



**2014/0100(COD)**

25.6.2015

# **AMENDMENTS**

## **649 - 853**

**Draft report**  
**Martin Häusling**  
(PE557.122v01-00)

Organic production and labelling of organic products, amendment to Regulation (EU) No XXX/XXX of the European Parliament and of the Council [Official Controls Regulation] and repeal of Council Regulation (EC) No 834/2007

Proposal for a regulation  
(COM(2014)0180 – C7-0109/2014 – 2014/0100(COD))



**Amendment 649**  
**Norbert Erdős**

**Proposal for a regulation**  
**Article 8 – paragraph 2 – introductory part**

*Text proposed by the Commission*

2. The conversion period shall start at the earliest when the farmer or the operator producing *seaweed* or aquaculture animals has notified his activity to the competent authorities *in accordance with this Regulation*.

*Amendment*

2. The conversion period shall start at the earliest when the farmer or the operator producing *algae* or aquaculture animals has ***subjected his holding to the control system and*** notified his activity to the competent authorities.

***(2a) By way of derogation from paragraph 2, in cases where the 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***

***The conversion period may be reduced to one year for pasturages 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 treatments with products not authorised for organic production.***

Or. xm

*Justification*

*To allow the development of the production of organic poultry with an open-air access, it is necessary to maintain this rule currently in force (article 37 point 2 from regulation 889/2008) which is entirely consistent with the principles of organic farming.*

**Amendment 650**  
**Czesław Adam Siekierski, Jarosław Kalinowski**

**Proposal for a regulation**  
**Article 8 – paragraph 2 – introductory part**

*Text proposed by the Commission*

2. The conversion period shall start at the earliest when the farmer or the operator producing *seaweed* or aquaculture animals has notified his activity to the competent authorities ***in accordance with this Regulation.***

*Amendment*

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 ***or control bodies and his holding is submitted to the organic certification and control system.***

Or. en

*Justification*

*Operators applying for the organic farming system must be introduced into the control system. The notification of the production doesn't mean that the operator is automatically controlled. Moreover it should be defined by the Member States who is responsible for receiving the notifications from the operators.*

**Amendment 651**  
**Clara Eugenia Aguilera García**

**Proposal for a regulation**  
**Article 8 – paragraph 2 – introductory part**

*Text proposed by the Commission*

2. The conversion period shall start at the earliest when the farmer or the operator producing seaweed or aquaculture animals has notified his activity to the competent authorities in accordance with this Regulation.

*Amendment*

2. The conversion period shall start at the earliest when the farmer or the operator producing seaweed or aquaculture animals has notified his activity to the competent authorities, in accordance with ***Article 24(1), and the competent authorities, control authorities or control bodies have verified compliance with*** this Regulation.

Or. es

*Justification*

*The control authorities must verify compliance (an initial inspection) before the conversion period can start.*

## Amendment 652

Peter Jahr

### Proposal for a regulation

#### Article 8 – paragraph 1

##### *Text proposed by the Commission*

1. Farmers and operators producing seaweed 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.

##### *Amendment*

1. Farmers and operators producing seaweed or aquaculture animals shall respect a **five-year** 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.

Or. de

##### *Justification*

*Holdings should be given an appropriate period in which to convert to wholly organic production.*

## Amendment 653

Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina, Ángela Vallina

### Proposal for a regulation

#### Article 8 – paragraph 2 a

##### *Text proposed by the Commission*

(2a) By way of derogation from paragraph 2, in cases where the 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*

(2a) By way of derogation from paragraph 2, in cases where the land has been left fallow, ***or it can be proved that production on the land has complied with the principles in this Regulation***, 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 ***or land used for organic production***.

**Amendment 654**  
**Clara Eugenia Aguilera García**

**Proposal for a regulation**  
**Article 8 – paragraph 2 a**

*Text proposed by the Commission*

(2a) By way of derogation from paragraph 2, in cases where the 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*

(2a) By way of derogation from paragraph 2, in cases where *it can be proven that* the land has *not* been *used for agricultural purposes or stock* 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 *said* land

Or. es

**Amendment 655**  
**Eric Andrieu, Jean-Paul Denanot**

**Proposal for a regulation**  
**Article 8 – paragraph 2 b**

*Text proposed by the Commission*

*Amendment*

***2b. 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 treatments with products not authorised for organic production.***

Or. fr

*Justification*

*To permit the development of the production of organic poultry with access to an outdoor run, it is important to retain this rule currently in force (Article 37(2), Regulation 889/2008). It is*

*compatible with organic farming principles.*

**Amendment 656**

**Michel Dantin, Angélique Delahaye**

**Proposal for a regulation**

**Article 8 – paragraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

***2b. 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 treatments with products not authorised for organic production.***

Or. fr

**Amendment 657**

**Janusz Wojciechowski, Beata Gosiewska, Zbigniew Kuźmiuk, Stanisław Ozóg, Jadwiga Wiśniewska**

**Proposal for a regulation**

**Article 8 – paragraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

***2b. The competent authority may decide to recognise retroactively as being part of the conversion period any previous period during which:***

***(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***

***(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.*

*Notwithstanding the provisions in paragraph 1, the conversion period may be reduced to one year for pasturages 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 treatments with products not authorised for organic production.*

Or. en

**Amendment 658**

**Marian Harkin**

**Proposal for a regulation**

**Article 8 – paragraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

***2b. The competent authority may decide to recognise retroactively as being part of the conversion period any previous period during which:***

***(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***

***(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.***

***Notwithstanding the provisions in paragraph 1, the conversion period may be reduced to one year for pasturages 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 treatments with products not authorised for organic production.*

Or. en

**Amendment 659**  
**Clara Eugenia Aguilera García**

**Proposal for a regulation**  
**Article 8 – paragraph 3**

*Text proposed by the Commission*

3. **No** previous period may be recognised retroactively as being part of the conversion period.

*Amendment*

3. *A* previous period may be recognised retroactively as being part of the conversion period, **subject to observance of the minimum conversion period of 12 months.**

***For this period to be recognised operators shall furnish satisfactory and sufficient authenticated evidence that the parcels were either natural or agricultural areas that have never been used for any kind of farming nor treated with products or substances not authorised for organic production.***

***Operators shall apply to the competent authority for retroactive recognition; the competent authority shall be responsible for compiling the evidence and subsequently deciding whether to grant said recognition.***

***Operators shall at all times keep organic products separate from conversion period products and shall keep records showing they have been properly separated.***

***Implementing acts detailing the specific criteria to be taken into account for retroactive recognition of the conversion period shall be adopted by the Commission in accordance with the***

*examination procedure referred to in Article 37(2).*

Or. es

*Justification*

*Recognition of the retroactive conversion period is a peculiarity which should only apply in very specific cases and provided it can be proven that these land parcels have not been put to agriculture use of any kind.*

**Amendment 660**  
**Julie Girling**

**Proposal for a regulation**  
**Article 8 – paragraph 3**

*Text proposed by the Commission*

3. No previous period may be recognised retroactively as being part of the conversion period.

*Amendment*

3. No previous period may be recognised retroactively as being part of the conversion period ***except in cases where:***

***(a) the land parcels have been subject to measures defined in a programme implemented under Regulation (EU) No 1305/2013, provided that these measures ensure that no substances or products not authorised for organic production have been used on those land parcels; or***

***(b) the operator can provide proof that the land parcels were natural or agricultural areas which were not treated with substances or products not authorised for organic production for a period of at least three years.***

Or. en

**Amendment 661**  
**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**  
**Article 8 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. Products produced during the conversion period shall **not** be marketed as organic.

4. Products produced during the conversion period shall be marketed as **products from a farm in the process of converting to organic farming**.

Or. es

**Amendment 662**  
**Jens Rohde**

**Proposal for a regulation**  
**Article 8 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

**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 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.**

**deleted**

Or. en

*Justification*

*The regulation should facilitate conversion to organic production. Mixed farming generates more conversion to organic production and should still be allowed. Converting to organic production is a radical change and several constraints make it important to allow the farmers to gradually develop their production system into organic. Specific control measures ensure that the risk of non-compliance with the organic production rules is minimized. The existing regulation should remain in place and the proposal should be deleted as a consequence of new article 7.1 (a).*

**Amendment 663**

**Daciana Octavia Sârbu, Laurențiu Rebeca**

**Proposal for a regulation**

**Article 8 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**5a. The Commission shall adopt by means of implementing acts, guidelines regarding the procedures to be followed and documentation to be submitted for the retroactive recognition of conversion period.**

Or. en

**Amendment 664**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 8 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

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.

Or. es

**Amendment 665**

**Julie Girling**

**Proposal for a regulation**

**Article 9**

**Article 9**

*deleted*

**Prohibition of the use of GMOs**

**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.**

**2. For the purposes of paragraph 1, with regard to GMOs or products produced from or by GMOs for food and feed, operators may 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<sup>48</sup> or Regulation (EC) No 1830/2003 of the European Parliament and of the Council<sup>49</sup>.**

**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.**

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<sup>48</sup> 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).

<sup>49</sup> 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).*

Or. en

**Amendment 666**  
**José Bové**

**Proposal for a regulation**  
**Article 9 – paragraph 1**

*Text proposed by the Commission*

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.

*Amendment*

1. GMOs and products produced from or by GMOs ***including those obtained through the new techniques of genetic modification*** 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.

Or. en

**Amendment 667**  
**Marco Zullo, Rosa D'Amato**

**Proposal for a regulation**  
**Article 9 – paragraph 1**

*Text proposed by the Commission*

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.

*Amendment*

1. GMOs and products produced from or by GMOs shall not be used in food or feed or as food, feed, processing aids, ***additives***, plant protection products, fertilisers, soil conditioners, plant reproductive material, micro-organisms and animals in organic production.

Or. it

**Amendment 668**

**Nicola Caputo**

**Proposal for a regulation**

**Article 9 – paragraph 1**

*Text proposed by the Commission*

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.

*Amendment*

1. GMOs and products produced from or by GMOs shall not be used in food or feed or as food, feed, **additives**, processing aids, plant protection products, fertilisers, soil conditioners, plant reproductive material, micro-organisms and animals in organic production.

Or. it

**Amendment 669**

**Nicola Caputo**

**Proposal for a regulation**

**Article 9 – paragraph 2**

*Text proposed by the Commission*

**2. For the purposes of paragraph 1, with regard to GMOs or products produced from or by GMOs for food and feed, operators may 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<sup>48</sup> or Regulation (EC) No 1830/2003 of the European Parliament and of the Council<sup>49</sup>.**

*Amendment*

**2. Any reference to or use of the term ‘organic’ or ‘bio’ on contaminated food shall also be prohibited, even if such contamination was due to the adventitious or technically unavoidable presence of genetically modified material and occurred during seed production, cultivation, harvest, transport or processing.**

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<sup>49</sup> 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).*

Or. it

*Justification*

*It can be deduced from the Commission proposal that products which have an adventitious GMO contamination threshold of below 0.9% can be labelled as organic. However, Member States may currently ban the cultivation of GMOs on their national territory. Paragraph 2 must therefore be reworded so that there may be no contamination, even unintended, of products labelled as organic.*

**Amendment 670**

**Marco Zullo, Rosa D'Amato**

**Proposal for a regulation**

**Article 9 – paragraph 2**

*Text proposed by the Commission*

*2. For the purposes of paragraph 1, with regard to GMOs or products produced from or by GMOs for food and feed, operators may 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<sup>48</sup> or Regulation (EC) No 1830/2003 of the European Parliament and of the Council<sup>49</sup>.*

*Amendment*

*2. Any reference to or use of the term 'organic' or 'bio' on food which, during the stages of its production, has been contaminated by genetically modified material, shall also be prohibited.*

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<sup>49</sup> *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).*



**Amendment 671**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 9 – paragraph 2**

*Text proposed by the Commission*

2. For the purposes of paragraph 1, with regard to GMOs or products produced from or by GMOs for food and feed, operators *may* 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<sup>48</sup> or Regulation (EC) No 1830/2003 of the European Parliament and of the Council<sup>49</sup>.

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<sup>48</sup> 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).

<sup>49</sup> 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).

*Amendment*

2. For the purposes of paragraph 1, with regard to GMOs or products produced from or by GMOs for food and feed, operators *shall* 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<sup>48</sup> or Regulation (EC) No 1830/2003 of the European Parliament and of the Council<sup>49</sup>.

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<sup>48</sup> Regulation (EC) No 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).

<sup>49</sup> Regulation (EC) 1830/2003 of the European Parliament and of the Council of 22 September 2001 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).

**Amendment 672**

**Nicola Caputo**

**Proposal for a regulation**

**Article 9 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**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.** *deleted*

Or. it

*Justification*

*It can be deduced from the Commission proposal that products which have an adventitious GMO contamination threshold of below 0.9% can be labelled as organic. However, Member States may currently ban the cultivation of GMOs on their national territory. Paragraph 2 must therefore be reworded so that there may be no contamination, even unintended, of products labelled as organic. Accordingly, paragraph 3 should also be deleted.*

**Amendment 673**

**Marco Zullo, Rosa D'Amato**

**Proposal for a regulation**

**Article 9 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**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.** *deleted*

Or. it

**Amendment 674**  
**Edouard Ferrand, Philippe Loiseau**

**Proposal for a regulation**  
**Article 9 – paragraph 3**

*Text proposed by the Commission*

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.**

*Amendment*

3. Operators **must have proof** that no GMOs or products produced from or by GMOs have been used in the manufacture of purchased food and feed.

Or. fr

**Amendment 675**  
**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**  
**Article 9 – paragraph 3**

*Text proposed by the Commission*

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.**

*Amendment*

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 **verifiably and reliably certified to be totally free of GMOs.**

Or. es

**Amendment 676**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 9 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. Producers of GMOs that contaminate organic farms and beekeeping products shall be held responsible for said contamination and shall answer for losses caused by paying compensation for contaminated products at the price their producers would have obtained through normal sales channels for their organic products.***

Or. es

**Amendment 677**

**Esther Herranz García, Pilar Ayuso, Ramón Luis Valcárcel Siso**

**Proposal for a regulation**

**Article 10 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

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 ***and with the specific implementing rules laid down in accordance with paragraph 4.***

Or. en

*Justification*

*This amendment is linked to the amendments on paragraph 4 from the same authors.*

**Amendment 678**

**Norbert Lins**

**Proposal for a regulation**  
**Article 10 – paragraph 2**

*Text proposed by the Commission*

2. **Each Member State** shall ensure that a computerised database is established for listing **the varieties and heterogeneous material, according to Regulation (EU) No XX/XXX (PRM law) for which plant reproductive material obtained by the organic production method is available on its territory.**

*Amendment*

2. **The Commission** shall ensure that a computerised **European** database is established for listing **plant reproductive material obtained by the organic production method. Concerning the availability, the listing shall take into consideration the different climatic zones in the Union.**

Or. en

*Justification*

*By considering the different climatic zones and by being put on EU level, a European database would not only list all organic PRM available in Europe, but also facilitate the purchase of organic PRM in another member state as it might occur that a producer lives in a climatic zone which is different from a climatic zone within his own state, but similar to the one in another member state.*

**Amendment 679**  
**Ulrike Müller**

**Proposal for a regulation**  
**Article 10 – paragraph 2**

*Text proposed by the Commission*

2. Each Member State shall ensure that a computerised database is established for listing the varieties **and heterogeneous material, according to Regulation (EU) No XX/XXX (PRM law)** for which plant reproductive material obtained by the organic production method is available on its territory.

*Amendment*

2. Each Member State shall ensure that a computerised database is established for listing the varieties for which plant reproductive material obtained by the organic production method is available on its territory. **By 31 December 2018, on the basis of the report under Article 35 of this Regulation, the Commission, with the involvement of the organic sector, shall propose appropriate amendments to this Regulation with regard to the rules on organic seed and crop production.**

Or. de

## Justification

*This is in line with the wording of Regulation 834/2007. The Commission should be called on to develop organic production criteria - in cooperation with the sector - which take account of the specific characteristics of the organic sector without circumventing seed legislation. Any legislative proposal should be based on the report on plant reproductive material, under Article 35, to be submitted by the end of 2018.*

### Amendment 680

Marc Tarabella

#### Proposal for a regulation

#### Article 10 – paragraph 2

##### *Text proposed by the Commission*

2. Each Member State shall ensure that **a** computerised database is established for listing the varieties and heterogeneous material, **according to Regulation (EU) No XX/XXX (PRM law)** for which plant reproductive material obtained by the organic production method is available on its territory.

##### *Amendment*

2. Each Member State shall ensure that **an indicative** computerised database is established for listing the varieties and heterogeneous material for which plant reproductive material obtained by the organic production method is available on its territory.

***By way of derogation from the directives on plant reproductive material (PRM)<sup>1 a</sup>, the use of heterogeneous material such as landraces or population varieties and open pollinated varieties, i.e. PRM which has not been obtained by controlled pollination or by the hybridisation of inbred lines, shall be permitted for organic farming, provided that such material has been obtained by the organic production method.***

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***Directive 66/401/EEC on the marketing of fodder plant seed - Directive 66/402/EEC on the marketing of cereal seed - Directive 2002/53/EC on the common catalogue of varieties of agricultural plant species - Directive 2002/54/EC on the marketing of beet seed - Directive 2002/55/EC on the marketing of vegetable seed - Directive 2002/56/EC on the marketing of seed potatoes - Directive 2002/57/EC on the marketing of seed of oil and fibre plants -***

*Directive 2008/72/EC on the marketing of vegetable propagating and planting material, other than seed - Directive 68/193/EEC on the marketing of material for the vegetative propagation of the vine - Directive 98/56/EC on the marketing of propagating material of ornamental plants - Directive 92/33/EEC on the marketing of vegetable propagating and planting material, other than seed - Directive 2008/90/EC on the marketing of fruit plant propagating material and fruit plants intended for fruit production - Directive 1999/105/EC on the marketing of forest reproductive material*

Or. fr

#### *Justification*

*Organic farmers must be given access to heterogeneous plant reproductive material because their needs are not the same as those of conventional farmers. The requirement of homogenous production is, at least for many of them, less significant. However, the term 'heterogeneous material' needs to be defined. It is also appropriate to provide for access to heterogeneous material for organic farming by way of derogation from the rules laid down in the existing directives on PRM.*

**Amendment 681**  
**Clara Eugenia Aguilera García**

**Proposal for a regulation**  
**Article 10 – paragraph 2**

*Text proposed by the Commission*

2. Each Member State shall ensure that a computerised database is established for listing the varieties and heterogeneous material, according to Regulation (EU) No XX/XXX (PRM law) **for which plant reproductive material obtained by the organic production method is available on its territory.**

*Amendment*

2. Each Member State shall ensure that a computerised database is established for listing the varieties **produced by organic operators on its territory, and their availability**, and heterogeneous material, according to Regulation (EU) No XX/XXX (PRM law); **said database shall be integrated at EU level with others established for this purpose by the other Member States.**

**Operators may maintain that a variety**

*does not exist if it is not entered on the integrated EU database.*

Or. es

*Justification*

*Each Member State should take responsibility for management of seeds produced by its operators, bringing about integration at EU level.*

**Amendment 682**

**Eric Andrieu, Marc Tarabella, Jean-Paul Denanot**

**Proposal for a regulation**

**Article 10 – paragraph 2**

*Text proposed by the Commission*

2. Each Member State shall ensure that a computerised database is established for listing the varieties and heterogeneous material, according to Regulation (EU) No XX/XXX (PRM law) for which plant reproductive material obtained by the organic production method is available on its territory.

