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*****I**
REPORT

on the proposal for a regulation of the European Parliament and of the Council on organic production and labelling of organic products, amending Regulation (EU) No XXX/XXX of the European Parliament and of the Council [Official controls Regulation] and repealing Council Regulation (EC) No 834/2007 (COM(2014)0180 – C7-0109/2014 – 2014/0100(COD))

Committee on Agriculture and Rural Development

Rapporteur: Martin Häusling

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ■ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council on organic production and labelling of organic products, amending Regulation (EU) No XXX/XXX of the European Parliament and of the Council [Official controls Regulation] and repealing Council Regulation (EC) No 834/2007 (COM(2014)0180 – C7-0109/2014 – 2014/0100(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2014)0180),
 - having regard to Article 294(2) and Articles 42 and 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0109/2014),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Austrian Federal Council, asserting that the draft legislative act does not comply with the principle of subsidiarity,
 - having regard to the opinion of the European Economic and Social Committee of 15 October 2014¹,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development and the opinion the Committee on the Environment, Public Health and Food Safety (A8-0311/2015),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation

¹ OJ C 12, 15.1.2015, p. 75.

Recital 2

Text proposed by the Commission

(2) The observance of high health, environmental and animal welfare standards in the production of organic products is intrinsic to the **high quality** of those products. As underlined in the Communication from the Commission to the European Parliament and to the Council, the European Economic and Social Committee and the Committee of the Regions on agricultural product quality policy¹¹, organic production forms part of the Union's agricultural product quality schemes together with geographical indications, traditional specialties guaranteed and products of the outermost regions of the Union, as laid down in Regulation (EU) No 1151/2012 of the European Parliament and of the Council¹² and Regulation (EU) No 228/2013 of the European Parliament and of the Council¹³, respectively. In this sense, organic production pursues the same objectives within the common agricultural policy ('CAP') which are inherent to all the agricultural product quality schemes of the Union.

¹¹ COM (2009) 234 final.

¹² Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

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

Amendment

(2) The observance of high health, environmental and animal welfare standards in the production of organic products is intrinsic to the **wholesomeness** of those products. As underlined in the Communication from the Commission to the European Parliament and to the Council, the European Economic and Social Committee and the Committee of the Regions on agricultural product quality policy, organic production forms part of the Union's agricultural product quality schemes together with geographical indications, traditional specialties guaranteed and products of **mountainous regions and of** the outermost regions of the Union, as laid down in Regulation (EU) No 1151/2012 of the European Parliament and of the Council and Regulation (EU) No 228/2013 of the European Parliament and of the Council, respectively. In this sense, organic production **plays a leading role in establishing more sustainable farming and food systems, and to that end, it** pursues the same objectives within the common agricultural policy ('CAP') which are inherent to all the agricultural product quality schemes of the Union.

¹¹ COM (2009) 234 final.

¹² Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

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

Amendment 2

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) In particular, the objectives of the organic production policy are embedded in the objectives of the CAP by ensuring that farmers receive a fair return for complying with the organic production rules. In addition, the growing consumer demand for organic products creates conditions for further development and expansion of the market in those products and thus for an increase in the return of farmers engaged in organic production.

Amendment

(3) In particular, the objectives of the organic production policy are embedded in the objectives of the CAP by ensuring that farmers receive a fair return for complying with the organic production rules. In addition, the growing consumer demand for organic products creates conditions for further development and expansion of the market in those products and thus for an increase in the return of farmers engaged in organic production. ***Taking into account the fact that Union farmers face increased problems in receiving a fair income from the food chain, this Regulation should also contribute to helping farmers and consumers to reconnect through direct marketing in short food chains and so create a fair share of the added value of food and positive externalities created in organic farming.***

Amendment 3

Proposal for a regulation Recital 4

Text proposed by the Commission

(4) Furthermore, organic production is a system that contributes to the integration of environmental protection requirements into the CAP, and promotes sustainable agricultural production. That is why, measures financially supporting organic production have been introduced under the CAP, most recently under Regulation (EU) No 1307/2013 of the European Parliament and of the Council¹⁴, and in particular

Amendment

(4) Furthermore, organic production is a system that contributes to the integration of environmental protection requirements into the CAP, and promotes sustainable agricultural production. That is why, measures financially supporting organic production have been introduced under the CAP, most recently under Regulation (EU) No 1307/2013 of the European Parliament and of the Council¹⁴, and in particular

strengthened in the recent reform of the legal framework for rural development policy as established by Regulation (EU) No 1305/2013 of the European Parliament and of the Council¹⁵.

strengthened in the recent reform of the legal framework for rural development policy as established by Regulation (EU) No 1305/2013 of the European Parliament and of the Council¹⁵. ***This Regulation should therefore refer to eligible measures within the national rural development programmes which are to contribute to the support of organic breeding and improved supply of organic seeds and animal feed. Furthermore, there is an urgent need for reliable data on existing gaps of supply of organic seeds, feed and protein sources, and proposals should be put forward and action plans launched to cover those gaps so as to start phasing out existing derogations in respect of those matters.***

¹⁴ Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ L 347, 20.12.2013, p. 608).

¹⁴ Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ L 347, 20.12.2013, p. 608).

¹⁵ Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).

¹⁵ Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).

Amendment 4

Proposal for a regulation Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) The organic farming sector in the Union has developed rapidly in the past

years, in terms not only of the area used for organic farming but also of the number of holdings and the overall number of organic operators registered in the Union.

Amendment 5

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) Given the dynamic evolution of the organic sector, Council Regulation (EC) No 834/2007²⁶ identified the need for a future review of the Union rules on organic production, taking into account the experience gained from the application of those rules. The results of that review carried out by the Commission show that the Union legal framework governing organic production should be improved to provide for rules that correspond to the high expectations of consumers and that guarantee sufficient clarity for those to whom they are addressed. Therefore, Regulation (EC) No 834/2007 should be repealed and replaced by a new Regulation.

²⁶ Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 (OJ L 189, 20.7.2007, p. 1).

Amendment

(8) Given the dynamic evolution of the organic sector, Council Regulation (EC) No 834/2007²⁶ identified the need for a future review of the Union rules on organic production, taking into account the experience gained from the application of those rules. The results of that review carried out by the Commission show that the Union legal framework governing organic production should be improved to provide for rules that correspond to the high expectations of consumers and that guarantee sufficient clarity for those to whom they are addressed. Therefore, Regulation (EC) No 834/2007 should be repealed and replaced by a new Regulation. ***Nevertheless, the provisions of Regulation (EC) No 834/2007 responding to those aims should be preserved in this Regulation. Furthermore, this Regulation should mainly improve the implementation of current principles and rules and create a dynamic through which the sector can meet the challenges it faces.***

²⁶ Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 (OJ L 189, 20.7.2007, p. 1).

Amendment 6

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) Experience gained so far with the application of Regulation (EC) No 834/2007 shows a need to clarify the products to which this Regulation applies. Primarily, it should cover agricultural products, including aquaculture products, listed in Annex I to the Treaty on the Functioning of the European Union ('the Treaty'). Moreover, it should cover processed agricultural products for use as food or feed because the placing on the market of such products as organic provides a major outlet for agricultural products and ensures visibility to the consumer of the organic nature of the agricultural products from which they are processed. Likewise, this Regulation should cover certain other products which are linked to agricultural products in a similarly close way as processed agricultural products because those other products either constitute a major outlet for agricultural products or form an integral part of the production process. Finally, *sea salt* should be included in the scope of this Regulation because it is produced by applying natural production techniques and its production contributes to the development of rural areas, and thus falls within the objectives of this Regulation. ***For reasons of clarity, those other products, not listed in Annex I to the Treaty, should be listed in an Annex to this Regulation.***

Amendment 7

Proposal for a regulation

Recital 11

Amendment

(9) Experience gained so far with the application of Regulation (EC) No 834/2007 shows a need to clarify the ***production processes and*** products to which this Regulation applies. Primarily, it should cover agricultural ***production methods and*** products, including aquaculture ***and beekeeping*** products. Moreover, it should cover processed agricultural products for use as food or feed because the placing on the market of such products as organic provides a major outlet for agricultural products and ensures visibility to the consumer of the organic nature of the agricultural products from which they are processed. Likewise, this Regulation should cover certain other products which are ***closely*** linked to agricultural products in a similarly close way as processed agricultural products because those other products either constitute a major outlet for agricultural products or form an integral part of the production process. Finally, salt should be included in the scope of this Regulation because it is produced by applying natural production techniques and its production contributes to the development of rural areas, and thus falls within the objectives of this Regulation.

Text proposed by the Commission

Amendment

(11) In order to take into account new production methods or material or international commitments, the power to adopt certain acts should be delegated to the Commission in respect of the amendment of the list of other products falling within the scope of this Regulation. Only products which are closely linked to agricultural products should be eligible for inclusion in that list.

deleted

Justification

Amendment corresponding to rapporteur's amendment to Article 2 - paragraph 5.

Amendment 8

Proposal for a regulation

Recital 12

Text proposed by the Commission

Amendment

(12) Because of the local nature of mass catering operations, measures taken by Member States and private schemes in this area are considered adequate to ensure the functioning of the single market. Therefore, food prepared by mass caterers on their premises should ***not*** be subject to this Regulation. ***Equally,*** products of hunting and fishing of wild animals should not be covered by this Regulation since the production process cannot be fully controlled.

(12) Food prepared by mass caterers on their premises should be subject to this Regulation. Products of hunting and fishing of wild animals should not be covered by this Regulation since the production process cannot be fully controlled.

Justification

Amendment corresponding to rapporteur's amendment to Article 2 - paragraph 2 - subparagraph 2.

Amendment 9

Proposal for a regulation Recital 13

Text proposed by the Commission

(13) Research projects have demonstrated that consumer confidence is crucial in the market for organic food. In the long run, rules that are not trustworthy can jeopardise public confidence and lead to market failure. Therefore the sustainable development of organic production in the Union should be based on sound production rules ***which are harmonised at Union level. In addition, those production rules should meet operators' and consumers' expectations regarding the quality of organic products and the compliance with the principles and rules laid down in this Regulation.***

Amendment

(13) Research projects have demonstrated that consumer confidence is crucial in the market for organic food. In the long run, rules that are not trustworthy, ***and insufficient implementation of existing rules and controls at Union level,*** can jeopardise public confidence and lead to market failure. Therefore, the sustainable development of organic production in the Union should be based on sound ***and transparent*** production rules ***and harmonised implementation at national and Union levels. Past experience has revealed major deficiencies in controls at Union level. It is of the utmost importance to improve data collection, communication, monitoring and coordination of the implementation of those rules in all Member States and at Union level.***

Amendment 10

Proposal for a regulation Recital 14

Text proposed by the Commission

(14) This Regulation should apply without prejudice to ***related*** legislation, ***such as in the field of safety of the food chain, animal health and welfare, plant health, plant reproductive material, labelling and the environment.*** More specifically, as regards the authorisation of products and substances that may be used for the production of organic products, it is important to highlight that such products and substances have to be authorised at Union level first. Therefore this Regulation

Amendment

(14) This Regulation should apply without prejudice to ***other Union*** legislation ***or national provisions, in conformity with Union law concerning products specified in this Regulation, such as provisions governing the production, preparation, marketing, labelling and control of those products, and including legislation on foodstuffs and animal nutrition.*** More specifically, as regards the authorisation of products and substances that may be used for the production of organic products, it is

should apply without prejudice to other specific Union provisions relating to the authorisation and placing on the market of those products and substances.

important to highlight that such products and substances have to be authorised at Union level first. Therefore this Regulation should apply without prejudice to other specific Union provisions relating to the authorisation and placing on the market of those products and substances.

Justification

Amendment corresponding to rapporteur's amendment to Article 2 - paragraph 3.

Amendment 11

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) As a matter of principle, the general production rules of this Regulation should include a prohibition on the use of ionising radiation and genetically modified organisms (GMOs) and products produced from or by GMOs. Since consumers are **more and more** concerned about environmental impacts of food processing and transportation, organic operators other than farmers and operators producing **seaweed** or aquaculture animals should be required to **manage** their environmental performance **according to** a harmonised **system**. With the objective of minimising **the** regulatory burden **of** micro-enterprises as defined in Commission Recommendation 2003/361/EC²⁷ involved in organic production, **it is appropriate to exempt them** from this requirement. In order to ensure the correct application of the general production rules, the power to adopt certain acts should be delegated to the Commission in respect of **establishing the criteria to which** the environmental management **system is to correspond**.

Amendment

(15) As a matter of principle, the general production rules of this Regulation should include a prohibition on the use of ionising radiation and genetically modified organisms (GMOs) and products produced from or by GMOs. **Efforts should be made to develop the market in respect of veterinary medicinal products without GMOs**. Since consumers are **increasingly** concerned about environmental impacts of food processing and transportation, organic operators other than **micro-enterprises**, farmers, **beekeepers**, **retailers** and operators producing **algae** or aquaculture animals should be required to **improve** their environmental performance **in accordance with** a harmonised **framework**. With the objective of minimising the regulatory burden of micro-enterprises as defined in Commission Recommendation 2003/361/EC²⁷ involved in organic production, it is appropriate to exempt them from this requirement. In order to ensure the correct application of the general production rules, the power to adopt certain acts should be delegated to the Commission in respect of **supplementing certain** criteria **of** the

environmental management *framework*.

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

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

(The amendment of the word "seaweed" to "algae" applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Amendment 12

Proposal for a regulation Recital 16

Text proposed by the Commission

(16) The risk of non-compliance with the organic production rules is considered higher in agricultural holdings which include units not managed under organic production rules. Therefore, after an appropriate conversion period, all agricultural holdings in the Union which aim to become organic should be entirely managed in compliance with the requirements applicable to organic production. ***Organic agricultural holdings should undergo the same conversion period in all Member States, irrespective of whether they have previously adhered to agri-environmental measures supported by Union funds.*** However, no conversion period *is* necessary in the case of fallow land. In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the general conversion rules or supplementing ***and amending*** the specific conversion rules.

