to adopt delegated acts in accordance with Article 36</i> authorising or withdrawing the authorisation of products and substances that may be used in organic production in general and products and substances that may be used in the production of processed organic food in particular, and establishing the procedures to be followed for the authorisation and the lists of those products and substances and, where appropriate, their description, compositional requirements and conditions for use.	Outcome of DGM on 23/11: GA seems acceptable for EP under the condition that prohibition of nanotechnologies is mentioned in Art 6 (ha) and that Art 19 2(a) is better framed <i>To be disc / agreed at T13</i>
Article 19 (a) new			

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>Collection of data concerning the availability on the market of organic and in-conversion plant reproductive material, organic animals and organic aquaculture juveniles</p> <p>1. Each Member State shall ensure that a regularly updated database is established for the listing of the organic or in-conversion plant reproductive material [except seedlings], including seed potatoes which is available on its territory.</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>2. In order to promote and facilitate the use of organic reproductive material and to improve transparency by providing information on its availability, including its adaptability to local conditions and to organic production, each Member State shall have a systems in place that allow operators who market that organic material and who are able to supply it in sufficient quantities and within a reasonable time period, to make public on a voluntary basis, free of charge, together with their names and contact details, the following data:</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>(a) the organic and in-conversion plant reproductive material except seedlings, such as heterogeneous material, seeds and propagating material suitable for organic production including seed potatoes, which are available; the quantity in weight of those materials and the period of the year of its availability. That organic reproductive material shall be listed using at least the Latin scientific name;</p> <p>(b) the breeds and strains of [livestock], adapted to organic farming in accordance with point 1.3.4 of Part II of Annex II available; including the landraces, parentage line, the age of the animals, and the number of breeding animals categorised by sex.</p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>(c) the organic animals for the purposes of the application of the derogations provided for in point 1.3.5a.; including information, if relevant to the different species of animals, as regards the breed, the strains or landraces, parentage line, local ecotypes, the age of the animals, and the number of animals categorised by sex</p> <p>(d) the organic aquaculture juveniles available on its holding and its production capacity for each aquaculture species and their health status in accordance with Council Directive 2006/88/EC⁸⁷ ;</p> <p>Operators including material or animals in the systems referred to in the 1st subparagraph shall ensure that the information is updated regularly and that the information is withdrawn from the lists once the material or animals are no longer available.</p>

⁸⁷ Council Directive 2006/88/EC on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals) – (OJ EU L328; 24.11.2006, page 14)

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<p>2a. Member States may continue to use already existing seeds databases and systems for livestock and aquaculture juveniles.</p> <p>2b. The Commission shall make public the link to each of the national databases or systems in a Commission dedicated website, thus allowing users to have access to such a data throughout the Union.</p> <p>3. The Commission shall adopt implementing acts to provide technical details concerning the collection of data referred to in this Article.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37.</p> <p><i>Text agreed except part under square brackets. PRES preferred to limit to several categories of livestock to limit the burden for MS</i> <i>To be discussed at SCA (15109/16)</i></p>

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal
			<i>An issue for PRES is the scope of the (b). If (b) is limited to only few categories, then MS will not be able to deliver derogations for other categories not mentioned by (b).</i>

Amendment 197 Article 20			
Commission proposal	Council general approach	COMAGRI vote	Compromise proposal/work in progress
<i>Presence of non-authorised products or substances</i>	Presence of non-authorised products or substances	<i>deleted</i>	<p style="text-align: center;"><u>TO BE SEEN IN CONJUNCTION WITH PRES TEXT ON 05/12 (ST 15109/16)</u></p>
<i>1. Products in which the presence of products or substances that have not been authorised in accordance with Article 19 is detected beyond the levels established taking account in particular of Directive 2006/125/EC, shall not be marketed as organic.</i>	1. — Products in which the presence of products or substances that have not been authorised in accordance with Article 19 is detected beyond the levels established taking account in particular of Directive 2006/125/EC, shall not be marketed as organic.	<i>deleted</i>	
<i>2. In order to ensure the effectiveness, efficiency and</i>	2. — In order to ensure the effectiveness, efficiency and	<i>deleted</i>	

<i>transparency of the organic production and labelling system, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 regarding the specific criteria and conditions for the application of the levels referred to in paragraph 1 and regarding the establishment of those levels and their adaptation in the light of technical developments.</i>	transparency of the organic production and labelling system, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 regarding the specific criteria and conditions for the application of the levels referred to in paragraph 1 and regarding the establishment of those levels and their adaptation in the light of technical developments.		
<i>3. By way of derogation from Article 211(1) of Regulation (EU) No 1308/2013, and subject to an authorization by the Commission adopted without applying the procedure referred to in Article 37(2) or (3) of this Regulation, Member States may grant national payments to compensate farmers for the losses they have incurred due to the contamination of their agricultural products by non-authorised products or substances which prevents them from marketing those products as organic provided that the farmers have taken all appropriate measures to prevent the risk of such contamination. Member States may</i>	3. By way of derogation from Article 211(1) of Regulation (EU) No 1308/2013, and subject to an authorization by the Commission adopted without applying the procedure referred to in Article 37(2) or (3) of this Regulation, Member States may grant national payments to compensate farmers for the losses they have incurred due to the contamination of their agricultural products by non-authorised products or substances which prevents them from marketing those products as organic provided that the farmers have taken all appropriate measures to prevent	<i>deleted</i>	

<i>also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.</i>	the risk of such contamination. Member States may also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.		<div><div><div><u>NON PAPER ON PRECAUTIONARY MEASURES/MESURES TO BE TAKEN IN CASE OF PRESENCE OF NON AUTHORISED PRODUCT OR SUBSTANCE</u></div><div><div><div><div><div><div></div><div></div><div></div><div></div><div></div></div><div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div></div></div><div><div><div><div></div><div></div><div></div></div><div><div><div><div></div><div></div><div></div>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		<i>(b) set up a system appropriate to the type and size of the operation for the purpose of verification and assessment, following procedures based on a systematic identification of critical procedural steps;</i>	or in-conversion product(s) and not use it in organic production until the investigation is finalised;
		<i>(c) if the operator concludes, after having carried out the assessment provided for in point (b), that the suspicion of non-compliance is substantiated, the operator shall withdraw the product from the market and discontinue its processing. The operator shall immediately inform the competent authorities or control body about his findings.</i>	(c) check whether the suspicion can be substantiated;
		<i>3. The following measures shall be taken by competent authorities, control bodies and authorities:</i>	(d) immediately inform the relevant competent authority or, as appropriate, the relevant control authority or control body with, where appropriate, available elements;
		<i>(a) in the event that a control authority or a control body:</i>	(e) fully cooperate in verifying and identifying the reasons for the suspected non-compliance with the relevant competent authority or, as appropriate, with the relevant control authority or control body.
		<i>– detects the presence of a non-authorised process, product or substance in organic production, or</i>	Article 20a <i>Precautionary measures and actions to be taken in the event of the presence of non-authorised products or substances</i>

		<i>– receives from an operator reliable information concerning a suspicion concluded as having been substantiated in accordance with point (c) of paragraph 2, or</i>	<p>1. In order to avoid contamination with products and substances that are not authorised to be used in organic production in accordance with Article 7(1)(b) first subparagraph, operators shall take the following precautionary measures at all stages of production, preparation and distribution:</p> <p>(a) Put in place and maintain proportionate and appropriate measures to identify risks of contamination of organic production and products with non-authorised products and substances, including systematic identification of critical procedural steps;</p> <p>(b) Put in place and maintain proportionate and appropriate</p>
		<i>– is informed that an operator intends to place on the market a product which is not in compliance with the organic production rules but which bears a reference to the organic production method,</i>	
		<i>the control authority or control body concerned shall prohibit the placing of the product on the market with an indication referring to the organic production method until it is satisfied that the suspicion or non-compliance has been eliminated;</i>	

		<i>(b) the control authority or control body shall eliminate the suspicion of non-compliance or confirm that suspicion and the prohibition of marketing as soon as possible, taking into account the durability of the product and in any case within two months. In such a case, the operator concerned shall cooperate fully with the control body or authority. Before confirming a suspicion of non-compliance, the control authority or control body shall allow the operator to comment on its findings;</i>	measures to avoid risks of contamination of organic production and products with non-authorised products and substances;
		<i>(c) where the non-compliance is confirmed, Article 26a shall apply;</i>	(c) Regularly review and adjust such measures; and,
		<i>(d) where the non-compliance is not confirmed within the period of time laid down under point (b), the decision taken pursuant thereto shall be revoked not later than at the expiry of that period of time.</i>	(d) Comply with other relevant requirements of this Regulation that ensure the separation of organic and non-organic products. 3. Where an operator suspects the presence of a product or substance that is not authorised in organic production pursuant to Article 7(1)(b), first subparagraph in a product that is intended to be used or marketed as an organic or in-conversion product, that operator shall: (a) separate and identify the product(s) concerned; (b) not place the product(s) concerned on the market as an

		<i>4. In order to avoid adventitious contamination with non-authorised products or substances as a result of non-organic farming practices or other non-organic practices in processing, preparation and distribution, which are beyond the control of organic operators, Member States shall establish precautionary measures.</i>	organic or in-conversion product(s) and not use it in organic production until the investigation referred to in paragraph 4 is finalised; (c) check whether the suspicion can be substantiated; (d) immediately inform the relevant competent authority or, as appropriate, the relevant control authority or control body [with, where appropriate, available elements; (e) fully cooperate in verifying and identifying the reasons for the presence of non-authorised products and substances with the relevant competent authority or, as appropriate, the relevant control authority or control body.
		<i>5. Where control authorities, control bodies and competent authorities have identified specific risks of non-compliance with this Regulation or specific risks of adventitious contamination of organic products in certain sectors of organic production, Member States shall take adequate precautionary measures against those risks.</i>	
Amendment 199 Article 20 (b) (new)			4. When a competent authority, or where appropriate, a control authority or control body, receives substantiated information about the presence of products or substances that are not authorised in organic production pursuant to Article 7(1)(b) first subparagraph, or is informed by an operator in accordance with paragraph 3 or
	<u>Presence of non-authorised products or substances</u>	<i>Article 20b</i> <i>Causes of contamination with plant protection products and responsibilities of competent authorities, control authorities and control bodies</i>	

	<p><u>1. When a competent authority, or where appropriate, a control authority or a control body receives reliable and substantiated information or detects the presence of products or substances that have not been authorised in accordance with Article 19 for the purposes listed in Article 19, it must carry out without delay an investigation in order to determine the source and cause of contamination in view of verifying compliance with Article 7(1)(b).</u></p>	<p><i>1. In the event that a control authority or a control body detects the presence of plant protection products which are non-compliant with Article 19, or receives reliable information concerning such presence, it shall carry out an appropriate investigation into the cause of the contamination. Such investigations must categorise the contamination in one of the following three categories:</i></p> <p><i>(a) technically unavoidable;</i></p> <p><i>(b) technically avoidable;</i></p> <p><i>(c) deliberate or repetitive contamination which is technically avoidable.</i></p>	<p>detects such products or substances in an organic or an in-conversion product:</p> <p>(a) it shall carry out immediately an investigation to be completed as soon as possible, within a reasonable period of time, taking into account the durability of the product and the complexity of the case, with a view to determine the source and the cause of contamination in view of verifying compliance with Article 7(1)(b) and paragraph 2 of this article.</p> <p>(b) it shall provisionally prohibit the placing on the market of the products concerned as organic or in conversion products and their use in organic production while expecting the results of the investigation as referred to in (a);</p> <p>4a. When the competent authority has not established within the reasonable period of time referred to in paragraph 4(a) that the operator concerned:</p> <ul style="list-style-type: none"> – has used the products or substances not authorised in organic
	<p><u>Based on the results of this investigation, the competent authority or, where appropriate, the control authority or control body shall ensure that such products are not marketed as organic, if the presence is due to the deliberate use by the operator or due to avoidable contamination in the production process.</u></p>		

	<u>1a. A contamination shall be considered as avoidable when the operator:</u>	<i>A contamination shall be considered as avoidable when the operator:</i>	production pursuant to Article 7(1)(b) first subparagraph or; – has failed to take the precautionary measures referred to in paragraph 2,
	<u>- has not put in place or maintained appropriate, proportionate measures to identify and avoid the risks of contamination of organic products with non-authorised products and substances or;</u>	<i>– has not put in place or maintained appropriate, proportionate measures to identify and avoid the risks of contamination of organic products with non-authorised products and substances; or</i>	the operator may market the product as an organic or in-conversion product and use it in organic production.
	<u>- has not regularly reviewed and adjusted such appropriate measures, while the risk for contamination has clearly been perceptible or;</u>	<i>– has not regularly reviewed and adjusted such appropriate measures, while the risk for contamination has clearly been perceptible; or</i>	5. When the competent authority has established that the operator concerned: (a) has used products or substances not authorised in organic production pursuant to Article 7(1)(b) first subparagraph or;
	<u>- has not taken appropriate measures pursuant to previous requests from the competent authorities or, where appropriate, from the control authority or control body to take steps to avoid contamination or;</u>	<i>– has not taken appropriate measures pursuant to previous requests from the competent authorities or, as the case may be, from the control authority or control body, to take steps to avoid contamination; or</i>	(b) has not taken the precautionary measures referred to in paragraph 2; or (c) has not taken measures pursuant to relevant previous requests from the competent authorities, control authorities or control bodies,

	<p><u>- has not complied with relevant requirements of this Regulation or has otherwise failed to take necessary steps in the production process to avoid contamination.</u></p>	<p><i>– has not complied with relevant requirements of this Regulation or has otherwise failed to take necessary steps in the production process to avoid contamination.</i></p>	<p>the product shall not be marketed as an organic or in-conversion product or used in organic production.</p> <p>6. Where required, the operator concerned shall take the necessary corrective measures to avoid future contamination.</p>
	<p><u>1b. On the basis of the results of the investigation referred to in paragraph 1, the competent authority, or where appropriate the control authority or control body shall identify the possible deficiencies and non-compliances that cause the presence of non-authorised products or substances. The operator concerned shall take the necessary corrective measures to avoid future contamination.</u></p>	<p><i>2. Products potentially contaminated with plant protection products as referred to in point (a) of the first subparagraph of paragraph 1 may be considered as marketable after examination by competent authorities.</i></p> <p><i>Potential contamination as referred to in point (b) of the first subparagraph of paragraph 1 shall be investigated by the control authority or control body with regard to the nature of the circumstances which have led to the contamination, in accordance with the procedures laid down in Article 20a.</i></p>	<p>The operator concerned shall be allowed to give his comments on the results of the investigation. The competent authority, or where appropriate, the control authority or control body, shall keep records of the investigation carried out.</p> <p>[6a. By way of derogation to paragraphs 4a, products in which the presence of more than two products or substances used as plant protection product, but not authorised to be used in organic production pursuant to Article 7(1)(b), is detected above twice the</p>

		<p><i>3. In cases of contamination as referred to in point (c) of the first subparagraph of paragraph 1, the competent authority, control authority or control body shall prohibit the operator concerned from placing on the market products bearing any reference, in the labelling and advertising thereof, to the organic production method.</i></p> <p><i>Any production areas or products affected by the non-authorised plant protection products must undergo a new conversion period as referred to in Article 8 running from the date of application of the non-authorised plant protection products or, if that date is not verifiable, from the date of detection. This applies without prejudice to any sanctions that may be imposed.</i></p>	<p>limit of determination, shall not be marketed as an organic or in-conversion product or used in organic production.]</p> <p>7. 2 years after the date of application of this Regulation, the Commission shall present a report to the European Parliament and the Council on the state of play of implementation of this article and on the presence of products and substances not authorised in organic production pursuant to Article 7(1)(b) first subparagraph. This report may be accompanied, if appropriate, by a legislative proposal establishing the levels of unauthorised products or substances not acceptable for organic products and the systems for compensating operators for losses in connection with unavoidable contamination.</p>
	<p><u>1c. By way of derogation from paragraphs 1, 1a and 1b, Member States that have, on 31 December 2015, rules in place providing that products containing non-authorised products and substances above a</u></p>		<p>Member States that have, on 31 December 2015, rules in place providing that products containing non-authorised products and substances above a certain level</p>

	<p><u>certain level cannot be marketed as organic, may continue to apply these rules until 31 December 2020 provided that these rules do not prohibit, restrict or impede the placing on the market as organic of products produced in other Member States in compliance with the requirements of this Regulation. Member States who apply this provision shall inform the Commission without delay.</u></p> <p><u>By 31 December 2020 at the latest, the Commission shall present a report to the European Parliament and the Council on the state of play of implementation of this article and on the presence of products or substances not authorised in accordance with Article 19 which had been detected in organic products. This report may be accompanied, if appropriate, by a legislative proposal..</u></p>		<p>cannot be marketed as organic, may continue to apply these rules until 31 December 2024 provided that these rules do not prohibit, restrict or impede the placing on the market as organic of products produced in other Member States in compliance with the requirements of this Regulation. Member States who apply this provision shall inform the Commission without delay.</p> <p>8. The results of the investigations referred to in paragraph 4 shall be documented by competent authorities together with any measures taken with a view to formulating best practices and further measures to avoid the presence of products and substances not authorised in organic production pursuant to Article 7(1)(b) .</p> <p>Member States shall make this information available to the other Member States and to the Commission via a computer system enhancing exchanges of documents</p>
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	<p><u>3. The Commission shall adopt implementing acts laying down uniform rules concerning:</u></p> <ul style="list-style-type: none"> - <u>the methodology to be used in order to detect and evaluate the presence of products or substances that have not been authorised in accordance with Article 19;</u> - <u>the procedures to be followed in case the presence of products or substances that have not been authorised in accordance with Article 19 is detected;</u> - <u>the details of information referred to in paragraph 2 and the format in which it will be transmitted.</u> - <u>measures to avoid the risks of contamination of organic products with non-authorised products or substances as referred to in paragraph 1a.</u> <p><u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u></p>	<p><i>4. In order to provide for the best means of detecting and documenting non-compliance with this Regulation, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning:</i></p> <ul style="list-style-type: none"> - <i>the methodology to be used in order to detect and evaluate the presence of plant protection products which do not comply with this Regulation, and specifically with Article 19;</i> - <i>the procedures to be followed;</i> - <i>the details to be documented in a common database on non-compliance with this Regulation, including findings of residues of non-authorised plant protection products.</i> 	<p>and information made available by the Commission.</p> <p>9. Member States may take appropriate measures on their territory to avoid the unintended presence of non-authorised products and substances in organic agriculture. Such measures shall not prohibit, restrict or impede the placing on the market as organic or in-conversion of products produced in other Member States in compliance with the requirement of this Regulation. Member States which apply this provision shall inform the Commission and the other Member States without delay.</p> <p>10. The Commission may adopt implementing acts laying down uniform rules specifying:</p> <ul style="list-style-type: none"> - the methodology on detection and evaluation of the presence of non-authorised products and substances to be applied by control authorities and control bodies;
Amendment 200			

Article 20 (c) (new) (1) (a) (new)			
		<p>Article 20c</p> <p><i>Database on non-compliance with this Regulation and database on findings of non-authorised plant protection products</i></p>	<ul style="list-style-type: none"> – the procedural steps to be followed by operators as referred to in paragraph 3 (a) to (e); – the proportionate and appropriate measures to be adopted and reviewed by operators to identify and avoid risks of contamination as referred to in paragraph 2 (a) to (c) ; – the details and format of the information to be transmitted by Member States to the Commission and other Member States as referred to in paragraph 9.
	<p><u>(from Art 26e (2))</u></p> <p><u>2. The control authority or control body shall keep records of the investigations carried out.</u></p> <p><u>By 31 March of each year, Member States shall transmit to the Commission the relevant information, including information collected at border control posts, relating to the previous year concerning the nature of contamination detected, and in particular the cause, the source, the level of contamination and the volume and nature of products contaminated.</u></p>	<p><i>The Commission shall establish a database on cases of non-compliance with this Regulation, based on national databases established by Member States. Those databases shall be used to facilitate the formulation of best practices to avoid contamination. In collecting the data, the Member States and the Commission shall apply a risk-based approach revealing the reasons for, and categories of, non-compliance or contamination as laid down in points (a), (b) and (c) of the first subparagraph of Article 20b(1). The databases shall be accessible to operators, control bodies, the control authority and competent authorities. Member States shall provide an annual report to the Commission.</i></p>	<p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</p> <p>11. By 31 March of each year, Member States shall transmit by</p>

		<i>A database of analyses carried out by control bodies and control authorities, including the detection of non-authorised plant protection products, shall be established by Member States. The database shall be accessible to operators, control bodies, control and competent authorities. Member States shall report on an annual basis to the Commission on the findings collected in their national database.</i>	electronic way to the Commission the relevant information, including information collected at border control posts, relating to the previous year concerning the nature of contamination detected, and in particular the cause, the source, the level of contamination and the volume and nature of products contaminated. This information on findings of non-authorised products and substances shall be collected by the Commission in the [database/information system] as referred to in Article [26xx] and shall be used to facilitate the formulation of best practices to avoid contamination.
	<u>Article 26e</u>		
	<u>Presence of non-authorised products or substances</u>		
	<u>1. When a competent authority, or where appropriate, a control authority or a control body receives reliable and substantiated information or detects the presence of products or substances that have not been authorised in accordance with Article 19 for the purposes listed in Article 19, it must carry out without delay an investigation in order to determine the source</u>		Agreed at T13 except parts under square brackets. To be discussed at SCA on 05/12 (see ST 15109/16)