*Amendment*

2. Each Member State shall ensure that a computerised database is established for listing the varieties and heterogeneous material, according to Regulation (EU) No XX/XXX (PRM law) for which plant reproductive material obtained by the organic production method is available on its territory. ***Each Member State shall also ensure that a computerised database is established for listing the varieties selected for the specific aims and objectives of organic farming available on its territory.***

Or. fr

*Justification*

*The work of selecting varieties for organic farming has to date been neglected, with the result that organic farmers currently have access only to varieties selected for the specific aims and objectives of conventional farming. More needs to be done in this area and a computerised database will therefore be necessary to provide operators with useful information about varieties selected for the specific aims and objectives of organic farming.*

**Amendment 683**

**Marian Harkin**



## Proposal for a regulation

### Article 10 – paragraph 2

*Text proposed by the Commission*

2. Each Member State shall ensure that a computerised database is established for listing the **varieties and** heterogeneous material, according to Regulation (EU) No XX/XXX (PRM law) for which plant reproductive material obtained by the organic production method is available on its territory.

*Amendment*

2. Each Member State shall ensure that a computerised database is established for listing the **organic seed**, heterogeneous material **and seed potatoes**, according to Regulation (EU) No XX/XXX (PRM law) for which plant reproductive material obtained by the organic production method is available on **the market on** its territory. **Each Member State shall create and manage a list of species or groups of varieties for which plant reproductive material is easily available at the national level. If farm-saved plant reproductive material is produced according to this Regulation it is also considered as obtained by the organic production method notwithstanding if the PRM is derived from registered varieties or not.**

Or. en

## Amendment 684

Annie Schreijer-Pierik

## Proposal for a regulation

### Article 10 – paragraph 2

*Text proposed by the Commission*

2. **Each Member State** shall ensure that a computerised database is established for listing the varieties **and heterogeneous material, according to Regulation (EU) No XX/XXX (PRM law)** for which plant reproductive material obtained by the organic production method is available **on its territory**.

*Amendment*

2. **The Commission** shall ensure that a computerised **EU level** database is established for listing the varieties for which plant reproductive material obtained by the organic production method is available.

Or. en

## Amendment 685

Norbert Erdős

### Proposal for a regulation

#### Article 10 – paragraph 2

*Text proposed by the Commission*

2. **Each Member State** shall ensure that a computerised database is established for listing the varieties **and heterogeneous material, according to Regulation (EU) No XX/XXX (PRM law)** for which plant reproductive material obtained by the organic production method is available **on its territory**.

*Amendment*

2. **The Commission** shall ensure that **an EU-wide** computerised database is established for listing the varieties for which plant reproductive material obtained by the organic production method is available.

Or. xm

#### *Justification*

*The current system of national (Member State) databases that list avail-ableorganic seed based on information supplied by seed companies does not reflect the realities of supply, demand and flow of seed within the EU Internal Market. The existing national databases should be integrated and the information supplied there into a common EU-level database on the availability of organic seed, similar to the system of the EU Common Catalogue of plant varieties. We are of the opinion that decisions on derogations shall solely be taken on the basis of assessment of organic seed availability on EU level. National shortages in the one or other species generally can easily be compensated by supply from companies in other Member States.*

## Amendment 686

Marc Tarabella

### Proposal for a regulation

#### Article 10 – paragraph 2

*Text proposed by the Commission*

2. Each Member State shall ensure that a computerised database is established for listing the varieties and heterogeneous material, **according to Regulation (EU) No XX/XXX (PRM law)** for which plant reproductive material obtained by the organic production method is available on

*Amendment*

2. Each Member State shall ensure that **an indicative** computerised database is established for listing the varieties and heterogeneous material, **such as landraces or population varieties and open pollinated varieties, i.e. PRM which has not been obtained by controlled**

its territory.

***pollination or by the hybridisation of inbred lines***, for which plant reproductive material obtained by the organic production method is available on its territory.

Or. fr

*Justification*

*Organic farmers should be given access to heterogeneous plant reproductive material because their needs are not the same as those of conventional farmers. The requirement of homogenous production is, at least for many of them, less significant. However, the term 'heterogeneous material' needs to be defined. The reference to the regulation on PRM should also be deleted as it contains no provisions on heterogeneous material.*

**Amendment 687**

**Marc Tarabella**

**Proposal for a regulation**

**Article 10 – paragraph 2**

*Text proposed by the Commission*

2. Each Member State shall ensure that a computerised database is established for listing the varieties and heterogeneous material, ***according to Regulation (EU) No XX/XXX (PRM law)*** for which plant reproductive material obtained by the organic production method is available on its territory.

*Amendment*

2. Each Member State shall ensure that ***an indicative*** computerised database is established for listing the varieties and heterogeneous material for which plant reproductive material obtained by the organic production method is available on its territory.

Or. fr

*Justification*

*By listing only varieties registered in the official catalogue, such databases reinforce the legal requirements with regard to seed marketing which apply exclusively to vendors. By excluding seeds that do not meet the requirements for inclusion in the catalogue, but are nonetheless certified for organic farming, the databases deprive organic farmers of access to such seeds. The databases must remain indicative and must not affect certification for organic farming.*

**Amendment 688**  
**Julie Girling**

**Proposal for a regulation**  
**Article 10 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. In order to ensure access to seed and plant reproductive material, where such inputs are not readily available in organic form:**

**(a) seeds and plant reproductive material from a production unit in conversion to organic farming may be used; or**

**(b) where point (a) is not applicable, Member States may authorise the use of seeds or plant reproductive material not obtained from organic production.**

**Seeds or plant reproductive material not obtained from organic production may be used when it comes from a production unit in conversion to organic production or where it is justified for use in research, test in small-scale field trials or for genetic resources conservation purposes agreed by the competent authority of the Member State.**

Or. en

**Amendment 689**  
**Marc Tarabella**

**Proposal for a regulation**  
**Article 10 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. Each Member State shall ensure that an indicative computerised database is established for listing the varieties selected for the specific aims and objectives of organic farming available on its territory.**

*Justification*

*The work of selecting varieties for organic farming has been entirely neglected, with the result that organic farmers currently have access only to varieties selected for the specific aims and objectives of conventional farming, the seeds of which have merely been multiplied under organic farming conditions. An indicative computerised database will inform operators about the availability of varieties selected for the specific aims and objectives of organic farming.*

**Amendment 690****Marco Zullo, Rosa D'Amato****Proposal for a regulation****Article 10 – paragraph 2 a (new)***Text proposed by the Commission**Amendment*

***2a. Where the plant reproductive material is obtained from plants cultivated on holdings in compliance with this Regulation, it shall be deemed as having been obtained in accordance with organic methods, regardless of the fact that it may derive from a registered variety.***

Or. it

**Amendment 691****Julie Girling****Proposal for a regulation****Article 10 – paragraph 3 – introductory part***Text proposed by the Commission**Amendment*

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

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 adopt ***implementing acts establishing uniform conditions for the implementation of*** the specific plant

specific plant production rules as regards:

production rules as regards:

Or. en

**Amendment 692**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 10 – paragraph 3 – introductory part**

*Text proposed by the Commission*

*Amendment*

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:

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:

Or. es

**Amendment 693**

**Annie Schreijer-Pierik**

**Proposal for a regulation**

**Article 10 – paragraph 3 – point e**

*Text proposed by the Commission*

*Amendment*

**(e) the origin of plant reproductive material;**

**deleted**

Or. en

**Amendment 694**

**Michel Dantin, Angélique Delahaye**

**Proposal for a regulation**

**Article 10 – paragraph 3 – point e**

*Text proposed by the Commission*  
**(e) the origin of plant reproductive material;**

*Amendment*  
**deleted**

Or. fr

**Amendment 695**  
**Momchil Nekov**

**Proposal for a regulation**  
**Article 10 – paragraph 3 – point f**

*Text proposed by the Commission*  
(f) the collection of wild plants.

*Amendment*  
(f) the collection of wild plants **and fruits**.

Or. bg

**Amendment 696**  
**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**  
**Article 10 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3a. However, exemptions shall be established in accordance with Article 10(2) to enable the recovery and use of local and traditional varieties for organic production, which will also contribute to increased biodiversity.**

Or. es

**Amendment 697**  
**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**  
**Article 10 – paragraph 3 b (new)**

*Text proposed by the Commission*

*Amendment*

**3b. Producers shall be permitted to exchange seeds.**

Or. es

**Amendment 698**

**Esther Herranz García, Pilar Ayuso, Ramón Luis Valcárcel Siso**

**Proposal for a regulation**

**Article 10 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

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:

***(a) the requirements for specific plants, plant products or plant production systems;***

***(b) the technical details for establishing the database referred to in paragraph 2.***

***(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 b) cannot be applied.***

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

Or. en

**Amendment 699**

**Julie Girling**

**Proposal for a regulation**

**Article 11 – paragraph 1 a (new)**



*Text proposed by the Commission*

*Amendment*

***1a. With prior authorisation of the competent authority, when a flock is constituted for the first time, renewed or reconstituted, and organically reared poultry are not available in sufficient numbers, non-organically reared poultry may be brought into an organic poultry production unit, provided that the pullets for the production of eggs and poultry for meat production are less than three days old.***

Or. en

#### **Amendment 700**

**Julie Girling**

#### **Proposal for a regulation**

#### **Article 11 – paragraph 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

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:

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 adopt ***implementing acts establishing uniform conditions for the implementation of*** the specific livestock production rules as regards:

Or. en

#### **Amendment 701**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

#### **Proposal for a regulation**

#### **Article 11 – paragraph 2 – introductory part**

*Text proposed by the Commission*

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:

*Amendment*

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:

Or. es

**Amendment 702**

**Herbert Dorfmann, Michel Dantin, Elisabeth Köstinger, Norbert Lins, Aldo Patriciello, Alberto Cirio**

**Proposal for a regulation**

**Article 11 – paragraph 2 – point b**

*Text proposed by the Commission*

***(b) livestock housing, including minimum surface areas indoors and outdoors and the maximum number of animals per hectare;***

*Amendment*

***deleted***

Or. it

**Amendment 703**

**Herbert Dorfmann, Michel Dantin, Elisabeth Köstinger, Norbert Lins, Aldo Patriciello, Alberto Cirio**

**Proposal for a regulation**

**Article 11 – paragraph 2 – point c**

*Text proposed by the Commission*

***(c) husbandry practices;***

*Amendment*

***deleted***

Or. it

**Amendment 704**  
**Michel Dantin, Angélique Delahaye**

**Proposal for a regulation**  
**Article 11 – paragraph 2 – point e**

*Text proposed by the Commission*

(e) *feed and* feeding;

*Amendment*

(e) feeding, *in application of Annex II, Part II, paragraphs 2.1.1, 2.2.2, 2.3.2, 2.4.3 and 2.5.3;*

Or. fr

**Amendment 705**  
**Esther Herranz García, Pilar Ayuso, Ramón Luis Valcárcel Siso**

**Proposal for a regulation**  
**Article 11 – paragraph 2 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

*The delegated acts should cover the following species:*

- a) bovine, ovine and caprine animal;*
- b) equine animal;*
- c) porcine animal;*
- d) poultry;*
- e) bees.*

Or. en

**Amendment 706**  
**Esther Herranz García, Pilar Ayuso, Ramón Luis Valcárcel Siso**

**Proposal for a regulation**  
**Article 11 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*2a. 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.*

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

Or. en

**Amendment 707**

**Marian Harkin**

**Proposal for a regulation**

**Article 11 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. The Commission shall adopt implementing acts amending or supplementing the specific poultry production rules. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2);***

Or. en

**Amendment 708**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 11 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. By way of derogation from the foregoing, exemptions shall be established to enable the recovery and rearing of native breeds in order to facilitate their breeding in organic animal husbandry.***

Or. es

## Amendment 709

Esther Herranz García, Pilar Ayuso, Ramón Luis Valcárcel Siso

### Proposal for a regulation

#### Article 12 – title

*Text proposed by the Commission*

*Amendment*

Production rules for *seaweed* and aquaculture animals

Production rules for *algae* and aquaculture animals

Or. en

## Amendment 710

Esther Herranz García, Pilar Ayuso, Ramón Luis Valcárcel Siso

### Proposal for a regulation

#### Article 12 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. Operators producing *seaweed* and aquaculture animals shall in particular comply with the *specific* production rules set out in Part III of Annex II.

1. Operators producing *algae* and aquaculture animals shall in particular comply with the production rules set out in Part III of Annex II ***and with the specific rules laid down in accordance with paragraph 3a.***

Or. en

#### *Justification*

*This amendment is linked to amendment of the same authors introducing a paragraph 3a (new).*

## Amendment 711

Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina

### Proposal for a regulation

#### Article 12 – paragraph 2 – introductory part

*Text proposed by the Commission*

*Amendment*

2. In order to ensure quality, traceability and compliance with this Regulation as

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:

regards organic seaweed production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific seaweed production rules as regards:

Or. es

#### **Amendment 712**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

#### **Proposal for a regulation**

#### **Article 12 – paragraph 3 – introductory part**

##### *Text proposed by the Commission*

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 **amending or** supplementing the specific production rules for aquaculture animals as regards:

##### *Amendment*

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 as regards:

Or. es

#### **Amendment 713**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

#### **Proposal for a regulation**

#### **Article 12 – paragraph 3 – point a**

##### *Text proposed by the Commission*

a) the suitability of the aquatic medium and the sustainable management plan;

##### *Amendment*

a) the suitability of the aquatic medium, **no interference with or hindrance to small-scale fishing**, and the sustainable management plan;

Or. es

**Amendment 714**

**Esther Herranz García, Pilar Ayuso, Ramón Luis Valcárcel Siso**

**Proposal for a regulation**

**Article 12 – paragraph 3 – point g**

*Text proposed by the Commission*

(g) disease prevention and veterinary treatment.

*Amendment*

(g) disease prevention and veterinary treatment *as referred to in points 4.1.4.1 and 4.1.4.2 of Part III of Annex II*

Or. en

**Amendment 715**

**Esther Herranz García, Pilar Ayuso, Ramón Luis Valcárcel Siso**

**Proposal for a regulation**

**Article 12 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. The Commission shall adopt implementing acts laying down specific rules on the conditions for the implementation of point 4.1.2.1 (db) of part III of Annex II.***

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

Or. en

**Amendment 716**

**Jens Rohde**

**Proposal for a regulation**

**Article 12 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. Each Member State shall ensure that a computerised database is established for***

***listing the available rearing of young stock originating from organic broodstock and organic holdings within the Union.***

Or. en

*Justification*

*To ensure the use of organic fry (young stock) in the organic fish production a databases listing available materials within the EU should be established. So far, the production of fry seems to be limited to a few countries but the production of organic fry could cover most of the demand for the European market.*

**Amendment 717**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 13 – paragraph 2 – introductory part**

*Text proposed by the Commission*

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:

*Amendment*

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 supplementing the specific production rules for processed food and feed as regards:

Or. es

**Amendment 718**

**Clara Eugenia Aguilera García**

**Proposal for a regulation**

**Article 13 – paragraph 2 – point c**

*Text proposed by the Commission*

c) the composition and conditions of use of processed food and feed, ***including***

*Amendment*

c) the composition and conditions of use of processed food and feed;



*products and substances allowed for use  
in processed food and feed;*

Or. es

*Justification*

*Article 19 is where regulation of the products and substances allowed should be provided  
for.*

**Amendment 719**

**Michel Dantin, Angélique Delahaye**

**Proposal for a regulation**

**Article 13 – paragraph 2 – point h**

*Text proposed by the Commission*

*Amendment*

*(h) calculation of the percentage of  
agricultural ingredients referred to in  
Article 21(3)(a)(ii) and (b);*

*deleted*

Or. fr

**Amendment 720**

**Martin Häusling**

**Proposal for a regulation**

**Article 13 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 13 a*

*Production rules for processed food*

*1. Operators producing processed food  
shall comply with the production rules set  
out in Part IV of Annex II.*

*2. In addition to the general production  
rules laid down in Article 7, the following  
rules shall apply to operators producing  
processed food:*

*(a) the preparation of processed organic  
food shall be kept separate in time or*

*space from that of non-organic food.*

*(b) The following conditions shall apply to the composition of organic processed food:*

*(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;*

*(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;*

*(iii) non-organic agricultural ingredients may only be used if they have been authorised for use by a Member State;*

*(iv) an organic ingredient shall not be present together with the same ingredient in non-organic form or an ingredient in conversion; (v) food produced from in-conversion crops shall contain only one crop ingredient of agricultural origin.*

*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:*

*(a) precautionary and preventive measures to be taken;*

*(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;*

*(c) the procedure to authorise non-organic agricultural ingredients which*

*may exceptionally be used for the production of organic processed products;*

*(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;*

*(e) techniques used in food processing.*

Or. en

*Justification*

*In paragraph 3 c, the rapporteur wishes to make a technical correction to his amendment 160.*

**Amendment 721**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 14 – paragraph 2**

*Text proposed by the Commission*

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.

*Amendment*

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.

Or. es

**Amendment 722**

**Esther Herranz García, Pilar Ayuso, Ramón Luis Valcárcel Siso**

**Proposal for a regulation**

**Article 14 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. Among the oenological practices, processes and treatments provided for in Regulations (EU) No.1308/2013 and 606/2009, the Commission shall identify:**

**- the oenological practices, processes and treatments prohibited in the production of products of the wine sector;**

**- 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.**

Or. en

#### **Amendment 723**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

#### **Proposal for a regulation Article 15 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

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. ***Use of GMO yeast shall not be permitted under any circumstances.***

Or. es

#### **Amendment 724**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

#### **Proposal for a regulation Article 15 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. In order to ensure quality, traceability and compliance with this Regulation as

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 as regards the processing and the substrates used.

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 regards the processing and the substrates used.

Or. es

#### **Amendment 725**

**Esther Herranz García, Pilar Ayuso, Ramón Luis Valcárcel Siso**

#### **Proposal for a regulation**

##### **Article 16 – title**

*Text proposed by the Commission*

*Amendment*

***Production rules for other products***

***Absence of specific production rules***

Or. en

#### **Amendment 726**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

#### **Proposal for a regulation**

##### **Article 16 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

***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.***

***When specific production rules for products other than those referred in **this Regulation** prove necessary, a process similar to that used to approve the products referred to in this Regulation shall be opened to discuss and approve said rules.***

**Amendment 727****Esther Herranz García, Pilar Ayuso, Ramón Luis Valcárcel Siso****Proposal for a regulation****Article 16 – paragraph 1***Text proposed by the Commission**Amendment*

*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.***

**1. In the absence of specific production rules for specific plants, for livestock, species other than those referred to in Article 11, and for specific algae and aquaculture animals, operators shall comply with the principles laid down in Articles 4 and to 65, with the general production rules laid down in Articles 7 to 9 and with the relevant general requirements laid down in Parts I to III of Annex II.**

**2. In the absence of production rules for products other than those falling within the categories referred to in Articles 10 to 15, operators shall comply with the principles laid down in Articles 4 and 5, and mutatis mutandis with the principles in Article 6 and with the general production rules laid down in Articles 7 to 9.**

**Taking into account the future need to have specific production rules for the purpose of achieving 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 referred to in the first subparagraph other than those falling within the categories of Articles 10****

*to 15. These rules shall be based on the principles of organic production laid down in Articles 4 to 6. These rules shall lay down general and specific requirements, such as rules concerning in particular on allowed or prohibited treatments, practices or inputs or on conversion, falling within the scope of this Regulation but not covered by the rules laid down in Articles 10 to 15 for the categories of products referred to in paragraph 5a of Article 25.*

Or. en

*Justification*

*In a transitional period before the adoption of delegated acts, the regulation for livestock species, crops and products included in the previous articles and for which there are no detailed production rules must be clarified.*

**Amendment 728**  
**Momchil Nekov**

**Proposal for a regulation**  
**Article 16 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

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.