Amendment

(16) The risk of non-compliance with the organic production rules is considered higher in agricultural holdings which include units not managed under organic production rules. Therefore, after an appropriate conversion period, all agricultural holdings in the Union which aim to become organic should be entirely managed in compliance with the requirements applicable to organic production. However, ***mixed farms including production units dedicated to non-organic production and production units which are in compliance with this Regulation should be allowed in cases where conventional farming activities are clearly differentiated from organic farming activities. Moreover, no conversion period should be necessary in the case of fallow land or where there is evidence that only substances authorised for organic production have been used on the land concerned for at least the time period required for conversion and provided that other necessary requirements are fulfilled.*** In order to

ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the general conversion rules or supplementing the specific conversion rules.

Amendment 13

Proposal for a regulation Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) The choice of species or variety to be cultivated should take account of their ability to adapt to climatic and pedo-climatic conditions and their resistance to disease.

Amendment 14

Proposal for a regulation Recital 17 a (new)

Text proposed by the Commission

Amendment

(17a) The specific requirements of plant and animal breeding have not been sufficiently taken into account in previous Regulations and should be clearly defined and developed in this Regulation. This is specifically necessary in order to solve the problem of existing gaps in the availability of organic seeds and animals suitable for organic production on the internal market. The Commission should therefore take the necessary steps to enhance organic breeding of plants and animals through respective measures and research programmes.

Amendment 15

Proposal for a regulation Recital 19

Text proposed by the Commission

(19) Concerning soil management and fertilisation, conditions should be laid down for the use of cultivation practices allowed in organic plant production and for the use of fertilisers and conditioners.

Amendment

(19) Concerning soil management and fertilisation, conditions should be laid down for the use of cultivation practices allowed in organic plant production and for the use of fertilisers and conditioners.
Member States should, in this respect, encourage producers in organic farming areas to form groups in order to reduce the risk of contamination by substances used in conventional farming. Given the potential of biochar, which increases soil fertility in a natural way, reduces the use of fertilisers and water and helps reduce greenhouse gas emissions, its use should be permitted in soil management.

Amendment 16

Proposal for a regulation Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) Since groundwater is the main vector for the transport of residues generated by conventional farming practices, Member States should encourage organic farming practices in upstream areas.

Amendment 17

Proposal for a regulation Recital 20

Text proposed by the Commission

(20) The use of pesticides, should be significantly restricted. Preference should

Amendment

(20) The use of pesticides should be significantly restricted. Preference should

be given to the application of measures that prevent any damage by pests *and weeds* through techniques which do not involve the use of plant protection products such as crop rotation. Presence of pests *and weeds* should be monitored to decide whether any intervention is economically and ecologically justified. The use of certain plant protection products should be allowed if such techniques do not provide adequate protection and only if those plant protection products have been authorised in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council²⁸, after having been assessed to be compatible with objectives and principles of organic production, including with restrictive conditions of use, and consequently authorised in accordance with this Regulation.

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

be given to the application of measures that prevent any damage by pests, *weeds and diseases* through techniques which do not involve the use of plant protection products such as crop *alternation and* rotation. Presence of pests, *weeds and diseases* should be monitored to decide whether any intervention is economically and ecologically justified. The use of certain plant protection products should be allowed if such techniques do not provide adequate protection and only if those plant protection products have been authorised in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council²⁸, after having been assessed to be compatible with objectives and principles of organic production, including with restrictive conditions of use, and consequently authorised in accordance with this Regulation.

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

Justification

Amendment corresponding to rapporteur's amendments to Annex II - Part I – point 1.6.1 - introductory part and point 1.6.2.

Amendment 18

Proposal for a regulation

Recital 21

Text proposed by the Commission

(21) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be

Amendment

(21) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be

delegated to the Commission in respect of establishing rules **amending or** supplementing the specific plant production rules as regards **cultivation practices**, soil management and fertilisation, plant health and management of pests **and weeds**, management of mushroom production and other specific plants and plant production systems, **the production origin of plant reproductive material** and the collection of wild plants.

delegated to the Commission in respect of establishing rules supplementing the specific plant production rules as regards soil management and fertilisation, plant health and management of pests, **weeds and diseases**, management of mushroom production and other specific plants and plant production systems and the collection of wild plants.

Justification

Amendment corresponding to rapporteur's amendments to Article 10 - paragraph 3 - introductory part and points a, c and e.

Amendment 19

Proposal for a regulation Recital 21 a (new)

Text proposed by the Commission

Amendment

(21a) Given that it is important to develop the use of seeds and plants that are suited to soil and climate conditions and that meet consumer expectations, the production of organic seeds and plants should be encouraged while continuing to provide for the possibility of using non-organic seeds and plants where no organic equivalents are available, or in order to ensure that a sufficient genetic base is maintained.

Amendment 20

Proposal for a regulation Recital 21 b (new)

Text proposed by the Commission

Amendment

(21b) Given that organic farming needs to be able to rely on genetically high-quality animals for breeding, and that those

animals must be reared in accordance with organic farming rules, it is desirable to maintain the possibility of using non-organic breeding animals under certain conditions in order to offset a lack of availability or to ensure a sufficient genetic base, particularly in the case of rarer species and breeds.

Amendment 21

Proposal for a regulation Recital 22

Text proposed by the Commission

(22) As livestock production naturally involves the management of agricultural land, where the manure is used to nourish crop production, landless livestock production should be prohibited. The choice of breeds should take account of their capacity to adapt to local conditions, their vitality and their resistance to disease, and a wide biological diversity should be encouraged.

Amendment

(22) As livestock production naturally involves the management of agricultural land, where the manure is used to nourish crop production, landless livestock production should be prohibited. The choice of breeds should take account of their capacity to adapt to local conditions, their vitality and their resistance to disease, and a wide biological diversity should be encouraged, ***provided that this is not at the expense of indigenous and local breeds and species, the keeping of which should be supported.***

Amendment 22

Proposal for a regulation Recital 23 a (new)

Text proposed by the Commission

Amendment

(23a) Due to existing exceptions to higher animal welfare standards in organic production, the associated farming practices for animals vary considerably across the Union.

Justification

Amendment corresponding to rapporteur's amendment to Article 5 - paragraph 1 - point f.

Amendment 23

Proposal for a regulation Recital 24

Text proposed by the Commission

(24) In order to avoid environmental pollution of natural resources such as soil and water by nutrients, an upper limit for the use of manure per hectare and for keeping livestock per hectare should be set. That limit should be related to the nitrogen content of the manure.

Amendment

(24) In order to avoid environmental pollution of natural resources such as soil, ***aquifers*** and water by nutrients, an upper limit for the use of manure per hectare and for keeping livestock per hectare should be set. That limit should be related to the nitrogen content of the manure.

Amendment 24

Proposal for a regulation Recital 25

Text proposed by the Commission

(25) Mutilations which lead to stress, harm, disease or suffering of animals should be prohibited.

Amendment

(25) ***All*** mutilations which lead to stress, harm, disease or suffering of animals should be prohibited. ***It should be possible for competent authorities to authorise the trimming of the beaks of poultry, when undertaken in the first three days of life, attaching elastic bands to the tails of sheep and tail-docking, for reasons of safety or animal and human health or if those practices are intended to improve the health, welfare or hygiene of the livestock concerned. Dehorning and castration of young mammals should be approved only if adequate anaesthesia and/or analgesia are applied.***

Amendment 25

Proposal for a regulation Recital 26

Text proposed by the Commission

(26) Livestock should be fed on feed materials produced in accordance with the rules of organic production, and preferably coming from the own holding, taking their physiological needs into account. In addition, in order to provide for the basic nutritional requirements of livestock, certain minerals, trace elements and vitamins may need to be used under well-defined conditions.

Amendment

(26) Livestock should be fed on feed materials produced in accordance with the rules of organic production, and preferably coming from the own holding, taking their physiological needs into account ***in terms of both quality and quantity. It should be possible for part of the ration to contain feed from holdings which are in the process of converting to organic farming.*** In addition, in order to provide for the basic nutritional requirements of livestock, certain minerals, trace elements and vitamins may need to be used under well-defined conditions. ***However, given the fact that vegetable proteins are currently not available on the market in sufficient quantities and are needed in order to ensure animal health in organic production, the Commission should take the necessary steps to support the production of proteins in organic form.***

Justification

Amendment corresponding to rapporteur's amendment to Annex II - Part II - point 1.4.1 - paragraph 1 - point b.

Amendment 26

Proposal for a regulation
Recital 28

Text proposed by the Commission

(28) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules ***amending or*** supplementing the specific livestock production rules as regards ***the origin of animals, livestock housing, including minimum surface areas indoors and***

Amendment

(28) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the specific livestock production rules as regards ***nutrition***, disease prevention and veterinary treatment.

outdoors and the maximum number of animals per hectare, husbandry practices, breeding, feed and feeding, disease prevention and veterinary treatment.

Justification

Amendment corresponding to amendments to Article 11 - paragraph 2 - introductory part and points a, c, d and e.

Amendment 27

Proposal for a regulation
Recital 32

Text proposed by the Commission

(32) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules *amending or supplementing the specific seaweed production rules as regards the suitability of the aquatic medium and the sustainable management plan, the harvesting of wild seaweed, seaweed cultivation, and antifouling measures and cleaning of production equipment and facilities, and in respect of the establishment of rules supplementing the specific production rules for aquaculture animals as regards the suitability of the aquatic medium and the sustainable management plan, the origin of aquaculture animals, aquaculture husbandry, including aquatic containment systems, production systems and maximum stocking density, breeding, management of aquaculture animals, feed and feeding, and disease prevention and veterinary treatment.*

Amendment

(32) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the specific *algae* production rules as regards the *harvesting of wild algae and algae cultivation, including for different species of algae*, and antifouling measures and cleaning of production equipment and facilities, and in respect of the establishment of rules supplementing the specific production rules for aquaculture animals, *including for specific aquaculture species*, as regards the origin of aquaculture animals, *housing conditions and husbandry practices*, management of *molluscs*, feed and feeding, disease prevention and veterinary *treatments*.

Justification

Amendment corresponding to rapporteur's amendments to Article 12 - paragraph 2 and

paragraph 3.

Amendment 28

Proposal for a regulation Recital 33 a (new)

Text proposed by the Commission

Amendment

(33a) The Commission should ensure that Member States adopt measures to tackle unfair practices in the food supply chain within the organic sector.

Amendment 29

Proposal for a regulation Recital 34

Text proposed by the Commission

Amendment

(34) Provisions concerning the composition of organic processed food should be laid down. In particular, such food should be produced ***mainly*** from agricultural ingredients that are organic with a limited possibility to use certain non-organic agricultural ingredients specified in this Regulation. In addition, only certain substances authorised in accordance with this Regulation should be allowed for use in the production of organic processed food.

(34) Provisions concerning the composition of organic processed food should be laid down. In particular, such food should be produced from agricultural ingredients that are organic with a limited possibility to use certain non-organic agricultural ingredients specified in this Regulation. In addition, only certain substances authorised in accordance with this Regulation should be allowed for use in the production of organic processed food.

Amendment 30

Proposal for a regulation Recital 35

Text proposed by the Commission

Amendment

(35) Processed food should be labelled as organic only where all or almost all the ingredients of agricultural origin are organic. However, special labelling

(35) Processed food should be labelled as organic only where all or almost all the ingredients of agricultural origin are organic. However, special labelling

provisions should be laid down for processed foods which include agricultural ingredients that cannot be obtained organically, as is the case for products of hunting and fishing. Moreover, for the purposes of consumer information and transparency in the market, and to encourage the use of organic ingredients, it should also be made possible to refer to organic production in the ingredients list under certain conditions.

provisions should be laid down for processed foods which include agricultural ingredients that cannot be obtained organically, as is the case for products of hunting and fishing. Moreover, for the purposes of consumer information and transparency in the market, and to encourage the use of organic ingredients, it should also be made possible to refer to organic production in the ingredients list under certain conditions, **and to the origin of organic products.**

Amendment 31

Proposal for a regulation

Recital 37

Text proposed by the Commission

(37) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules **amending or** supplementing the specific production rules for processed **food and** feed as regards **the procedures to be followed, preventive measures to be taken, the composition of processed food and feed, cleaning measures, the placing on the market of processed products including their labelling and identification, separation of organic products, agricultural ingredients and feed materials from non-organic products, agricultural ingredients and feed materials**, the list of non-organic agricultural ingredients which may exceptionally be used in the production of organic processed products, calculation of the percentage of agricultural ingredients, and the techniques used in food **or feed** processing.

Amendment

(37) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the specific production rules for processed feed as regards **preventive and precautionary measures to be taken and the techniques used in feed processing, and in respect of the specific production rules for processed food as regards preventive and precautionary measures to be taken, the composition and conditions of use of products and substances allowed for use in processed food**, the list of non-organic agricultural ingredients which may exceptionally be used in the production of organic processed products, calculation of the percentage of agricultural ingredients, and the techniques used in food processing.

Justification

Amendment corresponding to rapporteur's amendments to Article 13 - paragraph 2 and introducing a new Article 13a (paragraph 3).

Amendment 32

Proposal for a regulation

Recital 38

Text proposed by the Commission

(38) Organic wine should be produced entirely from organic raw material and only certain substances authorised in accordance with this Regulation should be allowed to be added. ***Certain*** oenological practices, processes and treatments ***should be prohibited in the production of organic wine. Other practices, processes and treatments should be permitted under well-defined conditions.***

Amendment

(38) Organic wine should be produced entirely from organic raw material and only certain substances authorised in accordance with this Regulation should be allowed to be added. Oenological practices, processes and treatments ***must be performed in accordance with production rules as defined in this Regulation.***

Amendment 33

Proposal for a regulation

Recital 39

Text proposed by the Commission

(39) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules ***amending or*** supplementing the specific wine production rules as regards oenological practices and restrictions.