	<u>and cause of contamination in view of verifying compliance with Article 7(1)(b).</u>		
	<u>Based on the results of this investigation, the competent authority or, where appropriate, the control authority or control body shall ensure that such products are not marketed as organic, if the presence is due to the deliberate use by the operator or due to avoidable contamination in the production process.</u>		
	<u>1a. A contamination shall be considered as avoidable when the operator:</u>		
	<u>- has not put in place or maintained appropriate, proportionate measures to identify and avoid the risks of contamination of organic products with non-authorised products and substances or;</u>		

	<u>- has not regularly reviewed and adjusted such appropriate measures, while the risk for contamination has clearly been perceptible or;</u>		
	<u>- has not taken appropriate measures pursuant to previous requests from the competent authorities or, where appropriate, from the control authority or control body to take steps to avoid contamination or;</u>		
	<u>- has not complied with relevant requirements of this Regulation or has otherwise failed to take necessary steps in the production process to avoid contamination.</u>		
	<u>1b. On the basis of the results of the investigation referred to in paragraph 1, the competent authority, or where appropriate the control authority or control body shall identify the possible deficiencies and non-compliances that cause the presence of non-</u>		

	<u>authorised products or substances. The operator concerned shall take the necessary corrective measures to avoid future contamination.</u>		
	<u>1c. By way of derogation from paragraphs 1, 1a and 1b, Member States that have, on 31 December 2015, rules in place providing that products containing non-authorised products and substances above a certain level cannot be marketed as organic, may continue to apply these rules until 31 December 2020 provided that these rules do not prohibit, restrict or impede the placing on the market as organic of products produced in other Member States in compliance with the requirements of this Regulation. Member States who apply this provision shall inform the Commission without delay.</u>		
	<u>2. The control authority or control body shall keep records of the investigations carried out.</u>		
	<u>By 31 March of each year, Member States shall transmit to</u>		

	<u>the Commission the relevant information, including information collected at border control posts, relating to the previous year concerning the nature of contamination detected, and in particular the cause, the source, the level of contamination and the volume and nature of products contaminated.</u>		
	<u>By 31 December 2020 at the latest, the Commission shall present a report to the European Parliament and the Council on the state of play of implementation of this article and on the presence of products or substances not authorised in accordance with Article 19 which had been detected in organic products. This report may be accompanied, if appropriate, by a legislative proposal..</u>		
	<u>3. The Commission shall adopt implementing acts laying down uniform rules concerning:</u>		

	<u>- the methodology to be used in order to detect and evaluate the presence of products or substances that have not been authorised in accordance with Article 19;</u>		
	<u>- the procedures to be followed in case the presence of products or substances that have not been authorised in accordance with Article 19 is detected;</u>		
	<u>- the details of information referred to in paragraph 2 and the format in which it will be transmitted.</u>		
	<u>- measures to avoid the risks of contamination of organic products with non-authorised products or substances as referred to in paragraph 1a.</u>		
	<u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u>		

Chapter IV			
Labelling	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T11
<i>Article 21</i>			
Use of terms referring to organic production	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T11
Amendment 201 Article 21 (1)			

<p>1. For the purposes of this Regulation, a product shall be regarded as bearing terms referring to organic production where, in the labelling, advertising material or commercial documents, such a product, its ingredients <i>or feed materials</i> are described in terms suggesting to the purchaser that the product, its ingredients <i>or</i> feed materials have been obtained in accordance with this Regulation. In particular, the terms listed in Annex IV, their derivatives or diminutives, such as ‘bio’ and ‘eco’, alone or combined, may be used throughout the Union and in any language listed in that Annex for the labelling and advertising of products which comply with this Regulation.</p>	<p>1. For the purposes of this Regulation, a product shall be regarded as bearing terms referring to organic production where, in the labelling, advertising material or commercial documents, such a product, its ingredients or feed materials are described in terms suggesting to the purchaser that the product, its ingredients or feed materials have been obtained in accordance with this Regulation. In particular, the terms listed in Annex IV, their derivatives or diminutives, such as ‘bio’ and ‘eco’, alone or combined, may be used throughout the Union and in any language listed in that Annex for the labelling and advertising of products <u>referred to in Article 2(1)</u> which comply with this Regulation.</p>	<p>1. For the purposes of this Regulation, a product shall be regarded as bearing terms referring to organic production where, in the labelling, advertising material or commercial documents, such a product, its ingredients, <i>feed materials or any input part of the chain of the organic product,</i> are described in terms suggesting to the purchaser that the product, its ingredients, feed materials <i>or any part of the chain of the organic product,</i> have been obtained in accordance <i>or in compliance</i> with this Regulation. In particular, the terms listed in Annex IV <i>or their equivalents in other languages which are not official languages of the Union but the status of which is officially recognised by the constitution of a Member State,</i> their derivatives or diminutives, such as ‘bio’ and ‘eco’, alone or combined, may be used throughout the Union and in any language listed in that Annex for the labelling and advertising of products <i>referred to in Article 2(1)</i> which comply with this Regulation. <i>In the labelling and advertising of live or unprocessed agricultural</i></p>	<p>Keep GA text Agreed at T12</p>
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		<i>products, terms referring to the organic production method may be used only where, in addition, the entire product has also been produced in accordance with the requirements laid down in this Regulation.</i>	
<p>2. For the products referred to in Article 2(1), the terms referred to in paragraph 1 of this Article shall not be used anywhere in the Union, in any language listed in Annex IV, for the labelling, advertising and commercial documents of a product which does not comply with this Regulation.</p> <p>Furthermore, any terms, including terms used in trademarks, or practices used in labelling or advertising liable to mislead the consumer or user by suggesting that a product or its ingredients comply with this Regulation shall not be used.</p>	<p>2. For the products referred to in Article 2(1), the terms referred to in paragraph 1 of this Article shall not be used anywhere in the Union, in any language listed in Annex IV, for the labelling, advertising and commercial documents of a product which does not comply with this Regulation.</p> <p>Furthermore, any terms, including terms used in trademarks <u>or company names</u>, or practices used in labelling or advertising liable to mislead the consumer or user by suggesting that a product or its ingredients comply with this Regulation shall not be used.</p>	Commission proposal unchanged	Keep GA text, agreed at T11
	<p><u>2a. Products of plant origin produced during the conversion period in compliance with Article 8(4) sub-paragraph 2 may be labelled as in-conversion products.</u></p>		<p><u>2a. Feed products of plant origin produced during the conversion period in compliance with Article 8(4) may be labelled as in-conversion products.</u></p> <p><u>Agreed at T11</u></p>

	<u>2b. The terms referred to in paragraph 1 and 2a shall not be used for a product for which it has to be indicated in the labelling or advertising that it contains GMOs, consists of GMOs or is produced from GMOs according to Union law.</u>		Keep GA text, agreed at T11
<p style="text-align: center;">Amendment 202</p> <p style="text-align: center;">Article 21 (2) (a) (new)</p>			
		<p><i>2a. As regards products and substances used in crop production as plant protection products, fertilisers, soil conditioners and nutrients, the terms referred to in paragraph 1 of this Article shall not be used anywhere in the Union, in any language listed in Annex IV, for the labelling, advertising and commercial documents.</i></p>	<p><i>[2a. As regards products and substances used in crop production as plant protection products, fertilisers, soil conditioners and nutrients, the terms referred to in paragraph 1 of this Article shall not be used anywhere in the Union, in any language listed in Annex IV, for the labelling, advertising and commercial documents.]</i></p> <p>Non paper from EP on 9/11:</p> <p><i>As regards products and substances used in crop production as plant protection products, fertilisers, soil conditioners and nutrients, the terms referred to in paragraph 1 of this Article should only be used for</i></p>

			<i>products authorised according to Article 19”.</i> To be solved
Amendment 203 Article 21 (3) (1) - introductory part			
3. As regards processed food, the terms referred to in paragraph 1 <i>may</i> be used:	Commission proposal unchanged	3. As regards processed food, the terms referred to in paragraph 1 <i>shall</i> be used:	Keep COM text Agreed at T12
(a) in the sales description, provided that:	(a) in the sales description, <u>and in the list of ingredients</u> provided that:	Commission proposal unchanged	(a) in the sales description, <u>and in the list of ingredients, where such a list is mandatory according to Union legislation,</u> provided that: <i>Agreed at T13</i>
(i) the processed food complies with the production rules set out in Part IV of Annex II;	(i) the processed food complies with the production rules set out in Part IV of Annex II <u>and with the specific rules laid down in accordance with Article 13(2b);</u>	Commission proposal unchanged	To be solved To be seen in conjunction with Art 13 and the structure issue
(ii) at least 95% by weight of its agricultural ingredients are organic;	(ii) at least 95% by weight of its agricultural ingredients are organic;	Commission proposal unchanged	Keep GA text, agreed at T12
Amendment 204			

Article 21 (3) (1) (b)			
(b) only in the list of ingredients, where less than 95% of agricultural ingredients are organic and provided that <i>those ingredients comply</i> with the production rules set out in this Regulation.	(b) only in the list of ingredients, <u>provided that:</u>	(b) only in the list of ingredients, where less than 95% of agricultural ingredients are organic and provided that <i>the food in question complies</i> with the production rules set out in this Regulation.	Keep GA text Agreed at T12
	(i) where less than 95% <u>by weight</u> of agricultural ingredients are organic and provided that those ingredients comply with the production rules set out in this Regulation;		EP could accept GA text, but not COM Seems acceptable for EP/PRE A 1st for T15
	(ii) <u>the processed food complies with the production rules set out in points 1.5, 2.1(a), 2.2.1, and 2.1(c) of Part IV of Annex II and with the specific rules laid down in accordance with Article 13(2b);</u>		(ii) <u>the processed food complies with the production rules set out in points 1.5, [2.1(a), 2.2.1], and 2.1(c) of Part IV of Annex II and with the specific rules laid down in accordance with Article 13(2b);</u> EP could accept GA text, but not COM To be solved

	<u>(ba) in the sales description and in the list of ingredients provided that:</u>		Keep GA text Cross ref with Part IV Agree at T12
	<u>(i) the main ingredient is a product of hunting or fishing;</u>		Keep GA text Agree at T12
	<u>(ii) the term referred to in paragraph 1 is clearly related in the sales description to another ingredient which is organic and different from the main ingredient;</u>		Keep GA text Agree at T12
	<u>(iii) all other agricultural ingredients are organic;</u>		Keep GA text Agree at T12
	<u>(iv) the food complies with points 1.5, 2.1(a), 2.1(b), and 2.1(c) of part IV of Annex II.</u>		Keep GA text Agree at T12 Cross ref with Part IV
The list of ingredients referred to in point (b) of the first subparagraph shall indicate which ingredients are organic. The references to organic production may only appear in relation to the organic ingredients.	The list of ingredients referred to in points <u>(a)</u> , (b) <u>and (ba)</u> of the first subparagraph shall indicate which ingredients are organic. The references to organic production	Commission proposal unchanged	Keep GA text Agree at T12

That list of ingredients shall include an indication of the total percentage of organic ingredients in proportion to the total quantity of agricultural ingredients.	may only appear in relation to the organic ingredients. That <u>The</u> list of ingredients <u>referred to in points (b) and (ba) of the first subparagraph</u> shall include an indication of the total percentage of organic ingredients in proportion to the total quantity of agricultural ingredients.		
The terms referred to in paragraph 1 and the indication of the percentage referred to in point (b) of the first subparagraph of this paragraph shall appear in the same colour, identical size and style of lettering as the other indications in the list of ingredients.	The terms referred to in paragraph 1 <u>used in the list of ingredients referred to in points (a), (b), and (ba) of the first subparagraph as well as</u> and the indication of the percentage referred to in points <u>(b) and (ba)</u> of the first subparagraph of this paragraph shall appear in the same colour, identical size and style of lettering as the other indications in the list of ingredients.	Commission proposal unchanged	Keep GA text Agree at T12
Amendment 205 Article 21 (3) (3) (a) (new)			
		<i>As regards plant varieties, the terms referred to in paragraph 1 may be used in the sales description, provided that:</i>	To be solved
		<i>(a) the breed complies with the production rules set out in point 1.4 of Part I of Annex II; and</i>	

		<i>(b) the term "organic breed" is used.</i>	
	<u>3a. As regards processed feed, the terms referred to in paragraph 1 may be used in the sales description and in the list of ingredients provided that:</u>		Keep GA text Agree at T12
	<u>(a) the processed feed complies with the production rules set out in Parts II, III and IV of Annex II and with the specific rules laid down in accordance with Article 13(2b);</u>		Keep GA text Agree at T12
	<u>(b) all ingredients of agricultural origin contained in the processed feed are organic;</u>		Keep GA text Agree at T12
	<u>(c) at least 95% of the product's dry matter are organic.</u>		Keep GA text Agree at T12
Amendment 206 Article 21 (4)			

<p>4. In order to provide clarity for consumers and to ensure that the appropriate information is communicated to them, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning adaptation of the list of terms set out in Annex IV, taking into account linguistic developments within the Member States <i>and concerning the establishment of specific labelling and compositional requirements applicable to feed and ingredients thereof.</i></p>	<p>4. In order to provide clarity for consumers and to ensure that the appropriate information is communicated to them, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning adaptation of the list of terms set out in Annex IV, taking into account linguistic developments within the Member States and concerning the establishment of specific labelling and compositional requirements applicable to feed and ingredients thereof.</p>	<p>4. In order to provide clarity for consumers and to ensure that the appropriate information is communicated to them, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning adaptation of the list of terms set out in Annex IV, taking into account linguistic developments within the Member States.</p>	<p>4. In order to provide clarity for consumers and to ensure that the appropriate information is communicated to them, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending the list of terms set out in Annex IV, taking into account linguistic developments within the Member States, and amending by adding rules as regards labelling of products listed in Annex I to this Regulation.</p> <p><i>Agreed at T13</i></p>
	<p><u>4a. The Commission shall adopt implementing acts to set specific rules on the application of paragraph 2a. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u></p>		<p>Outcome of DGM on 10/11/1</p> <p><u>4a. The Commission may adopt implementing acts to set detailed requirements for the application of paragraph 2a. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u></p> <p><i>Agreed at T13</i></p>
Article 22			

Compulsory indications	Commission proposal unchanged	Commission proposal unchanged	
1. Where terms as referred to in Article 21(1) are used:	1. Where <u>products bear</u> terms as referred to in Article 21(1) <u>or are labelled as in conversion are used in accordance to Article 21(2a):</u>	Commission proposal unchanged	1. Where <u>products bear</u> terms as referred to in Article 21(1), <u>including products labelled as in conversion are used in accordance with Article 21(2a):</u> <i>Agreed at T13</i>
(a) the code number of the control authority or control body to which the operator who has carried out the last production or preparation operation is subject, shall also appear in the labelling;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed at T11
(b) the organic production logo of the European Union referred to in Article 23 as regards pre-packed food as defined in point (e) of Article 2(2) of Regulation (EU) No 1169/2011 shall also appear on the packaging.	(b) the organic production logo of the European Union referred to in Article 23 as regards pre-packed food as defined in point (e) of Article 2(2) of Regulation (EU) No 1169/2011 shall also appear on the packaging <u>except in cases referred to in Article 21 (2a), (3)(b) and (ba).</u>	Commission proposal unchanged	Keep GA, <i>Agreed at T13</i>
Amendment 207			

Article 22 (2) (1) introductory part			
2. Where the organic production logo of the European Union is used, an indication of the place where the agricultural raw materials of which the product is composed have been farmed shall also appear in the same visual field as the logo and shall take one of the following forms, as appropriate:	Commission proposal unchanged	<i>With the exception of products from the wine sector as referred to in point (1) of Article 1(2) of Regulation (EU) No 1308/2013,</i> where the organic production logo of the European Union is used, an indication of the place where the agricultural raw materials of which the product is composed have been farmed shall also appear in the same visual field as the logo and shall take one of the following forms, as appropriate:	<p>Explanation from EP:</p> <p>The justification for amendment 207 is the following:</p> <p><i>Pursuant to Article 55 of Regulation (EC) 607/2009, the obligation to indicate the origin of raw materials on the label is already being applied for all European wines, whether they are produced with or without a geographical indication. In order to reduce the administrative burden and extra costs connected with labelling, it is proposed that this redundant obligation be discontinued in the case of these products.</i></p> <p><i>No agreement at T13</i></p> <p>To be solved</p>
(a) 'EU Agriculture', where the agricultural raw material has been farmed in the Union;	Commission proposal unchanged	<p>AM 397</p> <p><i>Labelling of origin shall take one of the following forms, as appropriate: 1.</i></p> <p><i>(a) 'EU Agriculture', where the agricultural raw material has been farmed in the Union;</i></p>	<p>Keep COM tex</p> <p>Agreed at T11</p>

(b) 'non-EU Agriculture', where the agricultural raw material has been farmed in third countries;	Commission proposal unchanged	AM 397 <i>(b) 'non-EU Agriculture', where the agricultural raw material has been farmed in third countries;</i>	Keep COM tex Agreed at T11
(c) 'EU/non-EU Agriculture', where a part of the agricultural raw materials has been farmed in the Union and a part of it has been farmed in a third country.	Commission proposal unchanged	AM 397 <i>(c) 'EU/non-EU Agriculture', where a part of the agricultural raw materials has been farmed in the Union and a part of it has been farmed in a third country.</i>	Keep COM tex Agreed at T11
The word 'Agriculture' may be replaced by 'Aquaculture' where appropriate.	Commission proposal unchanged	AM 397 <i>The word 'Agriculture' may be replaced by 'Aquaculture' where appropriate.</i>	Keep COM tex Agreed at T11
Amendment 208 Article 22 (2) (3)			
The indication 'EU' or 'non-EU' may be replaced or supplemented by the name of a country if all agricultural raw materials of which the product is composed have been farmed in that country.	Commission proposal unchanged	The indication 'EU' or 'non-EU' may be supplemented by the name of a country or region if all agricultural raw materials of which the product is composed have been farmed in that country or region . AM 397	Outcome of DGM on 13/10/16 The indication 'EU' or 'non-EU' may be replaced or supplemented by the name of a country or by the name of a country and a region if all agricultural raw materials of which the product is composed have been farmed in that country or region .

		<i>The indication 'EU' or 'non-EU' may be replaced or supplemented by the name of a country if all agricultural raw materials of which the product is composed have been farmed in that country.</i>	Agreed at T11
For the indication 'EU' or 'non-EU' small quantities by weight of ingredients may be disregarded provided that the total quantity of the disregarded ingredients does not exceed 5% of the total quantity by weight of agricultural raw materials.	For the indication 'EU' or 'non-EU' <u>or of the name of the country as referred to in subparagraph 3,</u> small quantities by weight of ingredients may be disregarded provided that the total quantity of the disregarded ingredients does not exceed <u>25</u> % of the total quantity by weight of agricultural raw materials.	AM 397 <i>For the indication 'EU' or 'non-EU' or the country of origin, small quantities by weight of ingredients may be disregarded provided that the total quantity of the disregarded ingredients does not exceed 5 % of the total quantity by weight of agricultural raw materials.</i>	Outcome of DGM on 13/10/16 For the indication 'EU' or 'non-EU' <u>or of the name of the country/region as referred to in subparagraph 3,</u> small quantities by weight of ingredients may be disregarded provided that the total quantity of the disregarded ingredients does not exceed <u>5</u> % of the total quantity by weight of agricultural raw materials. <i>Agreed at T13</i>
The indication 'EU' or 'non-EU' shall not appear in a colour, size and style of lettering more prominent than the name of the food.	The indication 'EU' or 'non-EU' shall not appear in a colour, size and style of lettering more prominent than the name of the food <u>product</u> .	AM 397 <i>The indication 'EU' or 'non-EU' or the country of origin shall not appear in a colour, size and style of lettering more prominent than the name of the food.</i>	Keep GA text, agreed at T11
		AM 397	This part of AM 397 is withdrawn Agreed at T13

		2. The labelling requirements referred to in point 1 shall not apply in the following cases:	
		– where the origin of all ingredients is specified in the ingredients list referring to the place of agricultural production ;	This part of AM 397 is withdrawn Agreed at T13
		– where labelling of origin is required by Regulation (EC) No 1269/211, Regulation (EC) No 1580/2007 referring to the place of agricultural production;	This part of AM 397 is withdrawn Agreed at T13
		– when products are labelled under Regulation (EC) No 510/2006 referring to the place of agricultural production.	This part of AM 397 is withdrawn Agreed at T13
Amendment 209 Article 22 (3)			
3. The indications referred to in paragraphs 1 and 2 of this Article and in Article 23(3) shall be marked in a conspicuous place in such a way as to be easily visible, clearly legible and indelible .	Commission proposal unchanged	3. The indications referred to in paragraphs 1 and 2 of this Article and in Article 23(3) shall be printed in a conspicuous place in such a way as to be easily visible and clearly legible, and shall not obscure the mandatory indications laid down in Article 9(1) of Regulation (EU) No 1169/2011.	Keep COM text, agreed at T11
4. In order to provide clarity for consumers and to ensure that the	4. In order to provide clarity for consumers and to ensure that	Commission proposal unchanged	

appropriate information is communicated to them, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down further rules on labelling and the use of the indications referred to in point (a) of paragraph 1 and in paragraph 2 of this Article and in Article 23(3).	the appropriate information is communicated to them, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down further rules on labelling and the use of the indications referred to in point (a) of paragraph 1 and in paragraph 2 of this Article and in Article 23(3).		4. In order to provide clarity for consumers and to ensure that the appropriate information is communicated to them, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending by adding to laying down further rules on labelling and the use of the indications referred to in point (a) of paragraph 1 and in paragraph 2 of this Article and in Article 23(3). <i>Agreed at T13</i>
5. The Commission shall adopt implementing acts relating to the following:	Commission proposal unchanged	Commission proposal unchanged	
(a) specific and practical modalities as regards the presentation, composition and size of the indications referred to in point (a) of paragraph 1 and in paragraph 2 of this Article and in Article 23(3);	(a) practical modalities as regards the <u>use</u> , presentation, composition and size of the indications referred to in point (a) of paragraph 1 and in paragraph 2 of this Article and in Article 23(3);	Commission proposal unchanged	Keep GA text, agreed at T11
(b) the assignment of code numbers to control authorities and control bodies;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T11