*(Does not affect the English version)*

Or. bg

**Amendment 729**

**Eric Andrieu, Jean-Paul Denanot, Marc Tarabella**

**Proposal for a regulation**

**Article 17 – paragraph 1**

*Text proposed by the Commission*

In order to allow organic production to continue or recommence in the event of catastrophic circumstances 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.*

*Amendment*

In order to allow organic production to continue or recommence in the event of catastrophic circumstances *resulting from an ‘adverse climatic event’, an animal pandemic, an ‘environmental incident’, a ‘natural disaster’ or a ‘catastrophic event’ within the meaning of indents (h), (i), (j), (k) and (l), respectively, of Article 2(1) of Regulation (EU) No 1305/2013*, and subject to the principles laid down in Chapter II, the Commission shall *adopt implementing acts establishing specific rules on how to deal with such situations as well as conditions for monitoring the introduction of such rules. Those implementing acts shall provide for exceptions, for a limited period, to the production rules set out in this regulation.*

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

*(b) In all cases, the competent authority shall be responsible for granting individual authorisations for exceptions to the production rules.*

Or. fr

*Justification*

*A clear, specific and restricted definition of ‘catastrophic circumstances’ is required. Responsibility for individual decisions authorising temporary derogations for operators from the rules on organic production must rest, as is the case currently, with the competent authorities. Without such clarification, the text would create a legal void by failing to specify who shall bear the actual responsibility for granting individual authorisations.*



**Amendment 730**  
**Marian Harkin**

**Proposal for a regulation**  
**Article 17 – paragraph 1**

*Text proposed by the Commission*

***In order to allow organic production to continue or recommence in the event of catastrophic circumstances 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.***

*Amendment*

***1. Exceptions from the production rules laid down in this Chapter shall be subject to the principles laid down in Chapter II.***

***2. Exceptions as referred to in paragraph 1 shall be kept to a minimum and, where appropriate, limited in time, and may only be provided for in the following cases:***

***(a) 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;***

***(b) where they are necessary in order to ensure access to feed, seed and vegetative propagating material, live animals and other farm inputs, where such inputs are not available on the market in organic form;***

***(c) where they are necessary in order to ensure access to ingredients of agricultural origin, where such ingredients are not available on the market in organic form;***

***(d) where they are necessary in order to solve specific problems related to the management of organic livestock;***

***(e) where they are necessary with regard to the use of specific products and substances in the processing referred to in point (b) of Article 19(2) in order to***

*ensure production of well-established food products in organic form;*

*(f) where temporary measures are necessary in order to allow organic production to continue or recommence in the case of catastrophic circumstances.*

*(g) where it is necessary to use food additives and other substances as set out in Article 19(2)(b) or feed additives and other substances as set out in Article 16(1)(d) and such substances are not available on the market other than produced by GMOs;*

*(h) where the use of food additives and other substances as set out in Article 19(2)(b) or feed additives as set out in Article 16(1)(d) is required on the basis of Union law or national law.*

*The Commission may in accordance with the procedure referred to in Article 37(2) lay down specific conditions for the application of exceptions provided for under this article.*

Or. en

#### **Amendment 731**

**Janusz Wojciechowski, Beata Gosiewska, Zbigniew Kuźmiuk, Stanisław Ożóg, Jadwiga Wiśniewska**

#### **Proposal for a regulation Article 17 – paragraph 1**

*Text proposed by the Commission*

*In order to allow organic production to continue or recommence in the event of catastrophic circumstances 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*

*Amendment*

*1. Exceptions from the production rules laid down in this Chapter shall be subject to the principles laid down in Chapter II.*

*requirements.*

***2. Exceptions as referred to in paragraph 1 shall be kept to a minimum and, where appropriate, limited in time, and may only be provided for in the following cases:***

***(a) 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;***

***(b) where they are necessary in order to ensure access to feed, seed and vegetative propagating material, live animals and other farm inputs, where such inputs are not available on the market in organic form;***

***(c) where they are necessary in order to ensure access to ingredients of agricultural origin, where such ingredients are not available on the market in organic form;***

***(d) where they are necessary in order to solve specific problems related to the management of organic livestock;***

***(e) where they are necessary with regard to the use of specific products and substances in the processing referred to in point (b) of Article 19(2) in order to ensure production of well-established food products in organic form;***

***(f) where temporary measures are necessary in order to allow organic production to continue or recommence in the case of catastrophic circumstances.***

***The Commission may in accordance with the procedure referred to in Article 37(2) lay down specific conditions for the application of exceptions provided for under this article.***

Or. en

## Amendment 732

Laurențiu Rebegea, Daniel Buda, Viorica Dăncilă

### Proposal for a regulation

#### Article 17 – paragraph 1

##### *Text proposed by the Commission*

In order to allow organic production to continue or recommence in the event of catastrophic circumstances **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.

##### *Amendment*

In order to allow organic production to continue or recommence in the event of catastrophic circumstances **in accordance with** the principles laid down in Chapter II, the **establishing of** the criteria to qualify situations as catastrophic **shall be provided for in this Regulation, through** specific rules on how to deal with them, on monitoring and on reporting requirements.

Or. ro

## Amendment 733

Michel Dantin, Angélique Delahaye

### Proposal for a regulation

#### Article 17 – paragraph 1

##### *Text proposed by the Commission*

In order to allow organic production to continue or recommence in the event of catastrophic circumstances 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.

##### *Amendment*

In order to allow organic production to continue or recommence in the event of catastrophic circumstances 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. **Those delegated acts must include provisions for exceptions to the production rules laid down by this Regulation. The competent authority shall be responsible for authorising such exceptions on a case-by-case basis.**

**Amendment 734****Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina****Proposal for a regulation****Article 17 – paragraph 1***Text proposed by the Commission*

In order to allow organic production to continue or recommence in the event of catastrophic circumstances 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.

*Amendment*

In order to allow organic production to continue or recommence in the event of catastrophic circumstances 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, ***in conjunction with agricultural organisations present in organic farming***, such situations as catastrophic and laying down specific rules on how to deal with them, on monitoring and on reporting requirements.

**Amendment 735****Clara Eugenia Aguilera García****Proposal for a regulation****Article 17 – paragraph 1***Text proposed by the Commission*

In order to allow organic production to continue or recommence in the event of catastrophic circumstances 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.

*Amendment*

In order to allow organic production to continue or recommence in the event of ***exceptional or*** catastrophic circumstances 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 ***exceptional or*** catastrophic and laying down specific rules on how to deal with them, on monitoring and on reporting requirements.

*Justification*

*While it is good to reduce as far as possible the number of possible exceptions, in certain circumstances, however, operators do not have sufficient means to comply with the mandatory practices envisaged. It is therefore appropriate to allow for some exceptions other than natural disasters.*

**Amendment 736**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation****Article 18 – paragraph 2***Text proposed by the Commission*

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.

*Amendment*

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 Annex III.

**Amendment 737**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation****Article 18 – paragraph 2 a (new)***Text proposed by the Commission**Amendment*

***2a. To ensure emissions in this sector are as low as possible consumption of food produced locally shall be encouraged and promoted, seeking to stop local production being replaced by products from international trade and to cut the number of food kilometres for each item of food consumed.***

**Amendment 738**

**Janusz Wojciechowski, Beata Gosiewska, Zbigniew Kuźmiuk, Stanisław Ożóg, Jadwiga Wiśniewska**

**Proposal for a regulation**

**Article 18 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. The transport of organic animals shall not only meet the requirements of Regulation (EC) 1/2005, but it shall also ensure the respect of higher animal welfare standards through additional rules limiting the duration of transport and setting conditions for the transport of organic animals. These rules shall be set in an Annex to this Regulation.***

Or. en

**Amendment 739**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 18 – paragraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

***2b. The Commission must ensure that Member States' policies in this area support organic producers, increasing their involvement in the value chain, improving the marketing of their products and preventing and correcting the bad practices used in the area.***

Or. es

**Amendment 740**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**  
**Article 18 – paragraph 2 c (new)**

*Text proposed by the Commission*

*Amendment*

***2c. In order to reduce waste as much as possible, loose goods must be promoted as much as possible, excess packaging must be avoided, use of plastics must be cut to an absolute minimum and inks – which must be as harmless as possible – must only be used for lettering and labelling.***

Or. es

**Amendment 741**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 19 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission ***may*** authorise certain products and substances for use in organic production and include them in restricted lists, for the following purposes:

The Commission ***shall*** authorise certain products and substances for use in organic production and include them in restricted lists, for the following purposes:

Or. en

*Justification*

*There is a need to authorise these products and substances by the Commission, the absence of thereof would threaten the stability of the sector of organic production.*

**Amendment 742**  
**Peter Jahr, Norbert Lins**

**Proposal for a regulation**  
**Article 19 – paragraph 1 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) as plant protection products;

(a) as plant protection products ***throughout the European Union or in one or more of***



*the zones defined in Annex I to  
Regulation (EC) No 1107/2009;*

Or. de

*Justification*

*In line with the cross-cutting provisions on the authorisation of plant protection products in Regulation 1107/2009, zoning in southern, central and northern Europe should be possible under this regulation, too, so that account can be taken of the considerable ecological and climatic differences within the EU. To rule out abuse, enhanced ecological sustainability must be a requirement for zonal authorisation.*

**Amendment 743**

**Momchil Nekov**

**Proposal for a regulation**

**Article 19 – paragraph 1 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) as plant protection products;

*(Does not affect the English version)*

Or. bg

**Amendment 744**

**Marian Harkin**

**Proposal for a regulation**

**Article 19 – paragraph 1 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) as fertilisers, soil conditioners **and nutrients**;

(b) as fertilisers **and** soil conditioners;

Or. en

**Amendment 745**

**Janusz Wojciechowski, Beata Gosiewska, Zbigniew Kuźmiuk, Stanisław Ożóg, Jadwiga Wiśniewska**

**Proposal for a regulation**  
**Article 19 – paragraph 1 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) as fertilisers, soil conditioners **and nutrients**;

(b) as fertilisers **and** soil conditioners;

Or. en

**Amendment 746**  
**Momchil Nekov**

**Proposal for a regulation**  
**Article 19 – paragraph 1 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) as fertilisers, soil conditioners and nutrients;

*(Does not affect the English version)*

Or. bg

**Amendment 747**  
**Momchil Nekov**

**Proposal for a regulation**  
**Article 19 – paragraph 1 – subparagraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) as feed materials;

*(Does not affect the English version)*

Or. bg

**Amendment 748**  
**Momchil Nekov**

**Proposal for a regulation**  
**Article 19 – paragraph 1 – subparagraph 1 – point d**

*Text proposed by the Commission*  
(d) as feed additives and processing aids;

*Amendment*  
*(Does not affect the English version)*

Or. bg

**Amendment 749**  
**Momchil Nekov**

**Proposal for a regulation**  
**Article 19 – paragraph 1 – subparagraph 1 – point e**

*Text proposed by the Commission*  
(e) as products for cleaning and disinfection of ponds, cages, tanks, raceways, buildings and installations used for animal production;

*Amendment*  
***Does not affect the English version***

Or. bg

**Amendment 750**  
**Momchil Nekov**

**Proposal for a regulation**  
**Article 19 – paragraph 1 – subparagraph 1 – point e**

*Text proposed by the Commission*  
(e) as products for cleaning and disinfection of buildings and installations used for plant production, including storage on an agricultural holding.

*Amendment*  
***Does not affect the English version***

Or. bg

**Amendment 751**  
**Peter Jahr, Renate Sommer**

**Proposal for a regulation**  
**Article 19 – paragraph 1 – subparagraph 1 – point f a (new)**

*Text proposed by the Commission*

*Amendment*

***(fa) as non-therapeutic medicines and products which contribute to animal health and animal welfare.***

Or. de

*Justification*

*As an alternative to the surgical castration of piglets, for example, immunological prevention of boartaint should be possible.*

**Amendment 752**

**Janusz Wojciechowski, Beata Gosiewska, Zbigniew Kuźmiuk, Stanisław Ożóg, Jadwiga Wiśniewska**

**Proposal for a regulation**

**Article 19 – paragraph 1 – subparagraph 1 – point f a (new)**

*Text proposed by the Commission*

*Amendment*

***(fa) as non-therapeutic medicines and products to help ensure animal health and welfare.***

Or. en

**Amendment 753**

**Stanislav Polčák**

**Proposal for a regulation**

**Article 19 – paragraph 1 – subparagraph 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

In particular, the Commission *may* authorise certain products and substances for use in the production of organic processed food and include them in restricted lists, for the following purposes:

In particular, the Commission *shall* authorise certain products and substances for use in the production of organic processed food and include them in restricted lists, for the following purposes:

Or. en

**Amendment 754**

**Momchil Nekov**

**Proposal for a regulation**

**Article 19 – paragraph 1 – subparagraph 2 – point a**

*Text proposed by the Commission*

*Amendment*

(a) as food additives, food enzymes and processing aids;

***Does not affect the English version***

Or. bg

**Amendment 755**

**Momchil Nekov**

**Proposal for a regulation**

**Article 19 – paragraph 1 – subparagraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

(b) as processing aids for the production of yeast and yeast products.

***Does not affect the English version***

Or. bg

**Amendment 756**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 19 – paragraph 2 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(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;***

(b) all products and substances are of plant, animal, microbial or mineral origin;

Or. es

**Amendment 757**

**Maria Noichl**

**Proposal for a regulation**

**Article 19 – paragraph 2 – subparagraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) any product or substance authorised under this article which results in a major change in production methods or in ingredients used or in a change in size, for example through the use of nanotechnology, should be classified as a new product or substance which must be re-evaluated;***

Or. de

*Justification*

*This clause makes it mandatory to re-evaluate substances which result in major changes, so that they may be used in the processing and production of organic food.*

**Amendment 758**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 19 – paragraph 2 – subparagraph 1 – point c – point ii**

*Text proposed by the Commission*

*Amendment*

***(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;***

***deleted***

Or. es

**Amendment 759**

**Peter Jahr, Norbert Lins**

**Proposal for a regulation**

**Article 19 – paragraph 2 – subparagraph 1 – point c – point ii a (new)**

*Text proposed by the Commission*

*Amendment*

***(ii) 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;***

Or. de

*Justification*

*In line with the cross-cutting provisions on the authorisation of plant protection products in Regulation 1107/2009, zoning in southern, central and northern Europe should be possible under this regulation, too, so that account can be taken of the considerable ecological and climatic differences within the EU. To rule out abuse, enhanced ecological sustainability must be a requirement for zonal authorisation.*

**Amendment 760**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 19 – paragraph 2 – subparagraph 1 – point e – point i**

*Text proposed by the Commission*

*Amendment*

(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 produce or preserve feed because the production or preservation of feed is not possible without having recourse to such substances;***

(i) their use is necessary to maintain animal health, animal welfare and vitality and contribute to an appropriate diet fulfilling the physiological and ***behavioural*** needs of the species concerned;

Or. es

**Amendment 761**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 19 – paragraph 2 – subparagraph 1 – point e – point ii**

*Text proposed by the Commission*

*Amendment*

(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.*

(ii) feed of mineral origin, trace elements, vitamins or provitamins shall be of natural origin.

Or. es

**Amendment 762**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 19 – paragraph 2 – subparagraph 2 – point a**

*Text proposed by the Commission*

*Amendment*

(a) *alternatives authorised in accordance with this Article are not available;*

*deleted*

Or. es

**Amendment 763**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 19 – paragraph 2 – subparagraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

(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;*

*deleted*



**Amendment 764**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 19 – paragraph 2 – subparagraph 2 – point c**

*Text proposed by the Commission*

*Amendment*

(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.

Or. es

**Amendment 765**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 19 – paragraph 2 – subparagraph 3**

*Text proposed by the Commission*

*Amendment*

***The authorisation of the use of chemically synthesised products or substances shall be strictly limited to cases where the use of external inputs referred to in Article 4(f) would contribute to unacceptable environmental impacts.***

***deleted***

Or. es

**Amendment 766**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 19 – paragraph 3**

*Text proposed by the Commission*

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.***

*Amendment*

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.

Or. es

**Amendment 767**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 19 – paragraph 4 – subparagraph 1**

*Text proposed by the Commission*

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 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.