Amendment

(39) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the specific wine production rules as regards oenological practices and restrictions.

Justification

Amendment corresponding to rapporteur's amendment to Article 14 - paragraph 2.

Amendment 34

Proposal for a regulation Recital 41

Text proposed by the Commission

(41) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules ***amending or*** supplementing the specific production rules for organic yeast as regards the processing and the substrates used in its production.

Amendment

(41) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the specific production rules for organic yeast as regards the processing and the substrates used in its production.

Justification

Amendment corresponding to rapporteur's amendment to Article 15 - paragraph 2.

Amendment 35

Proposal for a regulation Recital 42

Text proposed by the Commission

(42) ***In order to take account of any future need to have specific production rules for products whose production does not fall within any of the categories of specific production rules laid down in this Regulation, as well as in order to ensure quality, traceability and compliance with this Regulation and, subsequently, adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing specific production rules for such products, including amendments or supplements thereof.***

Amendment

(42) ***Where this Regulation does not lay down detailed production rules for certain animal species, certain aquatic plants and certain micro-algae, national rules or, in the absence thereof, private standards recognised by the Member States should apply pending the inclusion of detailed production rules in this Regulation. Such national rules or private standards should be notified to the Commission. The rules laid down in this Regulation in respect of labelling, controls and certification should apply accordingly.***

Justification

Amendment corresponding to rapporteur's amendment to Article 16.

Amendment 36

Proposal for a regulation Recital 43

Text proposed by the Commission

(43) Regulation (EC) No 834/2007 provided for different exceptions from organic production rules. The experience gained from the application of those provisions has shown that such exceptions have ***a negative impact on organic production***. In particular, it has been found that the very existence of such exceptions ***impedes the production*** of inputs in organic form and that the high level of animal welfare associated with organic production is not ensured. In addition, the management and control of exceptions entail considerable administrative burden, both for the national administrations and operators. Finally, the existence of exceptions has created conditions for distortions in competition and has threatened to undermine consumer confidence. Accordingly, ***the scope for allowing exceptions from organic production rules*** should be ***further restricted and limited to cases of catastrophic circumstances***.

Amendment

(43) Regulation (EC) No 834/2007 provided for different exceptions from organic production rules. The experience gained from the application of those provisions has shown that such exceptions have ***not created sufficient stimulus to make such exceptions superfluous***. In particular, it has been found that the very existence of such exceptions ***can impede an increase in supply*** of inputs in organic form and that the high level of animal welfare associated with organic production is not ***always*** ensured. In addition, the management and control of exceptions entail considerable administrative burden, both for the national administrations and operators. Finally, the existence of exceptions has created conditions for distortions in competition and has threatened to undermine consumer confidence. Accordingly, ***measures to stimulate the development of organic breeding and to close existing gaps in the organic inputs market*** should be ***established through this Regulation so that exceptions can be phased out as soon as possible***.

Amendment 37

Proposal for a regulation Recital 44

Text proposed by the Commission

(44) ***In order to allow organic production to continue or recommence in cases of catastrophic circumstances, the power to***

Amendment

(44) ***The Commission should be empowered to adopt delegated acts in accordance with Article 36 establishing***

adopt *certain acts should be delegated to the Commission in respect of establishing the criteria for qualifying cases of catastrophic circumstances and to lay down specific rules for addressing such cases and for the necessary* monitoring and reporting requirements.

the criteria *by which situations may be categorised as requiring exceptional production rules and the ways of dealing with such situations, and laying down* monitoring and reporting requirements, *taking into account expertise from the organic sector.*

Amendment 38

Proposal for a regulation

Recital 44 a (new)

Text proposed by the Commission

Amendment

(44a) The consumption of food produced and marketed locally should be encouraged and promoted, in order to ensure that greenhouse gas emissions in the transport sector are as low as possible. In addition, in order to reduce waste generation, unpackaged products should be promoted and excess packaging must be avoided as far as possible.

Amendment 39

Proposal for a regulation

Recital 45

Text proposed by the Commission

Amendment

(45) Under certain conditions organic products and non-organic products can be collected and transported simultaneously. In order to duly separate organic from non-organic products during handling and to avoid any commingling, specific provisions should be laid down.

(45) Under certain conditions organic products and non-organic products can be collected and transported simultaneously. In order to duly separate organic from non-organic products during ***such handling for collection, transportation and processing purposes***, and to avoid any commingling, specific provisions should be laid down.

Amendment 40

Proposal for a regulation

Recital 46

PE557.122v03-00

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Text proposed by the Commission

(46) In order to ensure the integrity of organic production and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules **amending or** supplementing the specific rules on collection, packaging, transport and storage of organic products.

Amendment

(46) In order to ensure the integrity of organic production and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the specific rules on collection, packaging, transport and storage of organic products.

Justification

Amendment corresponding to rapporteur's amendment to Article 18 - paragraph 2.

Amendment 41

Proposal for a regulation

Recital 47

Text proposed by the Commission

(47) The use in organic production of products and substances such as plant protection products, fertilisers, soil conditioners, nutrients, components of animal nutrition, feed or food additives, processing aids and products for cleaning and disinfection should be limited to the minimum and under the specific conditions laid down in this Regulation. The same approach should be followed regarding the use of products and substances as food additives and processing aids in the production of organic processed food. Therefore, provisions should be laid down to define any possible use of such products and substances in organic production in general and in the production of organic processed food in particular, subject to the principles laid down in this Regulation and to certain criteria.

Amendment

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

Justification

Amendment corresponding to rapporteur's amendments to Article 19 - paragraph 1 - subparagraph 2 - points ba and bb.

Amendment 42

Proposal for a regulation

Recital 48

Text proposed by the Commission

(48) In order to ensure quality, traceability and compliance with this Regulation as regards organic production in general and the production of organic processed food in particular, and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission ***to provide for additional criteria for the authorisation or withdrawal of*** the authorisation of products and substances ***for use*** in organic production in general and in the production of ***organic*** processed food in particular, and other requirements for the use of such authorised products and substances.

Amendment

(48) In order to ensure quality, traceability and compliance with this Regulation as regards organic production in general and the production of organic processed food in particular, and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission ***in respect of 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 other requirements for the use of such authorised products and substances.

Justification

Amendment corresponding to rapporteur's amendment to Article 19 paragraph 5.

Amendment 43

Proposal for a regulation

Recital 49

Text proposed by the Commission

(49) In the absence of specific Union rules on the measures to take when non-authorised substances or products are present in organic products, different approaches have been developed and implemented across the Union. This situation creates uncertainties for

Amendment

deleted

operators, control authorities and control bodies. It may also entail a different treatment of operators in the Union and affect consumers' confidence in organic products. It is therefore appropriate to lay down clear and uniform provisions to prohibit marketing as organic those products in which any non-authorised products or substances are present beyond given levels. Those levels should be established taking account in particular of Commission Directive 2006/125/EC³¹ on processed cereal-based foods and baby foods for infants and young children.

³¹ *Commission Directive 2006/125/EC of 5 December 2006 on processed cereal-based foods and baby foods for infants and young children (OJ L 339, 6.12.2006, p. 16).*

Amendment 44

Proposal for a regulation Recital 50

Text proposed by the Commission

Amendment

(50) In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the power to adopt certain acts should be delegated to the Commission in respect of specific criteria and conditions for the establishment and application of the levels of presence of non-authorised products and substances beyond which products shall not be marketed as organic and with respect to the establishment of those levels and their adaptation in the light of technical developments.

deleted

Amendment 45

Proposal for a regulation Recital 51

Text proposed by the Commission

(51) Organic production is based on the general principle of restriction of the use of external inputs. Farmers are required to take measures to prevent the risk of contamination by non-authorised products or substances. Despite such measures, there may be instances where farmers are prevented from marketing their agricultural products as organic due to the unintentional presence of non-authorised products or substances. ***It is therefore appropriate to provide for the possibility whereby Member States may, in accordance with Article 42 of the Treaty, be authorised by the Commission to grant national payments to compensate for the losses incurred in such instances. Member States may also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.***

Amendment 46

Proposal for a regulation Recital 52

Text proposed by the Commission

(52) The labelling of agricultural products and foodstuffs should be subject to the general rules laid down in Regulation (EU) No 1169/2011 of the European Parliament and of the Council³², and in particular the provisions aimed at preventing labelling that may confuse or mislead consumers. In addition, specific provisions relating to the labelling of organic products should be laid down in this Regulation. They should protect both the interests of operators in

Amendment

(51) Organic production is based on the general principle of restriction of the use of external inputs. Farmers are required to take measures to prevent the risk of contamination by non-authorised products or substances. Despite such measures, there may be instances where farmers are prevented from marketing their agricultural products as organic due to the unintentional presence of non-authorised products or substances.

Amendment

(52) The labelling of agricultural products and foodstuffs should be subject to the general rules laid down in Regulation (EU) No 1169/2011 of the European Parliament and of the Council³² and, in particular, ***strict compliance with the common labelling standards*** and the provisions aimed at preventing labelling that may confuse or mislead consumers. In addition, specific provisions relating to the labelling of organic products should be laid down in

having their products correctly identified on the market and enjoying conditions of fair competition, and those of consumers in enabling them to make informed choices.

this Regulation. They should protect both the interests of operators in having their products correctly identified on the market and enjoying conditions of fair competition, and those of consumers in enabling them to make informed choices.

³² Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).

³² Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).

Amendment 47

Proposal for a regulation Recital 57

Text proposed by the Commission

(57) In order to provide clarity for consumers and to ensure that the appropriate information is communicated to them, the power to adopt certain acts should be delegated to the Commission in respect of adapting the list of terms referring to organic production set out in this Regulation, ***establishing the specific labelling and composition requirements applicable to feed and ingredients thereof***, laying down further rules on labelling and the use of the indications, other than the organic production logo of the European Union, set out in this Regulation, and amending the organic production logo of

Amendment

(57) In order to provide clarity for consumers and to ensure that the appropriate information is communicated to them, the power to adopt certain acts should be delegated to the Commission in respect of adapting the list of terms referring to organic production set out in this Regulation, laying down further rules on labelling and the use of the indications, other than the organic production logo of the European Union, set out in this Regulation, and amending the organic production logo of the European Union and the rules relating thereto.

the European Union and the rules relating thereto.

Justification

Amendment corresponding to rapporteur's amendment to Article 21 - paragraph 4.

Amendment 48

Proposal for a regulation

Recital 58

Text proposed by the Commission

(58) Organic production is only credible if accompanied by effective verification and controls at all stages of production, processing and distribution. Organic production should be subject to official controls or other official activities carried out in accordance with **Regulation (EU) No (XXX/XXXX) of the European Parliament and of the Council**³³ to verify compliance with the rules on organic production and labelling of organic products.

Amendment

(58) Organic production is only credible if accompanied by effective verification and controls at all stages of production, processing and distribution. Organic production should be subject to official controls or other official activities carried out in accordance with **this** Regulation to verify compliance with the rules on organic production and labelling of organic products. **Therefore, specific rules for organic production, concerning the control of the production process throughout the organic production chain, should fall within the scope of this Regulation.**

³³ **Regulation (EU) No XX/XXX of the European Parliament and of the Council of [...] on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health, plant reproductive material, plant protection products and amending Regulations (EC) No 999/2001, 1829/2003, 1831/2003, 1/2005, 396/2005, 834/2007, 1099/2009, 1069/2009, 1107/2009, Regulations (EU) No 1151/2012, [...] /2013 [Office of Publications, please insert number of Regulation laying down provisions for the management of expenditure relating to**

the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material], and Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC, 2008/120/EC and 2009/128/EC (Official controls Regulation) (OJ L ...).

Amendment 49

Proposal for a regulation

Recital 60

Text proposed by the Commission

(60) Small farmers in the Union face, individually, relatively high inspection costs and administrative burden linked to organic certification. A system of group certification should be allowed with a view to reducing the inspection and certification costs and the associated administrative burden, strengthening local networks, contributing to better market outlets and ensuring a level playing field with operators in third countries. For that reason, the concept of 'group of operators' should be introduced and defined.

Amendment

(60) Small farmers in the Union face, individually, relatively high inspection costs and administrative burden linked to organic certification. A system of group certification should be allowed with a view to reducing the inspection and certification costs and the associated administrative burden, strengthening local networks, contributing to better market outlets and ensuring a level playing field with operators in third countries. For that reason, the concept of 'group of operators' should be introduced and defined. ***That concept should also include cross-border groups. Furthermore, Member States should make dedicated use of cooperation measures between farmers, especially small farmers eligible under Regulation (EU) No 1305/2013.***

Amendment 50

Proposal for a regulation

Recital 61

Text proposed by the Commission

(61) In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the power to adopt certain acts should be

Amendment

deleted

delegated to the Commission in respect of the requirements for keeping of records by operators or groups of operators, the requirements for publication of the list of operators, the requirements and procedures to be applied for publication of the fees that may be collected in relation to the controls for verifying compliance with the organic production rules and for supervision by the competent authorities of the application of those fees, as well as the criteria for defining the groups of products in respect of which operators should be entitled to have only one organic certificate issued by the control authority or control body concerned.

Justification

Amendment corresponding to rapporteur's amendments to Article 24 - paragraph 6 and Article 25 - paragraph 6.

Amendment 51

Proposal for a regulation
Recital 62

Text proposed by the Commission

Amendment

(62) In order to ensure that the certification of a group of operators is done effectively and efficiently, the power to adopt certain acts should be delegated to the Commission in respect of the responsibilities of the individual members of a group of operators, the composition and size of that group, the categories of products to be produced by a group of operators, the conditions for participation in the group, and the set up and functioning of the group's system for internal controls, including the scope, content and frequency of the controls to be carried out.

deleted

Justification

Amendment corresponding to rapporteur's amendment to Article 26 - paragraph 3.

Amendment 52

Proposal for a regulation

Recital 62 a (new)

Text proposed by the Commission

Amendment

(62a) In order to maximise opportunities for small farmers and encourage individual farmers to form groups of operators, the rules concerning groups of operators should reflect the needs and resource capacity of all small farmers.