Amendment 210 Article 22 (5) (1) (c)			
(c) the indication of the place where the agricultural raw materials have been farmed, in accordance with paragraph 2 of this Article and Article 232 (3).	(c) the indication of the place where the agricultural raw materials have been farmed, in accordance with paragraph 2 of this Article and Article 232 (3).	(c) the indication of the place where the agricultural raw materials have been farmed, in accordance with paragraph 2 of this Article and Article 23 (3).	Keep EP AM 210, agreed at T11
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T11
Article 23			
Organic production logo of the European Union	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T11
Amendment 211 Article 23 (1)			

1. The organic production logo of the European Union may be used in the labelling, presentation and advertising of products which comply with this Regulation.	Commission proposal unchanged	1. The organic production logo of the European Union may be used in the labelling, presentation and advertising of products which comply with this Regulation, <i>including products for which specific production rules may be laid down pursuant to Article 16. The organic production logo shall not be used in the case of food as referred to in point (b) of the first subparagraph of Article 21(3) and in-conversion products.</i>	<p>Outcome of DGM on 13/10/16</p> <p>1. The organic production logo of the European Union may be used in the labelling, presentation and advertising of products which comply with this Regulation.</p> <p>The organic production logo may also be used for information and educational purposes related to the existence and advertising of the logo itself, provided that the use is not liable to mislead the consumer as regards the organic production of specific products and provided that the logo is reproduced in accordance with the rules set out in Annex V. In this case, the requirements of Article 22 (2) and point 1.7 of Annex V shall not apply.</p> <p>Agreed at T13</p>
	<u>The organic production logo of the European Union shall not be used for processed food as referred to in Article 21(3)(b) and (ba) or for in-conversion</u>		Outcome of DGM on 13/10

	<u>products as referred to in Article 21(2a).</u>		The organic production logo of the European Union shall not be used for processed food as referred to in Article 21(3)(b) and (ba) or for in-conversion products as referred to in Article 21(2a). Agreed at T13
Amendment 212 Article 23 (2)			
2. The organic production logo of the European Union is an official attestation in accordance with Articles 85 and 90 of Regulation (EU) No XXX/XXXX [Official controls Regulation].	Commission proposal unchanged	<i>deleted</i>	2. Except in cases referred to in second sub-paragraph of paragraph 1, the organic production logo of the European Union is an official attestation in accordance with Article 85 of Regulation (EU) No XXX/XXXX [Official controls Regulation]. <i>Agreed at T13</i>
3. The use of the organic production logo of the European Union shall be optional for products imported from third countries. In addition, where that logo appears in the labelling, the indication referred to in Article 22(2) shall also appear in the labelling.	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T11

4. The organic production logo of the European Union shall follow the model set out in Annex V and shall comply with the rules set out in that Annex.	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T11
5. National and private logos may be used in the labelling, presentation and advertising of products which comply with this Regulation.	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T11
6. In order to provide clarity for consumers and to ensure that the appropriate information is communicated to them, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending the organic production logo of the European Union and the rules relating thereto set out in Annex V.	Commission proposal unchanged	Commission proposal unchanged	Keep COM text, agreed at T11
Amendment 213 Chapter V - title			
Chapter V			
Organic certification	Organic e Certification	Organic <i>controls and</i> certification	To be seen in conjunction with revised non Paper on controls on 16 June
Amendment 214			

Article 23 (a) (new)			
		Article 23a Control system	To be seen in conjunction with revised non Paper on controls on 16 June
		1. Member States shall set up a system of controls and shall designate one or more competent authorities to be responsible for monitoring compliance with the obligations laid down by this Regulation, in accordance with Article 3 of Regulation (EU) No XX/XXXX (the Official controls Regulation OCR).	
		2. In addition to the conditions laid down in the Official controls Regulation, the control system set up under this Regulation shall comprise at least the application of the precautionary measures provided for by Article 20a and the control measures provided for by this Chapter.	
		3. The nature and frequency of the controls shall be determined on the basis of an assessment of the risk of occurrence and the seriousness of non-compliance with the requirements laid down in this Regulation.	

		<p><i>All operators and groups of operators shall be subject at least to an annual physical on-site control of their compliance with the applicable rules. Such controls shall be based on inspection, screening and targeted screening, depending on the likelihood of non-compliance.</i></p> <p><i>The criteria for risk assessments used by control authorities to identify the most risky parts of the food chain are laid down in Annex Vf. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the detailed elements of the risk assessment, the frequency of controls and the proportion of random controls as a fraction of the total number of controls.</i></p>	
		<p>4. The competent authority may:</p>	

		<p><i>(a) delegate its control competences to one or more other control authorities for organic products as defined in point (39) of Article 2 of the Official controls Regulation. Control authorities shall offer adequate guarantees of objectivity and impartiality, and shall have at their disposal the qualified staff and resources necessary to carry out their functions;</i></p> <p><i>(b) delegate control tasks to one or more control bodies for organic products as defined in point (39) of Article 2 of the Official controls Regulation. In such cases, the Member States shall designate authorities responsible for approving and supervising such bodies.</i></p>	
		<p><i>5. The competent authority may delegate control tasks to a particular control body or control authority only if the conditions laid down in Article 26 of the Official controls Regulation are satisfied, and in particular only where:</i></p>	

		<p><i>(a) there is an accurate description of the tasks that the control body or control authority is to carry out, and of the conditions under which it may carry them out;</i></p> <p><i>(b) the control body or control authority:</i></p> <p><i>(i) has the expertise, equipment and infrastructure required to carry out the tasks delegated to it;</i></p> <p><i>(ii) has a sufficient number of suitable qualified and experienced staff; and</i></p> <p><i>(iii) is impartial and free from any conflict of interest as regards the exercise of the tasks delegated to it;</i></p>	
		<p><i>(c) the control body or control authority is accredited in accordance with the most recently notified version, published in the C series of the Official Journal of the European Union, of European Standard EN 17065 or ISO Guide 65 (General requirements for bodies operating product certification systems), and is approved by the competent authorities;</i></p>	

		<i>(d) the control body or control authority communicates the results of the controls carried out to the competent authority on a regular basis and whenever the competent authority so requests. If the results of the controls show serious non-compliance, the control body shall immediately inform the competent authority;</i>	
		<i>(e) there is effective and documented coordination between the delegating competent authority and the control body or control authority.</i>	
		<i>6. In addition to complying with the provisions of paragraph 5, the competent authority shall take into account the following criteria when approving a control body or control authority:</i>	
		<i>(a) the standard control procedure to be followed, containing a detailed description of the control measures and precautions that the control body or control authority undertakes to apply to operators subject to its control;</i>	

		<i>(b) the measures that the control body intends to apply where non-compliance is found to have occurred.</i>	
		<p><i>7. The competent authority may not delegate to control bodies or control authorities the following tasks:</i></p> <p><i>(a) the supervision and audit of other control bodies or control authorities;</i></p> <p><i>(b) the competence to grant derogations, as referred to in Article 17, unless this is provided for in the exceptional production rules.</i></p>	

		<p><i>8. In accordance with Article 29 of the Official controls Regulation, competent authorities delegating control tasks to control bodies or control authorities shall organise audits or inspections of the control bodies or control authorities in question, as necessary. If, as a result of an audit or an inspection, it appears that such bodies are failing to carry out properly the tasks delegated to them, the delegating competent authority may withdraw the delegation. It shall withdraw it without delay if the control body or control authority fails to take appropriate and timely remedial action.</i></p>	
		<p><i>9. In addition to complying with the provisions of paragraph 8, the competent authority shall:</i></p> <p><i>(a) ensure that the controls carried out by the control body or control authority are objective and independent;</i></p> <p><i>(b) verify the effectiveness of controls carried out by the control body or control authority;</i></p>	

		<p><i>(c) take cognisance of any irregularities or infringements found and corrective measures applied;</i></p> <p><i>(d) withdraw approval of any control body or control authority which fails to satisfy the requirements laid down in points (a) and (b) of this paragraph or which no longer fulfils the criteria indicated in paragraphs 5 or 6, or which fails to satisfy the requirements laid down in paragraphs 11, 12 and 14.</i></p> <p><i>10. Member States shall assign a code number to each control authority or control body performing control tasks as referred to in paragraph 4.</i></p> <p><i>11. Control bodies and control authorities shall give the competent authorities access to their offices and facilities, and shall provide any information and assistance deemed necessary by the competent authorities for the fulfilment of their obligations pursuant to this Article.</i></p>	
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		<i>14. By 31 January in each year, the control authorities and control bodies shall transmit to the competent authorities a list of the operators which were subject to their controls on 31 December of the previous year. A summary report of the control activities carried out during the previous year shall be provided by 31 March each year.</i>	
Amendment 215 Article 24			
Organic certification system	Commission proposal unchanged	<i>Article 24 deleted (AM 215) and replaced by Article 24a (AM 216)</i> Adherence to the control system	Certification system Agreed at T8
1. Operators or groups of operators that produce, prepare or store organic products, who import such products from a third country or export such products to a third country or who place such products on the market shall, prior to the placing on the market as organic or prior to conversion, notify their activity to the competent authorities of the Member State(s) where the activity is carried out.	1. Operators or groups of operators that produce, prepare, <u>distribute</u> or store organic products, who import such products from a third country or export such products to a third country or who place such products on the market shall, prior to the placing on the market as organic or prior to conversion <u>period</u> , notify their activity to the competent authorities of the Member State(s) where the activity is carried out <u>and submit</u>	<i>Article 24(1) deleted & replaced by corresponding EP Article 24a (1) (AM 216):</i>	COM non paper on 21/11

	<u>their holding to the organic certification and control system.</u>	<p>1. Any operator or group of operators which produces, prepares or stores organic products, which imports such products from a third country or exports such products to a third country, or which places such products on the market shall, prior to placing on the market any products characterised as 'organic' or 'in conversion to organic':</p> <p>(a) notify their activity to the competent authorities of the Member State where the activity is carried out;</p> <p>(b) submit their undertaking to the control system referred to in Article 23a.</p>	<p>1. Operators or groups of operators as referred to in Article 26 who produce, prepare, distribute or store organic or in-conversion products, who import such products from a third country or export such products to a third country, or who place such products on the market, prior to placing on the market any products as 'organic' or as 'in-conversion' or prior to the conversion period shall notify their activity to the competent authorities of the Member State in which their activity is carried out and in which their undertaking is submitted to the control system.</p> <p>To the A-list of T15</p>
	<u>In case the competent authorities have conferred their responsibilities or delegated specific official controls tasks or other official activities to more than one control authority or control body, the operators or group of operators shall indicate in the notification referred to in subparagraph 1 the control authority or the control body that</u>		<i>Alternative text agreed at T8:</i>

	<u>verifies the compliance of the activity with this Regulation and provides the organic certificate referred to in Article 25(0a).</u>		<u>In case the competent authorities have conferred their responsibilities or delegated specific official controls tasks or other official activities to more than one control authority or control body, the operators or group of operators shall indicate in the notification referred to in subparagraph 1, the control authority or the control body that verifies the compliance of the activity with this Regulation and provides the organic certificate referred to in Article 25(0a).</u>
	<u>1a. Member States may exempt from the notification obligation referred to in paragraph 1 operators who sell products directly to the final consumer or user provided that they do not produce, prepare, store other than in connection with the point of sale, organic products or import such products from a third country or have not contracted out such activities to a third party.</u>	Article 24a (2) (AM 216) 2. Member States shall exempt from the application of this Article organic operators who sell pre-packed products directly to the final consumer or user, provided that they do not produce, process, prepare or store such products other than in connection with the point of sale and they do not import such products from a third country and have not subcontracted such activities to another operator.	Alternative text agreed at T9 2. Operators who sell pre-packed organic products directly to the final consumer or user, provided that they do not produce, process , prepare or store such products other than in connection with the point of sale, do not import such products from a third country or have not subcontracted such activities to another operator, are exempted from the notification obligation referred to in paragraph 1.

		<p>In accordance with point (c) of Article 26c Member States may exempt from the application of point (b) of the first subparagraph of paragraph 1 of this Article operators who sell less than a limited quantity per year of unpacked organic products to the final consumer or user, provided that they notify their activity to the responsible authorities and do not produce, prepare or store such products other than in connection with the point of sale, do not import such products from a third country and have not subcontracted such activities to a third party.</p>	<p>[Member States may exempt from the notification obligation referred to in paragraph 1 operators who sell up to 500 kilogrammes per year, representing a turnover not exceeding 5000 Euro of unpacked organic products directly to the final consumer or user, provided that they do not produce, prepare, or store other than in connection with the point of sale, do not import such products from a third country or have not subcontracted such activities to a third party.]</p> <p>To be solved. COM will provide a text.</p>
<p>2. Where operators or groups of operators subcontract any of their activities to a third party, both the operators and groups of operators and the third party to whom activities have been subcontracted shall comply with paragraph 1.</p>	<p>2. Where operators or groups of operators subcontract any of their activities to <u>a third party parties</u>, both the operators or groups of operators and the third parties to whom activities have been subcontracted, shall comply with paragraph 1, <u>except where the operator or groups of operators declares in the notification referred to in paragraph 1 that the responsibility as regards organic production remains with</u></p>	<p><i>Article 24a (1) 2nd subparagraph (AM 216)</i></p> <p>Where an operator or group of operators subcontracts any of its activities to a third party, that operator or group of operators shall none the less be subject to the requirements laid down in points (a) and (b) of the first subparagraph, and the subcontracted activities shall be subject to the control system</p>	<p>Alternative draft compromise text agreed at T8:</p>

	<u>the operator or groups of operators and is not transferred to the subcontractor so that the compliance of the sub contracted activities with this Regulation is verified by the competent authorities.</u>		3. Where operators or groups of operators subcontract any of their activities to third parties, both the operators or groups of operators and the third parties to whom activities have been subcontracted, shall comply with paragraph 1, except where the operator or groups of operators declares in the notification referred to in paragraph 1 that the responsibility as regards organic production remains with the operator or groups of operators and is not transferred to the subcontractor. In such cases the compliance of the sub contracted activities with this Regulation is verified by the competent authorities in the framework of the control of the operators or groups of operators who have subcontracted their activities.
		<i>Article 24a (3)(AM 216)</i> 3. Member States shall designate an authority or approve a body to receive notifications under point (a) of the first subparagraph of paragraph 1 of this Article.	Alternative draft compromise text agreed at T8 4. Member States shall designate an authority or approve a body to receive the notifications referred to in paragraph 1

3. Operators and groups of operators shall keep records on the different activities they engage in, in accordance with this Regulation.	3. Operators and ₂ groups of operators <u>and subcontractors</u> shall keep records on the different activities they engage in, in accordance with this Regulation.	<i>Deleted and replaced by Article 24a(5)(AM 216)</i> 5. Operators and groups of operators shall keep records of the different activities in which they engage, in accordance with this Regulation.	Alternative text agreed at T8: 5. Operators and ₂ groups of operators <u>and subcontractors</u> shall keep records of the different activities they engage in, in accordance with this Regulation.
4. Competent authorities shall keep an updated list containing the names and addresses of operators and groups of operators that have notified their activities in accordance with paragraph 1 and shall make that list public, together with the information relating to their organic certificates as referred to in Article 25(1). The competent authorities shall respect the requirements of the protection of personal data under Directive 95/46/EC of the European Parliament and of the Council ⁸⁸ .	4. Competent authorities <u>Member States</u> shall keep updated lists <u>kept in an appropriate manner</u> containing the names and addresses of operators and groups of operators that have notified their activities in accordance with paragraph 1 and shall make that list public, together with the information relating to their organic certificates as referred to in Article 25(1). The competent authorities shall respect the requirements of the protection of personal data under Directive 95/46/EC of the European Parliament and of the Council ⁸⁹ .	<i>Deleted and replaced by Article 24a(6)(AM 216)</i>	Alternative draft text agreed at T9:

⁸⁸ Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31).

⁸⁹ Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31).

		<p>6. Competent authorities shall keep an updated list containing the names and addresses of operators and groups of operators that have notified their activities in accordance with point (a) of the first subparagraph of paragraph 1 of this Article, and shall make that list public in an appropriate manner, including by means of publication on the internet, together with the information relating to their organic certificates as referred to in Article 25(1), and using the model set out in Annex Vd to this Regulation. The competent authorities shall respect the requirements of the protection of personal data laid down by Directive 95/46/EC of the European Parliament and of the Council .</p>	<p>6. Member States shall keep updated lists containing the names and addresses of operators and groups of operators that have notified their activities in accordance with paragraph 1 and shall make public in an appropriate manner, including by means of links to a single internet website, a comprehensive list of this data, together with the information relating to their organic certificates as referred to in Article 25(0a). Member States shall respect the requirements of the protection of personal data under Directive 95/46/EC of the European Parliament and of the Council.</p>
<p>5. Member States shall ensure that the fees that may be collected by the competent authorities, control authorities or control bodies in accordance with Article 76 of Regulation (EU) No XX/XXXX</p>	<p>Commission proposal unchanged</p>	<p><i>Deleted and replaced by Art 24a(4) from EP</i></p>	<p>Alternative text agreed at T8:</p>

(official controls Regulation) are made public.		4. Member States shall ensure that any operator or group of operators who complies with this Regulation, and who pays a reasonable fee by way of contribution to the control expenses, is entitled to be covered by the control system.	7. Member States shall ensure that any operator or group of operators who complies with this Regulation, and who, if a fee is collected in accordance with Articles 76 and 77 of Regulation (EU) No XX/XXXX (Official Controls Regulation), pays a reasonable fee covering the cost of controls, is entitled to be covered by the control system and that fees that may be collected are made public.
6. In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the requirements for keeping records, the requirements for publication of the list referred to in paragraph 4 of this Article and the requirements and procedures to be applied for publication of the fees referred to in paragraph 5 of this Article and for supervision by the competent authorities of the application of those fees.	6. In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the requirements for keeping records, the requirements for publication of the list referred to in paragraph 4 of this Article and the requirements and procedures to be applied for publication of the fees referred to in paragraph 5 of this Article and for supervision by the competent authorities of the application of those fees.	<i>deleted</i>	Alternative draft compromise text agreed at T9: 8. In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending the requirements for keeping records laid down in Annex II.