*Amendment*

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 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, ***and that such dossiers are compiled with the involvement of the farming organisations in the sector.***

Or. es

**Amendment 768**  
**Marian Harkin**

**Proposal for a regulation**  
**Article 19 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4a. A Member State can put forward a proposal for inclusion of a substance referred to in paragraph 1, points (a) to (f) by sending a dossier for notification in all Member States with a full description of the substance, reasoning of why it should be included and a demonstration how it fulfils the criteria for authorisation. In case there is no objection from any Member State within three months of the notification, the substance can be included without any further examination. In case there is one or more objection, the Member State can decide to propose to the Commission that the proposal follow the regular authorization procedure as set out in Article 19.***

Or. en

**Amendment 769**  
**Norbert Lins**

**Proposal for a regulation**  
**Article 19 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

5. The Commission shall adopt implementing acts 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

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

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). ***Until the implementing acts come into effect, the applicable annexes to Commission Regulation (EC) No 889/2008 shall remain in force.***

Or. de

**Amendment 770**  
**Ulrike Müller**

**Proposal for a regulation**  
**Article 19 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***5a. Until the implementing acts under Article 19(5) come into effect, the applicable annexes to Commission Regulation (EC) No 889/2008 shall remain in force.***

***To produce the initial implementing acts, the Commission shall take over, in full, the products and substances authorised at that time as set out in Commission Regulation (EC) No 889/2008.***

Or. de

*Justification*

*To ensure a smooth transition when the new regulation comes into effect, the relevant annexes to Commission Regulation (EC) No 889 should continue to apply until, in the form of implementing acts under Article 19(5), the Commission has enacted the new authorisation schedules.*

**Amendment 771**  
**Marian Harkin**

## Proposal for a regulation

### Article 20

*Text proposed by the Commission*

*Amendment*

#### *Article 20*

*deleted*

#### *Presence of non-authorised products or substances*

*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.*

*2. 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 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.*

*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 also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.*

Or. en

**Amendment 772**

**Ivan Jakovčić**

**Proposal for a regulation**

**Article 20**

*Text proposed by the Commission*

*Amendment*

**Article 20**

**deleted**

***Presence of non-authorised products or substances***

***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.***

***2. 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 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.***

***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 also use the instruments of the***

*Common Agricultural Policy to cover totally or partially such losses.*

Or. en

**Amendment 773**

**Elisabeth Köstinger, Norbert Lins, Jens Gieseke**

**Proposal for a regulation**

**Article 20**

*Text proposed by the Commission*

*Amendment*

**Article 20**

**deleted**

***Presence of non-authorized products or substances***

***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.***

***2. 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 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.***

***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-authorized 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 also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.*

Or. de

*Justification*

*Organic production cannot be reduced solely to a matter of limit values; rather, a harmonised approach needs to be taken to the presence of any unauthorised products or substances; and that applies equally to both organic and conventional production.*

**Amendment 774**

**Jens Nilsson, Jytte Guteland**

**Proposal for a regulation**

**Article 20**

*Text proposed by the Commission*

*Amendment*

*Article 20*

*deleted*

*Presence of non-authorised products or substances*

*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.*

*2. 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 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.*



**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 also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.**

Or. en

**Amendment 775**  
**Maria Noichl**

**Proposal for a regulation**  
**Article 20 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

**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.**

*deleted*

Or. de

**Amendment 776**  
**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**  
**Article 20 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

**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.**

**deleted**

Or. es

**Amendment 777**

**Eric Andrieu, Jean-Paul Denanot, Laurențiu Rebegea, Daciana Octavia Sârbu, Viorica Dăncilă**

**Proposal for a regulation  
Article 20 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

**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.**

**1. Whenever a competent authority or, where appropriate, a control authority or control body receives reliable information or detects the presence of products or substances for which no authorisation has been given under Article 19 for the purposes listed in Article 19, it shall begin an investigation immediately to determine the origin and the cause of the contamination in order to verify conformity with Article 7(1)(b).**

**On the basis of the results of this investigation, the competent authority or, where appropriate, the control authority or control body shall ensure that the products involved are not marketed as organic, if their presence is due to deliberate use by the operator or an avoidable contamination in the production process.**

**A contamination shall be considered as avoidable when the operator:**

**- has failed to install or maintain appropriate, proportionate measures to**

*identify and avoid the risk of biological products becoming contaminated by unauthorised products or substances;*

- has not regularly reviewed and adjusted such appropriate measures, while the risk for contamination has clearly been perceptible;*
- has failed to take appropriate measures following requests from the competent authorities or, where appropriate, the control authority or body to take measures to avoid contamination;*
- has not complied with the relevant provisions of this Regulation and has failed to take necessary steps in the production process to avoid contamination.*

*Based on the results of the investigation referred to in paragraph 1, the competent authority or, where appropriate, the control authority or body shall identify the potential shortcomings or non-conformities responsible for the presence of unauthorised products or substances. The operator concerned shall take the necessary corrective measures to avoid future contamination.*

Or. fr

#### *Justification*

*Les conditions requises de seuils européens de déclassement des produits ne sont actuellement pas réunies. Cependant, dans un premier temps, des règles harmonisées doivent être définies et appliquées par les autorités des contrôles ou les organismes de contrôle quand des résidus sont détectés dans un produit, afin d'assurer l'équité de traitement des opérateurs : une enquête doit être menée sans délai afin de déterminer la cause de la contamination. Le produit est déclassé dans le cas d'usage délibéré de substance non autorisée ou de faute évitable de l'opérateur. L'identification des manquements doit éviter de future contamination.*

**Amendment 778**  
**Michel Dantin, Angélique Delahaye**

**Proposal for a regulation**  
**Article 20 – paragraph 1**

*Text proposed by the Commission*

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.

*Amendment*

1. **Whenever a competent authority or, where appropriate, a control authority or control body receives reliable information or detects** the presence of products or substances **for which no authorisation has been given under Article 19 for the purposes listed in Article 19, it shall begin an investigation immediately to determine the origin and the cause of the contamination in order to verify conformity with Article 7(1)(b).**

**On the basis of the results of this investigation, the competent authority or, where appropriate, the control authority or control body shall ensure that the products involved are not marketed as organic, if their presence is due to deliberate use by the operator or an avoidable contamination in the production process.**

Or. fr

*Justification*

*An automatic declassification system is not appropriate. Priority should be given to an investigation system whose purpose is to determine the source of and the person or body responsible for the problem and to ensure that the competent authorities take appropriate action.*

**Amendment 779**  
**Julie Girling**

**Proposal for a regulation**  
**Article 20 – paragraph 1**

*Text proposed by the Commission*

1. **Products in which** the presence of products or substances that have not been authorised in accordance with Article 19 **is**

*Amendment*

1. **When a control authority or a control body detects** the presence of products or substances that have not been authorised in

*detected beyond the levels established taking account in particular of Directive 2006/125/EC, shall not be marketed as organic.*

accordance with Article 19, *it must carry out an investigation in order to determine the cause of contamination. The investigation shall seek to identify whether the contamination is unavoidable or avoidable. Following this investigation, the control authority or control body will decide the organic status of products depending on the nature and severity of the particular circumstances.*

Or. en

#### **Amendment 780**

**Esther Herranz García, Pilar Ayuso, Ramón Luis Valcárcel Siso**

#### **Proposal for a regulation**

#### **Article 20 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

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.***

1. The presence of products or substances that have not been authorised in accordance with Article 19 is ***not admitted in organic production.***

Or. en

#### *Justification*

*It is essential to establish a common approach to harmonize this matter, covering imports from third countries, in order to guarantee the correct functioning of the internal market. A zero tolerance should be applied to make the organic production totally reliable for the consumer.*

#### **Amendment 781**

**Peter Jahr**

#### **Proposal for a regulation**

#### **Article 20 – paragraph 1**

*Text proposed by the Commission*

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.

*Amendment*

1. Products in which the presence of products or substances that have not been authorised in accordance with Article 19 is detected beyond the ***maximum level*** established, ***which shall be one third of the maximum level permitted for conventional products***, shall not be marketed as organic.

Or. de

*Justification*

*Consumers expect organic products to contain lower levels of residues than conventional products.*

**Amendment 782**

**Clara Eugenia Aguilera García**

**Proposal for a regulation**

**Article 20 – paragraph 1**

*Text proposed by the Commission*

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.

*Amendment*

1. Products in which the presence of products or substances that have not been authorised in accordance with Article 19 is detected beyond ***certain detection thresholds*** shall not be marketed as organic.

Or. es

*Justification*

*For reasons of legal certainty there is a need to set detection thresholds for certain unauthorised substances in cases where there is unavoidable accidental contamination.*

**Amendment 783**

**Eric Andrieu, Jean-Paul Denanot, Laurențiu Rebegea, Daciana Octavia Sârbu, Viorica**

**Dăncilă, Ricardo Serrão Santos**

**Proposal for a regulation  
Article 20 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1 a. The control authority or control body shall keep records of the investigations carried out.***

***By 30 June of each year at the latest, Member States shall transmit to the Commission the relevant information 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.***

***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 had been detected in organic products. The report shall be accompanied by a legislative proposal establishing:***

- thresholds for unauthorised products or substances to be applied to organic products beyond which such products may not be marketed as organic products;***
- compensation systems for operators for losses in connection with the adventitious contamination of their products and where these operators have taken appropriate measures to avoid the risk of contamination. The Member States may draw in particular on instruments of the common agricultural policy to cover such losses, and a specific fund should be allocated to this end.***

Or. fr

## *Justification*

*Inseparable from the previous amendment by the same authors. The Member States must provide the Commission with the results of their investigations every year, and on the basis of these the Commission shall submit a report accompanied, where appropriate, by a legislative proposal establishing the Community declassification thresholds and means of compensation for producers in the inevitable event of contamination.*

### **Amendment 784**

**Michel Dantin, Angélique Delahaye**

#### **Proposal for a regulation**

**Article 20 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1 a. A contamination shall be considered as avoidable when the operator:***

- has failed to install or maintain appropriate, proportionate measures to identify and avoid the risk of biological products becoming contaminated by unauthorised products or substances;***
- has not regularly reviewed and adjusted such appropriate measures, while the risk for contamination has clearly been perceptible;***
- has failed to take appropriate measures following requests from the competent authorities or, where appropriate, the control authority or body to take measures to avoid contamination;***
- has not complied with the relevant provisions of this Regulation and has failed to take necessary steps in the production process to avoid contamination.***

***Based on the results of the investigation referred to in paragraph 1, the competent authority or, where appropriate, the control authority or body shall identify the potential shortcomings or non-conformities responsible for the presence of unauthorised products or substances. The operator concerned shall take the***



*necessary corrective measures to avoid future contamination.*

Or. fr

*Justification*

*An automatic declassification system is not appropriate. Priority should be given to an investigation system whose purpose is to determine the source of and the person or body responsible for the problem and to ensure that the competent authorities take appropriate action.*

**Amendment 785**

**Esther Herranz García, Pilar Ayuso, Ramón Luis Valcárcel Siso**

**Proposal for a regulation**

**Article 20 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. The Commission shall adopt implementing acts laying down uniform rules concerning:***

***- the methodology to be used in order to detect and evaluate the presence of products or substances that have not been authorised with Article 19 ;***

***- the procedures to be followed in case the presence of products or substances that have not been authorised with Article 19 is detected and the criteria to be applied for the decertification of the products.***

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

Or. en

**Amendment 786**

**Eric Andrieu, Jean-Paul Denanot, Paul Brannen, Daciana Octavia Sârbu, Ricardo Serrão Santos**

**Proposal for a regulation**  
**Article 20 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***1 b. The compensation fund aimed at ensuring compensation for operators in the event of accidental contamination may be cofinanced by fees and the fines paid by those responsible for the contamination, penalties which stem from applying the ‘polluter pays’ principle.***

Or. fr

**Amendment 787**  
**Maria Noichl**

**Proposal for a regulation**  
**Article 20 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

***2. 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 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.***

***deleted***

Or. de

**Amendment 788**  
**Esther Herranz García, Pilar Ayuso, Ramón Luis Valcárcel Siso**

**Proposal for a regulation**  
**Article 20 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. 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 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.** *deleted*

Or. en

*Justification*

*It is essential to establish a common approach to harmonize this matter, covering imports from third countries, in order to guarantee the correct functioning of the internal market. A zero tolerance should be applied to make the organic production totally reliable for the consumer.*

**Amendment 789**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 20 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. 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 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.** *deleted*

Or. es

**Amendment 790**

**Michel Dantin, Angélique Delahaye**

**Proposal for a regulation**

**Article 20 – paragraph 2**

*Text proposed by the Commission*

***2. 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 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.***

*Amendment*

***2. The control authority or control body shall keep records of the investigations carried out.***

***By 30 June of each year at the latest, Member States shall transmit to the Commission the relevant information 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.***

***By 31.12.21 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 had been detected in organic products. The report may be accompanied, where appropriate, by a legislative proposal establishing the levels of unauthorised products or substances to be applied 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.***

Or. fr

## *Justification*

*An automatic declassification system is not appropriate. Priority should be given to an investigation system whose purpose is to determine the source of and the person or body responsible for the problem and to ensure that the competent authorities take appropriate action.*

### **Amendment 791**

**Julie Girling**

#### **Proposal for a regulation**

#### **Article 20 – paragraph 2**

*Text proposed by the Commission*

***2. 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 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.***

*Amendment*

***2. Each investigation shall categorise the contamination into one of the three following categories:***

- a) unavoidable***
- b) avoidable,***
- c) deliberate or repetition of an avoidable contamination***

Or. en

### **Amendment 792**

**Clara Eugenia Aguilera García**

#### **Proposal for a regulation**

#### **Article 20 – paragraph 2**

*Text proposed by the Commission*

***2. In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the***

*Amendment*

***2. 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 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.

Commission shall be empowered to adopt *implementing* acts in accordance with Article 37(2) 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.

Or. es

**Amendment 793**  
**Marco Zullo, Rosa D'Amato**

**Proposal for a regulation**  
**Article 20 – paragraph 2**

*Text proposed by the Commission*

2. 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 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.

*Amendment*

2. 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 regarding the specific criteria and conditions for the application of the levels referred to in paragraph 1 and regarding the establishment of those levels *in a uniform manner across the Union*, and their adaptation in the light of technical developments.

Or. it

**Amendment 794**  
**Clara Eugenia Aguilera García**

**Proposal for a regulation**  
**Article 20 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. Before 31 March each year, the Member States shall send the Commission all relevant information from the previous**

*year relating to cases in which unauthorised products or substances have been detected, stating the sources and the levels detected, as well as the volume and nature of the contaminated products.*

*Before 31 December 2021, the Commission shall submit a report to the European Parliament and the Council on the situation concerning the presence of products or substances that are not authorised in organic production under Article 19.*

Or. es

**Amendment 795**  
**Clara Eugenia Aguilera García**

**Proposal for a regulation**  
**Article 20 – paragraph 2 b (new)**

*Text proposed by the Commission*

*Amendment*

**2b. The Commission shall adopt implementing acts that provide details and specifications, with regard to the products subject to certification, on uniform standards relating to:**

**(a) the methodology to be used to take samples of the products and means of production;**

**(b) the methodology for detecting and assessing the presence of products or substances that are unauthorised under Article 19;**

**(c) the procedures to follow if products or substances that are unauthorised under Article 19 are detected; and**

**(d) the criteria to apply in order to decertify products.**

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

Or. es

**Amendment 796**  
**Clara Eugenia Aguilera García**

**Proposal for a regulation**  
**Article 20 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. By way of derogation from Article 21(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**

**deleted**



*taken all appropriate measures to prevent the risk of such contamination. Member States may also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.*

Or. es

**Amendment 797**  
**Maria Noichl**

**Proposal for a regulation**  
**Article 20 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

*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 also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.*

*deleted*

Or. de

**Amendment 798**  
**Esther Herranz García, Pilar Ayuso, Ramón Luis Valcárcel Siso**

**Proposal for a regulation**  
**Article 20 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**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 also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.**

**deleted**

Or. en

*Justification*

*Optional state aids would lead to unfair competitiveness between Member states. It would be more appropriate to promote and coordinate a responsibility system based on the "polluter pays" principle.*

**Amendment 799**  
**Julie Girling**

**Proposal for a regulation**  
**Article 20 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**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**

**3. In case of contamination referred to in point (a) of paragraph 2, the product may be sold as organic provided the residue level is no greater than 50% of the relevant Maximum Residue Limit (MRL) detailed in Regulation (EC) No 396/2005 of the European Parliament and of the Council. The operator must put in place**

*due to the contamination of their agricultural products by non-authorized 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 also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.*

*sufficient and appropriate measures that can be reasonably implemented to identify and minimise the risks of contamination to organic products. The control authority or control body shall monitor the operator to ensure these measures are sufficient and have been effectively implemented. The control authority or control body may restrict the sale of such products as organic depending on the nature and severity of the circumstances.*

*In case of contamination referred to in point (b) of paragraph 2, the control authority or control body will decide the organic status of products depending on the nature and severity of the circumstances and the effect on organic integrity provided that the residue level is below 50% of the relevant MRL. The operator must put in place sufficient and appropriate measures that can be reasonably implemented to identify and minimise the risks of contamination to organic products. The control authority or control body shall monitor the operator to ensure these measures are sufficient and have been effectively implemented. The control authority or control body may decertify the operator or the affected production areas depending on the nature and severity of the circumstances.*

*In case of contamination referred to in point (c) of paragraph 2, the control authority or control body must prohibit the operator concerned from marketing products which refer to the organic production method in the labelling and advertising and the affected production areas must undergo a new conversion period. This will apply without prejudice to other sanctions.*

Or. en

**Amendment 800**  
**Eric Andrieu**

**Proposal for a regulation**  
**Article 20 – paragraph 3**

*Text proposed by the Commission*

**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 also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.

*Amendment*

**3. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning:**

**- 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;**

**- the procedures to be followed whenever the presence of products or substances that have not been authorised in accordance with Article 19 is detected;**

**- the details of information referred to in paragraph 2 and the format in which it will be transmitted;**

**- the measures to be taken in order to avoid the risk of contamination of organic products by unauthorised products or substances, as set out in paragraph 1a.**

Or. fr

*Justification*

*This amendment is inseparable from the previous amendment by the same author on Article 20(1).*

## **Amendment 801**

**Michel Dantin, Angélique Delahaye**

### **Proposal for a regulation**

#### **Article 20 – paragraph 3**

*Text proposed by the Commission*

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-authorized 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 also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.

*Amendment*

**3. *The Commission shall adopt implementing acts laying down uniform rules concerning:***

***- 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;***

***- the procedures to be followed whenever the presence of products or substances that have not been authorised in accordance with Article 19 is detected;***

***- the details of information referred to in paragraph 2 and the format in which it will be transmitted;***

***- the measures to be taken in order to avoid the risk of contamination of organic products by unauthorised products or substances, as set out in paragraph 1a.***

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

*Justification*

*An automatic declassification system is not appropriate. Priority should be given to an investigation system whose purpose is to determine the source of and the person or body responsible for the problem and to ensure that the competent authorities take appropriate action.*

**Amendment 802**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation****Article 20 – paragraph 3***Text proposed by the Commission*

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-authorized 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 also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.

*Amendment*

3. By way of derogation from Article 211(1) of Regulation (EU) No 1308/2013, and subject to an **authorisation** 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-authorized products or substances which prevents them from marketing those products as organic – **with such compensation equalling the amount they would have received had those products been sold via the usual outlets** – provided that the farmers have taken all appropriate measures to prevent the risk of such contamination. Member States may also use the instruments of the Common Agricultural Policy to cover totally or partially such losses. **When there is contamination from GMOs, the relevant authorities in the Member States shall also pay the producer or beekeeper concerned, and claim the amount concerned back from the GMO producer responsible for the contamination.**

**Amendment 803**  
**Nicola Caputo**

**Proposal for a regulation**  
**Article 20 – paragraph 3**

*Text proposed by the Commission*

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-authorized 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 also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.

*Amendment*

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 **shall** grant national payments to compensate farmers for the losses they have incurred due to the contamination of their agricultural products by non-authorized 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 also use the instruments of the Common Agricultural Policy to cover totally or partially such losses. ***In cases where operators with a high risk of contamination are established next to an organic farm and where the origin of contamination can be traced, Member States shall apply the polluter-pays principle or reserve budgetary resources to compensate for the losses incurred by organic farmers.***

Or. it

*Justification*

*In the event of accidental contamination, organic farmers should be compensated for their loss of income owing to the failure to label the product as organic. The system must be compulsory and not optional for Member States. In addition to compensation at national/EU level, organic farmers should have the option of holding the operators responsible for the contamination liable (polluter pays principle).*

**Amendment 804**

**Paolo De Castro, Michela Giuffrida**

**Proposal for a regulation**

**Article 20 – paragraph 3**

*Text proposed by the Commission*

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-authorized 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 also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.

*Amendment*

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 *shall* grant national payments to compensate farmers for the losses they have incurred due to the contamination of their agricultural products by non-authorized 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 also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.

Or. it

**Amendment 805**

**Marco Zullo, Rosa D'Amato**

**Proposal for a regulation**

**Article 20 – paragraph 3**

*Text proposed by the Commission*

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

*Amendment*

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 *shall* 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 also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.

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 also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.