Justification

Amendment corresponding to rapporteur's amendment to Article 26 - paragraph 3.

Amendment 53

Proposal for a regulation

Recital 67

Text proposed by the Commission

Amendment

(67) ***The*** experience with the scheme of control authorities and control bodies recognised as competent to carry out controls and issue certificates in third countries for the purpose of import of products providing equivalent guarantees shows that the rules applied by those authorities and bodies are different and could be difficult to be considered as equivalent to the respective Union rules. Furthermore, multiplication of control authorities and control bodies standards hampers adequate supervision by the Commission. Therefore that scheme of recognition of equivalence should be ***abolished***. However, sufficient time should be given to those control authorities and control bodies so that they can prepare

(67) Experience with the scheme of control authorities and control bodies recognised as competent to carry out controls and issue certificates in third countries for the purpose of import of products providing equivalent guarantees shows that the rules applied by those authorities and bodies are different and could be difficult to be considered as equivalent to the respective Union rules. Furthermore, multiplication of control authorities and control bodies standards hampers adequate supervision by the Commission. Therefore, that scheme of recognition of equivalence should be ***modified so as to introduce a new system of adapted compliance where appropriate***. However, sufficient time should be given to those control authorities and control

themselves for obtaining recognition for the purposes of import of products complying with Union rules.

bodies so that they can prepare themselves for obtaining recognition for the purposes of import of products complying with Union rules.

Amendment 54

Proposal for a regulation

Recital 69

Text proposed by the Commission

(69) In order to ensure ***fair competition among operators***, the traceability of the imported products intended to be placed on the market within the Union as organic or the transparency of the recognition and supervision procedure for control authorities and control bodies within the context of import of compliant organic products, and in order to ensure the management of the list of third countries recognised for the purpose of equivalence under Regulation (EC) No 834/2007, the power to adopt certain acts should be delegated to the Commission in respect of the documents ***intended for customs authorities in third countries, in particular an organic export certificate, in electronic form wherever possible, the documents*** necessary for the purposes of import, also in electronic form wherever possible, the criteria for recognition or withdrawal of the recognition of control authorities and control bodies in the context of import of compliant organic products, ***and*** in respect of the information to be sent by third countries recognised under that Regulation necessary for the supervision of their recognition ***and*** the exercise of that supervision by the Commission, including on-the-spot examination.

Amendment

(69) In order to ensure the traceability of the imported products intended to be placed on the market within the Union as organic or the transparency of the recognition and supervision procedure for control authorities and control bodies within the context of import of compliant organic products, and in order to ensure the management of the list of third countries recognised for the purpose of equivalence under Regulation (EC) No 834/2007, the power to adopt certain acts should be delegated to the Commission in respect of the documents necessary for the purposes of import, also in electronic form wherever possible, ***in respect of fulfilment of the criteria for recognition or withdrawal of the recognition of control authorities and control bodies in the context of import of compliant organic products, in respect of the information to be sent by third countries recognised under that Regulation which is necessary for the supervision of their recognition, in respect of laying-down the provisions for the exercise of that supervision by the Commission, including on-the-spot examination, in respect of the procedure to be followed for the recognition of the control authorities and control bodies, including the content of the technical dossier to be submitted, as well as a withdrawal of recognition, and in respect of the controls and other actions to be performed by control authorities and control bodies recognised***

by the Commission. Where serious or repeated infringements of the rules governing inspection and certification are detected, recognition of the control bodies concerned should be immediately withdrawn, in the third countries concerned as well as throughout the Union market for national accreditation bodies established in the Union.

Justification

Amendment corresponding to rapporteur's amendments to Article 27 - paragraph 3, Article 29 - paragraph 7, and introducing new paragraphs 7a and 7b in Article 29.

Amendment 55

**Proposal for a regulation
Recital 69 a (new)**

Text proposed by the Commission

Amendment

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

Justification

Amendment corresponding to rapporteur's amendments to Article 29 - paragraph 8, Article 31 - paragraph 6 and Article 33 - paragraph 2.

Amendment 56

Proposal for a regulation Recital 70

Text proposed by the Commission

(70) Provision should be made to ensure that the movement of organic products that have been subject to a control in one Member State and which comply with this Regulation cannot be restricted in another Member State. ***In order to ensure the proper functioning of the single market and trade between Member States, the power to adopt certain acts should be delegated to the Commission to lay down rules relating to the free movement of organic products.***

Amendment

(70) Provision should be made to ensure that the movement of organic products that have been subject to a control in one Member State and which comply with this Regulation cannot be restricted in another Member State.

Justification

Amendment corresponding to rapporteur's amendment to Article 32 - paragraph 2.

Amendment 57

Proposal for a regulation Recital 71

Text proposed by the Commission

(71) For the purpose of obtaining reliable information needed for the implementation of this Regulation, Member States should provide the Commission annually with the necessary information. For reasons of clarity and transparency, Member States should keep updated lists of competent authorities, control authorities and control bodies. The lists of control authorities and control bodies should be made public by the Member States and annually published by the Commission.

Amendment

(71) For the purpose of obtaining reliable information needed for the implementation of this Regulation, Member States should provide the Commission annually with the necessary ***up-to-date statistical*** information. For reasons of clarity and transparency, Member States should keep updated lists of competent authorities, control authorities and control bodies. The lists of control authorities and control bodies should be made public by the Member States and annually published by the Commission.

Amendment 58

Proposal for a regulation Recital 72

Text proposed by the Commission

(72) It is necessary to lay down measures to ensure a smooth transition to some modifications of the legal framework governing the import of organic products into the Union, as introduced by this Regulation. In particular, in order to ensure a smooth transition from the old to the new legal framework, the power to adopt certain acts should be delegated to the Commission in respect of the rules relating to conversion periods starting under Regulation (EC) No 834/2007, **by way of derogation from the general rule that no previous periods may be recognised retroactively as being part of the conversion period.**

Amendment

(72) It is necessary to lay down measures to ensure a smooth transition to some modifications of the legal framework governing the import of organic products into the Union, as introduced by this Regulation. In particular, in order to ensure a smooth transition from the old to the new legal framework, the power to adopt certain acts should be delegated to the Commission in respect of the rules relating to conversion periods starting under Regulation (EC) No 834/2007.

Justification

Amendment corresponding to rapporteur's amendment to Article 8 - paragraph 3.

Amendment 59

Proposal for a regulation Recital 75

Text proposed by the Commission

(75) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards the technical details for the establishment of the database for the listing of the varieties for which plant reproductive material obtained by the organic production method is available, as regards the authorisation or the withdrawal of the authorisation of the products and substances that may be used in organic production in general and in the

Amendment

(75) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards the technical details for the establishment of the **single** database for the listing of the varieties, **in particular traditional and rare varieties**, for which plant reproductive material obtained by the organic production method is available, as regards the authorisation or the withdrawal of the authorisation of the products and substances that may be used

production of processed organic food in particular, including the procedures to be followed for the authorisation and the lists of those products and substances and, where appropriate, their description, compositional requirement and conditions for use, as regards the specific and practical modalities regarding the presentation, composition and size of the indications referring to the code numbers of control authorities and control bodies and of the indication of the place where the agricultural raw materials have been farmed, the assignment of code numbers to control authorities and control bodies and the indication of the place where the agricultural raw materials have been farmed, as regards the details and specifications regarding the content, form and way of notification of the notifications by operators and groups of operators of their activity to the competent authorities and the form of publication of the fees that may be collected for the controls, as regards the exchange of information between groups of operators and competent authorities, control authorities and control bodies and between Member States and the Commission, as regards the recognition or withdrawal of the recognition of control authorities and control bodies which are competent to carry out controls in third countries and the establishment of the list of those control authorities and control bodies and rules to ensure the application of measures in relation to cases of non-compliance, or suspicion thereof, affecting the integrity of imported organic products, as regards the establishment of a list of third countries recognised under Article 33(2) of Regulation (EC) No 834/2007 and the amendment of that list as well as rules to ensure the application of measures in relation to cases of non-compliance, or suspicion thereof, affecting the integrity of organic products imported from those countries, as regards the system to be used to transmit the information necessary for

in organic production in general and in the production of processed organic food in particular, including the procedures to be followed for the authorisation and the lists of those products and substances and, where appropriate, their description, compositional requirement and conditions for use, as regards the specific and practical modalities regarding the presentation, composition and size of the indications referring to the code numbers of control authorities and control bodies and of the indication of the place where the agricultural raw materials have been farmed, the assignment of code numbers to control authorities and control bodies and the indication of the place where the agricultural raw materials have been farmed, as regards the details and specifications regarding the content, form and way of notification of the notifications by operators and groups of operators of their activity to the competent authorities and the form of publication of the fees that may be collected for the controls, as regards the exchange of information between groups of operators and competent authorities, control authorities and control bodies and between Member States and the Commission, as regards the recognition or withdrawal of the recognition of control authorities and control bodies which are competent to carry out controls in third countries and the establishment of the list of those control authorities and control bodies and rules to ensure the application of measures in relation to cases of non-compliance, or suspicion thereof, affecting the integrity of imported organic products, as regards the establishment of a list of third countries recognised under Article 33(2) of Regulation (EC) No 834/2007 and the amendment of that list as well as rules to ensure the application of measures in relation to cases of non-compliance, or suspicion thereof, affecting the integrity of organic products imported from those countries, as regards the system to be used

the implementation and monitoring of this Regulation, and as regards the establishment of the list of control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007 and the amendment of that list. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council³⁴.

to transmit the information necessary for the implementation and monitoring of this Regulation, and as regards the establishment of the list of control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007 and the amendment of that list. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council³⁴.

³⁴ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

³⁴ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of *the* Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Amendment 60

Proposal for a regulation Recital 77

Text proposed by the Commission

(77) In order to ensure a smooth transition between on the one hand the rules on the organic origin of plant reproductive material and on animals for breeding purposes provided for in Regulation (EC) No 834/2007 and the exception to production rules adopted pursuant to Article 22 of that Regulation, and on the other hand the new production rules for plants and plant products and livestock provided for in this Regulation, the power to adopt certain acts should be delegated to the Commission in respect of the granting of exceptions where exceptions are deemed necessary, in order to ensure access to plant reproductive material and live animals for breeding purposes that may be used in organic production. *Since* those

Amendment

(77) In order to ensure a smooth transition between, on the one hand, the rules on the organic origin of plant reproductive material and on animals for breeding purposes provided for in Regulation (EC) No 834/2007 and the exception to production rules adopted pursuant to Article 22 of that Regulation, and, on the other hand, the new production rules for plants and plant products and livestock provided for in this Regulation, the power to adopt certain acts should be delegated to the Commission in respect of the granting of exceptions where exceptions are deemed necessary, in order to ensure access to plant reproductive material and live animals for breeding purposes that may be used in organic production. Those acts are

acts are transitional in nature, **they should** apply for **a** limited period of time.

only transitional in nature, **however, and will therefore** apply **only** for **the** limited period of time **needed in order to identify and fill gaps in the availability of organic reproductive material for plants and of organic animals raised for breeding purposes.**

Justification

The aim is to establish a genuine market for organic seed production, in cooperation with European organic seed producers. This calls for an effective system of incentives and a clear commitment on the part of the legislator.

Amendment 61

Proposal for a regulation Recital 77 a (new)

Text proposed by the Commission

Amendment

(77a) The Commission's Action Plan for the future of Organic Production in the European Union should be used to help fund research and innovation with a view to increasing the production and availability of organic seed and plant reproductive material.

Amendment 62

Proposal for a regulation Recital 77 b (new)

Text proposed by the Commission

Amendment

(77b) In order to increase the production, availability and use of organic seed and plant reproductive material, partnership arrangements between seed growers, breeders and all those involved in organic farming should be encouraged. In addition, the Expert Group for Technical Advice on Organic Production (EGTOP) should be entrusted with the task of developing a new system for the effective

and sustainable use of organic seed, providing an incentive for organic seed growers and breeders.

Amendment 63

Proposal for a regulation Recital 78

Text proposed by the Commission

(78) The Commission should *consider* the situation *of the availability of organic plant reproductive material and animals for breeding purposes and present a report to this end to the European Parliament and the Council in 2021.*

Amendment

(78) *In order to ensure that organic plant reproductive material, feed, and animals raised for breeding purposes are available on the market in sufficient quantities, and before submitting any proposals for the phasing-out of exceptions, the Commission should carry out a study based on data collection and on analysis of the situation in the Member States. On the basis of that study, the Commission should by the end of 2020 present a report to the European Parliament and the Council comprising an analytical part on the state of development of organic farming and progress made, and a strategic part on measures applied or needed in order to improve the performance of organic farming and its institutional framework.*

Amendment 64

Proposal for a regulation Recital 80

Text proposed by the Commission

(80) *The review of the legislative framework for organic production and labelling of organic products showed that the specific needs relating to the official controls and other official activities carried out in accordance with Regulation (EU) No XXX/XXX (Official controls Regulation) require provisions to better*

Amendment

deleted

address instances of non-compliance. In addition, the provisions of Regulation (EU) No XXX/XXX [official controls Regulation] relating to the tasks and responsibilities of competent authorities, the approval and supervision of delegated bodies, official certification, reporting obligations and administrative assistance should be adapted to the specific needs of the organic production sector. Regulation (EU) No XXX/XXX [official controls Regulation] should therefore be amended accordingly.

Justification

Amendment corresponding to rapporteur's amendment to Article 44.

Amendment 65

Proposal for a regulation
Article 1

Text proposed by the Commission

This Regulation establishes the principles of organic production and lays down the rules concerning organic production and the use of indications referring *thereto* in labelling and advertising.