<p>7. The Commission may adopt implementing acts to provide details and specifications regarding the content, form and way of notification referred to in paragraph 1 and the form of publication of the fees referred to in paragraph 5. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</p>	<p>7. The Commission may adopt implementing acts to provide details and specifications regarding:</p>	<p><i>Deleted and replaced by AM 216 Article 24a(7)</i></p> <p>7. The Commission may adopt implementing acts prescribing details and specifications regarding the content, form and method of notification referred to in paragraph 1, and the model referred to in paragraph 6 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</p>	<p>Following text agreed</p> <p>9.The Commission may adopt implementing acts to provide details and specifications regarding:</p>
	<p>the requirements, content, form and way of the notification referred to in paragraph 1;</p>		<p>- the format and technical means of the notification referred to in paragraph 1,</p>
	<p>the keeping of records referred to in paragraph 3,</p>		<p>the keeping of records referred to in paragraph [3],</p>
	<p>the publication of the list referred to in paragraph 4</p>		<p>the model referred to in paragraph [6] of this Article;</p> <p>the publication of the list referred to in paragraph [4];</p> <p>the modalities of the publication of the lists referred to in paragraph [6] and,</p>

	<u>-the requirements and procedures to be applied for the publication, including its form, of the fees referred to in paragraph 5, and for the supervision by the competent authorities of the application of those fees. and the form of publication of the fees referred to in paragraph 5.</u>		- the procedures and modalities of publication of the fees referred to in paragraph [7].
	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).		<u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u>
<i>Article 25</i>			
Amendment 217 Article 25 - title			
Organic certificate	Commission proposal unchanged	Certificate	Keep EP text Agreed at T8
	<u>0a. Competent authorities or, where appropriate, control authorities or control bodies shall provide an organic certificate to any operator or group of operators that have notified their activity in accordance with Article 24(1) and comply with this Regulation. The organic certificate shall certify that the</u>		<i>Alternative text agreed at T9:</i>

	<u>notified activity is in compliance with this Regulation.</u>		<u>0a. Competent authorities or, where appropriate, control authorities or control bodies shall provide an organic certificate to any operator or group of operators that have notified their activity in accordance with Article 24(1) and comply with this Regulation. The organic certificate shall certify that the notified activity is in compliance with this Regulation and shall be issued in accordance with the model set out in Annex Vd</u>
	<u>0b. Operators and group of operators shall be in possession of an organic certificate as referred to in paragraph 0a prior to the placing on the market of products referred to in Article 2(1).</u>		Alternative text agreed at T8 <u>0b. Operators and groups of operators shall be in possession of anorganic certificate as referred to in paragraph 0a prior to the placing on the market of products referred to in Article 2(1).</u>
	<u>0c. The organic certificate is an official certification within the meaning of Articles 85 and 86 of Regulation (EU) No XXX/XXX (Official controls Regulation).</u>		<u>0c. The organic certificate is an official certificate certification within the meaning of Articles 85 of Regulation (EU) No XXX/XXX (Official controls Regulation).</u> To be confirmed at T11

			<u>A list</u>
	<u>0d. The organic certificate, issued in electronic form wherever possible, shall at least allow the identification of the operator or group of operators including the list of the members, the category of products covered by the organic certificate and its period of validity.</u>		Alternative text agreed at T8 <u>0d. The organic certificate, issued in electronic form wherever possible, shall at least allow the identification of the operator or group of operators including the list of the members, the category of products covered by the certificate and its period of validity.</u>
Amendment 218 Article 25 (1)			
1. Operators and groups of operators that have notified their activity in accordance with Article 24(1) and comply with this Regulation shall be entitled to be provided with an organic certificate. The organic certificate, issued in electronic form wherever possible, shall at least allow the identification of the operator or group of operators, the type or range of products covered by the certificate and its period of validity.	1. — Operators and groups of operators that have notified their activity in accordance with Article 24(1) and comply with this Regulation shall be entitled to be provided with an organic certificate. The organic certificate, issued in electronic form wherever possible, shall at least allow the identification of the operator or group of operators, the type or range of products covered by the certificate and its period of validity.	1. Operators and groups of operators that have notified their activity <i>and submitted their undertaking to the control system</i> in accordance with Article 24a(1) and <i>that</i> comply with this Regulation shall be entitled to be provided with an organic certificate. The organic certificate, issued in electronic form wherever possible, shall at least allow the identification of the operator or group of operators, the type or range of products covered by the certificate and its period of validity.	Deletion agreed at T6

Amendment 219 Article 25 (2)			
2. <i>The organic certificate is an official certification within the meaning of Articles 85 and 86 of Regulation (EU) No XXX/XXX (Official controls Regulation).</i>	2. — The organic certificate is an official certification within the meaning of Articles 85 and 86 of Regulation (EU) No XXX/XXX (Official controls Regulation).	<i>deleted</i>	Deletion agreed at T6
Amendment 220 Article 25 (3)			
3. Operators and groups of operators shall not be entitled to be provided with an organic certificate by different control authorities or control bodies for the same group of products, including when those operators and groups of operators engage in different stages of production, preparation and distribution.	3. Operators and groups of operators shall not be entitled to be provided with an organic certificate by different control authorities or control bodies <u>for activities carried out in one Member State, for as regards</u> the same <u>category group</u> of products, including when those operators and groups of operators engage in different stages of production, preparation and distribution.	3. Operators and groups of operators shall not be entitled to be provided with an organic certificate by different control <i>bodies for activities carried out in one Member State, as regards</i> the same group of products, including when those operators and groups of operators engage in different stages of production, preparation and distribution.	Alternative text is agreed at T8 3. Operators and groups of operators shall not be entitled to be provided with an <u>[organic]</u> certificate by different control authorities or control bodies <u>for activities carried out in one Member State, for as regards</u> the same <u>category group</u> of products, including when those operators and groups of operators engage in different stages of production, preparation and distribution.
Article 25 (3a) EP (new) Amendment 221 (AM 221 withdrawn)			
		<i>3a. The groups of products referred to in the paragraph 3 are as follows:</i>	AM 221 withdrawn. GA text agreed at T6. see article 25(5a) GA

		– <i>vegetables and plant products;</i>	AM 221 withdrawn. GA text agreed at T6. see article 25(5a) GA
		– <i>animals and animal products;</i>	AM 221 withdrawn. GA text agreed at T6. see article 25(5a) GA
		– <i>seaweed and aquaculture animals;</i>	AM 221 withdrawn. GA text agreed at T6. see article 25(5a) GA
		– <i>processed foods and fodder, including yeasts;</i>	AM 221 withdrawn. GA text agreed at T6
		– <i>wine.</i>	AM 221 withdrawn. GA text agreed at T6. see article 25(5a) GA
4. Members of a group of operators shall not be entitled to be provided with an individual organic certificate for any of the activities covered by the certification of the group.	Commission proposal unchanged	Commission proposal unchanged	Alternative draft compromise text agreed at T8 4.Members of a group of operators shall not be entitled to be provided with an individual [organic] certificate for any of the activities covered by the certification of the group.
5. Operators shall systematically verify the organic certificate of operators that are their suppliers.	5. Operators shall systematically verify the organic certificate of operators that are their suppliers.	Commission proposal unchanged	Agreed 5.Operators systematically shall verify the [organic] certificate of operators that are their suppliers.

	<u>5a. The categories of products referred to in paragraphs 0d and 3 are the following:</u>	<i>Article 25 (3a) new (AM 221 withdrawn)</i> 3a. The groups of products referred to in the paragraph 3 are as follows:	Alternative draft compromise text Agreed at T8 <u>5a. The categories of products referred to in paragraphs 0d and 3 are the following:</u>
	<u>- plant and plant products;</u>	– vegetables and plant products;	<u>- plant and plant products;</u> unprocessed plants and plant products, including seed and other plant reproductive material;
	<u>- livestock and livestock products;</u>	– animals and animal products;	<u>- livestock and livestock products;</u> - livestock and unprocessed livestock products;
	<u>- algae and aquaculture animals;</u>	– seaweed and aquaculture animals;	<u>- algae and aquaculture animals;</u> - algae and unprocessed aquaculture products;
	<u>- processed food and feed, including yeast;</u>	– processed foods and fodder, including yeasts;	<u>- processed food and feed, including yeast;</u> - processed agricultural products, including aquaculture products, for use as food; Agreed
			- feed;
	<u>- wine;</u>	– wine.	GA text agreed at T6 <u>- wine;</u>

	<u>- other products listed in Annex I to this Regulation or not covered by previous categories.</u>		GA text agreed at T6 (AM 221 withdrawn) <u>-other products listed in Annex I to this Regulation or not covered by previous categories.</u>
Amendment 222 Article 25 (6)			
6. In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the criteria for defining the groups of products referred to in paragraph 3.	6. In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the criteria for defining the groups of products referred to in paragraph 3.	<i>deleted</i>	Alternative text agreed at T9: 6. In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending the model of the certificate set out in Annex Vd.
	<u>6a. The Commission shall adopt implementing acts to provide details and specifications regarding the content and the form of the organic certificate referred to in paragraph 0a.</u>		Alternative text agreed at T9: 6a. The Commission shall adopt implementing acts to provide details and specifications regarding the form of the certificate referred to in paragraph 0a and the technical means by which it is issued.
	<u>Those implementing acts shall be adopted in accordance with the</u>		Alternative text agreed at T9:

	<u>examination procedure referred to in Article 37(2).</u>		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).
<i>Article 26</i>			
Group of operators	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed
1. Each group of operators shall establish a system for internal controls. That system shall consist of a documented set of control activities and procedures, in accordance with which an identified person or body is responsible for verifying compliance with this Regulation of each member of the group.	1. Each group of operators shall:	Commission proposal unchanged	Alternative text agreed: 1. Each group of operators shall: (a) only be composed of farmers or operators producing algae or aquaculture animals and who in addition may be engaged in processing, preparation or marketing of food or feed; (b) only be composed of members: (i) of which the individual certification cost represents more than 2% of its turnover or standard output of organic production; or

			(ii) which have each holdings of maximum: a) 5 hectares; or b) 0.5 hectares, in the case of covered crops; or c) 15 hectares, exclusively in the case of permanent grassland; COM non paper on 21/11 To be confirmed at T15
	<u>- be established in a Member State or a third country;</u>		<u>- be established in a Member State or a third country;</u>
	<u>- have a legal entity;</u>		<u>- have legal entity</u> personality To A-list T15
			<u>- the production activities of the members of the group take place in geographical proximity to each other;</u> To A-list T15
	<u>- set up a joint marketing system;</u>		<u>- set up a joint marketing system</u> for the organic products produced by the group; and To A-list T15

	- establish a system for internal controls. That This system shall consist of a documented set of control activities and procedures, in accordance with which an identified person or body is responsible for verifying compliance with this Regulation of each member of the group.		- establish a system for internal controls comprising a documented set of control activities and procedures, in accordance with which an identified person or body is responsible for verifying compliance with this Regulation of each member of the group. To A-list T15
Amendment 223 Article 26 (2)			
2. Deficiencies in the set-up or functioning of the system for internal controls referred in <i>to</i> paragraph 1, in particular as regards failures to detect or address non-compliance by individual members of the group of operators that affect the integrity of organic products, <i>may</i> result in the withdrawal of the organic <i>certification</i> for the whole group.	2. Deficiencies in the set-up or functioning of the system for internal controls referred in to <u>in</u> paragraph 1, in particular as regards failures to detect or address non-compliance by individual members of the group of operators that affect the integrity of organic products, may result in the withdrawal of the organic certification <u>certificate referred to in Article 25</u> for the whole group.	2. Deficiencies in the set-up or functioning of the system for internal controls referred <i>to</i> in paragraph 1, in particular as regards failures to detect or address non-compliance by individual members of the group of operators that affect the integrity of organic products, <i>shall</i> result in the withdrawal of the organic <i>certificate referred to in Article 25</i> for the whole group.	Alternative COM proposal agreed at T8 2. Deficiencies in the set-up or functioning of the system for internal controls referred <i>to</i> in paragraph 1, in particular as regards failures to detect or address non-compliance by individual members of the group of operators that affect the integrity of organic products, <i>shall</i> result in the withdrawal of the certificate referred to in Article 25 for the whole group.
	<u>2a. The members of the group of operators shall be located in geographical proximity.</u>		<i>Moved up</i>

	<u>2b. Member States shall have a choice to apply one or a combination of more criteria (turnover, standard output, area in ha) referred to in Article 3(7).</u>		To A-list T15
Amendment 224 Article 26 (3)			
3. <i>In order to ensure the effective and efficient functioning of the certification of a group of operators, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the responsibilities of the individual members of a group of operators, the composition and dimension of a group of operators, the categories of products to be produced by a group of operators, the conditions for participation in a group of operators, the set-up and functioning of the group's system for internal controls, including the scope, content and frequency of the controls to be carried out.</i>	3. — In order to ensure the effective and efficient functioning of the certification of a group of operators, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the responsibilities of the individual members of a group of operators, the composition and dimension of a group of operators, the categories of products to be produced by a group of operators, the conditions for participation in a group of operators, the set-up and functioning of the group's system for internal controls, including the scope, content and frequency of the controls to be carried out.	3. <i>The criteria for group certification of groups of operators are set out in Annex Ve.</i>	[3. In order to ensure the effective and efficient functioning of the certification of a group of operators, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 <i>concerning amending paragraphs 1 and 2 by adding provisions in particular as regards:</i> -the responsibilities of the individual members of a group of operators, - the composition and dimension of a group of operators, <i>the categories of products to be produced by a group of operators,— [the criteria to determine the geographical proximity of the members of the group;]]</i>

			<p>–the conditions for participation in a group of operators,</p> <p>- the set-up and functioning of the group's system for internal controls, including the scope, content and frequency of the controls to be carried out and the criteria to qualify deficiencies in the set-up or functioning of the system for internal controls .</p> <p><u>To be discussed at T15</u></p>
<p>Amendment 225</p> <p>Article 26 (4)</p>			
<p>4. The Commission may adopt implementing acts concerning the exchange of information between a group of operators and the competent authority or authorities, control authorities or control bodies, and between the Member States and the Commission. Those</p>	<p>4. The Commission may <u>shall</u> adopt implementing acts <u>laying down specific rules</u> concerning:</p>	<p><i>deleted</i></p>	<p>No agreement at T9 on the following draft compromise text. To be seen together with 26(3)</p> <p>4. The Commission may adopt implementing acts <u>laying down specific rules</u> concerning:</p>

<i>implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37 (2).</i>	<u>- the composition and dimension of a group of operators as well as the criteria to determine the geographical proximity of the members of the group;</u>		<u>- [the criteria to determine the geographical proximity of the members of the group;]</u>
	<u>- the conditions for participation in a group of operators, including regarding the categories of products they produce;</u>		-
	<u>- the set-up and functioning of the group's system for internal controls, including the scope, content and frequency of the controls, the documentation and record keeping systems, the system for internal traceability and the list of operators;</u>		<u>- the documentation and record keeping systems, the system for internal traceability and the list of operators;</u>
	<u>- the responsibilities and obligations of the individual members of a group of operators and</u>		

	- the exchange of information between a group of operators and the competent authority or authorities, control authorities or control bodies, and between the Member States and the Commission.		- _____ the exchange of information between a group of operators and the competent authority or authorities, control authorities or control bodies, and between the Member States and the Commission.
	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37 (2).		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37 (2).] To be solved
	<u>Chapter Va</u>		To be seen in conjunction with revised non Paper from PRES on 12/05 – chapter Va
	<u>Controls</u>		
	<u>Article 26a</u>		
	<u>General provision</u>		<u>NON PAPER ON CONTROLS</u> <u>OUTCOME OF TRILOGUE 16 JUNE</u> <u>2016</u> <u>DRAFT COMPROMISE ON CONTROLS</u>
	<u>In addition to the provisions laid down in Regulation (EU) No XX/XXXX (Official Controls Regulation), the specific rules provided for in this Chapter shall apply to the official controls and</u>		Chapter Va Official controls and other official activities

	<u>other official activities carried out in relation to organic production and labelling of organic products.</u>		<p>Article 26a⁹⁰</p> <p><u>Relationship with Regulation (EU) No XX/XXX (Official Controls Regulation) and additional rules for official controls and other official activities in relation to organic production and labelling of organic products</u></p>
	<u>Article 26b</u>		
	<u>Official controls in relation to organic production and labelling of organic products</u>		
	<u>1. Official controls in relation to organic production and labelling of organic products shall be performed for the verification of compliance with the provisions of this Regulation and shall include, in particular, the verification of the application of preventive measures, as defined in Article 3(4), of the conditions for the exemption from the notification obligation referred to in Article 24(1a), and of the effective separation between organic and non-organic production and products, referred to in Articles 7 and 8, including through the control of the non-organic</u>		<p>The specific rules of this Chapter shall apply, in addition to the rules laid down in Regulation (EU) No XX/XXX (Official Controls regulation), in relation to official controls and other official activities performed to verify, at all stages of production, preparation and distribution throughout the process, that products as referred to in Article 2(1) have been produced in compliance with the requirements laid down in this Regulation.</p> <p>Article 26b</p> <p>Additional rules on official controls and on action to be taken by the competent authorities</p>

⁹⁰ Title to be checked with lawyer-linguists

	<u>production units or sites.</u>		<p>1. Official controls performed in accordance with Article 8 of Regulation (EU) XX/XXXX (Official Controls Regulation) for the verification of compliance with the requirements laid down in this Regulation shall:</p> <p>(a) include, in particular,</p> <p>(i) the verification of the application by operators of preventive and precautionary measures, as referred to in Article 7 (1)(cb) and in [⁹¹(XX)] of this Regulation, at all stages of production, preparation and distribution;</p> <p>(ii) in the cases where the holding includes non-organic and/or in-conversion production units, the verification of the records and of the measures or procedures or</p>
	<u>2. The nature and frequency of the official controls shall be determined on the basis of the likelihood of non-compliance, taking into account in particular the following:</u>		
	<u>- the type, size and structure of the operators and groups of operators;</u>		
	<u>- the length of time during which operators and groups of operators have been in organic production, preparation and distribution;</u>		
	<u>- the product categories;</u>		
	<u>- the type, quantity and value of products and their development over time;</u>		
	<u>- the possibility of commingling of products;</u>		

⁹¹ Cross reference to be adapted later to the results of negotiations on precautionary measures

	<u>- the application of derogations or exceptions to the rules by operators and groups of operators;</u>		<p>arrangements in place to ensure the clear and effective separation between organic, in-conversion and non organic production units, between products produced by the organic, in-conversion and/or non-organic production units, and of the substances and products used for organic and non-organic production units; such verification shall include checks on parcels for which a previous period was recognised retroactively as part of the conversion period and checks on the non-organic production units;</p> <p>(iii) in the cases where organic and non-organic products are collected simultaneously by operators, or prepared or stored in the same</p>
	<u>- the critical points for non-compliance and likelihood of non-compliance at any stage of production, preparation and distribution, as defined in Article 3(27).</u>		
	<u>In any case, all operators and groups of operators with the exception of those referred to in Article 24(1a) shall be subject to a verification of compliance at least once a year. The verification of compliance shall imply a physical on-the-spot inspection, except where Member States decide that in duly justified cases, taking into account the elements referred to in the first subparagraph, the operators and group of operators concerned present a proven low-risk profile and fulfill the criteria of compliant track-record of at least 3 years. In those duly justified cases, however, the period</u>		

	<u>between two physical on-the-spot inspections shall not exceed thirty months.</u>		<p>[⁹²preparation unit] or area or premise, or transported to other operators or [units], the verification of the records and of the measures or procedures or arrangements in place to ensure that operations are carried out separated by place or time, that suitable cleaning measures and, as appropriate, measures to prevent substitution of products are implemented, that organic products are identified at all times and stored, before and after the preparation operations, separate by place or time from non-organic products;</p> <p>(iv) in the cases where operators are exempted from notification obligations as provided</p>
	<u>3. For the purpose of paragraph 2 of Article 12 of Regulation (EU) No XX/XXXX (Official Controls Regulation), the written records on the official controls performed for the verification of compliance with the provisions of this Regulation shall be countersigned by the operator or group of operators concerned or by their representative.</u>		
	<u>Article 26c</u>		
	<u>Delegation of tasks to control bodies</u>		
	<u>1. Official control tasks or other official activities may only be delegated by the competent authorities in accordance with Chapter III of Regulation (EU) No XX/XXXX (Official Controls Regulation) if the following conditions are also met:</u>		

⁹² Provisionally agreed; the final wording will depend on the final wording agreed for Annex II, Part IV, point 1.5.and Annex III.”

	<u>(a) the control bodies are accredited in accordance with the international harmonised standard ‘Conformity assessment – Requirements for bodies certifying products, processes and services’, the reference of which has been published in the Official Journal of the European Union;</u>		<p>in Article XX⁹³ of this Regulation, the verification that the requirements for the exemption are fulfilled.</p> <p>(b) be performed throughout the entire production process at all stages of production, preparation and distribution on the basis of the likelihood [or suspicion]⁹⁴ of non-compliance with the rules laid down in this Regulation, which shall be determined taking into account, in addition to the elements referred to in Article 8 of Regulation (EU) No XX/XXX (Official Controls Regulation), in particular the following elements:</p> <p>(i) the type, size and structure of the</p>
	<u>(b) the delegation of the competent authorities contains a detailed description of delegated control tasks and other official activities, of the reporting obligations and other specific obligations;</u>		
	<u>(c) the control bodies submit to the competent authorities for prior approval:</u>		

⁹³ Cross reference to be adapted later further to the results of negotiations on certification

⁹⁴ T9 : consistent approach to be taken through the whole text

	<u>(i) their risk assessment procedures determining in particular the basis for the intensity and frequency of the verification of compliance of the operators and group of operators;</u>		<p>operators and groups of operators;</p> <p>(ii) the length of time during which operators and groups of operators have been in organic production, preparation and distribution;</p> <p>(iia) the results of the controls performed in accordance with this Article;</p> <p>(iii) the point in time relevant for the activities carried out;</p> <p>(iv) the product categories;</p> <p>(v) the type, quantity and value of products and their development over time;</p> <p>(vi) the possibility of commingling of products or contamination with unauthorised products or substances;</p>
	<u>(ii) the standard control procedure to be followed, containing a detailed description of the control measures and precautions that the body undertakes to impose on operators and groups of operators subject to its controls;</u>		
	<u>(iii) the measures that the control body intends to apply where non-compliances are found;</u>		

	<u>(d) the competent authorities have procedures and arrangements in place to ensure the supervision of control bodies, including the verification of the effectiveness, independence and objectiveness of the way in which the delegated tasks are carried out, in particular as regards the intensity and frequency of the verification of compliance.</u>		(vii) the application of derogations or exceptions to the rules by operators and groups of operators; (viii) the critical points for non-compliance and likelihood of non compliance at all stages of production, preparation and distribution of organic products.
	<u>2. The competent authorities shall not delegate to control bodies the competence to grant exceptions except for the use of plant reproductive material not obtained from organic production.</u>		(c) ⁹⁵ In any case, all operators and group of operators shall be subject to a verification of compliance at least once every twelve months. The verification of compliance shall imply a physical on-the-spot inspection except when operators and group of operators comply with the following conditions:
	<u>3. For the purpose of Article 31 of Regulation (EU) No XX/XXXX (Official Controls Regulation), the competent authorities shall ensure that information on any non-</u>		(i) the previous controls of the operator or group of operator concerned have

⁹⁵ T9 EP comment : point (c) acceptable but need to either include the substance of Article 65 (4) ‘control visits’ of Reg 889/2008 or to make a reference to the corresponding provision in the new OCR which says that controls are primarily unannounced except in exceptional cases.