Or. it

**Amendment 806**  
**Julie Girling**

**Proposal for a regulation**  
**Article 20 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. The Commission may adopt implementing acts to ensure a uniform application of measures in relation to cases of the presence of substances or products that have not been authorised in accordance with Article 19. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37.***

Or. en

**Amendment 807**  
**Norbert Erdős**

**Proposal for a regulation**  
**Article 20 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 20 a***

***Precautionary measures to be taken in the event of suspicions and irregularities***

***(1) The following precautionary measures shall be taken by operators:***

***(a) where an operator suspects that a process, product or input material which has been sourced, produced or prepared does not comply with this Regulation, that operator shall separate and identify the product;***

***(b) in order to assess cases in which non-compliance is suspected, the operator concerned shall 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 in accordance with the requirements laid down in points 1.2, 1.3 and 1.4 of Part II of Annex IV;***

***(c) if, having carried out the assessment provided for in point (b), the operator concludes that the suspicion is substantiated, the operator shall withdraw the product from the market and discontinue its processing and shall immediately inform the competent authorities or control body.***

***(2) The following measures shall be taken by competent authorities, control bodies and authorities:***

***(a) where a control authority or control body is informed by an operator of a substantiated suspicion in accordance with point (c) of paragraph 1 or 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, the control authority or control body may prohibit the placing of the product on the market with an indication referring to the organic production method, either for a specified period of time or until it is satisfied that the suspicion has been eliminated. The period of time between such prohibition and the confirmation of the suspicion shall be as short as possible, taking into***

*account the durability of goods, and shall not exceed two months;*

*(b) the control authority or control body shall confirm or eliminate the suspicion by no later than the period of time laid down under point (a). In such a case, the operator concerned shall cooperate fully with the control body or authority. Before confirming the suspicion, the control authority or control body shall allow the operator to comment;*

*(c) where the non-compliance is confirmed, as well as in cases of repetitive, continued or fraudulent non-compliance, Article 26a shall apply;*

*(d) where the non-compliance is not confirmed within the period of time laid down under point (a), the decision referred to therein shall be repealed not later than at the expiry of that period of time.*

*(3) In order to avoid adventitious contamination with non-authorized substances as a result of conventional farming practices or other non-organic practices in processing, preparation and distribution, beyond the control of organic operators, Member States shall establish precautionary measures as well as schemes for compensation for unintended contamination.*

*(4) Adequate precautionary measures shall be taken where control bodies and competent authorities have identified specific risks of adventitious contamination as a result of non-organic practices.*

Or. hu

#### *Justification*

*I agree with the rapporteur regarding the aim of harmonising procedures. Creating a system to compensate producers who suffer damages is, however, superfluous and bureaucratic. The 'polluter pays' principle is all that needs be applied in these procedures.*

**Amendment 808**  
**Norbert Lins, Jens Gieseke**

**Proposal for a regulation**  
**Article 20 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 20 a*

*Precautionary measures to be taken in the event of suspicions and irregularities*

*1. The following precautionary measures shall be taken by operators:*

*(a) where an operator suspects that a process, product or input material which has been sourced, produced or prepared does not comply with this Regulation, that operator shall separate and identify the product;*

*(b) in order to assess cases in which non-compliance is suspected, the operator concerned shall 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 in accordance with the requirements laid down in points 1.2, 1.3 and 1.4 of Part II of Annex IV;*

*(c) if, having carried out the assessment provided for in point (b), the operator concludes that the suspicion is substantiated, the operator shall withdraw the product from the market and discontinue its processing and shall immediately inform the competent authorities or control body.*

*2. The following measures shall be taken by competent authorities, control bodies and authorities:*

*(a) where a control authority or control body is informed by an operator of a substantiated suspicion in accordance with point (c) of paragraph 1 or 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, the control authority or control body 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 has been eliminated. The period of time between such prohibition and the confirmation of the suspicion shall be as short as possible, taking into account the durability of goods, and shall not exceed two months;*

*(b) the control authority or control body shall confirm or eliminate the suspicion by no later than the period of time laid down under point (a). In such a case, the operator concerned shall cooperate fully with the control body or authority. Before confirming the suspicion, the control authority or control body shall allow the operator to comment;*

*(c) where the non-compliance is confirmed, as well as in cases of repetitive, continued or fraudulent non-compliance, Article 26a shall apply;*

*(d) where the non-compliance is not confirmed within the period of time laid down under point (a), the decision referred to therein shall be repealed not later than at the expiry of that period of time.*

*3. Adequate precautionary measures shall be taken where control bodies and competent authorities have identified specific risks of adventitious contamination as a result of non-organic practices of the farmer or operator concerned.*

Or. xm

## *Justification*

*This amendment aims to set up harmonised procedures in case of suspicion of non-compliance with this Regulation. Instead of establishing a specific threshold for organic products which focuses only on an end product and does not differentiate between adventitious or fraudulent presence of non-authorized substances it proposes precautionary measures, increased responsibility of operators and improved follow-up procedures in case of suspicion of possible non-compliance. No precautionary measures should be taken against third parties. It also suggests measures to improve communication between competent authorities, control bodies and control authorities in Article 26a as part of the organic control system.*

### **Amendment 809**

**Maria Noichl**

### **Proposal for a regulation**

#### **Article 20 a (new)**

*Text proposed by the Commission*

*Amendment*

#### *Article 20 a*

#### ***Precautionary measures to be taken in the event of suspicions and irregularities***

##### ***1. The following precautionary measures shall be taken by operators:***

***(a) where an operator suspects that a process, product or input material which has been sourced, produced or prepared does not comply with this Regulation, that operator shall separate and identify the product;***

***(b) in order to assess cases in which non-compliance is suspected, the operator concerned shall 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 in accordance with the requirements laid down in points 1.2, 1.3 and 1.4 of Part II of Annex IV;***

***(c) if, having carried out the assessment provided for in point (b), the operator concludes that the suspicion is***

*substantiated, the operator shall withdraw the product from the market and discontinue its processing and shall immediately inform the competent authorities or control body.*

*2. The following measures shall be taken by competent authorities, control bodies and authorities:*

*(a) where a control authority or control body is informed by an operator of a substantiated suspicion in accordance with point (c) of paragraph 1 or 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, the control authority or control body may prohibit the placing of the product on the market with an indication referring to the organic production method, either for a specified period of time or until it is satisfied that the suspicion has been eliminated. The period of time between such prohibition and the confirmation of the suspicion shall be as short as possible, taking into account the durability of goods, and shall not exceed two months;*

*(b) the control authority or control body shall confirm or eliminate the suspicion by no later than the period of time laid down under point (a). In such a case, the operator concerned shall cooperate fully with the control body or authority. Before confirming the suspicion, the control authority or control body shall allow the operator to comment;*

*(c) where the non-compliance is confirmed, as well as in cases of repetitive, continued or fraudulent non-compliance, Article 26a shall apply;*

*(d) where the non-compliance is not confirmed within the period of time laid down under point (a), the decision referred to therein shall be repealed not later than at the expiry of that period of*

*time.*

Or. de

*Justification*

*Introducing precautionary measures against adventitious contamination of organic holdings as a result of conventional farming practices or other non-organic practices, and introducing compensation plans in response, would be difficult; and it would involve more red tape. New rules ought furthermore to be established for conventional farming, too, in this connection. Public-sector payments in response to contamination caused by the private sector would make a mockery of the polluter-pays principle.*

**Amendment 810**  
**Marian Harkin**

**Proposal for a regulation**  
**Article 20 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 20 a*

***Precautionary measures to be taken in the event of suspicions and irregularities***

***1. The following precautionary measures shall be taken by operators:***

***(a) where an operator suspects that a process, product or input material which has been sourced, produced or prepared does not comply with this Regulation, that operator shall separate and identify the product;***

***(b) in order to assess cases in which non-compliance is suspected, the operator concerned shall 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 in accordance with the requirements laid down in points 1.2, 1.3 and 1.4 of Part IV of Annex II;***

***(c) if, having carried out the assessment provided for in point (b), the operator concludes that the suspicion is***



*substantiated, the operator shall withdraw the product from the market and discontinue its processing and shall immediately inform the competent authorities or control body.*

*2. The following measures shall be taken by competent authorities, control bodies and authorities:*

*(a) where a control authority or control body is informed by an operator of a substantiated suspicion in accordance with point (c) of paragraph 1 or 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, the control authority or control body may prohibit the placing of the product on the market with an indication referring to the organic production method, either for a specified period of time or until it is satisfied that the suspicion has been eliminated. The period of time between such prohibition and the confirmation of the suspicion shall be as short as possible, taking into account the durability of goods, and shall not exceed two months;*

*(b) the control authority or control body shall confirm or eliminate the suspicion by no later than the period of time laid down under point (a). In such a case, the operator concerned shall cooperate fully with the control body or authority. Before confirming the suspicion, the control authority or control body shall allow the operator to comment;*

*(c) where the non-compliance is confirmed, as well as in cases of repetitive, continued or fraudulent non-compliance, Article 26a shall apply;*

*(d) where the non-compliance is not confirmed within the period of time laid down under point (a), the decision referred to therein shall be repealed not later than at the expiry of that period of*

*time.*

Or. en

**Amendment 811**

**Janusz Wojciechowski, Beata Gosiewska, Zbigniew Kuźmiuk, Stanisław Ożóg, Jadwiga Wiśniewska**

**Proposal for a regulation**

**Article 20 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 20 a***

***Precautionary measures to be taken in the event of suspicions and irregularities***

***1. The following precautionary measures shall be taken by operators:***

***(a) where an operator suspects that a process, product or input material which has been sourced, produced or prepared does not comply with this Regulation, that operator shall separate and identify the product;***

***(b) in order to assess cases in which non-compliance is suspected, the operator concerned shall 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 in accordance with the requirements laid down in points 1.2, 1.3 and 1.4 of Part IV of Annex II;***

***(c) if, having carried out the assessment provided for in point (b), the operator concludes that the suspicion is substantiated, the operator shall withdraw the product from the market and discontinue its processing and shall immediately inform the competent authorities or control body.***

***2. The following measures shall be taken by competent authorities, control bodies***

*and authorities:*

*(a) where a control authority or control body is informed by an operator of a substantiated suspicion in accordance with point (c) of paragraph 1 or 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, the control authority or control body may prohibit the placing of the product on the market with an indication referring to the organic production method, either for a specified period of time or until it is satisfied that the suspicion has been eliminated. The period of time between such prohibition and the confirmation of the suspicion shall be as short as possible, taking into account the durability of goods, and shall not exceed two months;*

*(b) the control authority or control body shall confirm or eliminate the suspicion by no later than the period of time laid down under point (a). In such a case, the operator concerned shall cooperate fully with the control body or authority. Before confirming the suspicion, the control authority or control body shall allow the operator to comment;*

*(c) where the non-compliance is confirmed, as well as in cases of repetitive, continued or fraudulent non-compliance, Article 26a shall apply;*

*(d) where the non-compliance is not confirmed within the period of time laid down under point (a), the decision referred to therein shall be repealed not later than at the expiry of that period of time.*

Or. en

**Amendment 812**  
**Annie Schreijer-Pierik**

**Proposal for a regulation**  
**Article 20 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 20 a**

***Precautionary measures to be taken in the event of suspicions and irregularities***

***1. The following precautionary measures shall be taken by operators:***

***(a) where an operator suspects that a process, product or input material which has been sourced, produced or prepared does not comply with this Regulation, that operator shall separate and identify the product;***

***(b) in order to assess cases in which non-compliance is suspected, the operator concerned shall 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 procedures based on a systematic identification of critical procedural steps in accordance with the requirements laid down in points 1.2,1.3 and1.4 of Part IV of Annex II;***

***(c) if, having carried out the assessment provided for in point (b), the operator concludes that the suspicion is substantiated, the operator shall withdraw the product from the market and discontinue its processing and shall immediately inform the competent authorities or control body.***

***2. The following measures shall be taken by competent authorities, control bodies and authorities:***

***(a) where a control authority or control body is informed by an operator of a substantiated suspicion in accordance with point (c) of paragraph 1 or 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, the control authority or control body may prohibit the placing of the product on the market with an indication referring to the organic production method, either for a specified period of time or until it is satisfied that the suspicion has been eliminated. The period of time between such prohibition and the confirmation of the suspicion shall be as short as possible, taking into account the durability of goods, and shall not exceed two months;*

*(b) the control authority or control body shall confirm or eliminate the suspicion by no later than the period of time laid down under point (a). In such a case, the operator concerned shall cooperate fully with the control body or authority. Before confirming the suspicion, the control authority or control body shall allow the operator to comment;*

*(c) where the non-compliance is confirmed, as well as in cases of repetitive, continued or fraudulent noncompliance, Article 26a shall apply;*

*(d) where the non-compliance is not confirmed within the period of time laid down under point (a), the decision referred to therein shall be repealed not later than at the expiry of that period of time.*

Or. en

### **Amendment 813**

**Esther Herranz García, Pilar Ayuso, Ramón Luis Valcárcel Siso**

#### **Proposal for a regulation**

#### **Article 21 – paragraph 1**

*Text proposed by the Commission*

1. For the purposes of this Regulation, a product shall be regarded as bearing terms

*Amendment*

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 which comply with this Regulation.

referring to organic production where, in the labelling, advertising material or commercial documents, such a product, its ingredients, *feed materials or any input part of the chain of the organic product*, are described in terms suggesting to the purchaser that the product, its ingredients, feed materials *or any part of the chain of the organic product*, have been obtained in accordance *or compliance* 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.

Or. en

**Amendment 814**  
**Clara Eugenia Aguilera García**

**Proposal for a regulation**  
**Article 21 – paragraph 1**

*Text proposed by the Commission*

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 which comply with this Regulation.

*Amendment*

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 *or any input involved in the organic product chain* are described in terms suggesting to the purchaser that the product, its ingredients, feed materials *or any input involved in the organic product chain* have been obtained in accordance with, *or comply with*, this Regulation. In particular, the terms listed in Annex IV *or their equivalents in other languages officially recognised in the Constitution of the Member State*, their derivatives or diminutives, such as 'bio' and 'eco', alone or combined, may be used throughout the Union for the labelling and

advertising of products which comply with this Regulation.

Or. es

### *Justification*

*The lack of regulation where inputs are concerned is one of the main problems encountered in organic farming. Supplying such information on the label would be a first step in the right direction. It should also be possible to use languages which are co-official in Member States but which are not official languages of the EU.*

### **Amendment 815**

**Jordi Sebastià, Ramon Tremosa i Balcells, Josep-Maria Terricabras, Ernest Maragall, Ernest Urtasun, Francesc Gambús, Izaskun Bilbao Barandica, Lidia Senra Rodríguez, Kinga Gál, Marina Albiol Guzmán, Nils Torvalds, Filiz Hyusmenova, Josu Juaristi Abaunz, Csaba Sógor, Nedzhmi Ali, Ilhan Kyuchyuk, Javi López, Patricija Šulin**

### **Proposal for a regulation**

#### **Article 21 – paragraph 1**

#### *Text proposed by the Commission*

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 which comply with this Regulation.

#### *Amendment*

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 ***or their equivalents in other languages that, while not being official languages of the Union, their status is officially recognised by the constitution of a Member State; 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 ***referred to in Article 2(1)*** which comply with this Regulation.

**Amendment 816**  
**Clara Eugenia Aguilera García**

**Proposal for a regulation**  
**Article 21 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. Products produced during the conversion period in accordance with Article 8(1) may be labelled ‘In conversion to organic’.***

Or. es

*Justification*

*Being able to sell in-conversion products will make it easier for operators starting out in organic production to gain a foothold in the market.*

**Amendment 817**  
**Marian Harkin**

**Proposal for a regulation**  
**Article 21 – paragraph 3 – subparagraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) in the list of ingredients and in the same visual field as the sales description, provided that:***

***(i) the main ingredient is a product of hunting or fishing;***

***(ii) it contains other ingredients of agricultural origin that are all organic;***

***(iii) the food complies with the requirements in Annex II part VI.***

Or. en



**Amendment 818**

**Ivan Jakovčić**

**Proposal for a regulation**

**Article 21 – paragraph 3 – subparagraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

*(ba) in the list of ingredients and in the same visual field as the sales description, provided that:*

*(i) the main ingredient is a product of hunting or fishing;*

*(ii) it contains other ingredients of agricultural origin that are all organic;*

*(iii) the food complies with the requirements in Annex II part VI.*

Or. en

**Amendment 819**

**Janusz Wojciechowski, Beata Gosiewska, Zbigniew Kuźmiuk, Stanislaw Ożóg, Jadwiga Wiśniewska**

**Proposal for a regulation**

**Article 21 – paragraph 3 – subparagraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

*(ba) in the list of ingredients and in the same visual field as the sales description, provided that:*

*(i) the main ingredient is a product of hunting or fishing;*

*(ii) it contains other ingredients of agricultural origin that are all organic;*

*(iii) the food complies with the requirements in Annex II part VI.*

Or. en

**Amendment 820**  
**Marian Harkin**

**Proposal for a regulation**  
**Article 21 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

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. That list of ingredients shall include an indication of the total percentage of organic ingredients in proportion to the total quantity of agricultural ingredients.

*Amendment*

The list of ingredients referred to in *points (a) and* (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. That list of ingredients shall include an indication of the total percentage of organic ingredients in proportion to the total quantity of agricultural ingredients.

Or. en

**Amendment 821**  
**Ivan Jakovčić**

**Proposal for a regulation**  
**Article 21 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

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. That list of ingredients shall include an indication of the total percentage of organic ingredients in proportion to the total quantity of agricultural ingredients.

*Amendment*

The list of ingredients referred to in point (a), (b) and (c) of the first subparagraph shall indicate which ingredients are organic. The references to organic production may only appear in relation to the organic ingredients. That list of ingredients shall include an indication of the total percentage of organic ingredients in proportion to the total quantity of agricultural ingredients.

Or. en

**Amendment 822**  
**Marian Harkin**

**Proposal for a regulation**  
**Article 21 – paragraph 3 – subparagraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***The terms referred to in paragraph 1 of this Article 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 provisions.***

Or. en

**Amendment 823**  
**Ivan Jakovčić, Ulrike Müller**

**Proposal for a regulation**  
**Article 21 – paragraph 3 – subparagraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***The terms referred to in paragraph 1 of this Article 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 provisions.***

Or. en

**Amendment 824**  
**Janusz Wojciechowski, Beata Gosiewska, Zbigniew Kuźmiuk, Stanisław Ożóg, Jadwiga Wiśniewska**

**Proposal for a regulation**  
**Article 21 – paragraph 3 – subparagraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***The terms referred to in paragraph 1 of this Article 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  
provisions.***

Or. en

**Amendment 825**  
**Edouard Ferrand, Philippe Loiseau**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point b**

*Text proposed by the Commission*

(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.

*Amendment*

(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, ***together with an indication of country of origin.***

Or. fr

**Amendment 826**  
**Eric Andrieu, Jean-Paul Denanot**

**Proposal for a regulation**  
**Article 22 – paragraph 2 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

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:

*Amendment*

***With the exception of products from the wine sector referred to in Article 1(2)(l) of Regulation (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products,***  
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:

*Justification*

*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.*

**Amendment 827**

**Herbert Dorfmann, Michel Dantin, Esther Herranz García, Alberto Cirio, Aldo Patriciello**

**Proposal for a regulation****Article 22 – paragraph 2 – subparagraph 1 – introductory part***Text proposed by the Commission*

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:

*Amendment*

***With the exception of products of the wine sector as referred to in Article 1(2)(l) of Council Regulation 1308/2013, 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:***

Or. en

**Amendment 828**

**Edouard Ferrand, Philippe Loiseau**

**Proposal for a regulation****Article 22 – paragraph 2 – subparagraph 1 – point c a (new)***Text proposed by the Commission**Amendment*

***(ca) ‘EU agriculture/country of origin’ with an indication of countries of origin where the ingredients have been made by a number of countries.***

**Amendment 829**

**Clara Eugenia Aguilera García**

**Proposal for a regulation**

**Article 22 – paragraph 2 – subparagraph 3**

*Text proposed by the Commission*

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.