Amendment

This Regulation establishes the principles of organic production and ***the control and certification thereof, and*** lays down the rules concerning organic production, ***processing, distribution, controls,*** and the use of indications referring ***to organic production*** in labelling and advertising. ***It shall provide the basis for the sustainable development of organic production and its positive effects on the environment and public health, while ensuring the effective functioning of the internal market and fair competition, thereby helping farmers to achieve a fair income, ensuring consumer confidence and protecting consumer interests.***

Justification

The principles and methods for organic production have to be applied through the whole process of organic farming/organic production. Therefore it is important to keep the process based controls in this Regulation. To control only the product which is foreseen for human or

animal consumption is not sufficient. This Regulation does also cover the certification of organic and in conversion products.

Amendment 66

Proposal for a regulation

Article 2 – paragraph 1

Text proposed by the Commission

1. This Regulation shall apply to **agricultural** products **listed in Annex I to the Treaty on the Functioning of the European Union ('the Treaty')** and to **some other products listed in Annex I to this Regulation, insofar as those agricultural products and those other products** are intended to be produced, prepared, distributed, placed on the market, imported or exported as organic.

The products of hunting and fishing of wild animals shall not be considered as organic products.

Amendment

1. This Regulation shall apply to **the following** products **originating from agriculture, including aquaculture and beekeeping, where such products are, or** are intended to be, produced, prepared, **labelled**, distributed, placed on the **Union** market, **or** imported **into** or exported **from the Union** as organic:

(a) live or unprocessed agricultural products, including seed and other plant reproductive material;

(b) processed agricultural products for food;

(c) feed;

(d) algae and aquaculture animals;

(e) wine;

(f) yeast;

(g) mushrooms;

(h) collected wild plants and parts thereof, and to other products closely linked to agriculture which are intended to be produced, prepared, labelled, distributed, placed on the market, imported or exported.

The products of hunting and fishing of wild animals shall not be considered **to constitute** organic products.

(The amendment of the word "seaweed" to "algae" applies throughout the text.

Adopting it will necessitate corresponding

changes throughout.)

Amendment 67

Proposal for a regulation Article 2 – paragraph 2

Text proposed by the Commission

2. This Regulation shall apply to any operator involved in activities, at any stage of production, preparation and distribution, relating to the products referred to in paragraph 1.

Mass catering operations carried out by a mass caterer as defined in point (d) of Article 2(2) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council³⁵ shall **not** be subject to this Regulation.

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

Amendment

2. This Regulation shall apply to any operator involved in activities, at any stage of production, preparation, **labelling** and distribution, relating to the products referred to in paragraph 1

Mass catering operations carried out by a mass caterer as defined in point (d) of Article 2(2) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council³⁵ shall be subject to this Regulation.

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

Justification

Mass catering has become an important part of the organic market which increasingly supplies public canteens but also restaurants with organic products. It should therefore be covered by this regulation.

Amendment 68

Proposal for a regulation

Article 2 – paragraph 2 – subparagraph 3

Text proposed by the Commission

Amendment

Member States may apply national rules or, in the absence thereof, private standards on labelling and control of products originating from mass-catering operations. ***deleted***

Justification

Caterer and restaurants should be under the roof of this Regulation. Big canteens can indicate the use of organic products in meals but there is no obligation on the organic share on the overall mass.

Amendment 69

Proposal for a regulation

Article 2 – paragraph 3

Text proposed by the Commission

Amendment

3. This Regulation shall apply without prejudice to ***related*** Union legislation ***in the fields of inter alia safety of the food chain, animal health and welfare, plant health, and plant reproductive material, and in particular to Regulation (EU) No XX/XXX of the European Parliament and of the Council³⁶ (plant reproductive material) and Regulation (EU) No XX/XXXX of the European Parliament and of the Council³⁷ (protective measures against pests of plants).***

3. This Regulation shall apply without prejudice to ***other*** Union legislation ***or national provisions, in conformity with Union law concerning products specified in this Article, such as provisions governing the production, preparation, marketing, labelling and control of those products, and including legislation on foodstuffs and animal nutrition.***

³⁶ [full title] (OJ L,...).

³⁷ [full title] (OJ L,...).

Justification

The above mentioned legislations will not all be already in force when the new organic legislation is adopted.

Amendment 70

Proposal for a regulation Article 2 – paragraph 5

Text proposed by the Commission

Amendment

5. In order to take into account new information on production methods or material or international commitments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending the list of products set out in Annex I. Only products which are closely linked to agricultural products shall be eligible for inclusion in that list.

deleted

Justification

The scope should be the same as under existing Regulation (EC) No 834/2007. Such changes to the basic Regulation should only be possible via the co-decision procedure.

Amendment 71

Proposal for a regulation Article 3 – point 3

Text proposed by the Commission

Amendment

(3) 'agricultural raw material' means an agricultural product that has not been subjected to any operation of **preservation or processing**;

(3) 'agricultural raw material' **or 'aquaculture raw material'** means an agricultural **or aquaculture** product that has not been subjected to any operation of **processing, preparation or preservation**;

Amendment 72

Proposal for a regulation Article 3 – point 4

Text proposed by the Commission

Amendment

(4) 'preventive measures' means measures to be taken in order to ensure **soil** quality as

(4) 'preventive **and precautionary** measures' means measures to be taken in

well as ***prevention and control of pests and weeds***, and to prevent contamination with products or substances that are not authorised under this Regulation;

order to ensure ***organic production*** quality as well as ***preservation of biodiversity*** and to prevent contamination ***and commingling*** with products or substances that are not authorised under this Regulation ***at all stages of production, preparation and distribution***;

Justification

Precautionary measures should go beyond preventive measures and should also be applied to all stages of production in the organic farming system.

Amendment 73

Proposal for a regulation Article 3 – point 5

Text proposed by the Commission

(5) ‘conversion’ means the transition from non-organic to organic production within a given period of time;

Amendment

(5) ‘conversion’ means the transition from non-organic to organic production within a given period of time ***during which the provisions relating to organic production have been applied***;

Amendment 74

Proposal for a regulation Article 3 – point 7

Text proposed by the Commission

(7) ‘group of operators’ means a group ***in which each operator is a farmer who has a holding of up to 5 hectares of utilised agricultural area and who may, in addition to producing food or feed, be engaged in processing of food or feed***;

Amendment

(7) ‘group of operators’ means a group ***fulfilling all of the following conditions***:

(a) each member of the group is a farmer or is an operator producing algae or aquaculture products, and may, in addition to producing food and feed, be engaged in the processing, preparation or marketing of food or feed;

(b) the production activities of the members of the group take place in geographical proximity to each other;

(c) a joint marketing system for the organic products produced by the group is established;

(d) the group has legal personality and an internal control system; and

(ve the turnover or standard output of organic production of each member of the group does not exceed EUR 15 000 per year, or each member produces on a holding of up to 5 hectares, or, in the case of production under glass or other intensive production under protective cover, on a holding of up to 0.5 hectares, or, in the case of exclusively permanent grassland, on a holding of up to 15 hectares.

The conditions set out under point (e) do not apply to groups of operators from third countries;

Amendment 75

Proposal for a regulation Article 3 – point 10 a (new)

Text proposed by the Commission

Amendment

(10a) 'organic plant breeding and variety development' means the enhancement of genetic diversity coupled with reliance on natural reproductive ability. Organic plant breeding is aimed at the development of new varieties which are particularly suited for organic production systems. It involves a holistic approach that respects natural crossing barriers and is based on fertile plants that can establish a viable relationship with the living soil. Organic plant breeding is undertaken under these organic plant breeding conditions in line with the requirements of this Regulation.

Amendment 76

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

Text proposed by the Commission

Amendment

(10b) 'plant reproductive material' means plants as well as forms of plants at any stage, including seeds, capable of and intended for, producing entire plants;

Amendment 77

Proposal for a regulation Article 3 – point 10 c (new)

Text proposed by the Commission

Amendment

(10c) 'mother plant' means an identified plant from which plant reproductive material is taken for reproduction of new plants;

Amendment 78

Proposal for a regulation Article 3 – point 10 d (new)

Text proposed by the Commission

Amendment

(10d) 'generation' means a group of plants constituting a single line of descent of plants;

Amendment 79

Proposal for a regulation Article 3 – point 10 e (new)

Text proposed by the Commission

Amendment

(10e) 'organic animal breeding' means

the enhancement of genetic diversity coupled with reliance on the natural reproductive ability of the animals concerned. Organic animal breeding shall secure optimum compliance with the requirements of this Regulation, focussing on disease resistance, longevity, breeding value, and adaptation to climatic and natural conditions, and shall promote breeding aimed at slow growth where relevant;

Amendment 80

Proposal for a regulation Article 3 – point 13 a (new)

Text proposed by the Commission

Amendment

(13a) ‘herbal preparations’ means extracts obtained from certain plants for the purpose of strengthening crops or repelling or eliminating pests and diseases;

Amendment 81

Proposal for a regulation Article 3 – point 13 b (new)

Text proposed by the Commission

Amendment

(13b) ‘biodynamic preparations’ means mixtures traditionally used in biodynamic farming and numbered from 500 to 508;

Amendment 82

Proposal for a regulation Article 3 – point 16

Text proposed by the Commission

Amendment

(16) ‘veranda’ means an additional, roofed, uninsulated, outdoor part of a livestock

(16) ‘veranda’ means an additional, roofed, uninsulated, outdoor part of a livestock

building, the longest side being usually equipped with wire fencing or netting with outdoor climate, natural and artificial illumination and a littered floor;

building, the longest side being usually equipped with wire fencing or netting with outdoor climate, natural and, **where possible**, artificial illumination and a littered floor;

Justification

Where it is provided in a suitable way, natural illumination should be sufficient in a veranda; artificial illumination should not be a compulsory requirement.

Amendment 83

**Proposal for a regulation
Article 3 – point 16 a (new)**

Text proposed by the Commission

Amendment

(16a) ‘laying pullets’ means young animals of the Gallus gallus species intended for egg production and of an age of less than 18 weeks;

Amendment 84

**Proposal for a regulation
Article 3 – point 16 b (new)**

Text proposed by the Commission

Amendment

(16b) ‘laying hens’ means animals of the Gallus gallus species intended for the production of eggs for consumption and of an age of at least 18 weeks;

Amendment 85

**Proposal for a regulation
Article 3 – point 16 c (new)**

Text proposed by the Commission

Amendment

(16c) ‘broilers’ means animals of the Gallus gallus species kept for meat production;

Amendment 86

Proposal for a regulation Article 3 – point 16 d (new)

Text proposed by the Commission

Amendment

(16d) 'usable area' means an area as defined in Council Directive 1999/74/EC^{1a}, being an area (inside the poultry house) at least 30 cm wide with a floor slope not exceeding 14 % and with headroom of at least 45 cm. Nesting areas shall not be regarded as usable areas;

^{1a} **Directive 1999/74/EC of the Council of 19 July 1999 laying down minimum standards for the protection of laying hens (OJ L 203, 3.8.1999, p. 53.).**

Justification

Provision taken from Article 2.2 (d) of Council Directive 1999/74/EC

Amendment 87

Proposal for a regulation Article 3 – point 16 f (new)

Text proposed by the Commission

Amendment

(16f) 'core indicators' means indicators relating to the direct environmental aspects defined in Regulation (EC) No 1221/2009;

Amendment 88

Proposal for a regulation Article 3 – point 20

Text proposed by the Commission

Amendment

(20) 'preparation' means the operations of

(20) 'preparation' means the operations of

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preserving or processing of organic products, including slaughter and cutting for livestock products, packaging, labelling or alterations made to the labelling relating to organic production;

preserving or processing of organic products, including slaughter and cutting for livestock products, packaging, labelling or alterations made to the labelling relating to *the* organic production *method used*;

Justification

'Preparation' as defined in Regulation (EC) No 834/2007.

Amendment 89

**Proposal for a regulation
Article 3 – point 24**

Text proposed by the Commission

(24) 'in-conversion *feed*' means *feed* produced during the conversion period, *with* the exclusion of those harvested in the 12 months following the beginning of the conversion;

Amendment

(24) 'in-conversion *products*' means *plant products* produced during the conversion period, *to* the exclusion of those harvested in the 12 months following the beginning of the conversion;

Amendment 90

**Proposal for a regulation
Article 3 – point 28**

Text proposed by the Commission

(28) 'catastrophic circumstances' means circumstances deriving from an 'adverse climatic event', an 'environmental incident', a 'natural disaster' or a 'catastrophic event' as defined respectively in points (h), (j), (k) and (l) of Article 2(1) of Regulation (EU) No 1305/2013;

Amendment

(28) 'catastrophic circumstances' means circumstances deriving from an 'adverse climatic event', an 'environmental incident', a 'natural disaster', *an 'animal disease'* or a 'catastrophic event' as defined respectively in points (h), *(i)*, (j), (k) and (l) of Article 2(1) of Regulation (EU) No 1305/2013;

Amendment 91

**Proposal for a regulation
Article 3 – point 33**

Text proposed by the Commission

(33) ‘control authority’ means **control authority for organic production and labelling of organic products as defined in point 39 of Article 2 of Regulation (EU) No XXX/XXXX [Official controls Regulation]**;

Amendment

(33) 'control authority' means **a public administrative organisation of a Member State to which the competent authority has delegated, in whole or in part, its competence for inspection and certification in the field of organic production and labelling in accordance with the provisions set out in this Regulation. It also includes, where appropriate, the corresponding authority of a third country or the corresponding authority operating in a third country;**

Amendment 92

Proposal for a regulation Article 3 – point 34

Text proposed by the Commission

(34) ‘control body’ means **a delegated body as defined in point 38 of Article 2 of Regulation (EU) No XXX/XXXX [Official controls Regulation], as well as a body recognised by the Commission or by a third country recognised by the Commission to carry out controls in third countries for the import of organic products into the Union;**

Amendment

(34) 'control body' means **an independent private or public third party carrying out inspection and certification in the field of organic production in accordance with the provisions set out in this Regulation. It also includes, where appropriate, the corresponding body of a third country or the corresponding body operating in a third country;**

Amendment 93

Proposal for a regulation Article 3 – point 35 a (new)

Text proposed by the Commission

Amendment

(35a) 'compliance' means compliance with this Regulation and its Annexes, with the delegated and implementing acts adopted in accordance with this Regulation and with other Regulations to

which this Regulation refers;

Amendment 94

Proposal for a regulation Article 3 – point 36

Text proposed by the Commission

(36) 'genetically modified organism' means a genetically modified organism as defined in **point (2) of Article 2 of Directive 2001/18/EC of the European Parliament and of the Council⁴³ which is not obtained through the techniques of genetic modifications listed in Annex I.B to that Directive**, hereinafter referred to as 'GMO';

⁴³ Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC (OJ L 106, 17.4.2001, p. 1).