	<u>compliance and likelihood of non-compliance identified by control bodies and on the measures applied is collected and used in order to supervise the activities of control bodies.</u>		<p>not revealed [any serious non-compliance affecting the integrity of organic product] [with this Regulation] during at least three consecutive years; and</p> <p>(ii) the operator or group of operator concerned have been assessed on the basis of the elements referred to in point b) and in Article 8 of Regulation (EU) No XX/XXX (Official Controls Regulation) as presenting low likelihood of non-compliance. In this case, the period between two physical on-the-sport inspections shall not exceed 24 months.</p> <p>(d) The delivery or the renewal of the certificate referred to in Article 25(0a) shall be based on the results of the verification of compliance as described in this paragraph</p>
	<u>4. In the cases where there is evidence that a control body is failing to properly perform the official control tasks delegated to it, the competent authorities may, before withdrawing the delegation in accordance with Article 32 of Regulation (EU) No XX/XXXX (Official Controls Regulation), fully or partly suspend it.</u>		
	<u>Article 26d</u>	Article 26 (a) (new) AM 226	
	<u>Measures in case of non-compliance</u>	Duties of competent authorities in the event of non-compliance	
	<u>1. In the event of non-compliance that affects the organic status of the products throughout any of the stages of production, preparation and distribution, the competent authorities, or where</u>	<p>Article 26a</p> <p>Duties of competent authorities in the event of non-compliance</p> <p>Competent authorities shall:</p>	

	<u>appropriate, the control authorities or the control bodies shall ensure that no reference is made to organic production in the labelling and advertising of the entire lot or production run concerned.</u>	(a) ensure, in the event of non-compliance affecting the status of organic products throughout any of the stages of production, preparation and distribution and export, in particular arising from the use of prohibited or non-authorised substances and techniques or commingling with non-organic products, that no reference is made to organic production in the labelling and advertising of the entire lot or production run concerned;	<p>3. The written record to be drawn up on each official control performed to verify compliance with the rules laid down in this Regulation in accordance with paragraph 2 of Article 12 of Regulation (EU) XX/XXXX (Official Controls Regulation) shall be countersigned by the operator or group of operators.</p> <p>4. Paragraph 2 of Article 12 of Regulation (EU) XX/XXX (Official Controls Regulation) shall not apply to the audits and inspections carried out by competent authority/ies in the context of their supervisory activities over control bodies to which specific official control tasks and other official activities were delegated.</p>
	<u>2. In the event of serious, repetitive or continued non-compliance, competent authorities or where appropriate, the control authorities or the control bodies shall ensure that the operators or the group of operators concerned, in addition to the measures referred to in paragraph 1 and any appropriate measures taken in particular in accordance with Article 135 of Regulation (EU) No XX/XXXX (Official Controls Regulation), are prohibited from marketing products which refer to organic production for a given period, and that their organic certificate</u>	(b) ensure, in the event of repetitive, continued or fraudulent non-compliance, that the operators or group of operators concerned, in addition to being subjected to the measures referred to in point (a) of this Article, are prohibited from marketing products which refer to organic production, and that their organic certificate is suspended or withdrawn as appropriate.	<p>Article 26c</p> <p>Additional rules on the delegation of specific official control tasks and other official activities</p> <p>1. Competent authorities may delegate to control bodies specific official control tasks and other official activities only if the following conditions, in addition to those set out in Chapter III of</p>

	<u>be suspended or withdrawn accordingly.</u>		Regulation (EU) No XX/XXX (Official Controls Regulation), are complied with:
		<p>Article 26b (AM 227)</p> <p>Exchange of information and administrative cooperation</p> <p>1. Administrative cooperation between Member States, control bodies, control authorities and competent authorities, including for the purposes of applying Article 20a(2), shall be based on the requirements laid down in Title 4 of the Official controls Regulation.</p>	<p>(a) the delegation contains a detailed description of the delegated control tasks and other official activities, including reporting and other specific obligations, and of the conditions under which the control body may carry them out. In particular the control body shall submit to the competent authorities for prior approval:</p> <p>(i) its risk assessment procedure, determining in particular the basis for the intensity and frequency of the verification of compliance of the operators and group of operators and established on the basis of the elements referred to in Article 8 of Regulation (EU) No</p>
	<p><u>3. In addition to the requirements laid down in Article 104(1) of Regulation (EU) No XX/XXX (Official Controls Regulation), competent authorities, control authorities and control bodies shall immediately share information with other competent authorities, control authorities and control bodies as appropriate on any non-compliance or likelihood of non-compliance affecting the organic status of the products.</u></p>	<p>2. Upon a request duly justified by the need to guarantee that a product has been produced in accordance with this Regulation, the competent authorities, control authorities and control bodies shall exchange relevant information on the results of their controls with other competent authorities, control authorities and control bodies. They may also exchange such information on their own initiative</p>	

		3. Information concerning substantiated suspicions and non-compliance affecting the organic status of a product shall be immediately communicated between the competent authorities, control authorities, control bodies, operators and Member States involved, the Commission and the operators affected. The level of communication shall depend on the seriousness and extent of the substantiated suspicion or confirmed non-compliance.	XX/XXX (Official Controls Regulation) and of Article 26b of this Regulation, to be followed for the performance of official controls on operators and group of operators; (ii) the standard control procedure in place, containing a detailed description of the control measures that the control body undertakes to apply to operators and groups of operators subject to its controls; (iii) a list of measures, in conformity with the measures laid down by competent authorities, to be applied to operators and group of operators in case of the establishment, likelihood, or suspicion ⁹⁶ of non-compliance;
		4. A national stakeholder panel including control authorities, control bodies and representatives of the organic sector shall be established.	
	<u>Article 26f</u>		
	<u>Implementing powers in relation to official controls for organic production and labelling of organic products</u>	Article 26c new (AM 228) Delegated powers with regard to the control system	

⁹⁶ New wording agreed, COM to check the consistency of the whole text in line with these changes

	<u>The Commission may, by means of implementing acts, lay down rules establishing uniform modalities and specific requirements for the performance of official controls and other official activities carried out in relation to organic production and labelling of organic products, as regards:</u>	In order to supplement the rules relating to the control system provided for in Article 23a and 24a, and to ensure their full compatibility with the Official controls Regulation, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down rules on:	<p>(iv) the arrangements for effective monitoring and reporting on the official control tasks and other official activities performed on operators and group of operators. Any subsequent amendment of the elements referred to in points (i) to (iv) shall be notified by the control body to the competent authority.</p> <p>(b) competent authorities have procedures and arrangements in place to ensure the supervision of control bodies, including the verification of the effectiveness, independence and objectiveness of the way in which the delegated tasks are carried out, in particular as regards the intensity and frequency of the verification of compliance.</p>
	<u>(a) the specific tasks of the competent authorities;</u>	(a) the specific responsibilities and tasks of the competent authorities and control authorities, in addition to those provided for in this Chapter and in Articles 4, 8, 9, 10(1), 11 to 13, 34(1) and (2), and 36 of the Official controls Regulation;	
		(b) risk assessment requirements additional to those referred to in this Chapter and in Article 8(1) of the Official controls Regulation, taking into account the risk of non-compliance;	
		(c) the conditions under which certain operators are to be exempted from certain controls;	

	<u>(b) methods and techniques for the performance of official controls;</u>	(d) methods and techniques for controls additional to those referred to in Article 13 and Article 33(1) to (5) of the Official controls Regulation, and specific requirements for the carrying-out of controls designed to ensure the traceability of organic products at all stages of production, preparation and distribution;	<p>2. For the purpose of Article 26 (1) (b) (iv) of Regulation (EU) No XX/XXX (Official Controls Regulation), the relevant standard for the delegation of specific official control tasks and other official activities to verify compliance with this Regulation in the area covered by this Regulation is the most recently notified version of the international harmonised standard ‘General requirements for bodies operating product certification systems’, the reference of which has been published in the Official Journal of the European Union.</p> <p>3. Competent authorities shall not delegate to control bodies:</p> <ul style="list-style-type: none"> (a) specific official control tasks or other official activities to natural persons; (b) the supervision and audit of other control bodies or control authorities;
		(e) actions and measures additional to those provided for in Article 20a and Chapter V of this Regulation and in Article 134(2) and (3) of the Official controls Regulation in cases of suspected non-compliance, criteria additional to those referred to in the second subparagraph of Article 135(1) of the Official controls Regulation, and criteria and measures additional to those provided for in Article 135(2) of the Official controls Regulation and in Article 26a of this Regulation in the event of non-compliance;	
	<u>(c) the range of samples and the stage of production, processing and distribution where the sample shall be taken</u>		

	<u>according to the methods to be used for sampling and laboratory analysis;</u>		<p>(c) the possibility to grant derogations [except^{97 98} for the use of plant reproductive material not obtained from organic production;] (CSL mandate) / provision to be confirmed according to the results of discussions on this point]; (EP mandate)</p> <p>(d) the reception of the notification of the activity by operators or groups of operators, as referred to under Article 24(1) of this Regulation</p> <p>(e) the assessment of the likelihood of non-compliance with the provisions laid down in this Regulation determining the frequency rate of the physical checks to be performed on organic consignments prior to their release for</p>
	<u>(d) the modalities for establishing the likelihood of non-compliance and the frequency of sampling;</u>		
	<u>(e) specific reporting obligations for the competent authorities, the control authorities and the control bodies;</u>		
	<u>(f) specific obligations, arrangements and undertakings by operators;</u>		
	<u>(g) the cases where the competent authorities, in relation to specific suspicion of non compliance and established non-compliance are to take one or more of the actions and measures referred to in Article 26d (1) and (2);</u>		

⁹⁷ COM suggestion following T7 : Suggestion: "except for the use of non-organic plant reproductive material".

⁹⁸ Final wording to depend on final text agreed for Annex II (derogations for seeds, feed, animals)

	<u>(h) the exchange of information between competent authorities, control authorities and control bodies concerning cases of non-compliance or likelihood of non-compliance including the exchange of relevant information on the results of their controls upon a request duly justified by the need to guarantee that a product has been produced in accordance with this Regulation.</u>	(f) specific criteria and conditions for the activation and functioning of the administrative assistance mechanisms provided for in Title IV of the Official controls Regulation, including the exchange of information between competent authorities, control authorities and control bodies concerning instances of non-compliance or the likelihood of non-compliance.	<p>free circulation into the Union according to Article 52 of Regulation (EU) No XX/XXX (Official Controls Regulation).</p> <p>4. Competent authorities shall ensure that information received from control bodies on the basis of Article 31 of Regulation (EU) No XX/XXX (Official Controls Regulation) and information on the measures applied by control bodies in case of established or likely non-compliance is collected and used by the competent authorities in order to supervise the activities of those controls bodies.</p> <p>5. In case of full or partial withdrawal of the delegation of specific official control tasks and other official activities in accordance with Article 32 of Regulation (EU) No XX/XXX (Official Controls), competent authorities shall decide on the validity of the certificates beyond the date of the decision on partial or full withdrawal issued by the control bodies concerned before the date of that partial or full</p>
	<u>(i) the elements referred to in subparagraph 1 of Article 26b(2) to determine the risk-profile referred to in subparagraph 2 of Article 26b(2) for those Member States that decide to exempt operators and groups of operators from the annual physical on-the-spot inspection in accordance with subparagraph 2 of Article 26b(2).</u>		
	<u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u>		

			<p>withdrawal and shall inform the operators.</p> <p>6. Without prejudice to Article 32 of Regulation (EU) No XX/XXX (Official Controls Regulation), competent authorities may, before fully or partly withdrawing the delegation of official control tasks and other official activities in the cases referred to in Article 32, fully or partly suspend that delegation:</p> <ul style="list-style-type: none"> a) for a time period that shall not exceed 12 months and during which the control body shall take action to remedy shortcomings identified during audits and inspections or address non-compliances for which information is exchanged with other control authorities and control bodies, competent authorities as well as with the Commission according to Article 26e; or b) for the time period during which accreditation as referred to in Article 26 (1) (b) (iv) of Regulation (EU) No XX/XXX
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			<p>(Official Controls Regulation) and Article 26c (2) of this Regulation is suspended.</p> <p>In case of suspension of the delegation on official controls and other official activities, control bodies concerned shall not issue organic certificates for the parts for which the delegation has been suspended. Competent authorities shall decide on the validity beyond the date of suspension of the certificates issued before the partial or full suspension and shall inform the operators concerned on this decision.</p> <p>Without prejudice to Article 32 of Regulation (EU) No XX/XXX (Official Controls Regulation), the competent authorities shall lift the suspension of the delegation of official control tasks and other official activities as soon as possible when the control body has taken action to remedy the shortcomings or non-compliances referred to under point a) of the first subparagraph or when the accreditation body has lifted the suspension of the accreditation</p>
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			<p>referred to under point b) of the first subparagraph.</p> <p>7. Where a control body to whom competent authorities have delegated specific official control tasks or other official activities has also been recognised by the Commission in accordance with Article 29(1) of this Regulation for carrying out control activities in third countries, and the Commission intends to withdraw or has withdrawn the recognition of this control body, competent authorities shall organise audits and inspections on the control body as regards its activities in the Member State(s) concerned, in accordance with Article 32 of Regulation (EU) No XX/XXX (Official Controls Regulation).</p> <p>8. The control bodies shall transmit to the competent authorities</p> <ul style="list-style-type: none"> (a) by 31 January of each year, a list of the operators which were subject to their controls on 31 December of the previous year; (b) by 31 March each year, information on the official
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			<p>controls and other official activities carried out in the previous year to support the preparation of the part on organic production and labelling of organic products of the annual report referred to in Article 112 of the Regulation (EU) XX/XXX (Official Controls Regulation).</p> <p>[9⁹⁹The Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the additional rules for the performance of official controls and other official activities to verify compliance with the rules laid down by this Regulation. Those delegated acts shall lay down rules on</p> <p>(a) additional conditions for the delegation of official controls tasks and other official activities to control bodies to those laid down in paragraph 1;</p>
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⁹⁹ T9: to be checked further to OCR negotiations results. PRES suggests to delete this DA and leave such changes to codecision.

			<p>(b)additional responsibilities, official control tasks and other official activities that shall not be delegated to those laid down in paragraph 3.]Article 26d</p> <p>Additional rules on measures in case of non-compliance</p> <p>1. In the event of non- compliance that affects the integrity¹⁰⁰ of organic products throughout any of the stages of production, preparation and distribution, such as due to the detection of non-authorised substances and techniques or commingling with non-organic products, competent authorities and, as appropriate, control authorities and control bodies shall ensure, in addition to the measures to be taken in accordance with Article 135 of the Regulation (EU) No XX/XXXX (Official Controls Regulation) that no reference is made to organic production in the labelling and advertising of the entire lot or production run concerned.</p>
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			<p><u>NB:</u> Provision to be confirmed or reviewed according to the results of discussions on the definition of integrity and on specific provisions for gradual sanctioning of non-compliance (in accordance with Article 135 OCR).</p> <p>2. In the event of serious, <u>or</u> repetitive or continued non-compliance, competent authorities and/or as appropriate, control authorities and/or control bodies shall ensure that the operators or the group of operators concerned, in addition to the measures referred to in paragraph 1 and the any appropriate measures taken in particular in accordance with Article 135 of the Regulation (EU) No XX/XXX (Official Controls Regulation, are prohibited from marketing products which refer to organic production for a given period, and that their organic certificate be suspended or withdrawn as appropriate.</p> <p>Article 26e Additional rules on the exchange of information</p> <p>1. In addition to the obligations laid down in Article</p>
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			<p>104(1) of the Regulation (EU) XX/XXXX (Official Controls Regulation), competent authorities, control authorities and control bodies¹⁰¹ shall immediately share information with other competent authorities, control authorities and control bodies as appropriate as well as with the Commission on any established or likely non-compliance affecting the integrity of organic production. Competent authorities shall share information with other competent authorities and the Commission via a computer system enabling electronic exchanges of documents and information made available by the Commission¹⁰².</p> <p>2. In addition to the obligations laid down in Article 31 of Regulation (EU) XX/XXXX (Official Controls Regulation), control bodies to whom competent authorities delegated specific official control</p>
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¹⁰¹ COM comment : Following the insertion of control authorities and control bodies, the related implementing act under Art. 26f should give the possibility to define which actors have to notify which actors.

¹⁰² COM proposal agreed to address the EP request for information to be inserted in a database, including the presence of unauthorised products and substances. COM added on the need of an empowerment for the definition of the information flow among actors. See below Art. 26f

			<p>tasks or other official activities, shall immediately inform those authorities if the results of the controls carried out on operators or group of operators show established or likely non-compliance affecting the integrity of organic production.</p> <p>3. Upon a request duly justified by the need to guarantee that a product has been produced in accordance with this Regulation, competent authorities, control authorities and control bodies shall exchange information on the results of their controls with other competent authorities, control authorities and control bodies as well as with the Commission.</p> <p>T9: Articles 26f (EP) and Articles 26g (CSL) to be examined in drafting group on the basis of new Article 23 OCR agreed in trilogue 15.06 on the basis of a COM proposal</p> <p><u>NB</u>: article 26f deleted in CSL mandate, partially replaced by Article 26g (on next page)</p>
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			<p>[Article 26f (EP mandate) (to be aligned with BLOC 2 of the official controls regulation approach, when known) Implementing powers in relation to specific rules on official controls and other official activities The Commission may, by means of delegated acts, lay down uniform minimum frequency of official controls referred to in paragraph 1 of article 26b, having regard the criteria referred to in point b of paragraph 1 of article 26b. The Commission may, by means of implementing acts, lay down rules establishing uniform modalities for the performance of official controls and other official activities to verify compliance with the requirements laid down by this Regulation regarding:</p> <p>a) <u>NB</u>: Provision to be developed, as appropriate, according to the results of discussions on the harmonised approach for non-authorised products or substances – eg. specific</p>
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			<p>rules on the analytical methods to be applied.</p> <p>b) specific rules for the implementation of the conditions for the delegation of specific official controls tasks and tasks related to other official activities to control bodies as laid down in point (a) of paragraph 1 of Article 26c;</p> <p>c) the specific information to be provided by the competent authorities, the control authorities and control bodies in charge of official controls and other official activities in accordance with Article 26e <u>[,the relevant recipients of this information]</u>, the means by which this information shall be provided, <u>including the modalities of the computer system referred to in paragraph 1 of Article 26e.</u></p> <p>Those implementing acts shall be adopted in accordance with the</p>
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			<p>examination procedure referred to in Article 37(2).]</p> <p>NB: article 26g CSL not present in EP mandate, some provisions are covered by Art 23 OCR in joint AGRI-ENVI mandate</p> <p>[Article 26g (CSL mandate)</p> <p>Delegation of powers and implementing powers in relation to official controls and other official activities for organic production and labelling of organic products</p> <p>1. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning rules for the performance of official controls and other official activities to verify compliance with the rules on organic production and the labelling of organic products. Those delegated acts shall lay down rules on the modalities for establishing the likelihood of non-compliance as referred to in Article 26b(1)(c) and the frequency of sampling</p> <p>2. The Commission may, by means of implementing acts, lay down rules establishing uniform</p>
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			<p>modalities and specific requirements for the performance of official controls and other official activities carried out to verify compliance with the requirements laid down by this Regulation regarding:</p> <ul style="list-style-type: none"> - the range of samples and the stage of production, preparation and distribution where samples shall be taken according to the methods to be used for sampling and laboratory analyses established in accordance with Article 33 (7)(a) and (b) of Regulation XX/XXXX (Official Controls Regulation); - methods and techniques for the official controls and for the performance of official controls aimed at ensuring the traceability of organic products at all stages of production, preparation and distribution; - -specific reporting obligations for the competent authorities, the
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			<p>control authorities and the control bodies;</p> <ul style="list-style-type: none"> - [specific obligations, arrangements and undertaking by operators]; - the cases where the competent authorities, in relation to specific suspicion of non compliance and established non-compliance are to take one or more of the actions and measures referred to in Article 26d (1) and (2); - the exchange of information between competent authorities, control authorities and control bodies concerning cases of non-compliance or likelihood of non-compliance including the exchange of relevant information on the results of their controls upon a request duly justified by the need to guarantee that a product has been produced in accordance with this Regulation;
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			<p>- the elements referred to in Article 26b(1)(b) to determine the risk-profile referred to in Article 26b(1)(c) as a condition to exempt operators and groups of operators from the annual physical on-the-spot inspection in accordance with Article 26b(1)(c).</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).]</p> <p>To be solved</p>
<p>Amendment 226 (<i>moved up</i>)</p> <p>Article 26 (a) (new)</p>			
<p>Amendment 227 (<i>moved up</i>)</p> <p>Article 26 (b) (new)</p>			
<p>Amendment 228 (<i>moved up</i>)</p> <p>Article 26 (c) (new)</p>			
<p>Amendment 229</p> <p>Article 26 (d) (new)</p>			
		<p>Article 26d</p> <p><i>Implementation of this Regulation</i></p>	To be solved

		<i>By 1 January 2020, the Commission shall establish the necessary administrative structures within competent Union authorities so as to fulfil its responsibilities with regard to improved harmonisation and implementation of this Regulation in Member States, specifically concerning controls within the Union and imports from third countries, and improved communication between Member States and with the Union's Institutions.</i>	
		<i>The tasks to be carried out by those structures are set out in Annex Va.</i>	
Article 27			
Amendment 230 Article 27			
Export of organic products	Commission proposal unchanged	<i>deleted</i>	Export of organic products
1. A product may be exported from the Union as organic and bear the organic production logo of the European Union if it complies with this Regulation.	1. A product may be exported from the Union as organic and bear the organic production logo of the European Union if it complies with this Regulation.	<i>deleted</i>	1. A product may be exported from the Union as organic and bear the organic production logo of the European Union if it complies with this Regulation. Agreed

<i>However, a product intended to be exported as organic to a third country which is recognised in accordance with Article 31 may be exported to that third country if it complies with that third country's requirements to be placed on the market in that third country as organic.</i>	However, a product intended to be exported as organic to a third country which is recognised in accordance with Article 31 may be exported to that third country if it complies with that third country's requirements to be placed on the market in that third country as organic.		
<i>2. In order to avoid creating unequal conditions for operators when exporting to third countries, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning specific rules for exports of organic products to a third country which is recognised in accordance with Article 31.</i>	2. In order to avoid creating unequal conditions for operators when exporting to third countries, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning specific rules for exports of organic products to a third country which is recognised in accordance with Article 31.	<i>deleted</i>	Deletion agreed