*Amendment*

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**.

Or. es

**Amendment 830**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 22 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***5a. Where most of the ingredients have been produced in the same locality, district or specific geographical area, or province (NUTS 3), the logo may include the name of such to raise awareness about the place of production.***

Or. es

**Amendment 831**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 22 – paragraph 5 b (new)**

*Text proposed by the Commission*

*Amendment*

**5b. The name of the municipality, district, specific geographical area or province (NUTS 3) in which the food has been produced may be included on the logo.**

Or. es

**Amendment 832**  
**Marian Harkin**

**Proposal for a regulation**  
**Article 23 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

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.

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. ***The organic logo shall not be used in the case of in-conversion products and food as referred to in Article 21 (3) b).***

Or. en

**Amendment 833**  
**Norbert Lins**

**Proposal for a regulation**  
**Article 23 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

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.

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. ***The organic logo shall not be used in the case of food as referred to in Art. 21, paragraph 3) b) and in-conversion products.***

**Amendment 834**

**Czesław Adam Siekierski, Jarosław Kalinowski**

**Proposal for a regulation**

**Article 23 – paragraph 1**

*Text proposed by the Commission*

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.

*Amendment*

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, ***including products for which specific production rules may be set on the basis of Article 16.***

Or. en

*Justification*

*As one of the most recognisable distinctions, the organic farming logo must be obligatory on all organic products. It must be clear that products like snails or rabbits, for which the Regulation has no specific rules, can be labelled with the logo.*

**Amendment 835**

**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**

**Article 23 – paragraph 3**

*Text proposed by the Commission*

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.***

*Amendment*

3. The use of the organic production logo of the European Union ***may not be used*** for products imported from third countries.

Or. es



**Amendment 836**  
**Luke Ming Flanagan**

**Proposal for a regulation**  
**Article 23 – paragraph 3**

*Text proposed by the Commission*

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.

*Amendment*

3. ***A separate logo for organic products imported into the EU shall be developed.*** In addition, where that logo appears in the labelling, the indication referred to in Article 22(2) shall also appear in the labelling.

Or. en

**Amendment 837**  
**Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina**

**Proposal for a regulation**  
**Article 23 – paragraph 5**

*Text proposed by the Commission*

5. ***National*** and private logos may be used in the labelling, presentation and advertising of products which comply with this Regulation.

*Amendment*

5. ***State, autonomous community, regional (NUTS 2), provincial (NUTS 3), municipal, district or specific geographical area*** and private logos may be used in the labelling, presentation and advertising of products which comply with this Regulation.

Or. es

**Amendment 838**  
**Edouard Ferrand, Philippe Loiseau**

**Proposal for a regulation**  
**Article 23 – paragraph 5**

*Text proposed by the Commission*

5. National and private logos ***may*** be used

*Amendment*

5. National and private logos ***must*** be used

in the labelling, presentation and advertising of products which comply with this Regulation.

in the labelling, presentation and advertising of products which comply with this Regulation.

Or. fr

**Amendment 839**

**Momchil Nekov**

**Proposal for a regulation**

**Article 23 – paragraph 5**

*Text proposed by the Commission*

5. National and private logos may be used in the labelling, presentation and advertising of products which comply with this Regulation.

*Amendment*

5. National and private logos may be used in the labelling, presentation and advertising of products which comply with this Regulation, ***so as, for example, to indicate the country of origin of the variety, species or breed where the organic product is produced.***

Or. bg

**Amendment 840**

**Laurențiu Rebegea, Daniel Buda, Viorica Dăncilă**

**Proposal for a regulation**

**Article 23 – paragraph 5**

*Text proposed by the Commission*

5. National and private logos may be used in the labelling, presentation and advertising of products which comply with this Regulation.

*Amendment*

5. National and private logos may be used in the labelling, presentation and advertising of products which comply with this Regulation, ***provided that the conditions laid down in Article 21(3) are respected.***

Or. ro

**Amendment 841**  
**Stanislav Polčák**

**Proposal for a regulation**  
**Article 23 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 23 a**

**Controls**

**1. Member States shall set up a system of controls and designate one or more competent authorities responsible for controls in respect of the obligations established by this Regulation in conformity with Regulation (EU) No XXX/XXXX (Official controls Regulation)**

**2. In the context of this Regulation the nature and frequency of the controls shall be determined on the basis of an assessment of the risk of occurrence of irregularities and infringements as regards compliance with the requirements laid down in this Regulation. In any case, all operators with the exception of those referred to in Article 24(1a) of this Regulation, shall be subject to a verification of compliance via on-site inspection performed at least once a year.**

**3. The competent authority may:**

**(a) confer its control competences to one or more other control authorities. Control authorities shall offer adequate guarantees of objectivity and impartiality, and have at their disposal the qualified staff and resources necessary to carry out their functions;**

**(b) delegate control tasks to one or more control bodies. In that case, the Member States shall designate authorities responsible for the approval and supervision of such bodies.**

**4. The competent authority may delegate control tasks to a particular control body**

*only if the conditions laid down in (Official control Regulation) are satisfied, and in particular where:*

*(a) there is an accurate description of the tasks that the control body may carry out and of the conditions under which it may carry them out;*

*(b) there is proof that the control body:*

*i. has the expertise, equipment and infrastructure required to carry out the tasks delegated to it;*

*ii. has a sufficient number of suitable qualified and experienced staff; and*

*iii. is impartial and free from any conflict of interest as regards the exercise of the tasks delegated to it;*

*(c) the control body is accredited to the most recently notified version, by a publication in the C series of the Official Journal of the European Union, of European Standard EN 45011 or ISO Guide 65 (General requirements for bodies operating product certification systems), and is approved by the competent authorities;*

*(d) the control body 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 indicate non-compliance or point to the likelihood of non-compliance, the control body shall immediately inform the competent authority;*

*(e) there is an effective coordination between the delegating competent authority and the control body.*

*5. In addition to the provisions of paragraph 5, the competent authority shall take into account the following criteria whilst approving a control body:*

*(a) 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 subject to its control;*

*(b) the measures that the control body intends to apply where irregularities and/or infringements are found.*

*6. The competent authorities shall not delegate the following tasks to the control bodies;*

*(a) the supervision and audit of other control bodies;*

*(b) the competence to grant exceptions.*

*7. The competent authorities delegating control tasks to control bodies shall organise audits or inspections of control bodies 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 fails to take appropriate and timely remedial action.*

*8. In addition to the provisions of paragraph 8, the competent authority shall:*

*(a) ensure that the controls carried out by the control body are objective and independent;*

*(b) verify the effectiveness of its controls;*

*(c) take cognisance of any irregularities or infringements found and corrective measures applied;*

*(d) withdraw approval of that body where it fails to satisfy the requirements referred to in (a) and (b) or no longer fulfils the criteria indicated in paragraph 5, 6 or fails to satisfy the requirements laid down in paragraphs 11, 12 and 14.*

*9. Member States shall attribute a code number to each control authority or control body performing control tasks as referred to in paragraph 4.*

***10. Control authorities and control bodies shall give the competent authorities access to their offices and facilities and provide any information and assistance deemed necessary by the competent authorities for the fulfilment of their obligations according to this Article.***

***11. The control authorities and control bodies shall ensure that at least the precautionary and control measures referred to in paragraph 2 are applied to operators subject to their control.***

***12. Member States shall ensure that the control system as set up allows for the traceability of each product at all stages of production, preparation and distribution in accordance with Article 18 of Regulation (EC) No 178/2002, in particular, in order to give consumers guarantees that organic products have been produced in compliance with the requirements set out in this Regulation.***

***13. By 31 January each year at the latest 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.***

***14. Adherence to the control system***

***(a) Any operator who produces, prepares, stores, exports or imports from a third country products in the meaning of Article 1(2) or who places such products on the market shall, prior to placing on the market of any products as organic or in conversion to organic:***

***i. notify his activity to the competent authorities of the Member State where the activity is carried out;***

***ii. submit his undertaking to the control system referred to this Regulation.***

***iii. Where an operator contracts out any***

*of the activities to a third party, that operator shall nonetheless be subject to the requirements referred to in points (i) and (ii), and the subcontracted activities shall be subject to the control system.*

*(b) Member States may exempt from the application of this Article operators who sell pre-packed products directly to the final consumer or user provided they do not produce, prepare, store other than in connection with the point of sale or import such products from a third country or have not contracted out such activities to a third party.*

*(c) Member States shall designate an authority or approve a body for the reception of such notifications.*

*(d) Member States shall ensure that any operator who complies with the rules of this Regulation, and who pays a reasonable fee as a contribution to the control expenses, is entitled to be covered by the control system.*

*(e) The control authorities and control bodies shall keep an updated list containing the names and addresses of operators under their control. This list shall be made available to the interested parties.*

#### **15. Documentary evidence**

*(a) The control authorities and the control bodies referred to in Article 27(4) shall provide documentary evidence to any such operator who is subject to their controls and who in the sphere of his activities, meets the requirements laid down in this Regulation. The documentary evidence shall at least permit the identification of the operator and the type or range of products as well as the period of validity.*

*(b) The operator shall verify the documentary evidence of his suppliers.*

#### **16. Measures in case of infringements and irregularities**

*(a) Where an irregularity is found as regards compliance with the requirements laid down in this Regulation, the control authority or control body shall ensure that no reference to the organic production method is made in the labelling and advertising of the entire lot or production run affected by this irregularity, where this would be proportionate to the relevance of the requirement that has been violated and to the nature and particular circumstances of the irregular activities.*

*(b) Where a severe infringement or an infringement with prolonged effect is found, the control authority or control body shall prohibit the operator concerned from marketing products which refer to the organic production method in the labelling and advertising for a period to be agreed with the competent authority of the Member State.*

*(c) Information on cases of irregularities or infringements affecting the organic status of a product shall be immediately communicated between the control bodies, control authorities, competent authorities and Member States concerned and, where appropriate, to the Commission.*

*(d) The level of communication shall depend on the severity and the extent of the irregularity or infringement found.*

#### *17. Exchange of information*

*Upon a request duly justified by the necessity to guarantee that a product has been produced in accordance with this Regulation, the competent authorities, control authorities and the 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.*

#### *Article 23 b*



*Detailed rules on controls*

*Part I: Minimum control requirements*

*1. Control arrangements and undertaking by the operator*

*(a) When the control arrangements are first implemented, the operator shall draw up and subsequently maintain:*

- i. a full description of the unit and/or premises and/or activity;*
- ii. all the practical measures to be taken at the level of the unit and/or premises and/or activity to ensure compliance with the organic production rules;*
- iii. the precautionary measures to be taken in order to reduce the risk of contamination by unauthorised products or substances and the cleaning measures to be taken in storage places and throughout the operator's production chain;*
- iv. the specific characteristics of the production method used, where the operator intends to request documentary evidence in accordance with paragraph 6 of this Article.*
- v. Where appropriate, the description and measures provided for in the first subparagraph may be part of a quality system as set up by the operator.*

*(b) The description and the measures referred to in paragraph 1 (a) shall be contained in a declaration, signed by the responsible operator. In addition, this declaration shall include an undertaking by the operator:*

- i. to perform the operations in accordance with the organic production rules;*
- ii. to accept, in the event of infringement or irregularities, the enforcement of the measures of the organic production rules;*
- iii. to undertake to inform in writing the buyers of the product in order to ensure that the indications referring to the organic production method are removed*

*from this production;*

*iv. to accept, in cases where the operator and/or the subcontractors of that operator are checked by different control authorities or control bodies in accordance with the control system set up by Member State concerned, the exchange of information between those authorities or bodies;*

*v. to accept, in cases where the operator and/or the subcontractors of that operator change their control authority or control body, the transmission of their control files to the subsequent control authority or control body;*

*vi. to accept, in cases where the operator withdraws from the control system, to inform without delay the relevant competent authority and control authority or control body;*

*vii. to accept, in cases where the operator withdraws from the control system, that the control file is kept for a period of at least five years;*

*viii. to accept to inform the relevant control authority or authorities or control body or bodies without delay of any irregularity or infringement affecting the organic status of their product or organic products received from other operators or subcontractors.*

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

*(c) For the application of article 44, paragraph 15 of this Regulation the operator shall notify the following information to the competent authority:*

*i. Name and address of operator;*

- ii. Location of premises and, where appropriate, parcels (land register data) where operations are carried out;*
- iii. Nature of operations and products;*
- iv. Undertaking by the operator to carry out the operation in accordance with the provision laid down in Article 44 and 44a of this Regulation;*
- v. In the case of an agricultural holding, the date on which the producer ceased to apply products not authorised for organic production on the parcels concerned;*
- vi. The name of the approved body to which the operator entrusted control of his undertaking, where the Member State has implemented the control system by approving such bodies.*

## ***2. Modification of control arrangements***

*The operator responsible shall notify any change in the description or of the measures referred to in paragraph 1 of this Article and in the initial control arrangements set out in paragraphs 7, 13, 19, 23, 29 and 31 of this Article to the control authority or control body in due time.*

## ***3. Control visits***

*(a) The control authority or control body shall carry out at least once a year a physical inspection of all operators, timing of these inspections is determined on risk analysis basis, so as the timing and nature of additional inspections.*

*(b) The control authority or control body shall take and analyse samples for detecting of products not authorised for organic production, for checking production techniques not in conformity with the organic production rules or for detecting possible contamination by products not authorised for organic production. The number of samples to be taken and analysed by the control authority or control body every year shall correspond to at least 5 % of the number*

*of operators under its control. The selection of the operators where samples have to be taken shall be based on the general evaluation of the risk of non-compliance with the organic production rules. This general evaluation shall take into account all stages of production, preparation and distribution.*

*(c) The control authority or control body shall take and analyse samples in each case where the use of products or techniques not authorised for organic production is suspected. In such cases no minimum number of samples to be taken and analysed shall apply.*

*(d) Samples may also be taken and analysed by the control authority or control body in any other case for detecting of products not authorised for organic production, for checking production techniques not in conformity with the organic production rules or for detecting possible contamination by products not authorised for organic production.*

*(e) A control report shall be drawn up after each visit, countersigned by the operator of the unit or his representative.*

*(f) Moreover, the control authority or control body shall carry out random control visits, primarily unannounced, based on the general evaluation of the risk of non-compliance with the organic production rules, taking into account at least the results of previous controls, the quantity of products concerned and the risk for exchange of products.*

#### *4. Documentary accounts*

*(a) Stock and financial records shall be kept in the unit or premises and shall enable the operator to identify and the control authority or control body to verify:*

- i. the supplier and, where different, the seller, or the exporter of the products;*
- ii. the nature and the quantities of organic*

*products delivered to the unit and, where relevant, of all materials bought and the use of such materials, and, where relevant, the composition of the compound feedingstuffs;*

*iii. the nature and the quantities of organic products held in storage at the premises;*

*iv. the nature, the quantities and the consignees and, where different, the buyers, other than the final consumers, of any products which have left the unit or the first consignee's premises or storage facilities;*

*v. in case of operators who do not store or physically handle such organic products, the nature and the quantities of organic products bought and sold, and the suppliers, and where different, the sellers or the exporters and the buyers, and where different, the consignees.*

*(b) The documentary accounts shall also comprise the results of the verification at reception of organic products and any other information required by the control authority or control body for the purpose of proper control. The data in the accounts shall be documented with appropriate justification documents. The accounts shall demonstrate the balance between the input and the output.*

*(c) Where an operator runs several production units in the same area, the units for non-organic products, together with storage premises for input products must also be subject to the minimum control requirements.*

#### *5. Access to facilities*

*(a) The operator shall:*

*i. give the control authority or control body, for control purposes, access to all parts of the unit and all premises, as well as to the accounts and relevant supporting documents;*

*ii. provide the control authority or control body with any information reasonably necessary for the purposes of the control;*  
*iii. submit, when requested by the control authority or control body, the results of its own quality assurance programmes.*

*(b) In addition to the requirements set out in subparagraph (a), importers and first consignees shall submit the information on imported consignments.*

#### **6. Documentary evidence**

*(a) For the purpose of the application of paragraph 16 of Article 44 of this Regulation the control authorities and control bodies shall use the model of the documentary evidence set out in [Annex ... to this Regulation].*

*In case of electronic certification as referred to [...of this Regulation], the signature in box 8 of the documentary evidence shall not be required if the authenticity of the documentary evidence is otherwise shown by a tamper-proof electronic method.*

*(b) If an operator subject to the controls of the control authorities and control bodies as referred to in subparagraph (a) so requests within a time period to be indicated by those control authorities and control bodies, the control authorities and control bodies shall provide complementary documentary evidence confirming the specific characteristics of the production method used by means of the model set out in [...].*

*Applications for complementary documentary evidence shall contain in box 2 of the model set out in [...].*

#### **7. Vendor declaration**

*For the purpose of the application of Article 9 (3a) of this Regulation the vendor declaration that products supplied have not been produced from or by GMOs [may follow the model set out in Annex ...*

*to this Regulation.]*

*Part II: Specific control requirements for plants and plant products from farm production or collection*

**8. Control arrangements**

*(a) The full description of the unit referred to in paragraph 1(a)(i) of this Article shall:*

*i. be drawn up even where the operator limits his activity to the collection of wild plants;*

*ii. indicate the storage and production premises and land parcels and/or collection areas and, where applicable, premises where certain processing and/or packaging operations take place; and*

*iii. specify the date of the last application on the parcels and/or collection areas concerned of products, the use of which is not compatible with the organic production rules.*

*(b) In case of collection of wild plants, the practical measures referred to in paragraph 1(a)(ii) of this Article shall include any guarantees given by third parties which the operator can provide to ensure that the provisions of [rules for collection of wild plants...] are complied with.*

**9. Communications**

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

**10. Plant production records**

*Plant production records shall be compiled in the form of a register and kept available to the control authorities or bodies at all times at the premises of the holding. In addition to paragraph 9 of this Article such records shall provide at least the following information:*

*(a) as regards the use of fertiliser: date of application, type and amount of fertiliser, parcels concerned;*

*(b) as regards the use of plant protection products: reason and date of treatment, type of product, method of treatment;*

*(c) as regards purchase of farm inputs: date, type and amount of purchased product;*

*(d) as regards harvest: date, type and amount of organic or in conversion crop production.*

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

*Where an operator runs several production units in the same area, the units producing non-organic crops, together with storage premises for farm input products shall also be subject to the general and the specific control requirements laid down in Part 1 and this Part of this Article.*

#### *Part III: Specific control requirements for seaweed*

#### *12. Control arrangements for seaweed*

*When the control system applying specifically to seaweed is first implemented, the full description of the site referred to in paragraph 1(a)(i) of this Article shall include:*

*(a) a full description of the installations on land and at sea;*

*(b) the environmental assessment as outlined in [...] where applicable;*

*(c) the sustainable management plan as outlined in [...] where applicable;*

*(d) for wild seaweed a full description and a map of shore and sea collection areas and land areas where post collection activities take place shall be drawn up.*

#### *13. Seaweed Production Records*

*(a) Seaweed production records shall be compiled in the form of a register by the*



*operator and kept available for the control authorities or control bodies at all times at the premises of the holding. It shall provide at least the following information*

- i. list of species, date and quantity harvested;*
- ii. date of application, type and amount of fertiliser used.*