Amendment

(36) 'genetically modified organism' means a genetically modified organism as defined in Directive 2001/18/EC of the European Parliament and of the Council⁴³, hereinafter referred to as 'GMO';

⁴³ Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC (OJ L 106, 17.4.2001, p. 1).

Amendment 95

Proposal for a regulation Article 3 – point 40 a (new)

Text proposed by the Commission

Amendment

(40a) 'engineered nanomaterial' means engineered nanomaterial as defined in point (t) of Article 2(2) of Regulation (EU) No1169/2011;

Amendment 96

Proposal for a regulation Article 3 – point 41

Text proposed by the Commission

(41) '*equivalence*' means *meeting* the same objectives and principles by applying rules which ensure the same level of assurance of conformity; '*processing aid*' means *processing aid as defined in point (b) of Article 3(2) of Regulation (EC) No 1333/2008*;

Amendment

(41) '*equivalent*', when describing *different systems or measures*, means *that they meet* the same objectives and principles by applying rules which ensure the same level of assurance of conformity;

Amendment 97

Proposal for a regulation Article 3 – point 43

Text proposed by the Commission

(43) 'ionising radiation' means ionising radiation as defined in Article 1 of Council Directive 96/29/Euratom⁴⁷.

Amendment

(43) 'ionising radiation' means ionising radiation as defined in Article 1 of Council Directive 96/29/Euratom⁴⁷ **and as regulated by Directive 1999/2/EC of the European Parliament and of the Council^{47 a}**;

⁴⁷ Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation (OJ L 159, 29.6.1996, p. 1).

⁴⁷ Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation (OJ L 159, 29.6.1996, p. 1);

^{47 a} **Directive 1999/2/EC of the European Parliament and of the Council of 22 February 1999 on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation (OJ L 66, 13.3.1999, p. 16.)**

Justification

A reference should be made to Directive 1999/2/EC of the European Parliament and of the Council of 22 February 1999 on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation.

Amendment 98

Proposal for a regulation Article 3 – point 43 a (new)

Text proposed by the Commission

Amendment

(43a) 'mass catering operations' means the preparation and distribution of organic products in catering establishments such as restaurants, canteens, hospitals and prisons, and other types of food businesses at the point of sale or delivery to the final consumer;

Amendment 99

Proposal for a regulation Article 3 – point 43 b (new)

Text proposed by the Commission

Amendment

(43b) 'production unit' means all assets used in a production sector, such as primary production premises, land, parcels, pastures, open-air areas, livestock buildings, hives, fish ponds, containment systems or sites for algae or aquaculture animals, rearing units, shore or seabed concessions, crop storage premises, crop products, algae products, animal products, raw materials and any other input relevant for the organic production sector concerned;

Amendment 100

Proposal for a regulation Article 3 – point 43 c (new)

Text proposed by the Commission

Amendment

(43c) 'poultry house' means a covered, independent structure fitted out in such a way as to protect the animals housed within it from bad weather;

Justification

The term 'poultry house' in the previous regulation is interpreted differently from country to country and in different languages, sometimes as a rearing room in a large building. It should be given a precise and harmonised definition.

Amendment 101

Proposal for a regulation Article 3 – point 43 d (new)

Text proposed by the Commission

Amendment

(43d) 'hydroponic production' means the method of growing plants with their roots in a mineral nutrient solution only or in an inert medium, such as perlite, gravel or mineral wool to which a nutrient solution is added;

Amendment 102

Proposal for a regulation Article 3 – point 43 e (new)

Text proposed by the Commission

Amendment

(43e) 'soil-bound crop cultivation' means production in living soil such as mineral soil mixed and/or fertilised with materials and products allowed in organic production, in connection with the subsoil and bedrock;

Amendment 103

Proposal for a regulation Article 3 – point 43 f (new)

Text proposed by the Commission

Amendment

(43f) 'holding' means all the production units operated under a single management for the purpose of producing the products referred to in Article 2(1);

Amendment 104

Proposal for a regulation Article 3 – point 43 g (new)

Text proposed by the Commission

Amendment

(43g) 'pre-packed food' means a pre-packed food as defined in point (f) of Article 2(2) of Regulation (EU) No 1169/2011.

Justification

Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers.

Amendment 105

Proposal for a regulation Chapter II – title

Text proposed by the Commission

Amendment

Principles *of* organic production

Objectives of, and principles for, organic production

Amendment 106

Proposal for a regulation Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a

Objectives

In order to establish a sustainable management system for organic production, the following general objectives shall be pursued:

(a) respecting nature's systems and cycles and sustaining and enhancing the health of soil, water, plants and animals and the

balance between them;

(b) establishing appropriate management of biological processes based on ecological systems using natural resources which are internal to the system, by methods that:

– maintain the long-term fertility of soils;

– contribute to a high level of biological diversity;

– make a substantial contribution to a non-toxic environment;

– make responsible use of, and contribute to the saving of, energy and water, and preserve natural resources such as water, soil, organic matter and air;

– respect high animal welfare standards and, in particular, meet animals' species-specific behavioural needs.

Justification

The chapter should not only deal with the principles but also with the objectives of organic farming, processing and distribution as it was the case under Regulation No 834/2007.

Amendment 107

Proposal for a regulation

Article 4

Text proposed by the Commission

Amendment

Organic production is a sustainable management system *for agriculture* that is based on the following general principles:

(a) respect for nature's systems and cycles and sustainment and enhancement of the state of soil, water, air and biodiversity, of the health of plants and animals and of the balance between them;

(b) contribution to a high level of biodiversity;

(c) responsible use of energy and natural

Organic production is a sustainable management system that is based on the following general principles:

(a) contribution to protection of the environment, the climate and human health;

(b) contribution to a high level of biodiversity;

(c) responsible use of energy and natural

resources, such as water, soil, organic matter and air;

(d) respect of high animal welfare standards and, in particular, fulfilment of animals' species-specific behavioural needs;

(e) appropriate design and management of biological processes based on ecological systems using natural resources which are internal to the system by methods that:

(i) use living organisms and mechanical production methods;

(ii) practice **land-related** crop cultivation and livestock production or **practice aquaculture** which complies with the principle of sustainable **exploitation of fisheries**;

(iii) exclude the use of GMOs and products produced from or by GMOs with the exception of veterinary medicinal products;

(iv) are based on the use of **preventive** measures, when appropriate;

resources, such as water, soil, organic matter and air;

(d) respect of high animal welfare standards and, in particular, fulfilment of animals' species-specific behavioural needs;

(da) production of a wide variety of foods and other agricultural and aquacultural products of high quality which benefits the environment, human health, plant health or animal health and welfare;

(db) ensuring the quality of organic products at all stages of production, processing and distribution;

(dc) encouragement of short distribution channels and local production in the various areas of the Union;

(e) appropriate design and management of biological processes based on ecological systems using natural resources which are internal to the system by methods that:

(i) use living organisms and mechanical production methods;

(ii) practice **soil-bound** crop cultivation and **land-related** livestock production or aquaculture which complies with the principle of sustainable fisheries.

Additionally, such practices shall be based on the following principles:

– soil protection and cover against wind and water erosion;

– protection of the quality of the water;

– crop rotation, save in the case of permanent crops;

– use of seeds and animals with a high degree of genetic diversity, resistance against diseases and longevity;

(iii) exclude the use of GMOs and products produced from or by GMOs with the exception of veterinary medicinal products;

(iv) are based on **risk assessment as defined in Article 3 of Regulation (EC)**

(f) restriction of the use of external inputs. Where external inputs are required or the appropriate management practices and methods referred to in point (e) do not exist, these shall be limited to:

(i) inputs from organic production;

(ii) natural or naturally-derived substances;

(iii) low solubility mineral fertilisers;

(g) adaptation, where necessary, and within the framework of this Regulation, of the production process, taking account of the sanitary status, regional differences in ecological balance, climate and local conditions, stages of development and specific husbandry practices.

Amendment 108

Proposal for a regulation Article 5 – point d a (new)

Text proposed by the Commission

Amendment 109

Proposal for a regulation Article 5 – point h

Text proposed by the Commission

(h) exclusion of ***genetic engineering, animal cloning, artificially induced polyploidy and ionising radiation*** from the

No 178/2002 and the use of precautionary measures, when appropriate;

(f) restriction of the use of external inputs. Where external inputs are required or the appropriate management practices and methods referred to in point (e) do not exist, these shall be limited to:

(i) inputs from organic production; ***in the case of plant reproductive material, priority shall be given to varieties selected for their ability to meet the specific needs and objectives of organic farming where available;***

(ii) natural or naturally-derived substances;

(iii) low solubility mineral fertilisers;

(g) adaptation, where necessary, and within the framework of this Regulation, of the production process, taking account of the sanitary status, regional differences in ecological balance, climate and local conditions, stages of development and specific husbandry practices.

Amendment

(da) sustaining the health of plants and animals;

Amendment

(h) exclusion of animal cloning from the whole organic food chain;

whole organic food chain;

Amendment 110

Proposal for a regulation Article 5 – point h a (new)

Text proposed by the Commission

Amendment

(ha) exclusion of food containing or consisting of artificially engineered nanomaterials;

Amendment 111

Proposal for a regulation Article 5 – point i

Text proposed by the Commission

Amendment

(i) continuing health of the aquatic environment and the quality of surrounding aquatic and terrestrial ecosystems;

(i) maintenance of biodiversity in natural aquatic ecosystems, and ensuring the continuing health of the aquatic environment and the quality of surrounding aquatic and terrestrial ecosystems in aquaculture production;

Amendment 112

Proposal for a regulation Article 5 – point j a (new)

Text proposed by the Commission

Amendment

(ja) taking account of the local or regional ecological balance when taking production decisions;

Amendment 113

Proposal for a regulation Article 5 – point j b (new)

Text proposed by the Commission

Amendment

(jb) production of organic livestock products derived from animals that have been raised on organic holdings since their birth or hatching and throughout their life;

Amendment 114

Proposal for a regulation

Article 6 – title

Text proposed by the Commission

Amendment

Specific principles applicable to the processing of organic food ***and feed***

Specific principles applicable to the processing of organic food

Justification

A distinction should be made between food and feed and both issues should be dealt with in different articles.

Amendment 115

Proposal for a regulation

Article 6

Text proposed by the Commission

Amendment

Production of processed organic food ***and feed*** shall in particular be based on the following specific principles:

(a) production of organic food from organic agricultural ingredients;

Production of processed organic food shall, in particular, be based on the following specific principles:

(a) ***the*** production of organic food from organic agricultural ingredients, ***except where an ingredient is not available as an organic product at a certain point in time. In such cases, non-organic ingredients may, exceptionally, be authorised by the competent authority of the Member State concerned. Such authorisation shall be notified to the Commission and published by the Commission in such a way as to make this information accessible;***

(b) production of organic feed from organic materials;

(c) limitation of the use of food additives, of non-organic ingredients with mainly technological and sensory functions, and of micronutrients and processing aids, so that they are used to a minimum extent and only in cases of essential technological need or for particular nutritional purposes;

(d) limitation of the use of feed additives and processing aids to a minimum extent and only in cases of essential technological or zootechnical needs or for particular nutritional purposes;

(e) exclusion of substances and processing methods that might be misleading as regards the true nature of the product;

(f) processing of food ***or feed*** with care, preferably through the use of biological, mechanical and physical methods.

(b) restriction of the use of food additives, of non-organic ingredients with mainly technological and sensory functions, and of micronutrients and processing aids, so that they are used to a minimum extent and only in cases of essential technological need or for particular nutritional purposes;

(c) exclusion of substances and processing methods that might be misleading as regards the true nature of the product;

(d) processing of food with care, preferably through the use of biological, mechanical and physical methods.

Amendment 116

Proposal for a regulation

Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6a

Specific principles applicable to the processing of organic feed

Production of processed organic feed shall, in particular, be based on the following specific principles:

(a) the production of organic feed from organic feed materials;

(b) restriction of the use of feed additives and processing aids, and authorisation of the use of such additives and aids only in cases of essential technological or zootechnical needs or for particular nutritional purposes;

(c) exclusion of substances and processing methods that might be misleading as regards the true nature of the product concerned;

(d) processing of feed with care, preferably through the use of biological, mechanical and physical methods.