3. <i>In order to ensure fair competition among operators, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning documents intended for customs authorities in third countries, in particular as regards an organic export certificate issued in electronic form wherever possible and providing assurance that exported organic products comply with this Regulation.</i>	3. In order to ensure fair competition among operators, the Commission shall be empowered to <u>may</u> adopt delegated <u>implementing</u> acts in accordance with Article 36 laying down specific details concerning documents intended for customs authorities in third countries, in particular as regards an organic export certificate issued in electronic form wherever possible and providing assurance that exported organic products comply with this Regulation.	<i>deleted</i>	3. In order to ensure fair competition among operators, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning documents intended for customs authorities in third countries, in particular as regards an organic export certificate issued in electronic form wherever possible and providing assurance that exported organic products comply with this Regulation. agreed
	<u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u>		
<i>Article 28</i>			
Import of organic products	Commission proposal unchanged	Commission proposal unchanged	Import of organic products
Amendment 231 Article 28 (1)			

1. A product may be imported from a third country in order to be placed on the market within the Union as organic if the following conditions are met:	1. A product may be imported from a third country in order to be placed on the market within the Union as organic <u>or as in conversion</u> if the following conditions are met:	1. A product may be imported from a third country in order to be placed on the market within the Union as organic <i>or as a plant product in conversion</i> if the following conditions are met:	EP amendment agreed 1. [A product may be imported from a third country in order to be placed on the market within the Union as organic or as a plant product in conversion if the following conditions are met: However, COM proposes an alternative drafting in line with Art 8(4) 1. A product may be imported from a third country in order to be placed on the market within the Union as organic <i>or as in-conversion feed product of plant origin</i> if the following conditions are met:] To be solved
(a) the product is an organic product as referred to in Article 2(1);	(a) the product is an organic product as referred to in Article 2(1);	(a) the product is an organic product as referred to in Article 2(1);	Keep GA text agreed
(b) the product:	Commission proposal unchanged	(b) the product:	(b) the product:

<p>(i) complies with Chapters II, III and IV and all operators, including <i>the</i> exporters in the third country concerned, have been subject to the control of control authorities or control bodies recognised in accordance with Article 29; or</p>	<p>(i) complies with Chapters II, III and IV and all operators, <u>and group of operators</u> including the exporters in the third country concerned, have been subject to the control of control authorities or control bodies recognised in accordance with Article 29 <u>and are provided by these authorities or bodies with a certificate confirming that all operators or groups of operators are in compliance with this Regulation</u>; or</p>	<p>(i) complies with Chapters II, III and IV <i>and with all relevant implementing rules</i> and all operators, including <i>groups of operators, and</i> exporters in the third country concerned, have been subject to the control of control authorities or control bodies recognised in accordance with Article 29 <i>and the product, upon being imported, is provided by those authorities or control bodies with a certificate of inspection confirming that all operators and their products are in compliance with this Regulation</i>; or</p>	<p><i>Already agreed but COM proposed the precision in the following text :</i></p> <p>[(i) complies with Chapters II, III and IV and all operators, and groups of operators as referred to in Article 26, including the exporters in the third country concerned, have been subject to the control of control authorities or control bodies recognised in accordance with Article 29 and are provided by these authorities or bodies with a certificate confirming that all operators or groups of operators are in compliance with this Regulation; or]</p> <p>Seems acceptable . A list T15</p>
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(ii) comes from a third country which is recognised in accordance with:	(ii) comes from a third country which is recognised in accordance with: Article 30; or Article 31; <u>and complies with the equivalent production and control rules of that third country and is imported with a certificate of inspection issued by the competent authorities, control authorities or control bodies of that third country confirming this compliance; or</u>	(ii) comes from a third country which is recognised in accordance with:	Keep GA text Agreed
- Article 30; or		– Article 30; or	Deleted
- Article 31;		– Article 31;	Deleted
	<u>(iia) comes from a third country which is recognised in accordance with Article 30 and complies with the conditions laid down in the relevant trade agreement;</u>		Keep GA text Agreed

<p>(c) the <i>operators</i> in third countries are able to provide at any time, to the importers <i>or</i> the national authorities information <i>allowing the identification of the operator who carried out the last operation</i> with a view to ensuring the traceability of the organic product.</p>	<p>(c) the operators in third countries are able to provide at any time, to the importers or the national authorities information allowing the identification of the operator who carried out the last operation <u>and his control authority or control body</u> with a view to ensuring the traceability of the organic product. <u>This information shall be made available also to the control bodies or the control authorities of the importers.</u></p>	<p>(c) the <i>exporters</i> in third countries are able to provide at any time, to <i>their control bodies</i>, the importers <i>and</i> the national authorities, information <i>enabling all operators who carried out operations to be identified, including the respective control authority or control body</i>, with a view to ensuring the traceability of the organic product <i>back to all operators involved. The exporters shall make such information available to the control bodies or control authorities of the importers.</i></p>	<p>(c) the operators in third countries are able to provide at any time, to the importers <i>and</i> the national authorities in the Union and in the third country, information <i>enabling all operators the identification of the operators that are their suppliers who carried out operations to be identified, including the and respective</i> <i>control authorities or control bodies</i> of those suppliers, with a view to ensuring the traceability of the organic product <u>concerned</u>. <u>That information shall also be made available also to the control bodies or the control authorities of the importers.</u></p> <p><i>To the A-list in T15</i></p>
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		<p><i>After (a date, to be inserted which corresponds to 5 years following the date of application of this Regulation), by way of derogation from point (b)(i) of the first subparagraph, when a product cannot comply with Chapters II, III and IV in a given third country because of specific climate and local conditions, and in order to avoid a supply disruption of the internal market for that specific product, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down specific conditions according to which the product may be imported from the third country in order to be placed on the market within the Union as an organic product. Such specific conditions shall apply for a maximum of (2) years. Such specific conditions shall also apply from ...(the date of application of this Regulation) to the outermost regions of the Union where the product concerned is also produced.</i></p>	<p>[(ca) The Commission may in accordance with Article 19(5) [PM: IA/DA to be decided] grant specific authorisations for the use of products and substances in third countries and Outermost regions of the Union, taking into account differences in the ecological balance in plant or animal production, specific climatic conditions, and traditional and local conditions in these areas. Such specific authorisations may be granted for a renewable period of two years and shall be subject to the principles laid down in Chapter II and to the criteria of Article 19 (2) and (3).</p> <p>When providing for the criteria to qualify as catastrophic circumstances and laying down specific rules on how to deal with them in accordance with Article 17; the Commission shall also take into account differences in the ecological balance, climate and local conditions in third countries and Outermost regions of the Union,]</p> <p>Only remaining issue: DA/IAEP considers IA if DA will be given for wine. To be solved</p>
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Amendment 232
Article 28 (2)

<p>2. In order to ensure the traceability of the imported products intended to be placed on the market within the Union as organic, <i>the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning documents, issued in electronic form wherever possible, that are necessary for the purposes of import.</i></p>	<p>2. In order to ensure the traceability of the imported products intended to be placed on the market within the Union as organic, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning documents, issued in electronic form wherever possible, that are necessary for the purposes of import. <u>The traceability of imported products intended to be placed on the market within the Union as organic and their compliance with this Regulation have to be ensured. The Commission shall by way of implementing acts lay down specific rules concerning the content of the certificates referred to in paragraph 1 and the procedure to be followed for their issuance and verification, in particular as regards the role of competent authorities, control authorities and control bodies and the possibility to take into account regional differences in ecological balance, climate and local conditions, as well as specific production practices.</u></p>	<p>2. In order to ensure the traceability of the imported products intended to be placed on the market within the Union as organic <i>and their compliance with this Regulation, the Commission shall adopt implementing acts laying down specific rules for the content of the certificates referred to in paragraph 1 and the procedure to be followed for the establishment and control of those certificates, in particular concerning the role of the competent authorities, control authorities and control bodies, and the possibility of taking regional differences into account in balancing ecological, climate and local conditions, as well as practical conditions regarding specific production matters.</i></p>	<p>2. <u>The traceability of imported products intended to be placed on the market within the Union as organic and their compliance with this Regulation have to be ensured. The Commission shall by way of implementing acts lay down specific rules concerning the content of the certificates referred to in paragraph 1 and the procedure to be followed for their issuance and verification, in particular as regards the role of competent authorities, control authorities and control bodies. and the possibility to take into account regional differences in ecological balance, climate and local conditions, as well as specific production practices.</u></p> <p><i>To be seen in conjunction with the compromise text proposed on 28(ca). Text acceptable for EP</i></p> <p>To be solved</p>
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	<u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37 (2).</u>	<i>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</i>	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).
Amendment 233 Article 28 (2) (a) (new)			
		<i>2a. The provisions relating to Commission supervision in third countries shall be strengthened. It is also important to strengthen supervision and controls in equivalence agreements with third countries.</i>	Agreed to shift this provision to recitals and to examine this text at a later stage
Amendment 234 Article 28 (3)			
3. The respect of the conditions and measures for the import of organic products into the Union shall be ascertained at border control posts, in accordance with Article 45(1) of Regulation (EU) No XXX/XXX (Official controls regulation). <i>The physical checks referred to in Article 47(3) of that Regulation shall be performed at a frequency dependent on the risk of non-compliance with this Regulation.</i>	3. The respect of the conditions and measures for the import of organic products into the Union shall be ascertained at border control posts, in accordance with Article 45(1) of Regulation (EU) No XXX/XXX (Official controls regulation). The physical checks referred to in Article 47(3) of that Regulation shall be performed at a frequency dependent on the risk likelihood of non-compliance with this Regulation.	3. The respect of the conditions and measures for the import of organic products into the Union shall be ascertained <i>by the control provisions laid down in Chapter V and</i> at border control posts, in accordance with Article 45(1) of <i>the</i> Official controls Regulation.	Postponed. To be discussed later with block 7 (controls).

Article 29			
Amendment 235			
Article 29 - title			
Recognition of control <i>authorities and control</i> bodies	Commission proposal unchanged	Recognition of control bodies	Recognition of control authorities and control bodies
1. The Commission may adopt implementing acts recognising, or withdrawing the recognition of control authorities and control bodies which fulfil the criteria set out in a delegated act adopted pursuant to paragraph 7 and which are competent to carry out controls in third countries, and establishing a list of those control authorities and control bodies. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).	1. The Commission may adopt implementing acts recognising, or withdrawing the recognition of control authorities and control bodies which fulfil the criteria set out in a delegated act adopted pursuant to paragraph 7 and which are competent to carry out controls <u>and to issue an organic certificate</u> in third countries, and establishing a list of those control authorities and control bodies. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).	Commission proposal unchange	Keep GA text Agreed
	<u>1a. The control authorities or control bodies shall be recognised for the import of the categories of products as listed in Article 25(5a).</u>		Keep GA text Agreed
	<u>1b. In order to be recognised, the control authorities and</u>		Keep GA text Agreed

	<u>control bodies shall fulfil the following criteria:</u>		
	<u>(a) control authorities and control bodies shall be legally established in one Member State or third country;</u>		Keep GA text Agreed
	<u>(b) control authorities and control bodies shall have the capacity to carry out controls to ensure that the conditions set out in Article 28(1)(a), (b)(i) and (c) and in this Article are met for organic products intended for import into the Union;</u>		Keep GA text Agreed
	<u>(c) control authorities and control bodies shall offer adequate guarantees of objectivity and impartiality and be free from any conflict of interest as regards the exercise of control tasks;</u>		Keep GA text Agreed

	<u>(d) control bodies shall be accredited to the relevant harmonised standard for ‘Conformity assessment – Requirements for bodies certifying products, processes and services’, the reference of which has been published in the Official Journal of the European Union;</u>		Keep GA text Agreed
	<u>(e) control authorities and control bodies shall have the expertise, equipment and infrastructure required to carry out control tasks and a sufficient number of suitable qualified and experienced staff;</u>		Keep GA text Agreed
	<u>(f) additional criteria that may be laid down in a delegated act, adopted pursuant to paragraph 7.</u>		Keep GA text Agreed
2. The control bodies shall be accredited to the relevant harmonised standard for ‘Conformity assessment – Requirements for bodies certifying	2. The control bodies shall be accredited to the relevant harmonised standard for ‘Conformity assessment – Requirements for bodies	Commission proposal unchange	Deleted

products, processes and services’, the reference of which has been published in <i>the Official Journal of the European Union</i> .	certifying products, processes and services’, the reference of which has been published in the Official Journal of the European Union.		
3. The accreditation referred to in paragraph 2 may only be granted by:	3. The accreditation referred to in paragraph 2 1b(d) may only be granted by:	Commission proposal unchange	Keep GA text Agreed
(a) a national accreditation body in the Union in accordance with Regulation (EC) No 765/2008 of the European Parliament and of the Council ¹⁰³ ; or	(a) a national accreditation body in the Union in accordance with Regulation (EC) No 765/2008 of the European Parliament and of the Council ¹ ; or	Commission proposal unchange	Keep GA text Agreed
Amendment 236 Article 29 (3) (b)			

¹⁰³ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).

<p>(b) an accreditation body outside the Union that is a signatory <i>of</i> a multilateral recognition arrangement under the auspices of the International Accreditation Forum.</p>	<p>Commission proposal unchanged</p>	<p>(b) an accreditation body outside the Union that is a signatory <i>to</i> a multilateral recognition arrangement <i>for product certification</i> under the auspices of the International Accreditation Forum <i>or its regional bodies, and which has proven competence in the accreditation of organic certification</i>.</p>	<p>(b) an accreditation body outside the Union that is a signatory of a multilateral recognition arrangement under the auspices of the International Accreditation Forum.</p> <p>Agreed</p>
<p>4. When examining requests for recognition, the Commission shall invite the control authority or control body to supply all the necessary information.</p> <p>The recognised control bodies or control authorities shall provide the certificate issued by the accreditation body or respectively the assessment report issued by the competent authority, and, as appropriate, reports on the regular on-the-spot evaluation, surveillance and multiannual re-assessment of their activities.</p>	<p>4. <u>Control authorities and control bodies shall submit to the Commission a request for recognition consisting of a technical dossier containing all the information needed to ensure that the criteria set out in paragraph 1b are met.</u> When examining requests for recognition, the Commission shall invite the control authority or control body to supply all the necessary information.</p> <p>The recognised control bodies or control authorities shall provide the <u>accreditation</u> certificate issued by the accreditation body or respectively the <u>latest</u> assessment report issued by the competent authority, and, as appropriate, <u>latest</u> reports on the regular on-the-spot</p>	<p>Commission proposal unchanged</p>	<p>4. Control authorities and control bodies shall submit to the Commission a request for recognition consisting of a technical dossier containing all the information needed to ensure that the criteria set out in paragraph 1b are met.</p> <p>The control bodies or control authorities shall provide the accreditation certificate issued by the accreditation body or respectively the latest assessment report issued by the competent authority, and, as appropriate, latest reports on the regular on-the-spot evaluation, surveillance and multiannual re-assessment of their activities.</p>

	evaluation, surveillance and multiannual re-assessment of their activities.		Agreed
5. Based on the information referred to under paragraph 4, the Commission shall ensure appropriate supervision of the recognised control authorities and control bodies by regularly reviewing their recognition. For the purposes of that supervision, the Commission may request additional information from the accreditation bodies or, as appropriate, the competent authorities.	5. Based on the information referred to under paragraph 4 <u>and on any other relevant information related to the control authority or control body</u> , the Commission shall ensure appropriate supervision of the recognised control authorities and control bodies by <u>continuously</u> regularly reviewing their <u>performance and</u> recognition. For the purposes of that supervision, the Commission may request additional information from the accreditation bodies or, as appropriate, the competent authorities.	Commission proposal unchanged	<p>5. Based on the information referred to under paragraph 4 and on any other relevant information related to the control authority or control body, the Commission shall ensure appropriate supervision of the recognised control authorities and control bodies by regularly reviewing their performance and recognition. For the purposes of that supervision, the Commission may request additional information from the accreditation bodies or, as appropriate, the competent authorities.</p> <p>Agreed</p>

6. The nature of the supervision shall be determined on the basis of an assessment of the risk of non-compliance.	6. The nature of the supervision shall be determined on the basis of an assessment of the <u>risk-likelihood</u> of non-compliance <u>taking into account in particular the activity of the control authority or control body, the type of products and operators under its control and the changes in the production standard and control measures.</u>	Commission proposal unchanged	6. The nature of the supervision shall be determined on the basis of an assessment of the likelihood of non-compliance taking into account in particular the activity of the control authority or control body, the type of products and operators under its control and the changes in the production standard and control measures.
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			<p>The recognition of control authorities or of control bodies referred to in paragraph 1 shall in particular be withdrawn without delay in accordance with the procedure referred to in paragraph 1 when serious or repetitive infringements as regards the certification or the controls and actions laid down in accordance with paragraph 7b have been detected and when the control body or control authority concerned fails to take appropriate and timely remedial action after request of the Commission within a period which the Commission shall determine according to the severity of the problem and which generally may not be less than 30 days.</p> <p>agreed</p>
<p>Amendment 237 Article 29 (7)</p>			

7. In order to ensure the transparency of the recognition and supervision procedures, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the criteria to be applied to the recognition, or the withdrawal of the recognition, of the control authorities and control bodies referred to in paragraph 1, as well as concerning the exercise of the supervision by the Commission, including through on-the-spot examination .	7. In order to ensure the transparency of the recognition and supervision procedures, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning <u>supplementing</u> the criteria <u>laid down in paragraph 1b</u> to be applied to the recognition, or the withdrawal of the recognition, of the control authorities and control bodies referred to in paragraph 1, as well as <u>laying down provisions</u> concerning the exercise of the supervision by the Commission, including through on-the-spot examination.	7. In order to ensure the transparency of the recognition and supervision procedures, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the criteria to be applied to the recognition, or the withdrawal of the recognition, of the control bodies referred to in paragraph 1, as well as laying down provisions concerning the exercise of the supervision by the Commission, including through on-the-spot examinations .	Keep GA text Agreed
		<i>In the event that serious or repeated infringements of the rules governing inspection and certification are detected, recognition of the control bodies concerned shall be immediately withdrawn, in the third countries concerned as well as throughout the Union market, in respect of national accreditation bodies established in the Union in accordance with Regulation (EC) No 765/2008.</i>	Deletion agreed (text redrafted and moved to art 29(6)) Withdrawal of CB within the EU to be further discussed with the block on controls
Amendment 238			

Article 29 (7) (a) (new)			
	<p><u>7a. The Commission shall adopt implementing acts laying down specific rules concerning the procedure to be followed for the recognition of the control authorities and control bodies referred to in paragraph 1, including the content of the technical dossier to be submitted, as well as the procedure to be followed for the withdrawal of the recognition. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</u></p>	<p><i>7a. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down specific rules concerning the procedure to be followed for the recognition of the control bodies referred to in paragraph 1, including the content of the technical dossier to be submitted, as well as the procedure to be followed for a withdrawal of recognition.</i></p>	<p>Both EP and Council texts deleted</p>
<p>Amendment 239</p> <p>Article 29 (7) (b) (new)</p>			

	<p><u>7b. In order to ensure effectiveness, efficiency and transparency of controls of imported products, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the controls and other actions to be performed by control authorities and control bodies recognised by the Commission for the purpose of this Article.</u></p>	<p><i>7b. In order to ensure the effectiveness, efficiency and transparency of controls of imported products, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the controls and other actions to be performed by control bodies recognised by the Commission for the purpose of this Article.</i></p>	<p>Keep GA text Agreed</p>
<p>Amendment 240 Article 29 (8)</p>			

<p>8. The Commission <i>may</i> adopt <i>implementing acts to ensure</i> the application of measures in relation to cases of non-compliance affecting the integrity of organic products imported under the recognition provided for in this Article or suspicion of such cases. Such measures may consist in particular in the verification of the integrity of the organic products before placing the products on the market within the Union and, where appropriate, the suspension of the authorisation of placing on the market within the Union of such products as organic. <i>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</i></p>	<p>Commission proposal unchanged</p>	<p>8. The Commission <i>shall be empowered to adopt delegated acts in accordance with Article 36 concerning</i> the application of measures in relation to cases of non-compliance affecting the integrity of organic products imported under the recognition provided for in this Article or suspicion of such cases. Such measures may consist in particular in the verification of the integrity of the organic products before placing the products on the market within the Union and, where appropriate, the suspension of the authorisation of placing on the market within the Union of such products as organic.</p>	<p>8. The Commission may adopt implementing acts to ensure the application of measures in relation to cases of non-compliance affecting the integrity of organic products imported under the recognition provided for in this Article or suspicion of such cases. Such measures may consist in particular in the verification of the integrity of the organic products before placing the products on the market within the Union and, where appropriate, the suspension of the authorisation of placing on the market within the Union of such products as organic. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</p> <p>agreed</p>
<p>Amendment 241 Article 29 (9)</p>			

9. On duly justified imperative grounds of urgency relating to the protection against unfair practices or practices which are incompatible with the principles and rules on organic production, the protection of consumers' confidence or the protection of fair competition between operators, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 37(3) to <i>take the measures referred to in paragraph 8 of this Article or to</i> decide on the withdrawal of <i>the</i> recognition of the control authorities and control bodies referred to in paragraph 1 of this Article.	Commission proposal unchanged	9. On duly justified imperative grounds of urgency relating to the protection against unfair practices or practices which are incompatible with the principles and rules on organic production, the protection of consumers' confidence or the protection of fair competition between operators, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 37(3) to decide on the withdrawal of recognition of the control authorities and control bodies referred to in paragraph 1 of this Article.	<p>9. On duly justified imperative grounds of urgency relating to the protection against unfair practices or practices which are incompatible with the principles and rules on organic production, the protection of consumers' confidence or the protection of fair competition between operators, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 37(3) to take the measures referred to in paragraph 8 of this Article or to decide on the withdrawal of the recognition of the control authorities and control bodies referred to in paragraph 1 of this Article.</p> <p>Agreed</p>
<i>Article 30</i>			
Equivalence under a trade agreement	Commission proposal unchanged	Commission proposal unchanged	<p>Keep COM text</p> <p>Agreed</p>