*(b) For collection of wild seaweeds the register shall also contain:*

- i. history of harvesting activity for each species in named beds;*
- ii. harvest estimate (volumes) per season;*
- iii. sources of possible pollution for harvest beds;*
- iv. sustainable annual yield for each bed.*

*Part IV: Control requirements for livestock and livestock products produced by animal husbandry*

#### *14. Control arrangements*

*(a) When the control system applying specifically to livestock production is first implemented, the full description of the unit referred to in paragraph 1(a)(i) of this Article shall include:*

- i. a full description of the livestock buildings, pasturage, open air areas, etc., and, where applicable, the premises for the storage, packaging and processing of livestock, livestock products, raw materials and inputs;*
- ii. a full description of the installations for the storage of livestock manure.*

*(b) The practical measures referred to in paragraph 1(a)(ii) of this Article shall include:*

- i. a plan for spreading manure agreed with the control body or authority, together with a full description of the areas given over to crop production;*
- ii. where appropriate, as regards the spreading of manure, the written*

*arrangements with other holdings as referred to in point 1.5.5. of Annex II Part I of this Regulation complying with the provisions of the organic production rules;*

*iii. a management plan for the organic-production livestock unit.*

#### **15. Identification of livestock**

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

#### **16. Livestock records**

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

*(a) as regards animals arriving at the holding: origin and date of arrival, conversion period, identification mark and veterinary record;*

*(b) as regards livestock leaving the holding: age, number of heads, weight in case of slaughter, identification mark and destination;*

*(c) details of any animals lost and reasons thereof;*

*(d) as regards feed: type, including feed supplements, proportions of various ingredients of rations, amount of particular feeds fed and periods of access to free-range areas, periods of transhumance where restrictions apply;*

*(e) as regards disease prevention and treatment and veterinary care: date of treatment, details of the diagnosis, the posology; type of treatment product, the indication of the active pharmacological*

*substances involved method of treatment and veterinary prescription for veterinary care with reasons and withdrawal periods applying before livestock products can be marketed labelled as organic.*

*(f) as regards interventions on animals carried out on conditions referred in point 1.7.9a. of Annex II Part II of this Regulation: date of intervention, type of intervention, method of its performance and identification numbers of treated animals.*

#### ***17. Control measures on veterinary medicinal products for livestock***

*Whenever veterinary medicinal products are used the information according to paragraph 16 (e) of this Regulation is to be declared to the control authority or body before the livestock or livestock products are marketed as organically produced. Livestock treated shall be clearly identified, individually in the case of large animals; individually, or by batch, or by hive, in the case of poultry, small animals and bees.*

#### ***18. Specific control measures on beekeeping***

*(a) A map on an appropriate scale listing the location of hives shall be provided to the control authority or control body by the beekeeper. Where no areas are identified in accordance with [...], the beekeeper shall provide the control authority or control body with appropriate documentation and evidence, including suitable analyses if necessary, that the areas accessible to his colonies meet the conditions required in this Regulation.*

*(b) The following information shall be entered in the register of the apiary with regard to the use of feeding: type of product, dates, quantities and hives where it is used.*

*(c) Whenever veterinary medicinal products are to be used, the type of product, including the indication of the*

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

*(d) The zone where the apiary is situated shall be registered together with the identification of the hives. The control body or authority shall be informed of the moving of apiaries by a deadline agreed on with the control authority or body.*

*(e) Particular care shall be taken to ensure adequate extraction, processing and storage of beekeeping products. All the measures to comply with this requirement shall be recorded.*

*(f) The removals of the supers and the honey extraction operations shall be entered in the register of the apiary.*

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

*Where an operator manages several production units, as provided for in [...], the units which produce non-organic livestock or non-organic livestock products shall also be subject to the control system as laid down in Part of this Article.*

*Part V: Specific control requirements for aquaculture animal production*

*20. Control arrangements for aquaculture animal production*

*When the control system applying specifically to aquaculture animal production is first implemented, the full description of the unit referred to in paragraph 1(a)(i) of this Article shall include:*

*(a) a full description of the installations on land and at sea;*

*(b) [the environmental assessment as*

*outlined in ... where applicable];*

*(c) [the sustainable management plan as outlined in ... where applicable];*

*(d) [in the case of molluscs a summary of the special chapter of the sustainable management plan as required by ...]*

#### **21. Aquaculture animal production records**

*The following information shall be provided by the operator in the form of a register which shall be kept up to date and made available for the control authorities or control bodies at all times at the premises of the holding*

*(a) the origin, date of arrival and conversion period of animals arriving at the holding;*

*(b) the number of lots, the age, weight and destination of animals leaving the holding;*

*(c) records of escapes of fish;*

*(d) for fish the type and quantity of feed and in the case of carp and related species a documentary record of the use additional feed;*

*(e) veterinary treatments giving details of the purpose, date of application, method of application, type of product and withdrawal period;*

*(f) disease prevention measures giving details of fallowing, cleaning and water treatment.*

#### **22. Specific control visits for bivalve molluscs**

*For bivalve mollusc production inspection visits shall take place before and during maximum biomass production.*

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

*When an operator manages several production units as provided for in Articles 25c, the units which produce non-organic aquaculture animals shall also be*

*subject to the control system as laid down in Part I of this Article.*

*Part VI: Control requirements for units for preparation of plant, seaweed, livestock and aquaculture animal products and foodstuffs composed thereof*

#### *24. Control arrangements*

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

*Part VII: Control requirements for imports of organic products from third countries:*

#### *25. Scope*

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

#### *26. Control arrangements*

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

*In addition, the declaration referred to in paragraph 1(b) of this Article shall include an undertaking by the importer to*

*ensure that any facilities that the importer will use for storage of products are submitted to control, to be carried out either by the control body or control authority or, when these storage facilities are situated in another Member State or region, by a control body or authority approved for control in that Member State or region.*

*(b) In the case of the first consignee, the full description of the unit referred to in paragraph 1(a) of this Article shall show the facilities used for the reception and storage.*

*(c) Where the importer and the first consignee are the same legal person and operate in one single unit, the reports referred to in the second subparagraph of paragraph 1(b) of this Article may be formalised within one single report.*

#### **27. Documentary accounts**

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

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

#### **28. Information on imported consignments**

*The importer shall, in due time, inform the control body or control authority of each consignment to be imported into the Community, providing:*

*(a) the name and address of the first consignee;*

*(b) any details the control body or authority may reasonably require,*

*i. in case of products imported in accordance with Article 28 of this*

*Regulation, the documentary evidence referred to in that Article;*

*ii. in case of products imported in accordance with Article 31 of this Regulation, a copy of the certificate of inspection referred to in that Article.*

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

#### **29. Control visits**

*The control authority or control body shall check the documentary accounts referred to in paragraph 26 of this Article and the certificate referred to in Article 31 of this Regulation or the documentary evidence referred to in Article 28 of the latter Regulation.*

*Where the importer performs the import operations by different units or premises, he shall make available on request the reports referred to in the second subparagraph of paragraph 1(b) of this Article for each of these facilities.*

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

#### **30. Control arrangements**

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

*(a) a list of the subcontractors with a description of their activities and an indication of the control bodies or authorities to which they are subject;*

*(b) written agreement by the subcontractors that their holding will be*



*subject to the control regime of Article 44 of this Regulation;*

*(c) all the practical measures, including inter alia an appropriate system of documentary accounts, to be taken at the level of the unit to ensure that the products the operator places on the market can be traced to, as appropriate, their suppliers, sellers, consignees and buyers.*

*Part IX: Control requirements for units preparing feed*

### *31. Scope*

*This Part applies to any unit involved in the preparation of products referred to in Article 2(1)(c) of this Regulation on its own account or on behalf of a third party.*

### *32. Control arrangements*

*(a) The full description of the unit referred to in paragraph 1(a)(i) of this Article shall indicate:*

*i. the facilities used for the reception, preparation and storage of the products intended for animal feed before and after the operations concerning them;*

*ii. the facilities used for the storage of other products used to prepare feedingstuffs;*

*iii. the facilities used to store products for cleaning and disinfection;*

*iv. where necessary, the description of the compound feedingstuff that the operator intends to produce, in accordance with Article 5(1)(a) of Directive 79/373/EEC, and the livestock species or class for which the compound feedingstuff is intended;*

*v. where necessary, the name of the feed materials that the operator intends to prepare.*

*(b) The measures to be taken by operators, as referred to in paragraph 1(b) of this Article to guarantee compliance with the organic production rules shall*

*include the indications of measures referred to in Article 13.*

*(c) The control authority or control body shall use these measures to carry out a general evaluation of the risks attendant on each preparation unit and to draw up a control plan. This control plan shall provide for a minimum number of random samples depending on the potential risks.*

### **33. Documentary accounts**

*For the purposes of proper control of the operations, the documentary accounts referred to in paragraph 4 of this Article shall include information on the origin, nature and quantities of feed materials, additives, sales and finished products.*

### **34. Control visits**

*The control visit referred to in paragraph 3 shall comprise a full physical inspection of all premises. Moreover, the control authority or control body shall make targeted visits based on a general evaluation of the potential risks of non-compliance with the organic production rules.*

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

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

### **Part X: Infringements and exchange of information**

#### **35. Measures in case of suspicion of infringements and irregularities**

*(a) Where an operator considers or suspects that a product which he has produced, prepared, imported or that he has received from another operator, is not*

*in compliance with organic production rules, he shall initiate procedures either to withdraw from this product any reference to the organic production method or to separate and identify the product. He may only put it into processing or packaging or on the market after elimination of that doubt, unless it is placed on the market without indication referring to the organic production method. In case of such doubt, the operator shall immediately inform the control body or authority. The control authority or control body may require that the product cannot be placed on the market with indications referring to the organic production method until it is satisfied, by the information received from the operator or from other sources, that the doubt has been eliminated. In any case, where a level of non-authorized substance detected in a product is higher than the threshold as defined in article 20, such product cannot bear reference to organic production.*

*(b) Where a control authority or control body has a substantiated suspicion that an operator intends to place on the market a product not in compliance with the organic production rules but bearing a reference to the organic production method, this control authority or control body can require that the operator may provisionally not market the product with this reference for a time period to be set by that control authority or control body. Before taking such a decision, the control authority or control body shall allow the operator to comment. This decision shall be supplemented by the obligation to withdraw from this product any reference to the organic production method if the control authority or control body is sure that the product does not fulfil the requirements of organic production.*

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

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

*(c) Member States shall take whatever measures and sanctions are required to prevent fraudulent use of the indications referred to in Chapter IV of this Regulation.*

**36. Exchange of information between control authorities, control bodies and competent authorities**

*(a) Where the operator and/or the subcontractors of that operator are checked by different control authorities or control bodies, the control authorities or control bodies shall exchange the relevant information on the operations under their control.*

*(b) Where operators and/or their subcontractors change their control authority or control body, the change shall be notified without delay to the competent authority by the control authorities or control bodies concerned.*

*The previous control authority or control body shall hand over the relevant elements of the control file of the operator concerned and the reports referred to in the second subparagraph of paragraph 1(b) to the subsequent control authority or control body.*

*The new control authority or control body shall ensure that non-conformities noted in the report of the previous control authority or control body have been or are being addressed by the operator.*

*(c) Where the operator withdraws from the control system, the control authority or control body of that operator shall, without delay, inform the competent authority.*

*(d) Where a control authority or control body finds irregularities or infringements affecting the organic status of products, it shall without delay inform the competent*

*authority of the Member State which designated or approved it in accordance with Article 44.*

*That competent authority may require, on its own initiative, also any other information on irregularities or infringements.*

*In case of irregularities or infringements found with regard to products under the control of other control authorities or control bodies, it shall also inform those authorities or bodies without delay.*

*(e) Member States shall take the appropriate measures and establish documented procedures to enable exchange of information between all control authorities they have designated and/or all control bodies they have approved in accordance with Article 44 of this Regulation, including procedures for the exchange of information for the purpose of verifying documentary evidence referred to in Article 28 of that Regulation.*

*(f) Member States shall take the appropriate measures and establish documented procedures in order to ensure that information on the results of inspections and visits as referred to in paragraph 3 of this Article is communicated to the paying agency in accordance with the needs of that paying agency as provided for in Article 33(1) of Commission Regulation (EU) No 65/2011.*

### ***37. Exchange of information between different Member States and the Commission***

*(a) Where a Member State finds irregularities or infringements relating to the application of this Regulation with regard to a product coming from another Member State and bearing indications as referred to in Chapter IV of Regulation, it shall notify the Member State which designated the control authority or approved the control body, the other*

*Member States and the Commission without delay via the system referred to in [...].*

*(b) Where a Member State finds irregularities or infringements as regards compliance of the products imported in accordance with Articles 28-31 of this Regulation with the requirements laid down in that Regulation or Regulation [...], it shall notify the other Member States and the Commission without delay via the system referred to in [...].*

*(c) Where a Member State finds irregularities or infringements as regards compliance of the products imported in accordance with [...], it shall notify the Member State which issued the authorisation, the other Member States and the Commission without delay via the system referred to in [...] of this Regulation. The notification shall be sent to the other Member States and to the Commission in case the irregularity or infringement is found with regard to products for which the Member State itself issued the authorisation referred to in [...].*

*(d) The Member State which receives a notification relating to non-compliant products in accordance with paragraph 1 or 3 or the Member State which issued the authorisation referred to [...] for a product for which an irregularity or infringement was found, shall investigate the origin of the irregularities or infringements. It shall take appropriate action immediately.*

*It shall inform the Member State which sent the notification, the other Member States and the Commission of the result of the investigation and of the action taken by replying to the original notification via the system referred to in [...]. The reply shall be sent within 30 calendar days from the date of the original notification.*

*(e) The Member State which sent the original notification may ask the replying Member State for additional information,*

*if needed. In any case, after receiving a reply or additional information from a notified Member State, the Member State which sent the original notification shall make the necessary entries and updates in the system referred to in [...].*

### **38. Publication of information**

*Member States shall make available to the public, in an appropriate manner including publication on the internet, the updated lists referred to in paragraph 15 (e) of Article 44 containing updated documentary evidence related to each operator, as provided for in paragraph 16 (a) of that Regulation and using the model set out in [...]. The Member States shall duly observe the requirements of the protection of personal data as laid down in Directive 95/46/EC of the European Parliament and of the Council.*

#### **Article 23 c**

#### **Controls of a group of operators**

*1. Along the rules set in Articles 26, 44 and 44a of this Regulation which shall be met by a group of operators, including internal controls of this group, and which shall be a subject of annual physical inspection of this group by relevant accredited control body/control authority, at least one member of the group is a subject of thorough annual on-site inspection according the Articles 44 and 44a of this Regulation by the accredited control body/control authority in addition. Different member of a group is selected every year.*

Or. en

#### *Justification*

*In this amendment there is deletion of Articles 22 and 23a of Regulation (EU) No XXX/XXXX (Official controls Regulation) proposed and the system of control rules based on current legislation is set, slightly improved and amended. The control system and all its measures is an essential element which needs stability and so shall be laid down in this regulation, in basic act. Control system of the organic production should stay as superstructural and*

*parallel control system to the official food and feed controls, because the controls of organic production are very different from all another types of controls in agriculture or food processing in particular with complexity of regulations, overall horizontal and vertical range and also the specificity of the aim of these controls. These facts do not mean that organic production would be out of the scope of official food and feed control system, it should be under the scope as up to the present. The Official controls regulation should set the basic blanket rules applicable for official control of all sectors including organic farming and so, in this case all the specific rules necessary for organic production controls shall be in organic production regulation to provide the farmers and also the control authorities and bodies with clear transparent detailed rules. These rules are an element which does not need flexibility, on the contrary needs stability, so all control measures should be included in this Regulation. The regular annual controls of all organic producers and operators are necessary, beside the risk-based irregular controls, because of not loosening the discipline of organic farmers, keeping transparency and reliability of certification as an important tool for maintaining of consumer confidence. Risk analysis should be maintained for the additional and unannounced controls planning.*

#### **Amendment 842**

**Eric Andrieu, Jean-Paul Denanot, Marc Tarabella, Ricardo Serrão Santos**

#### **Proposal for a regulation**

#### **Article 23 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 23 a***

***Controls***

#### ***General provisions***

***In addition to the provisions set out in Regulation (EU) No XX/XXXX (Official Controls Regulation), the specific rules set out in this chapter shall apply to official controls and other official activities carried out on organic production and the labelling of organic products.***

***Official controls in relation to organic production and labelling of organic products***

***(a) Official controls of organic production and the labelling of organic products shall be carried out to verify conformity with the provisions of this regulation and shall include, in particular, control of the application of preventive measures as***



*defined in Article 3(4), conditions for exemption from the requirement for notification laid down in Article 24(1a), and the effective separation of organic and non-organic production and the products referred to in Articles 7 and 8, by the control of units or sites of non-organic production*

*b) 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:*

*the type, size and structure of the operators and groups of operators;*

*- the length of time the operators and groups of operators have worked in organic production, preparation and distribution;*

*- the product categories;*

*- the type, quantity and value of the products and their development over time;*

*- the possibility that products can be mixed;*

*- the application of derogations or exceptions to the rules by the operators or groups of operators;*

*- the key points concerning non-conformity and the likelihood of non-conformity at each stage of production, preparation and distribution as defined in Article 3(27).*

*All operators and groups of operators apart from those referred to in Article 24(1a) shall be subjected to compliance testing at least once a year. Compliance testing shall mean a physical, on-site inspection.*

*With regard to Article 12(2) of Regulation (EU) XX/XXXX (Official Controls Regulation), the reports written on official controls completed on the occasion of the compliance testing shall be countersigned by the operator or group of operators*

*concerned or by their representative.*

*Delegations to control bodies and measures to be taken in the event of non-compliance*

*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:*

*(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;*

*(b) the delegation of the competent authorities contains a detailed description of the delegated control tasks and other official activities, the registration requirements and other specific obligations*

*(c) the control bodies are submitted to the competent authorities for prior approval:*

*(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;*

*(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;*

*(iii) the measures planned by the control body for application whenever instances of non-compliance are detected;*

*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.*

*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.*

*3. Pursuant to Article 31 of Regulation (EU) No XX/XXXX (Official Controls Regulation), the competent authorities shall ensure that the information obtained on each instance of non-compliance and on the likelihood of non-compliance identified by the control bodies, and that the measures taken, is properly collected and used in order to guide the activities of the control bodies.*

*4. Where a control body can be proved to be not carrying out correctly the official control tasks delegated to it, the competent authorities may not suspend it, completely or in part, before withdrawing the delegation in line with Article 32 of Regulation (EU) XX/XXXX (Official Controls Regulation).*

*5. In the event of non-compliance which affects the organic status of products at each stage of production, preparation and distribution, the competent authorities or, where appropriate, the control authorities or bodies shall ensure that no reference is made to 'organic production' in the labelling or advertising of the entire lot or production run concerned.*

*6. In the event of serious, repeated or continuous non-compliance, the competent authorities or, where appropriate, the control authorities or bodies shall ensure that the operators or groups of operators concerned, in addition to the measures set out in paragraph 1 and those taken in line with Article 135 of Regulation (EU) XX/XXXX (Official Controls Regulation), are not*

*authorised to sell their products with a reference to organic production for a set period and that their organic certificate is suspended or withdrawn accordingly.*