Amendment 117

Proposal for a regulation

Article 7 – paragraph 1 – point a

Text proposed by the Commission

(a) the entire agricultural holding or aquaculture operation shall be managed in compliance with *the requirements applicable to organic production*;

Amendment

(a) the entire agricultural holding or aquaculture operation shall be managed in compliance with *this Regulation*;

Amendment 118

Proposal for a regulation

Article 7 – paragraph 1 – point b

Text proposed by the Commission

(b) *save as otherwise provided* in point 2.2 of Part IV and point 1.3 of Part VI of Annex II, only products and substances authorised pursuant to **Article 19** may be used in organic agriculture and aquaculture, provided that the product or substance in question has been authorised for use in agriculture and aquaculture, in accordance with the relevant provisions of Union law and, where necessary, in the Member States concerned, in accordance with national provisions based on Union law;

Amendment

(b) only products and substances authorised pursuant to point 2.2 of Part IV and point 1.3 of Part VI of Annex II *for the purposes mentioned in Article 19* may be used in organic agriculture and aquaculture, provided that the product or substance in question has been authorised for use in agriculture and aquaculture, in accordance with the relevant provisions of Union law and, where necessary, in the Member States concerned, in accordance with national provisions based on Union law; *the use of products and substances used for purposes other than those mentioned in Article 19 and authorised pursuant to point 2.2 of Part IV and point 1.3 of Part VI of Annex II shall be allowed provided that their use respects*

the principles laid down in Chapter II;

Amendment 119

Proposal for a regulation

Article 7 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) the use of animal cloning and the rearing of artificially induced polyploid animals is prohibited;

Amendment 120

Proposal for a regulation

Article 7 – paragraph 1 – point c b (new)

Text proposed by the Commission

Amendment

(cb) preventive measures shall be taken as appropriate at all stages of production, preparation and distribution;

Amendment 121

Proposal for a regulation

Article 7 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) organic operators other than micro-enterprises, farmers and operators producing *seaweed* or aquaculture animals, shall ***put in place an environmental management system with a view to improving their environmental performance.***

(d) organic operators other than micro-enterprises, farmers, ***beekeepers, retailers,*** and operators producing *algae* or aquaculture animals, shall ***improve their environmental performance so as to protect biodiversity and to contribute to climate change mitigation by means such as carbon sequestration, establishing performance targets.***

Amendment 122

Proposal for a regulation Article 7 – paragraph 2

Text proposed by the Commission

2. In order to ensure the correct application of the general production rules, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 **providing** the criteria to which the environmental **management system** referred to in point (d) of paragraph 1 **is** to correspond. Those criteria shall take into account the specificities of small and **medium size** enterprises.

Amendment

2. In order to ensure the correct application of the general production rules, the Commission shall be empowered to adopt delegated acts in accordance with Article 36, **based on the principles set out in Chapter II, laying down** the criteria to which the **requirements for environmental performance measures taken in organic operations as** referred to in point (d) of paragraph 1 **are** to correspond. Those criteria shall take into account the specificities of small and **medium-sized** enterprises.

Amendment 123

Proposal for a regulation Article 7 a (new)

Text proposed by the Commission

Amendment

Article 7a

Derogation from general production rules

1. By way of derogation from point (a) of Article 7(1), a holding may be separated into clearly distinct production units which are either in compliance with this Regulation or dedicated to non-organic production, provided that:

(a) appropriate measures have been taken to ensure the permanent separation of products obtained from each unit concerned;

(b) as regards livestock, different species are involved and feed and stables are clearly separated;

(c) as regards plants, cultivated land is clearly separated, different crops and

easily distinguishable varieties are produced and harvests are separately stored and processed;

(d) as regards aquaculture, production sites, feed and species are clearly separated;

(e) as regards perennial crops which have been cultivated over a period of at least three years, varieties which cannot be easily differentiated shall be accepted if they are being produced under a conversion plan not exceeding five years in duration and are subject to specific control procedures.

In the case of research and educational centres, nurseries, seed multipliers, hatcheries for aquaculture and algae production and breeding operations, the requirements concerning different species and varieties referred to in points (a) and (e) of the first subparagraph shall not apply.

2. An agricultural holding or aquaculture operation which includes organic and non-organic units may establish a conversion plan for the non-organic part of production to be implemented within a period of time which allows the holding to adapt to the requirements of this Regulation.

3. The derogation set out in paragraph 1 shall not apply to units producing products which are not covered by the scope of this Regulation or products for which detailed requirements have not yet been developed.

Amendment 124

Proposal for a regulation Article 8 – paragraph 1

Text proposed by the Commission

1. Farmers and operators producing

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Amendment

1. Farmers, *beekeepers* and operators

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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.

producing *algae* or aquaculture animals shall respect a conversion period. **Throughout** the conversion period they shall apply **all** rules on organic production laid down in this Regulation and, in particular, the specific rules on conversion set out in Annex II.

Justification

Provision taken from Article 17b of Regulation (EC) No 834/2007.

Amendment 125

Proposal for a regulation

Article 8 – paragraph 2 – subparagraph 1 a (new)

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 certification and control system and** notified his activity to the competent authorities in accordance with this Regulation.

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.

The conversion period may be reduced to

one year for pasture and open air areas used by non-herbivore species. This period may be reduced to six months where the land concerned has not during the last year received any treatment with products not authorised for organic production.

Amendment 126

Proposal for a regulation Article 8 – paragraph 3

Text proposed by the Commission

Amendment

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

deleted

Amendment 127

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. *Animals and animal* products produced during the conversion period shall not be marketed as organic. *Plant products harvested 12 months after the start of the conversion period may be marked as conversion products, provided that such products contain only one crop ingredient of agricultural origin.*

Justification

In line with Article 17 (f) and Article 26 on specific labelling requirements of Council Regulation (EC) No 834/2007 as well as with Article 62 of Commission Regulation (EC) No 889/2008.

Amendment 128

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

Amendment 129

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.

Amendment 130

Proposal for a regulation Article 9 – paragraph 2

Text proposed by the Commission

Amendment

2. For the purposes of paragraph 1, with regard to GMOs or products produced

2. For the purposes of **the prohibition laid down in** paragraph 1, with regard to GMOs

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 Council⁴⁸ or Regulation (EC) No 1830/2003 of the European Parliament and of the Council⁴⁹.

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 Council⁴⁸ or Regulation (EC) No 1830/2003 of the European Parliament and of the Council⁴⁹.

⁴⁸ 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).

⁴⁹ 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).

⁴⁸ 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).

⁴⁹ 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 131

Proposal for a regulation

Article 9 – paragraph 3 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

For the purposes of the prohibition laid down in paragraph 1, with regard to products which are not food or feed, or products produced from or by GMOs, operators using such non-organic products purchased from third parties shall require the vendor to confirm that the products supplied have not been produced from or by GMOs.

Justification

The use of GMOs is prohibited in organic production therefore operators should be able to prove that they haven't used non organic products which were produced from or by GMOs.

Amendment 132

Proposal for a regulation Article 10 – paragraph 1

Text proposed by the Commission

1. Operators producing plants or plant products shall in particular comply with the specific production rules set out in Part I of Annex II.

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

Justification

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

Amendment 133

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 ***indicative listing of varieties including seed potatoes and*** heterogeneous material, ***such as populations or open pollinated varieties, meaning that they have not been obtained by controlled pollination of inbred lines*** for which ***seeds*** obtained by the organic production method ***are*** available on its ***national market. The organically bred varieties or heterogeneous material selected for their ability to meet the specific aims and objectives of organic farming shall be clearly identified in the list.***

The databases shall be maintained by each Member State and shall be made public by the Commission. In order to ensure a timely overview of the availability of plant reproductive material suitable for organic production at Union level, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down:

– the technical minimum requirements for establishing the databases mentioned in this paragraph,

– the content of the information to be transmitted to the Commission by Member States, as well as the technical details and frequency of such procedure.

For heterogeneous material made available for use in organic agriculture,

(a) Council Directive 66/401/EEC^{1a},

(b) Council Directive 66/402/EEC^{1b},

(c) Council Directive 68/193/EEC^{1c},

(d) Council Directive 98/56/EC^{1d},

(e) Council Directive 1999/105/EC^{1e},

(d) Council Directive 2002/53/EC^{1f}.

(e) Council Directive 2002/54/EC^{1g},

(f) Council Directive 2002/55/EC^{1h},

(g) Council Directive 2002/56/EC¹ⁱ,

(h) Council Directive 2002/57/EC^{1j},

(i) Council Directive 2008/72/EC^{1k}, and

(j) Council Directive 2008/90/EC^{1l}

shall not apply.

^{1a} Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed (OJ 125, 11.7.1966, p. 2298).

^{1b} Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed (OJ 125, 11.7.1966, p. 2309).

^{1c} Council Directive 68/193/EEC of 9

April 1968 on the marketing of material for the vegetative propagation of the vine (OJ L 93, 17.4.1968, p. 15).

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

^{1e} Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed (OJ L 193, 20.7.2002, p. 12).

^{1f} Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed (OJ L 193, 20.7.2002, p. 33).

^{1g} Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes (OJ L 193, 20.7.2002, p. 60).

^{1h} Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants (OJ L 193, 20.7.2002, p. 74).

¹ⁱ Council Directive 2008/72/EC of 15 July 2008 on the marketing of vegetable propagating and planting material, other than seed (OJ L 205, 1.8.2008, p. 28).

^{1j} Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit propagating material and fruit plants intended for fruit production (OJ L 267, 8.10.2008, p. 10).

^{1k} Council Directive 2008/72/EC of 15 July 2008 on the marketing of vegetable propagating and planting material, other than seed (OJ L 205, 1.8.2008, p. 28).

^{1l} Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit propagating material and fruit plants intended for fruit production (OJ L 267, 8.10.2008, p. 10).

Amendment 134

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:

Amendment 135

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

Text proposed by the Commission

Amendment

(a) cultivation practices;

deleted

Amendment 136

Proposal for a regulation Article 10 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) soil management and fertilisation;

(b) soil management and fertilisation, as laid down in points 1.5.4 and 1.5.5 of Part I of Annex II;

Amendment 137

Proposal for a regulation Article 10 – paragraph 3 – point c

Text proposed by the Commission

Amendment

(c) plant health and management of pests and weeds;

(c) plant health and management of pests, weeds and diseases, as laid down in point 1.6 of Part I of Annex II;

Amendment 138

Proposal for a regulation Article 10 – paragraph 3 – point e

Text proposed by the Commission

(e) the origin of plant reproductive material;

Amendment

deleted

Amendment 139

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, *as laid down in point 2.2 of Part I of Annex II.*

Amendment 140

Proposal for a regulation Article 10 – paragraph 4

Text proposed by the Commission

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).

Amendment

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.

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

Amendment 141

Proposal for a regulation Article 11 – paragraph 1

Text proposed by the Commission

1. Livestock operators shall in particular comply with the *specific* production rules set out in Part II of Annex II.

Amendment

1. Livestock operators shall in particular comply with the production rules set out in Part II of Annex II.

Amendment 142

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

Text proposed by the Commission

Amendment

1a. By 1 July 2017 the Commission shall present to the European Parliament and to the Council a report on new species-specific rules to be incorporated into this Regulation. Those rules must be designed to meet all physiological and behavioural needs of the species concerned.

The use of cages shall not be permitted for any vertebrate species except fish.

Justification

This is a transitional rule for new species.

Amendment 143

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

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:

delegated acts in accordance with Article 36 supplementing the specific livestock production rules as regards:

Amendment 144

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

Text proposed by the Commission

Amendment

(a) the origin of animals;

deleted

Amendment 145

Proposal for a regulation Article 11 – paragraph 2 – point b

Text proposed by the Commission

Amendment

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

deleted

Amendment 146

Proposal for a regulation Article 11 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) husbandry practices;

deleted

Amendment 147

Proposal for a regulation Article 11 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) breeding;

deleted

Amendment 148

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

Text proposed by the Commission

(e) *feed and feeding;*

Amendment

(e) *nutrition, as laid down in points 2.1.2, 2.2.2, 2.3.2, 2.4.3 and 2.5.3 of Part II of Annex II;*

Amendment 149

Proposal for a regulation Article 11 – paragraph 2 – point f

Text proposed by the Commission

(f) disease prevention and veterinary treatment.

Amendment

(f) disease prevention and veterinary treatment, *as laid down in point 2.5.4 of Part II of Annex II.*

Amendment 150

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

Text proposed by the Commission

Amendment

Those delegated acts shall cover the following species:

(a) bovine, ovine and caprine animals;

(b) equine animals;

(c) porcine animals;

(d) poultry;

(e) bees.

Amendment 151

Proposal for a regulation Article 12 – title

Text proposed by the Commission

Production rules for *seaweed* and aquaculture animals

Amendment

Production rules for *algae* and aquaculture animals

Amendment 152

Proposal for a regulation Article 12 – paragraph 1

Text proposed by the Commission

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

Amendment

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 of this Article.**

Amendment 153

Proposal for a regulation Article 12 – paragraph 2 – introductory part

Text proposed by the Commission

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:

Amendment

2. In order to ensure quality, traceability and compliance with this Regulation as regards organic *algae* production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific *algae* production rules as regards:

Amendment 154

Proposal for a regulation Article 12 – paragraph 2 – point a

Text proposed by the Commission

(a) the suitability of the aquatic medium

Amendment

deleted

and the sustainable management plan;

Amendment 155

Proposal for a regulation

Article 12 – paragraph 2 – point c

Text proposed by the Commission

(c) *seaweed* cultivation;

Amendment

(c) *algae* cultivation, ***including for different species of algae;***

Amendment 156

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, ***including for specific aquaculture species,*** as regards:

Amendment 157

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

deleted

Amendment 158

Proposal for a regulation

Article 12 – paragraph 3 – point b

Text proposed by the Commission

(b) the origin of aquaculture animals;

Amendment

(b) the origin of aquaculture animals **for each particular species, as laid down in point 4.1.2 of Part III of Annex II;**

Amendment 159

Proposal for a regulation

Article 12 – paragraph 3 – point c

Text proposed by the Commission

(c) **aquaculture** husbandry, **including aquatic containment systems, production systems, maximum stocking density and, where appropriate, minimum stocking density;**

Amendment

(c) **housing conditions and** husbandry practices, as laid down in points 4.1.5 and 4.2.2 of Part III of Annex II;

Amendment 160

Proposal for a regulation

Article 12 – paragraph 3 – point d

Text proposed by the Commission

(d) **breeding;**

Amendment

deleted

Amendment 161

Proposal for a regulation

Article 12 – paragraph 3 – point e

Text proposed by the Commission

(e) management of **aquaculture animals;**

Amendment

(e) management of **molluscs, as laid down in point 4.2.4 of Part III of Annex II;**

Amendment 162

Proposal for a regulation

Article 12 – paragraph 3 – point f

Text proposed by the Commission

Amendment

(f) feed and feeding;

(f) feed and feeding, *as laid down in points 4.1.3.3 and 4.1.3.4 of Part III of Annex II;*

Amendment 163

Proposal for a regulation Article 12 – paragraph 3 – point g

Text proposed by the Commission

Amendment

(g) disease prevention and veterinary *treatment*.