A recognised third country referred to in the first indent of Article 28(1)(b)(ii) is a third country which the Union has recognised under a trade agreement as having a system of production meeting the same objectives and principles by applying rules which ensure the same level of assurance of conformity as those of the Union.	A recognised third country referred to in the first indent of Article 28(1)(b)(ii a) is a third country which the Union has recognised under a trade agreement as having a system of production meeting the same objectives and principles by applying rules which ensure the same level of assurance of conformity as those of the Union.	Commission proposal unchanged	A recognised third country referred to in Article 28(1)(b)(iia) is a third country which the Union has recognised under a trade agreement as having a system of production meeting the same objectives and principles by applying rules which ensure the same level of assurance of conformity as those of the Union. Agreed
Amendment 242 Article 30 (1) (a) (new)			

		<i>The Commission shall publish, and shall provide the European Parliament and the Council with, regular status reports on all ongoing negotiations on such trade agreements and a list of differences between the production rules and the control measures in the third country involved compared to the rules and measures that are applied within the Union. The final results of the negotiations shall be presented to the European Parliament and the Council, and shall be published, listing in detail any differences between the production rules and control measures applied in the third country concerned and those applied in the Union.</i>	No agreement.To be solved
		<i>The Commission shall present a proposal on how to deal with the differences between the third country in question and the European Union when it comes to the production rules and the control measures.</i>	
		<i>The Commission shall publish a list of the differences between the production and control provisions contained in all existing trade agreements covered by this Article.</i>	
Article 31			

Equivalence under Regulation (EC) No 834/2007	Commission proposal unchanged	Commission proposal unchanged	Equivalence under Regulation (EC) No 834/2007
Amendment 243 Article 31 (1)			
1. A recognised third country referred to in <i>the second indent of Article 28(1)(b)(ii)</i> is a third country which has been recognised for the <i>purpose</i> of equivalence under Article 33(2) of Regulation (EC) No 834/2007, <i>including those recognised under the transitional measure provided for in Article 42.</i>	1. A recognised third country referred to in the second indent of Article 28(1)(b)(ii) is a third country which has been recognised for the purpose of equivalence under Article 33(2) of Regulation (EC) No 834/2007, including those recognised under the transitional measure provided for in Article 42 <u>40</u> .	A recognised third country <i>as</i> referred to in <i>point (b)(ii) of the first subparagraph of</i> Article 28(1) is a third country which has been recognised for the <i>purposes</i> of equivalence under Article 33(2) of Regulation (EC) No 834/2007.	Keep GA text Agreed
The recognition of the third countries referred to in the first subparagraph shall expire on [a date to be inserted which corresponds to 5 years following the date of application of the Regulation].	The recognition of the third countries referred to in the first subparagraph shall expire on <u>31 December 2022</u> [a date to be inserted which corresponds to 5 years following the date of application of the Regulation].		The recognition of the third countries referred to in the first subparagraph shall expire on [a date to be inserted which corresponds to 5 years following the date of application of the Regulation] To be solved.
Amendment 244 Article 31 (2)			

<p>2. On the basis of annual reports to be sent to the Commission, by 31 March of each year, by the third countries referred to in paragraph 1 regarding the implementation and enforcement of the control measures established by them, the Commission assisted by the Member States shall ensure appropriate supervision of the recognised third countries by regularly reviewing their recognition. The nature of the supervision shall be determined on the basis of an assessment of the risk of non-compliance.</p>	<p>2. On the basis of annual reports to be sent to the Commission, by 31 March of each year, by the third countries referred to in paragraph 1 regarding the implementation and enforcement of the control measures established by them, <u>and in the light of any other information received,</u> the Commission assisted by the Member States shall ensure appropriate supervision of the recognised third countries by <u>continuously regularly</u> reviewing their recognition. The nature of the supervision shall be determined on the basis of an assessment of the <u>risk-likelihood</u> of non-compliance, <u>taking into account in particular the volume of exports to the Union from that third country, the results of the monitoring and supervisory activities carried out by the competent authority and the results of previous controls.</u></p>	<p>2. On the basis of annual reports to be sent to the Commission, by 31 March of each year, by the third countries referred to in paragraph 1 regarding the implementation and enforcement of the control measures established by them, <i>and in the light of any other information received,</i> the Commission, assisted by the Member States, shall ensure appropriate supervision of the recognised third countries by <i>annually</i> reviewing their recognition. The nature of the supervision shall be determined on the basis of an assessment of the risk of non-compliance, <i>taking into account in particular the volume of exports to the Union from the third country concerned, the results of the monitoring and supervisory activities carried out by the competent authority and the results of previous controls. The Commission shall regularly report to the European Parliament and the Council on the outcome of its review.</i></p>	<p>2. On the basis of annual reports to be sent to the Commission, by 31 March of each year, by the third countries referred to in paragraph 1 regarding the implementation and enforcement of the control measures established by them, and in the light of any other information received, the Commission, if requested, assisted by the Member States, shall ensure appropriate supervision of the recognised third countries by regularly reviewing their recognition. The nature of the supervision shall be determined on the basis of an assessment of the likelihood of non-compliance, taking into account in particular the volume of exports to the Union from the third country concerned, the results of the monitoring and supervisory activities carried out by the competent authority and the results of previous controls. The Commission shall regularly report to the European Parliament and the</p>
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			Council on the outcome of its review.
<p>3. The control bodies performing controls in the third countries referred to in paragraph 1 shall be accredited to the relevant harmonised standard for ‘Conformity assessment – Requirements for bodies certifying products, processes and services’, the reference of which has been published in the <i>Official Journal of the European Union</i>. If the accreditation is not granted by a national accreditation body in the Union in accordance with Regulation (EC) No 765/2008, it may only be granted by an accreditation body outside the Union that is a signatory of a multilateral recognition arrangement under the auspices of the International Accreditation Forum.</p>	<p>3. The control bodies performing controls in the third countries referred to in paragraph 1 shall be accredited to the relevant harmonised standard for ‘Conformity assessment – Requirements for bodies certifying products, processes and services’, the reference of which has been published in the <i>Official Journal of the European Union</i>. If the accreditation is not granted by a national accreditation body in the Union in accordance with Regulation (EC) No 765/2008, it may only be granted by an accreditation body outside the Union that is a signatory of a multilateral recognition arrangement under the auspices of the International Accreditation Forum.</p>	Commission proposal unchanged	Deleted

4. The Commission shall, by means of an implementing act, establish a list of the third countries referred to in paragraph 1 and may amend that list by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).	Commission proposal unchanged	Commission proposal unchanged	4. The Commission shall, by means of an implementing act, establish a list of the third countries referred to in paragraph 1 and may amend that list by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2). Agreed
5. In order to ensure the management of the list of third countries referred to in paragraph 4, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the information to be sent by those third countries necessary for the supervision of their recognition by the Commission, as well as the exercise of that supervision by the Commission, including through on-the-spot examination.	Commission proposal unchanged	Commission proposal unchanged	5. In order to ensure the management of the list of third countries referred to in paragraph 4, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the information to be sent by those third countries necessary for the supervision of their recognition by the Commission, as well as the exercise of that supervision by the Commission, including through on-the-spot examination. Agreed
Amendment 245 Article 31 (6)			

<p>6. The Commission <i>may</i> adopt <i>implementing acts to ensure</i> the application of measures in relation to cases of non-compliance affecting the <i>integrity</i> of organic products imported from third countries referred to in this Article <i>or suspicion of such cases</i>. Such measures may consist in particular in <i>the</i> verification of the <i>integrity</i> of the organic products before <i>placing the products</i> on the market within the Union and, where appropriate, <i>the</i> suspension of the authorisation <i>of placing</i> on the market within the Union <i>of such products</i> as organic. <i>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</i></p>	Commission proposal unchanged	<p>6. The Commission <i>shall be empowered to adopt delegated acts in accordance with Article 36 concerning</i> the application of <i>common measures and procedures for the imposition of sanctions</i> in relation to cases of non-compliance, <i>or suspected non-compliance</i>, affecting the <i>status</i> of organic products imported from third countries referred to in this Article. Such measures may consist, in particular, in verification of the <i>status</i> of the organic products before <i>they are placed</i> on the market within the Union and, where appropriate, suspension of the authorisation <i>to place them</i> on the market within the Union as organic <i>products</i>.</p>	<p>6. The Commission may adopt implementing acts to ensure the application of measures in relation to cases of non-compliance affecting the integrity of organic products imported from third countries referred to in this Article or suspicion of such cases. Such measures may consist in particular in the verification of the integrity of the organic products before placing the products on the market within the Union and, where appropriate, the suspension of the authorisation of placing on the market within the Union of such products as organic. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</p> <p><i>Agreed</i></p>
	<u>Article 31a</u>		<u>Article 31a</u>
	<u>Report from the Commission on the application of Articles 30 and 31</u>		<u>Report from the Commission on the application of Articles 30 and 31</u>

	<u>By 31 December 2020 the Commission shall present a report to the European Parliament and the Council on the state of play concerning the application of Articles 30 and 31, in particular as regards the recognition of third countries for the purpose of equivalence.</u>		<u>By 31 December 2020 the Commission shall present a report to the European Parliament and the Council on the state of play concerning the application of Articles 30 and 31, in particular as regards the recognition of third countries for the purpose of equivalence.</u>
Chapter VII			
General provisions	Commission proposal unchanged	Commission proposal unchanged	Not discussed/to be solved
SECTION 1			
FREE MOVEMENT OF ORGANIC PRODUCTS	Commission proposal unchanged	Commission proposal unchanged	
<i>Article 32</i>			
Non-prohibition and non-restriction of the marketing of organic products	Commission proposal unchanged	Commission proposal unchanged	Not discussed/to be solved
1. Competent authorities, control authorities and control bodies may not, on grounds relating to the production, to the labelling or to the presentation of the products, prohibit or restrict the marketing of organic products controlled by another competent authority, control authority or control body located in	1. Competent authorities, control authorities and control bodies may not, on grounds relating to the production, to the labelling or to the presentation of the products, prohibit or restrict the marketing of organic products controlled by another competent authority, control authority or control body	Commission proposal unchanged	

another Member State, if those products comply with this Regulation. In particular, no official controls and other official activities other than those under Regulation (EU) No XXX/XXX (Official controls Regulation) may be performed and no fees for official controls and other official activities other than those under Article 76 of that Regulation may be collected.	located in another Member State, if those products comply with this Regulation. In particular, no official controls and other official activities other than those under Regulation (EU) No XXX/XXX (Official controls Regulation) may be performed and no fees for official controls and other official activities other than those <u>provided for in Chapter VI under Article 76</u> of that Regulation may be collected.		
Amendment 246 Article 32 (2)			
2. <i>In order to ensure the proper functioning of the single market and trade between Member States, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down rules relating to the free movement of organic products for the purposes of paragraph 1 of this Article.</i>	2. <i>In order to ensure the proper functioning of the single market and trade between Member States, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down rules relating to the free movement of organic products for the purposes of paragraph 1 of this Article.</i>	<i>deleted</i>	
SECTION 2			
INFORMATION AND REPORTING	Commission proposal unchanged	Commission proposal unchanged	
<i>Article 33</i>			

Amendment 247 Article 33 - title			
Information relating to the organic sector <i>and trade</i>	Commission proposal unchanged	Information relating to the organic sector	Not discussed/to be solved
Amendment 248 Article 33 (1)			
1. Each year Member States shall transmit to the Commission the <i>information necessary</i> for the implementation and monitoring of the application of this Regulation.	1. Each year Member States shall transmit to the Commission the information necessary for the implementation and monitoring of the application of this Regulation, <u>including the relevant statistical data which shall be defined within the context of the European Statistical programme. The information shall relate to the organic production of the Member States, in particular as regards numbers of organic operators and groups of operators, numbers of organic holdings including mixed holdings, volumes of organic crop production per type of crop, crop area under conversion and under organic production, organic livestock numbers and volumes of organic animal products, volumes of industrial production per type of activity, number of organic</u>	1. Each year Member States shall transmit to the Commission the <i>relevant statistical data</i> for the implementation and monitoring of the application of this Regulation. <i>Those data shall be defined within the context of the European Statistical programme.</i>	

	<u>aquaculture animal production sites, volume of organic aquaculture production, number of organic algae production sites, volume of organic algae production.</u>		
Amendment 249 Article 33 (2)			
2. The Commission shall adopt <i>implementing acts as regards</i> the system to be used for transmitting the information referred to in paragraph 1, the details of information to be transmitted, and the date by which that information is to be transmitted. <i>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).</i>	Commission proposal unchanged	2. The Commission shall <i>be empowered to</i> adopt <i>delegated acts in accordance with Article 36 concerning</i> the system to be used for transmitting the information referred to in paragraph 1, the details of information to be transmitted, and the date by which that information is to be transmitted.	No agreement
Article 34			
Information relating to the competent authorities, control authorities and control bodies	Commission proposal unchanged	Commission proposal unchanged	Not discussed/to be solved
1. Members States shall keep a regularly updated list containing:	Commission proposal unchanged	Commission proposal unchanged	

(a) the names and addresses of the competent authorities;	Commission proposal unchanged	Commission proposal unchanged	
(b) the names and addresses of the control authorities and control bodies, and their code numbers.	Commission proposal unchanged	Commission proposal unchanged	
Member States shall make public the list referred to in point (b) of the first subparagraph.	Member States shall transmit make public these <u>lists</u> , and any change thereof, to the Commission referred to in point (b) of the first subparagraph.	Commission proposal unchanged	
2. The Commission shall publish annually on the internet the list of control authorities and control bodies referred to in point (b) of paragraph 1.	2. The Commission shall regularly publish annually on the internet an updated the list of control authorities and control bodies referred to in point (b) of paragraph 1.	Commission proposal unchanged	
<i>Article 35</i>			
Report	Commission proposal unchanged	Commission proposal unchanged	
Amendment 250 Article 35			

By 31 December 2021 , the Commission shall present a report to the European Parliament and the Council on the availability of organic plant reproductive material and animals for breeding purposes.	By 31 December 202 41 , the Commission shall present a report to the European Parliament and the Council on the availability of organic plant reproductive material, and animals for breeding purposes <u>and young stock of aquaculture animals. This report shall be accompanied, if appropriate, by a legislative proposal.</u>	1. By 31 December 2020 , the Commission shall present a report to the European Parliament and the Council <i>based on a foresight study including data collected and analysis carried out in all Member States, and dealing specifically with the following items:</i>	End of derogations and report 01. By 31 December 2025, the Commission shall present a report to the European Parliament and the Council dealing with the availability on the market of organic plant reproductive material and livestock. In drawing up this report, the Commission shall take into account in particular the outcome of the collection of data referred to in Article 19a and the information related to granted derogations referred to in paragraph 2. [This report should contain: <ul style="list-style-type: none"> – identification of the causes of limited access to organic plant and animal reproductive material as well as organic input in general on the Union market; – the availability of young poultry and parent animals for poultry production, including stocking density criteria, feeding, health care, animal welfare and disease management;
		<i>(a) an analytical part on the state of development of organic farming and progress made as regards:</i>	
		<i>– identification of the causes of limited access to organic plant and animal reproductive material as well as organic input in general on the Union market;</i>	
		<i>– specific data on the availability of organic plant reproductive material and feed;</i>	
		<i>– the availability of young poultry and parent animals for poultry production, including stocking density criteria, feeding, health care, animal welfare and disease management;</i>	

		<i>– the selection of species and sub-species arising from differences in climate, soil, altitude and geography;</i>	<p>animal welfare and disease management;</p> <p>– the selection of species and sub-species arising from differences in climate, soil, altitude and geography;</p> <p>– the situation of organic pig farming and poultry farming, including stocking density criteria, feeding, health care, animal welfare, and disease management;]</p> <p>1. The derogations to the use of organic plant reproductive material and livestock, provided under points 1.4.2.1 of part I of annex II and 1.3.5.a of part II of Annex II end on 1 January [2030] at the latest.</p>
		<i>– the situation of organic pig farming and poultry farming, including stocking density criteria, feeding, health care, animal welfare, and disease management;</i>	
		<i>– the availability of aquaculture juveniles on the Union market;</i>	
		<i>(b) a strategic part on measures applied or needed to improve the performance of organic farming and its institutional framework, including:</i>	
		<i>– support measures established or still needed in order to close the gaps identified;</i>	

		<i>– a development plan including measures aimed at providing support to operators who have committed to developing organic plant or animal reproductive material. Such measures may include support for necessary investment by private operators in production facilities, quality control measures, distribution systems and pre-marketing research and development.</i>	However, as of 2027, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 to amend this Regulation by ending at an earlier date the derogations referred to in points 1.4.2.1 of part I of annex II and 1.3.5.a of part II of Annex II for the plant reproductive material and livestock for which the report referred to in paragraph 01 shows that sufficient quantities of suitable varieties or breeds are available
		<i>2. In relation to assessing the availability of organic plant reproductive material, the study referred to in paragraph 1 shall also evaluate, for each relevant sub-market, the diversity of available material and the operators providing them, the current demand for such material and the demand forecast for the next five years.</i>	<p>2. By the 30th of June of each year, Member States shall make the information related to derogations granted during the previous year available to the Commission and the other Member States.</p> <p>Text agreed except parts under square brackets.</p> <p>To be solved</p>

		<p><i>For the purposes of the study, a sub-market shall mean the tuple of a crop (defined as a botanical species or subspecies, e.g. Brassica oleracea) and a region, the region in question not being larger than a Member State. A Member State shall be divided into as many regions as may be necessary in terms of different growing conditions based on climate, soil types, and altitude or land use characteristics resulting in demand for plant reproductive material that differs from one region to another, with a view to comparing the regional markets in a fair and non-discriminatory manner. The study shall also consider project grants for the breeding of new varieties suitable for organic agriculture, participatory capital for small and medium-sized enterprises dedicated to offering organic plant reproductive material and marketing support through websites run by the Commission and Member States.</i></p>	<p>To be discussed at SCA on 5/12 (see ST 15109/16)</p>
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		<i>3. If appropriate, the report shall be accompanied by a legislative proposal.</i>	
		<i>4. By 31 December 2020 at the latest, the Commission shall present a report to the European Parliament and the Council on the presence of products or substances not authorised in accordance with Article 19 which have been detected in organic products, including on exchanges of information between competent authorities, control authorities and control bodies and exchanges of relevant information on the results of controls. The report may be accompanied, where appropriate, by a legislative proposal establishing the levels of unauthorised products or substances applicable to organic products and the systems for compensating operators for losses in connection with contamination where they have taken proper measures which may reasonably be implemented to prevent the risk of contamination.</i>	
Chapter VIII			

Procedural, transitional and final provisions	Commission proposal unchanged	Commission proposal unchanged	Not discussed/to be solved
SECTION 1			
PROCEDURAL PROVISIONS	Commission proposal unchanged	Commission proposal unchanged	
<i>Article 36</i>			
Exercise of the delegation	Commission proposal unchanged	Commission proposal unchanged	
1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	Commission proposal unchanged	Commission proposal unchanged	
	<u>1a. The delegation of power referred to in Articles [.....] shall be conferred on the Commission for a period of 5 years from the date of application of this Regulation. The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the 5-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later</u>		

	<u>than three months before the end of each period.</u>		
2. The delegation of power referred to in [.....] may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	Commission proposal unchanged	Commission proposal unchanged	
3. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	Commission proposal unchanged	Commission proposal unchanged	
4. A delegated act adopted pursuant to [.....] shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the	Commission proposal unchanged	Commission proposal unchanged	

Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.			
<i>Article 37</i>			
Committee procedure	Commission proposal unchanged	Commission proposal unchanged	Not discussed/to be solved
1. The Commission shall be assisted by a Committee called the ‘Organic production Committee’. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	Commission proposal unchanged	Commission proposal unchanged	
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	Commission proposal unchanged	Commission proposal unchanged	
3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.	Commission proposal unchanged	Commission proposal unchanged	
	<u>3a. In the case of implementing acts referred to in</u>		

	<u>this Regulation where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.</u>		
SECTION 2			
REPEAL, AMENDMENTS, TRANSITIONAL AND FINAL PROVISIONS	Commission proposal unchanged	Commission proposal unchanged	
<i>Article 38</i>			
Repeal	Commission proposal unchanged	Commission proposal unchanged	Not discussed/to be solved
Regulation (EC) No 834/2007 is repealed.	Commission proposal unchanged	Commission proposal unchanged	
However, Regulation (EC) No 834/2007 shall continue to apply for the purposes of completing the examination of pending applications from third countries, as provided for in Article 42 of this Regulation.	Commission proposal unchanged	Commission proposal unchanged	
Amendment 251 Article 39			
<i>Article 39</i>	<i>Article 39</i>	<i>deleted</i>	Deleted

<i>Transitional measures relating to conversion to organic farming</i>	Transitional measures relating to conversion to organic farming	<i>deleted</i>	Deleted
<i>In order to ensure a smooth transition from the old to the new legal framework, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning rules providing for a derogation from Article 8(3) in relation to conversion periods for farmers initiating conversion before the entry into force of this Regulation</i>	In order to ensure a smooth transition from the old to the new legal framework, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning rules providing for a derogation from Article 8(3) in relation to conversion periods for farmers initiating conversion before the entry into force of this Regulation.	<i>deleted</i>	Deleted
Amendment 252 Article 39 (a) (new)			
		<i>Article 39a</i> <i>Transitional measures</i>	Not acceptable Goes against harmonisation to be solved
		<i>1. Where necessary, measures to facilitate the transition from the rules established by Regulation (EC) No 834/2007 to this Regulation shall be adopted in accordance with the procedure referred to in Article 37(2).</i>	