*7. In addition to the conditions set out in Article 104(1) of Regulation (EU) XX/XXXX (Official Controls Regulation), the competent authorities and the control authorities and bodies shall immediately share the relevant information with all the other competent authorities and control authorities and bodies in connection with any instance of non-compliance or likelihood of non-compliance affecting the organic status of products.*

*8. 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:*

*(a) the specific tasks of the competent authorities;*

*(b) methods and techniques for the performance of official controls;*

*(c) the kinds of sample at each stage of production, processing and distribution: samples must comply with established sampling methods and their laboratory analysis;*

*(d) methods for establishing the probability of non-compliance and the frequency of sampling;*

*(e) the specific recording obligations for the competent authorities and the control authorities and bodies;*

*(f) the specific obligations, arrangements and commitments of operators;*

*(g) cases in which the competent authorities, in the light of a particular suspicion and subsequent finding of non-compliance, must act in accordance with the actions and measures set out in*

*paragraphs 5 and 6;*

*(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.*

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

Or. fr

#### *Justification*

*Des règles spécifiques au sujet des contrôles de la production biologique peuvent être définies dans ce règlement, en plus des dispositions établies dans le Règlement (UE) XX/XXXX (Règlement sur les Contrôles Officiels). Par conséquent un nouveau chapitre sur des contrôles est ajouté. Des règles spécifiques sur les contrôles de production biologique peuvent être définies dans ce règlement, en plus des dispositions établies dans le règlement (UE) n° XX/XXX (Règlement des Contrôles Officiels). Par conséquent il est nécessaire d'assurer la cohérence entre ces deux règlements. L'amendement ci-dessus est basé sur la proposition du compromis du Conseil qui représente une suggestion satisfaisante sur ce point. Il est aussi essentiel de maintenir une inspection physique annuelle, afin d'assurer la confiance des consommateurs, et assurer l'harmonisation des conditions de contrôle à l'UE et avec les pays tiers.*

**Amendment 843**  
**Marco Zullo, Rosa D'Amato**

**Proposal for a regulation**  
**Article 23 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 23a*

*Control arrangements*

*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. All operators and groups of operators shall be subject to a process of physical 'in situ' verification of their compliance with the applicable rules. Such verification shall be based on an audit to be carried out at least once a year and on further inspections, screening and targeted screening, depending on the likelihood of non-compliance. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the detailed elements of the risk assessment, the rates of control and the proportion of random controls. However, operators dealing only with pre-packaged products and operators selling to the final consumer or user shall not be subject to the control system as provided for in this Regulation.*

Or. it

**Amendment 844**  
**Clara Eugenia Aguilera García**

**Proposal for a regulation**  
**Article 23 a (new)**

**Article 23a**

**Control system**

**1. Member States shall set up a system of controls and designate one or more competent authorities responsible for controls in respect of the obligations established by this Regulation in conformity with Regulation (EC) No XX/XXXX.**

**2. In addition to the conditions laid down in Regulation (EC) No XX/XXXX, the control system set up under this Regulation shall comprise at least the application of precautionary and control measures to be adopted by the Commission in accordance with the procedure referred to in Article 37(2).**

**3. In the context of this Regulation the nature and frequency of the controls shall be determined on the basis of an assessment of the risk of irregularities and infringements as regards compliance with the requirements laid down in this Regulation. In any case, all operators with the exception of wholesalers dealing only with pre-packaged products and operators selling to the final consumer or user as described in Article 28(2), shall be subject to a verification of compliance at least once a year.**

**4. The competent authority may:**

**(a) confer its control competences on one or more other control authorities. Control authorities shall offer adequate guarantees of objectivity and impartiality, and have at their disposal the qualified staff and resources necessary to carry out their functions;**

**(b) delegate control tasks to one or more control bodies. In that event, Member States shall designate authorities responsible for the approval and**

*supervision of such bodies.*

***5. The competent authority may delegate control tasks to a particular control body only if the conditions laid down in Article 5(2) of Regulation (EC) No 882/2004 are satisfied, and in particular where:***

***(a) there is an accurate description of the tasks that the control body may carry out and of the conditions under which it may carry them out;***

***(b) there is proof that the control body:***

***(i) has the expertise, equipment and infrastructure required to carry out the tasks delegated to it;***

***(ii) has a sufficient number of suitable qualified and experienced staff;***

***(iii) is impartial and free from any conflict of interest as regards the exercise of the tasks delegated to it;***

***(c) the control body is accredited under the most recent version, notified by publication in the C series of the Official Journal of the European Union, of European Standard EN 45011 or ISO Guide 65 (General requirements for bodies operating product certification systems), and is approved by the competent authorities;***

***(d) the control body 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 indicate non-compliance or point to the likelihood of non-compliance, the control body shall immediately inform the competent authority;***

***(e) there is effective coordination between the delegating competent authority and the control body. Official Journal of the European Union L 189/17, 20.7.2007***

***6. In addition to the provisions of paragraph 5, the competent authority***



*shall take the following criteria into account when approving a control body:*

*(a) 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 subject to its control;*

*(b) the measures that the control body intends to apply where irregularities and/or infringements are found.*

*7. The competent authorities may not delegate the following tasks to control bodies:*

*(a) the supervision and audit of other control bodies;*

*(b) the competence to grant exceptions, as referred to in Article 22, unless this is provided for in the specific conditions laid down by the Commission in accordance with Article 22(3).*

*8. In accordance with Article 5(3) of Regulation (EC) No 882/2004, competent authorities delegating control tasks to control bodies shall organise audits or inspections of control bodies 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 fails to take appropriate and timely remedial action.*

*9. In addition to complying with the provisions of paragraph 8, the competent authority shall: (a) ensure that the controls carried out by the control body are objective and independent;*

*(b) verify the effectiveness of its controls;*

*(c) take cognisance of any irregularities or infringements found and corrective measures applied;*

*(d) withdraw approval of that body where it fails to satisfy the requirements referred*

*to in (a) and*

*(b) or no longer fulfils the criteria indicated in paragraphs 5 or 6, or fails to satisfy the requirements laid down in paragraphs 11, 12 and 14.*

*10. Member States shall allocate a code number to each control authority or control body performing control tasks as referred to in paragraph 4.*

*11. Control authorities and control bodies shall give the competent authorities access to their offices and facilities and provide any information and assistance deemed necessary by the competent authorities for the fulfilment of their obligations under this Article.*

*12. The control authorities and control bodies shall ensure that at least the precautionary and control measures referred to in paragraph 2 are applied to operators subject to their control.*

*13. Member States shall ensure that the control system as set up allows for the traceability of each product at all stages of production, preparation and distribution in accordance with Article 18 of Regulation (EC) No 178/2002, in particular, in order to give consumers guarantees that organic products have been produced in compliance with the requirements set out in this Regulation.*

*14. By 31 January each year at the latest, the control authorities and control bodies shall forward 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.*

Or. es

## *Justification*

*See Article 27 of Council Regulation (EC) No 834/2007. Given that Regulation (EC) No 882/2004 on official controls is currently under review, the regulation number (XX/XXXX) and the reference to the articles of that regulation will need to be changed at a later stage. The reference to articles in the regulation at hand will also need to be changed.*

**Amendment 845**  
**Norbert Erdős**

**Proposal for a regulation**  
**Article 23 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 23 a*

*Control system*

*(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.*

*All operators and groups of operators shall be subject to a process of verification of their compliance with the applicable rules. Such verification shall be based on an annual audit and on inspection, depending on the likelihood of non-compliance.*

*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 rates of control and the proportion of random controls. However, operators dealing only with pre-packaged products and operators selling to the final consumer or user as described in Article 24a(2) shall not be subject to the control system as provided for in this Regulation.*

*(4) The competent authority may:*

*(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;*

*(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.*

*(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 where:*

*(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;*

*(b) the control body or control authority:*

*i. has the expertise, equipment and infrastructure required to carry out the*

*tasks delegated to it;*

*has a sufficient number of suitably qualified and experienced staff; and*

*is impartial and free from any conflict of interest as regards the exercise of the tasks delegated to it;*

*(c) the control body or control authority is accredited to the most recently notified version, by a publication 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;*

*(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;*

*(e) there is effective and documented coordination between the delegating competent authority and the control body or control authority.*

*(6) In addition to the provisions of paragraph 5, the competent authority shall take into account the following criteria when approving a control body or control authority:*

*(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;*

*(b) the measures that the control body intends to apply where non-compliance is found.*

*(7) The competent authority may not delegate to the control bodies or control*

*authorities the following tasks:*

- (a) the supervision and audit of other control bodies or control authorities;*
- (b) the competence to grant derogations, as referred to in Article 17, unless this is provided for in the exceptional production rules;*
- (c) the monitoring of non-compliance affecting the organic status of a product in accordance with Article 26a and Articles 134, 135 and 136 of the Official controls Regulation.*

*(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 control bodies or control authorities, 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.*

*(9) In addition to complying with the provisions of paragraph 8, the competent authority shall:*

- (a) ensure that the controls carried out by the control body or control authority are objective and independent;*
- (b) verify the effectiveness of controls carried out by the control body or control authority ;*
- (c) take cognisance of any irregularities or infringements found and corrective measures applied;*
- (d) withdraw approval of any control body or control authority which fails to satisfy the requirements laid down in points (a) and (b) or no longer fulfils the criteria indicated in paragraphs 5 or 6, or fails to satisfy the requirements laid down in*

*paragraphs 11, 12 and 14.*

*(10) Member States shall attribute a code number to each control authority or control body performing control tasks as referred to in paragraph 4.*

*(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.*

*(12) Control bodies and control authorities shall ensure that at least the precautionary and control measures referred to in paragraph 2 are applied to operators subject to their control.*

*(13) Member States shall ensure that, in accordance with Article 18 of Regulation (EC) No 178/2002, the control system as set up makes for the traceability of each product at all stages of production, preparation and distribution, in order to give consumers in particular guarantees that organic products have been produced in compliance with the requirements set out in this Regulation. Member States shall ensure that requests from control bodies or control authorities concerning the traceability of organic products are responded to as quickly as possible, and not later than four working days per production step after receipt of the corresponding request.*

*(14) By 31 January 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.*

Or. hu

## *Justification*

*I agree with the rapporteur that the present legal framework and practice must be carried forward in the area of controls. However, I regard the risk-based controls as a step backwards. If we used this system instead of the mandatory annual controls, we would in practical terms have no more power to hold back fraud.*

**Amendment 846**  
**Marian Harkin**

**Proposal for a regulation**  
**Article 23 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 23 a***

***Control system***

- 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. All operators and groups of operators shall be subject to a process of physical in site verification of their compliance with the applicable rules. Such verification shall be based on at least one annual audit and on additional inspections, screening and targeted screening, depending on the likelihood of non-compliance. The criteria for risk***



*assessments used by control authorities and control bodies 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 rates of control and the proportion of random controls. However, operators dealing only with pre-packaged products and operators selling to the final consumer or user as described in Article 24a(2) shall not be subject to the control system as provided for in this Regulation.*

*4. The competent authority may:*

*(a) delegate its control competences to one or more other control authorities for organic products as defined in Art. 3 point 33 of this 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;*

*(b) delegate control tasks to one or more control bodies for organic products as defined in Art. 3 point 34 of this Regulation. In such cases, the Member States shall designate authorities responsible for approving and supervising such bodies.*

*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 where:*

*(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;*

*(b) the control body or control authority:*

*(i) has the expertise, equipment and infrastructure required to carry out the*

*tasks delegated to it;*

*(ii) has a sufficient number of suitable qualified and experienced staff; and*

*(iii) is impartial and free from any conflict of interest as regards the exercise of the tasks delegated to it;*

*(c) the control body or control authority is accredited to the most recently notified version, by a publication 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;*

*(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 noncompliance, the control body shall immediately inform the competent authority;*

*(e) there is effective and documented coordination between the delegating competent authority and the control body or control authority.*

*6. In addition to the provisions of paragraph 5, the competent authority shall take into account the following*

*criteria when approving a control body or control authority:*

*(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;*

*(b) the measures that the control body intends to apply where non-compliance is found.*

*7. The competent authority may not delegate to the control bodies or control*

*authorities the following tasks:*

*(a) the supervision and audit of other control bodies or control authorities;*

*(b) the competence to grant derogations, as referred to in Article 17, unless this is provided for in the exceptional production rules;*

*(c) the monitoring of non-compliance affecting the organic status of a product in accordance with Article 26a and Articles 134, 135 and 136 of the Official controls Regulation.*

*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 control bodies or control authorities, as necessary, in close cooperation with accreditation bodies. 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.*

*9. In addition to complying with the provisions of paragraph 8, the competent authority shall in close cooperation with the accreditation body:*

*(a) ensure that the controls carried out by the control body or control authority are objective and independent;*

*(b) verify the effectiveness of controls carried out by the control body or control authority;*

*(c) take cognisance of any non-compliances found and corrective measures applied;*

Or. en

**Amendment 847**  
**Julie Girling**

**Proposal for a regulation**  
**Article 23 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 23 a**

**Controls**

***1. In addition to the provisions laid down in Regulation (EU) No XX/XXXX (Official Controls Regulation), the specific rules provided in this Article shall apply to official controls and other official activities carried out in relation to organic production and the labelling of organic products.***

***2. Official controls in relation to organic production and labelling of organic products shall be performed to verify compliance with the provisions of this Regulation.***

***3. The nature and frequency of the official controls shall be determined on the basis of the likelihood of non-compliance, taking into account the critical points for non-compliance and likelihood of non-compliance at any stage of production, preparation and distribution.***

***4. 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 in the form of 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 fulfil the criteria of compliant track-record of at least 3 years. In those duly justified cases, the period between two physical on-the-spot inspections shall not exceed 3 years.***

***5. 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.***

***6. 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).***

Or. en

**Amendment 848  
Hannu Takkula, Fredrick Federley**

**Proposal for a regulation  
Article 23 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 23 a*

***Official controls in relation to organic production and labelling organic products***

***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 production units or sites.***

***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:*

- the type, size and structure of the operators and groups of operators;*
- the length of time during which operators and groups of operators have been in organic production, preparation and distribution;*
- the product categories;*
- the type, quantity and value of products and their development over time;*
- the possibility of commingling of products;*
- the application of derogations or exceptions to the rules by operators and groups of operators;*
- 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).*

*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 fulfil the criteria of compliant track-record of at least 3 years. In those duly justified cases, however, the period between two physical on-the-spot inspections shall not exceed three years.*

*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.*

Or. en

*Justification*

*The controls should be risk based. A risk based approach on controls is a more modern approach and would save resources and allows control resources to be targeted where there are risks.*

**Amendment 849**  
**Ivan Jakovčić, Jean Arthuis**

**Proposal for a regulation**  
**Article 23 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 23 a*

*Control system*

- 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.*
- 2. The nature and frequency of the official controls shall be determined on the basis of the likelihood of non-compliance. All operators and groups of operators (with the exception of those 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) 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*

*the operators and group of operators concerned present a proven low-risk profile and fulfil the criteria of compliant track-record of at least 3 years. In those duly justified cases, however, the period between two physical on-the-spot inspections shall not exceed thirty months.*

Or. en

**Amendment 850**  
**Paolo De Castro, Michela Giuffrida**

**Proposal for a regulation**  
**Article 23 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 23a*

*Annual physical inspection requirement*

- 1. The control authority or control body shall carry out at least once a year a physical inspection of all operators.*
- 2. The control authority or control body shall take and analyse samples for detecting of products not authorised for organic production, for checking production techniques not in conformity with the organic production rules or for detecting possible contamination by products not authorised for organic production. The number of samples to be taken and analysed by the control authority or control body every year shall correspond to at least 5 % of the number of operators under its control. The selection of the operators where samples have to be taken shall be based on the general evaluation of the risk of non-compliance with the organic production rules. This general evaluation shall take into account all stages of production, preparation and distribution.*

*The control authority or control body*



*shall take and analyse samples in each case where the use of products or techniques not authorised for organic production is suspected. In such cases no minimum number of samples to be taken and analysed shall apply.*

*Samples may also be taken and analysed by the control authority or control body in any other case for detecting of products not authorised for organic production, for checking production techniques not in conformity with the organic production rules or for detecting possible contamination by products not authorised for organic production (94).*

*3. A control report shall be drawn up after each visit, countersigned by the operator of the unit or his representative.*

*4. Moreover, the control authority or control body shall carry out random control visits, primarily unannounced, based on the general evaluation of the risk of non-compliance with the organic production rules, taking into account at least the results of previous controls, the quantity of products concerned and the risk for exchange of products.*

Or. it

**Amendment 851**  
**Nicola Caputo**

**Proposal for a regulation**  
**Article 23 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 23a*

*Annual physical inspection requirement*

*1. The control authority or control body shall carry out at least once a year a physical inspection of all operators. Member States may exempt from the implementation of this article only those*

*operators which do not produce, prepare or preserve in connection with the sales outlet, or who import such products from a third country, or who have not contracted out such activities to a third party.*

Or. it

*Justification*

*We believe that annual physical inspections are important for the sector, as they help to maintain a regular link between certification bodies and operators, considering the rapid changes to regulation and the complexity of the regulatory framework, which will be further complicated by the addition of delegated acts. The annual inspection is also important in terms of consumers' trust and their willingness to pay a premium for organic products.*

**Amendment 852**

**Nicola Caputo**

**Proposal for a regulation**

**Article 23 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 23a*

*Procedure governing control visits*

- 1. The control authority or control body shall carry out at least once a year a physical inspection of all operators.*
- 2. The control authority or control body shall take and analyse samples for detecting of products not authorised for organic production, for checking production techniques not in conformity with the organic production rules or for detecting possible contamination by products not authorised for organic production. The number of samples to be taken and analysed by the control authority or control body every year shall correspond to at least 5 % of the number of operators under its control. The selection of the operators where samples have to be taken shall be based on the*

*general evaluation of the risk of non-compliance with the organic production rules. This general evaluation shall take into account all stages of production, preparation and distribution.*

*The control authority or control body shall take and analyse samples in each case where the use of products or techniques not authorised for organic production is suspected. In such cases no minimum number of samples to be taken and analysed shall apply.*

*Samples may also be taken and analysed by the control authority or control body in any other case for detecting of products not authorised for organic production, for checking production techniques not in conformity with the organic production rules or for detecting possible contamination by products not authorised for organic production.*

*3. A control report shall be drawn up after each visit, countersigned by the operator of the unit or his representative.*

*4. Moreover, the control authority or control body shall carry out random control visits, primarily unannounced, based on the general evaluation of the risk of non-compliance with the organic production rules, taking into account at least the results of previous controls, the quantity of products concerned and the risk for exchange of products.*

Or. it

#### *Justification*

*Article 65 of Regulation (EC) 834/2007, which specifically governs control visits to organic operators by control bodies, must be re-inserted, as it is vital that the farms are visited at least once a year. Eliminating this obligation does not guarantee that there will be an effective control system to protect consumers.*

**Amendment 853**  
**Jens Rohde**

**Proposal for a regulation**  
**Article 23 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 23 a***

***The control authority or control body shall carry out a physical inspection of all operators at least once a year.***

Or. en

*Justification*

*The annual physical control is important for the sector, as it helps to maintain a regular link between certification bodies and operators, considering the rapid changes to regulation and the complexity of the regulatory framework, which will be further complicated by the addition of delegated acts. The annual control is also important for the consumers' trust and their willingness to pay the premium for organic products. Risk analysis could be a tool used to strengthen the control system, on top of the foundations laid by annual controls and spot checks.*