		<i>2. Transitional measures that can be applied when new provisions are adopted in forthcoming regulation:</i>	
		<i>(a) When it is justified according to certain conditions, Member States can apply a transitional period when new EU provisions are introduced;</i>	
		<i>(b) The conditions are decided by delegated acts in the organic EU Regulation;</i>	
		<i>(c) The conditions should protect operators against risk of market distortion and avoid confusion about the identity or profile of organic products amongst consumers.</i>	
		<i>3. Those conditions should be:</i>	
		<i>- The Member State has to demonstrate that the production is that small that export is not relevant.</i>	
		<i>- The Member State has to demonstrate that the national production is that small that it does not make any competition against imported products of the same category.</i>	

		<i>4. To guarantee full transparency, a Member State that apply a transitional period according to this article has to notify and send the relevant justification to the Commission and to other Member States;</i>	
		<i>5. A Member State can only apply a transitional period for maximum 2 - 5 years.</i>	
Amendment 253 Article 40			
<i>Article 40</i>	<i>Article 40</i>	<i>Deleted</i>	Deletion agreed at T6
<i>Transitional measures relating to the origin of plant reproductive material, animals for breeding purposes and young stock of aquaculture animals</i>	Transitional measures relating to the origin of plant reproductive material, animals for breeding purposes and young stock of aquaculture animals	<i>deleted</i>	Deletion agreed at T6 The COM does not agree to delete because not all the articles regarding the origin of plant , animals and aquaculture are already agreed between the three institutions, so still there is a need to keep these transition measures
<i>In order to ensure a smooth transition between the rules on organic origin of plant reproductive material provided for in Article 12(1)(i) of Regulation (EC) No 834/2007 and on animals for</i>	In order to ensure a smooth transition between the rules on organic origin of plant reproductive material provided for in Article 12(1)(i) of Regulation (EC) No 834/2007 and	<i>deleted</i>	Deletion agreed at T6

<p><i>breeding purposes provided for in Article 14(1)(a)(ii) of that Regulation and on young stock of aquaculture animals provided for in Article 15(1)(a)(ii) of that Regulation and the exception to production rules that the Commission adopted pursuant to Article 22 of Regulation (EC) No 834/2007, and the new production rules for plants and plant products and livestock and seaweed and aquaculture animals provided for in Articles 10(1) and 11(1) and 12(1) , respectively, of this Regulation, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for exceptions where granting exceptions is deemed necessary in order to ensure access to plant reproductive material and live animals for breeding purposes and young stock of aquaculture animals, that may be used in organic production. The delegated acts adopted under this Article shall cease to apply on 31 December 2021.</i></p>	<p>on animals for breeding purposes provided for in Article 14(1)(a)(ii) of that Regulation and on young stock of aquaculture animals provided for in Article 15(1)(a)(ii) of that Regulation and the exception to production rules that the Commission adopted pursuant to Article 22 of Regulation (EC) No 834/2007, and the new production rules for plants and plant products and livestock and seaweed and aquaculture animals provided for in Articles 10(1) and 11(1), respectively, of this Regulation, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for exceptions where granting exceptions is deemed necessary in order to ensure access to plant reproductive material and live animals for breeding purposes and young stock of aquaculture animals, that may be used in organic production. The delegated acts adopted under this Article shall cease to apply on 31 December 2021.</p>		<p>The COM does not agree to deleted because not all the articles regarding the origin of plant , animals and aquaculture are already agreed between the three institutions, so still there is a need to keep these transition measures</p>
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<i>Article 41</i>			
Transitional measures relating to control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007	Commission proposal unchanged	Commission proposal unchanged	Transitional measures relating to control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007
1. The recognition of control authorities and control bodies granted under Article 33(3) of Regulation (EC) No 834/2007 shall expire on [31 December 2018] at the latest.	1. The recognition of control authorities and control bodies granted under Article 33(3) of Regulation (EC) No 834/2007 shall expire on [31 December 201 8 ⁹] at the latest.	Commission proposal unchanged	1. The recognition of control authorities and control bodies granted under Article 33(3) of Regulation (EC) No 834/2007 shall expire on [31 December 2019²] at the latest. to be solved
2. The Commission shall, by means of an implementing act, establish a list of the control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007 and may amend that list by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).	Commission proposal unchanged	Commission proposal unchanged	2. The Commission shall, by means of an implementing act, establish a list of the control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007 and may amend that list by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).

3. In order to ensure the management of the list of control authorities and control bodies referred to in paragraph 2, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the information to be sent by those control authorities and control bodies necessary for the supervision of their recognition by the Commission, as well as the exercise of that supervision by the Commission, including through on-the-spot examination.	Commission proposal unchanged	Commission proposal unchanged	3. In order to ensure the management of the list of control authorities and control bodies referred to in paragraph 2, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the information to be sent by those control authorities and control bodies necessary for the supervision of their recognition by the Commission, as well as the exercise of that supervision by the Commission, including through on-the-spot examination.
<i>Article 42</i>			
Transitional measures relating to applications from third countries submitted under Article 33(2) of Regulation (EC) No 834/2007	Commission proposal unchanged	Commission proposal unchanged	Transitional measures relating to applications from third countries submitted under Article 33(2) of Regulation (EC) No 834/2007

1. The Commission shall complete the examination of applications from third countries submitted under Article 33(2) of Regulation (EC) No 834/2007 which are pending at the date of entry into force of this Regulation. Regulation (EC) No 834/2007 shall apply to the examination of such applications.	Commission proposal unchanged	Commission proposal unchanged	1. The Commission shall complete the examination of applications from third countries submitted under Article 33(2) of Regulation (EC) No 834/2007 which are pending at the date of entry into force of this Regulation. Regulation (EC) No 834/2007 shall apply to the examination of such applications.
2. In order to facilitate the completion of the examination of the applications referred to in paragraph 1, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the procedural rules necessary for the examination, including on the information to be submitted by the third countries.	Commission proposal unchanged	Commission proposal unchanged	2. In order to facilitate the completion of the examination of the applications referred to in paragraph 1, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the procedural rules necessary for the examination, including on the information to be submitted by the third countries.
<i>Article 43</i>			
Transitional measures for stocks of organic products produced in accordance with Regulation (EC) No 834/2007	Commission proposal unchanged	Commission proposal unchanged	
Products produced in accordance with Regulation (EC) No 834/2007 and placed on the market before 1 July 2017 may continue to be	Products produced in accordance with Regulation (EC) No 834/2007 and placed on the market before 1 July <u>January</u> 2018 7 <u>[date of</u>	Commission proposal unchanged	

marketed after that date until stocks are exhausted.	<u><i>application of this Regulation</i></u> may continue to be <u>placed on the market marketed</u> after that date until stocks are exhausted.		
Amendment 254 Article 44			
Article 44	Article 44	<i>deleted</i>	Not discussed
Amendments to Regulation (EU) No [...]on official controls]	Amendments to Regulation (EU) No [...]on official controls]	<i>deleted</i>	
Regulation (EU) No XXX/XXXX (Official controls Regulation) is amended as follows:	Regulation (EU) No XXX/XXXX (Official controls Regulation) is amended as follows:	<i>deleted</i>	
1. In Article 2, points 38 and 39 are replaced by the following:	1. In Article 2, points 38 and 39 are replaced by the following:	<i>deleted</i>	
"38. 'delegated body' means a third party to which the competent authorities have delegated specific official control tasks or other official activities;	"38. 'delegated body' means a third party to which the competent authorities have delegated specific official control tasks or other official activities;	<i>deleted</i>	
39. 'control authority for organic production and labelling of organic products' means a public administrative organisation of a Member State to which the	39. 'control authority for organic production and labelling of organic products' means a public administrative organisation of a Member State to which the	<i>deleted</i>	

<i>competent authorities have conferred, in whole or in part, their competences in relation to the application of the Union legislation in the area referred to in Article 1(2)(j), including, where appropriate, the corresponding authority of a third country or operating in a third country;"</i>	competent authorities have conferred, in whole or in part, their competences in relation to the application of the Union legislation in the area referred to in Article 1(2)(j), including, where appropriate, the corresponding authority of a third country or operating in a third country;"		
2. Article 3 is amended as follows:	2. Article 3 is amended as follows:	<i>deleted</i>	
(a) Paragraph 3 is replaced by the following:	(a) Paragraph 3 is replaced by the following:	<i>deleted</i>	
<i>"3. Competent authorities responsible for the verification of compliance with the rules referred to in point (j) of Article 1(2) may confer official control tasks or other official activities to one or more control authorities for organic production and labelling of organic products. In such cases, they shall allocate a code number to each of them.";</i>	<i>"3. Competent authorities responsible for the verification of compliance with the rules referred to in point (j) of Article 1(2) may confer official control tasks or other official activities to one or more control authorities for organic production and labelling of organic products. In such cases, they shall allocate a code number to each of them.";</i>	<i>deleted</i>	

<i>(b) In paragraph 4, point (c) is replaced by the following:</i>	(b) In paragraph 4, point (c) is replaced by the following:	<i>deleted</i>	
<i>" (c) the control authorities for organic production and labelling of organic products referred to in paragraph 3;"</i>	" (c) the control authorities for organic production and labelling of organic products referred to in paragraph 3;"	<i>deleted</i>	
<i>3. Article 23 is replaced by the following:</i>	3. Article 23 is replaced by the following:	<i>deleted</i>	
<i>"Article 23</i>	"Article 23	<i>deleted</i>	
<i>Specific rules on official controls and on action to be taken by the competent authorities in relation to organic products and to protected designations of origin, protected geographical indications and traditional specialties guaranteed</i>	Specific rules on official controls and on action to be taken by the competent authorities in relation to organic products and to protected designations of origin, protected geographical indications and traditional specialties guaranteed	<i>deleted</i>	
<i>1. In relation to the rules referred to in point (j) of Article 1(2), competent authorities shall:</i>	1. In relation to the rules referred to in point (j) of Article 1(2), competent authorities shall:	<i>deleted</i>	

<p><i>(a) in the event of non-compliance that affects the integrity of organic products throughout any of the stages of production, preparation and distribution and export, in particular due to the use of prohibited or non-authorised substances and techniques or commingling with non-organic products, ensure that no reference is made to organic production in the labelling and advertising of the entire lot or production run concerned;</i></p>	<p>(a) — in the event of non-compliance that affects the integrity of organic products throughout any of the stages of production, preparation and distribution and export, in particular due to the use of prohibited or non-authorised substances and techniques or commingling with non-organic products, ensure that no reference is made to organic production in the labelling and advertising of the entire lot or production run concerned;</p>	<p><i>deleted</i></p>	
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<p>(b) in the event of repetitive or <i>continued non-compliance</i>, ensure that the operators or the group of operators concerned, as defined in points (6) and (7) of Article 3 of Regulation (EU) No [organic production] of the European Parliament and of the Council*, in addition to the measures referred to in point (a) of this paragraph, are prohibited from marketing products which refer to organic production, and that their organic certificate be suspended or withdrawn as appropriate.</p>	<p>(b) — in the event of repetitive or continued non-compliance, ensure that the operators or the group of operators concerned, as defined in points (6) and (7) of Article 3 of Regulation (EU) No [organic production] of the European Parliament and of the Council*, in addition to the measures referred to in point (a) of this paragraph, are prohibited from marketing products which refer to organic production, and that their organic certificate be suspended or withdrawn as appropriate.</p>	<p><i>deleted</i></p>	
<p>2. The Commission shall be empowered to adopt delegated acts in accordance with Article 139 concerning rules for the performance of official controls and other official activities to verify compliance with the rules referred to in points (j) and (k) of Article 1(2), and on action to be taken by the competent authorities following</p>	<p>2. — The Commission shall be empowered to adopt delegated acts in accordance with Article 139 concerning rules for the performance of official controls and other official activities to verify compliance with the rules referred to in points (j) and (k) of Article 1(2), and on action to be taken by the competent authorities following such official</p>	<p><i>deleted</i></p>	

<i>such official controls and other official activities.</i>	controls and other official activities.		
<i>3. In relation to the rules referred to in point (j) of Article 1(2), the delegated acts referred to in paragraph 2 of this Article shall lay down rules on:</i>	3. — In relation to the rules referred to in point (j) of Article 1(2), the delegated acts referred to in paragraph 2 of this Article shall lay down rules on:	<i>deleted</i>	
<i>(a) the specific responsibilities and tasks of the competent authorities, in addition to those provided for in Articles 4, 8, 9, 10(1), 11 to 13, 34(1) and (2), and 36, and in addition to Articles 25, 26, 28, 29, 30 and 32 for the approval and supervision of delegated bodies, and to Articles 85 to 90 concerning official certification;</i>	(a) — the specific responsibilities and tasks of the competent authorities, in addition to those provided for in Articles 4, 8, 9, 10(1), 11 to 13, 34(1) and (2), and 36, and in addition to Articles 25, 26, 28, 29, 30 and 32 for the approval and supervision of delegated bodies, and to Articles 85 to 90 concerning official certification;	<i>deleted</i>	

<i>(b) requirements additional to those referred to in Article 8(1) for risk assessment and for establishing the frequency of official controls, and of sampling as appropriate, taking into account the risk of the occurrence of non-compliance;</i>	(b) — requirements additional to those referred to in Article 8(1) for risk assessment and for establishing the frequency of official controls, and of sampling as appropriate, taking into account the risk of the occurrence of non-compliance;	<i>deleted</i>	
<i>(c) the frequency of official controls on operators, and the cases where and conditions under which certain such operators are to be exempted from certain official controls;</i>	(c) — the frequency of official controls on operators, and the cases where and conditions under which certain such operators are to be exempted from certain official controls;	<i>deleted</i>	

<p><i>(d) methods and techniques for official controls additional to those referred to in Article 13 and Article 33(1) to (5), and specific requirements for the performance of official controls aimed at ensuring the traceability of organic products at all stages of production, preparation and distribution, and at providing assurances as to compliance with the rules referred to in point (j) of Article 1(2);</i></p>	<p>(d) — methods and techniques for official controls additional to those referred to in Article 13 and Article 33(1) to (5), and specific requirements for the performance of official controls aimed at ensuring the traceability of organic products at all stages of production, preparation and distribution, and at providing assurances as to compliance with the rules referred to in point (j) of Article 1(2);</p>	<p><i>deleted</i></p>	
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<p><i>(e) actions and measures additional to those provided for in Article 134(2) and (3) in case of suspicion of non-compliance, criteria additional to those referred to in the second subparagraph of Article 135(1), and criteria and measures additional to those provided for in Article 135(2) and in paragraph 1 of this Article in the event of non-compliance;</i></p>	<p>(e) — actions and measures additional to those provided for in Article 134(2) and (3) in case of suspicion of non-compliance, criteria additional to those referred to in the second subparagraph of Article 135(1), and criteria and measures additional to those provided for in Article 135(2) and in paragraph 1 of this Article in the event of non-compliance;</p>	<p><i>deleted</i></p>	
<p><i>(f) requirements additional to those provided for in point (f) of Article 4(1) in relation to the facilities and equipment necessary to carry out official controls and specific and additional conditions and obligations to those referred to in Articles 25, 26, 28, 29, and 30 to 32 for the delegation of official control tasks and other official activities to delegated bodies;</i></p>	<p>(f) — requirements additional to those provided for in point (f) of Article 4(1) in relation to the facilities and equipment necessary to carry out official controls and specific and additional conditions and obligations to those referred to in Articles 25, 26, 28, 29, and 30 to 32 for the delegation of official control tasks and other official activities to delegated bodies;</p>	<p><i>deleted</i></p>	

<i>g) reporting obligations additional to those referred to in Articles 12, 28 and 31 for the competent authorities, the control authorities and the delegated bodies in charge of official controls and other official activities;</i>	(g) — reporting obligations additional to those referred to in Articles 12, 28 and 31 for the competent authorities, the control authorities and the delegated bodies in charge of official controls and other official activities;	<i>deleted</i>	
<i>(h) specific criteria and conditions for the activation and the functioning of the mechanisms of administrative assistance provided for in Title IV, including the exchange of information concerning instances of non-compliance or the likelihood of non-compliance between competent authorities, control authorities and delegated bodies.</i>	(h) — specific criteria and conditions for the activation and the functioning of the mechanisms of administrative assistance provided for in Title IV, including the exchange of information concerning instances of non-compliance or the likelihood of non-compliance between competent authorities, control authorities and delegated bodies.	<i>deleted</i>	
<i>4. In relation to the rules referred to in point (k) of Article 1(2), the delegated acts referred to in paragraph 3 of this Article shall lay down rules on:</i>	4. — In relation to the rules referred to in point (k) of Article 1(2), the delegated acts referred to in paragraph 3 of this Article shall lay down rules on:	<i>deleted</i>	

<i>(a) requirements, methods and techniques additional to those referred to in Articles 11 and 13 for official controls performed to verify compliance with product specifications and labelling requirements;</i>	(a) requirements, methods and techniques additional to those referred to in Articles 11 and 13 for official controls performed to verify compliance with product specifications and labelling requirements;	<i>deleted</i>	
<i>(b) methods and techniques additional to those referred to in Article 13 for the performance of official controls aimed at ensuring the traceability of products falling within the scope of the rules referred to in point (k) of Article 1(2) at all stages of production, preparation and distribution, and at providing assurances as to compliance with those rules;</i>	(b) methods and techniques additional to those referred to in Article 13 for the performance of official controls aimed at ensuring the traceability of products falling within the scope of the rules referred to in point (k) of Article 1(2) at all stages of EN 62 EN production, preparation and distribution, and at providing assurances as to compliance with those rules;	<i>deleted</i>	

<i>(c) specific criteria and content additional to those provided for in Article 108, for the preparation of the relevant parts of the multi-annual national control plan provided for in Article 107(1), and specific additional content of the report provided for in Article 112;</i>	(c) — specific criteria and content additional to those provided for in Article 108, for the preparation of the relevant parts of the multi-annual national control plan provided for in Article 107(1), and specific additional content of the report provided for in Article 112;	<i>deleted</i>	
<i>(d) specific criteria and conditions for activating the mechanisms of administrative assistance provided for in Title IV;</i>	(d) — specific criteria and conditions for activating the mechanisms of administrative assistance provided for in Title IV;	<i>deleted</i>	
<i>(e) specific measures to be taken, in addition to those referred to in Article 135(2) in the event of non-compliance and of serious or recurrent non-compliance.</i>	(e) — specific measures to be taken, in addition to those referred to in Article 135(2) in the event of non-compliance and of serious or recurrent non-compliance.	<i>deleted</i>	
<i>5. Where appropriate, the delegated acts referred to in paragraphs 3 and 4 shall derogate from the provisions of this Regulation referred to in those paragraphs.</i>	5. — Where appropriate, the delegated acts referred to in paragraphs 3 and 4 shall derogate from the provisions of this Regulation referred to in those paragraphs.	<i>deleted</i>	

<i>* OJ L ..., p. ...</i>	<i>* OJ L ..., p. ...</i>	<i>deleted</i>	
4. In Article 128, paragraph 1 is replaced by the following:	4. In Article 128, paragraph 1 is replaced by the following:	<i>deleted</i>	
<i>"1. In the areas governed by the rules referred to in Article 1(2), with the exclusion of points (d), (e), (g), (h) and (j) of Article 1(2), the Commission may, by means of implementing acts, recognise that measures applied in a third country, or regions thereof, are equivalent to the requirements laid down in those rules, on the basis of:</i>	<i>"1. In the areas governed by the rules referred to in Article 1(2), with the exclusion of points (d), (e), (g), (h) and (j) of Article 1(2), the Commission may, by means of implementing acts, recognise that measures applied in a third country, or regions thereof, are equivalent to the requirements laid down in those rules, on the basis of:</i>	<i>deleted</i>	
<i>(a) a thorough examination of information and data provided by the third country concerned pursuant to Article 124(1);</i>	<i>(a) a thorough examination of information and data provided by the third country concerned pursuant to Article 124(1);</i>	<i>deleted</i>	
<i>(b) where appropriate, the satisfactory outcome of a control performed in accordance with Article 119(1);</i>	<i>(b) where appropriate, the satisfactory outcome of a control performed in accordance with Article 119(1);</i>	<i>deleted</i>	
<i>Those implementing acts shall be adopted in accordance with the</i>	<i>Those implementing acts shall be adopted in accordance with the</i>	<i>deleted</i>	

<i>examination procedure referred to in Article 141(2)."</i>	examination procedure referred to in Article 141(2)."		
5. In Article 141, paragraph 1 is replaced by the following:	5. In Article 141, paragraph 1 is replaced by the following:	<i>deleted</i>	
<i>"1. The Commission shall be assisted by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011. For measures falling within the area referred to in Article 1(2)(j) of this Regulation, the Commission shall be assisted by the Organic production Committee established by Article 37(1) of Regulation (EU) No [organic production]."</i>	"1. The Commission shall be assisted by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011. For measures falling within the area referred to in Article 1(2)(j) of this Regulation, the Commission shall be assisted by the Organic production Committee established by Article 37(1) of Regulation (EU) No [organic production]."	<i>deleted</i>	
<i>Article 45</i>			
Entry into force and application	Commission proposal unchanged	Commission proposal unchanged	
This Regulation shall enter into force on the third day following that of its publication in the <i>Official Journal of the European Union</i> .	Commission proposal unchanged	Commission proposal unchanged	

It shall apply from 1 July 2017 ¹⁰⁴ .	It shall apply from 1 July <u>January</u> 201 8 ¹⁰⁵ .	Commission proposal unchanged	
This Regulation shall be binding in its entirety and directly applicable in all Member States.	Commission proposal unchanged	Commission proposal unchanged	
Done at Brussels,	Commission proposal unchanged	Commission proposal unchanged	
For the European Parliament For the Council The President The President [...] [...]	Commission proposal unchanged	Commission proposal unchanged	

¹⁰⁴ At least 6 months after enter into force.

¹⁰⁵ At least 6 months after enter into force.