(g) disease prevention and veterinary *treatments, as laid down in point 4.1.4 of Part III of Annex II.*

Amendment 164

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 the database referred to in point 4.1.2.1 of Part III of Annex II. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).

Amendment 165

Proposal for a regulation Article 13 – title

Text proposed by the Commission

Amendment

Production rules for processed *food and* feed

Production rules for processed feed

Justification

Production rules for food and feed are different because they are based on different horizontal Regulations. They should therefore be kept separate. This explains also the deletions in the following amendments on article 13.

Amendment 166

Proposal for a regulation Article 13 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Justification

Operators should also comply with the general production rules set out in Part IV of Annex II.

Amendment 167

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

Amendment 168

Proposal for a regulation Article 13 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) procedures to be followed;

deleted

Amendment 169

Proposal for a regulation

Article 13 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) preventive measures to be taken;

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

Amendment 170

Proposal for a regulation

Article 13 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) the composition and conditions of use of processed food and feed, including products and substances allowed for use in processed food and feed;

deleted

Amendment 171

Proposal for a regulation

Article 13 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) cleaning measures;

deleted

Amendment 172

Proposal for a regulation

Article 13 – paragraph 2 – point e

Text proposed by the Commission

Amendment

(e) the placing on the market of processed products including their labelling and identification; *deleted*

Amendment 173

Proposal for a regulation

Article 13 – paragraph 2 – point f

Text proposed by the Commission

Amendment

(f) separation of organic products, agricultural ingredients and feed materials from non-organic products, agricultural ingredients and feed materials; *deleted*

Amendment 174

Proposal for a regulation

Article 13 – paragraph 2 – point g

Text proposed by the Commission

Amendment

(g) the list of non-organic agricultural ingredients which may exceptionally be used for the production of organic processed products; *deleted*

Amendment 175

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*

Amendment 176

Proposal for a regulation Article 13 – paragraph 2 – point i

Text proposed by the Commission

(i) techniques used in **food or** feed processing.

Amendment

(i) techniques used in feed processing.

Amendment 177

Proposal for a regulation Article 13 a (new)

Text proposed by the Commission

Amendment

Article 13a

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 for the authorisation of 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.

Amendment 178

**Proposal for a regulation
Article 14 – paragraph 2**

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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, **as laid down in points 3.2, 3.3, 3.4 and 3.5 of Part V of Annex II.**

Amendment 179

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

Text proposed by the Commission

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.**

Amendment

2. In order to ensure quality, traceability and compliance with this Regulation as regards organic yeast production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific yeast production rules, **as laid down in point 1.3 of Part VI of Annex II.**

Amendment 180

**Proposal for a regulation
Article 16**

Text proposed by the Commission

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

Amendment

Where this Regulation does not lay down detailed production rules for certain animal species, certain aquatic plants and certain micro algae, national rules or, in the absence thereof, private standards recognised by the Member States shall apply pending the inclusion of detailed

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.

production rules in this Regulation. Such national rules or private standards shall be notified to the Commission. The rules laid down in Chapter IV in respect of labelling, and in Chapter V in respect of controls and certification, shall apply accordingly.

Amendment 181

Proposal for a regulation

Article 17

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. In order to allow organic production to continue or recommence in the event of circumstances resulting from an adverse climatic event, an animal pandemic, a plant disease or pest, an environmental incident or a natural disaster, competent authorities may grant individual authorisations for exceptions, subject to the following:

(a) derogations from the production rules laid down in this Chapter shall be subject to the principles laid down in Chapter II;

(b) derogations as referred to in point (a) shall be kept to a minimum and, where appropriate, limited in time, and may only be provided for in the following cases:

(i) 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;

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

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

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

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

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down the criteria according to which situations are to be categorised as situations requiring exceptional production rules and rules on how to deal with them, as well as rules on monitoring and on reporting requirements, taking into account expertise from the organic sector.

3. The competent authorities of the Member States shall be responsible for authorising exceptions on a case-by-case basis.

Amendment 182

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 ***points 2, 3, 4 and 6 of*** Annex III.

Amendment 183

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;***

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 184

Proposal for a regulation

Article 19 – paragraph 1 – subparagraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) as substances for use for the purposes of animal health other than those mentioned under points (d) and (e);

Justification

This "headline" offers the possibility to create new lists of substances if needed e.g. on substances used as veterinary medicine.

Amendment 185

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.

Justification

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

Amendment 186

Proposal for a regulation

Article 19 – paragraph 1 – subparagraph 2 – introductory part

Text proposed by the Commission

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:

Amendment

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:

Amendment 187

Proposal for a regulation

Article 19 – paragraph 1 – subparagraph 2 – point a

Text proposed by the Commission

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

Amendment

(a) as food additives, food enzymes, processing aids, *flavours, preparations of micro-organisms, minerals, trace elements, vitamins, amino acids and micro-nutrients*;

Justification

This amendment aims to clarify which substances may be used as food additives.

Amendment 188

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ba) as products and substances for oenological practices;

Amendment 189

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(bb) as products for cleaning and disinfection in processing and storage facilities.

Amendment 190

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(iia) zonal authorisation of products is possible only if, through a reduction in the use of other products and substances, a positive ecological effect can be achieved and, otherwise, an unacceptable deterioration in traditionally organic-quality crops in the zone concerned is likely;

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 191

Proposal for a regulation

Article 19 – paragraph 2 – subparagraph 1 – point e – introductory part

Text proposed by the Commission

Amendment

(e) in the case of products referred to in points (c) **and** (d) of the first subparagraph of paragraph 1, the following shall apply:

(e) in the case of products referred to in points (c), (d) and (**da**) of the first subparagraph of paragraph 1, the following shall apply:

Amendment 192

Proposal for a regulation

Article 19 – paragraph 2 – subparagraph 2 – point a

Text proposed by the Commission

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

Amendment

(a) **alternative substances** authorised in accordance with this Article **or technologies compliant with this Regulation** are not available;

Amendment 193

Proposal for a regulation

Article 19 – paragraph 2 – subparagraph 3

Text proposed by the Commission

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.

Amendment

The authorisation of **products and substances not covered by point (f) of Article 4** shall be strictly limited to cases where the use of external inputs referred to in **point (f) of Article 4** would contribute to unacceptable impacts **on the environment, animal or human health or product quality**.

Justification

The authorisation shall not only be strictly limited to chemically synthesised substances but also to other substances which are not covered under Article 4(f).

Amendment 194

Proposal for a regulation

Article 19 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Requests for amendment or withdrawal shall be published by Member States.

Amendment

The dossier in respect of amendment or withdrawal shall be published by Member States **and by the Commission**.

Justification

Requests for changes in the lists of substances should be made more transparent than in the past.

Amendment 195

Proposal for a regulation

Article 19 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The Commission shall review the lists referred to in paragraph 1 every four years.

Justification

Up to now, few lists are updated regularly, which implies that operators are not informed adequately.

Amendment 196

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 lists of those products and substances and, where appropriate, their description, compositional requirements and conditions for use. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).***

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

Amendment 197

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.*

Amendment 198

Proposal for a regulation Article 20 a (new)

Text proposed by the Commission

Amendment

Article 20a

Precautionary measures to be taken to prevent non-compliance with this Regulation

1. In order to ensure compliance with this Regulation, operators shall take all necessary precautionary measures in order to avoid the presence of non-authorised processes, products or substances in organic production.

2. In particular, where an operator suspects that a process, product or substance which has been sourced, produced or prepared for use in organic farming does not comply with this Regulation, that operator shall:

(a) separate and identify the product;

(b) set up a system appropriate to the type and size of the operation for the purpose of verification and assessment, following procedures based on a systematic identification of critical procedural steps;

(c) if the operator concludes, after having carried out the assessment provided for in point (b), that the suspicion of non-compliance is substantiated, the operator shall withdraw the product from the market and discontinue its processing. The operator shall immediately inform the competent authorities or control body about his findings.

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

(a) in the event that a control authority or

a control body:

– detects the presence of a non-authorised process, product or substance in organic production, or

– receives from an operator reliable information concerning a suspicion concluded as having been substantiated in accordance with point (c) of paragraph 2, 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 concerned shall prohibit the placing of the product on the market with an indication referring to the organic production method until it is satisfied that the suspicion or non-compliance has been eliminated;

(b) the control authority or control body shall eliminate the suspicion of non-compliance or confirm that suspicion and the prohibition of marketing as soon as possible, taking into account the durability of the product and in any case within two months. In such a case, the operator concerned shall cooperate fully with the control body or authority. Before confirming a suspicion of non-compliance, the control authority or control body shall allow the operator to comment on its findings;

(c) where the non-compliance is confirmed, Article 26a shall apply;

(d) where the non-compliance is not confirmed within the period of time laid down under point (b), the decision taken pursuant thereto shall be revoked not later than at the expiry of that period of time.

4. In order to avoid adventitious

contamination with non-authorised products or substances as a result of non-organic farming practices or other non-organic practices in processing, preparation and distribution, which are beyond the control of organic operators, Member States shall establish precautionary measures.

5. Where control authorities, control bodies and competent authorities have identified specific risks of non-compliance with this Regulation or specific risks of adventitious contamination of organic products in certain sectors of organic production, Member States shall take adequate precautionary measures against those risks.

Amendment 199

Proposal for a regulation Article 20 b (new)

Text proposed by the Commission

Amendment

Article 20b

Causes of contamination with plant protection products and responsibilities of competent authorities, control authorities and control bodies

1. In the event that a control authority or a control body detects the presence of plant protection products which are non-compliant with Article 19, or receives reliable information concerning such presence, it shall carry out an appropriate investigation into the cause of the contamination. Such investigations must categorise the contamination in one of the following three categories:

(a) technically unavoidable;

(b) technically avoidable;

(c) deliberate or repetitive contamination which is technically avoidable.

A contamination shall be considered as avoidable when the operator:

– has not put in place or maintained appropriate, proportionate measures to identify and avoid the risks of contamination of organic products with non-authorized products and substances; or

– has not regularly reviewed and adjusted such appropriate measures, while the risk for contamination has clearly been perceptible; or

– has not taken appropriate measures pursuant to previous requests from the competent authorities or, as the case may be, from the control authority or control body, to take steps to avoid contamination; or

– has not complied with relevant requirements of this Regulation or has otherwise failed to take necessary steps in the production process to avoid contamination.

2. Products potentially contaminated with plant protection products as referred to in point (a) of the first subparagraph of paragraph 1 may be considered as marketable after examination by competent authorities.

Potential contamination as referred to in point (b) of the first subparagraph of paragraph 1 shall be investigated by the control authority or control body with regard to the nature of the circumstances which have led to the contamination, in accordance with the procedures laid down in Article 20a.

3. In cases of contamination as referred to in point (c) of the first subparagraph of paragraph 1, the competent authority, control authority or control body shall prohibit the operator concerned from placing on the market products bearing any reference, in the labelling and advertising thereof, to the organic

production method.

Any production areas or products affected by the non-authorized plant protection products must undergo a new conversion period as referred to in Article 8 running from the date of application of the non-authorized plant protection products or, if that date is not verifiable, from the date of detection. This applies without prejudice to any sanctions that may be imposed.

4. In order to provide for the best means of detecting and documenting non-compliance with this Regulation, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning:

– the methodology to be used in order to detect and evaluate the presence of plant protection products which do not comply with this Regulation, and specifically with Article 19;

– the procedures to be followed;

– the details to be documented in a common database on non-compliance with this Regulation, including findings of residues of non-authorized plant protection products.

Amendment 200

Proposal for a regulation

Article 20 c (new)– paragraph 1 a (new)

Text proposed by the Commission

Amendment

Article 20c

Database on non-compliance with this Regulation and database on findings of non-authorized plant protection products

The Commission shall establish a database on cases of non-compliance with this Regulation, based on national databases established by Member States. Those databases shall be used to facilitate

the formulation of best practices to avoid contamination. In collecting the data, the Member States and the Commission shall apply a risk-based approach revealing the reasons for, and categories of, non-compliance or contamination as laid down in points (a), (b) and (c) of the first subparagraph of Article 20b(1). The databases shall be accessible to operators, control bodies, the control authority and competent authorities. Member States shall provide an annual report to the Commission.

A database of analyses carried out by control bodies and control authorities, including the detection of non-authorised plant protection products, shall be established by Member States. The database shall be accessible to operators, control bodies, control and competent authorities. Member States shall report on an annual basis to the Commission on the findings collected in their national database.

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 201

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

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, *feed materials or any input part of the chain of the organic product,*

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.

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 in compliance* with this Regulation. In particular, the terms listed in Annex IV *or their equivalents in other languages which are not official languages of the Union but the status of which is officially recognised by the constitution of a Member State*, 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. *In the labelling and advertising of live or unprocessed agricultural products, terms referring to the organic production method may be used only where, in addition, the entire product has also been produced in accordance with the requirements laid down in this Regulation.*

Amendment 202

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

Text proposed by the Commission

Amendment

2a. As regards products and substances used in crop production as plant protection products, fertilisers, soil conditioners and nutrients, the terms referred to in paragraph 1 of this Article shall not be used anywhere in the Union, in any language listed in Annex IV, for the labelling, advertising and commercial documents.

Amendment 203

Proposal for a regulation

Article 21 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

3. As regards processed food, the terms referred to in paragraph 1 **may** be used:

Amendment

3. As regards processed food, the terms referred to in paragraph 1 **shall** be used:

Amendment 204

Proposal for a regulation

Article 21 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

(b) only in the list of ingredients, where less than 95% of agricultural ingredients are organic and provided that **those ingredients comply** with the production rules set out in this Regulation.

Amendment

(b) only in the list of ingredients, where less than 95% of agricultural ingredients are organic and provided that **the food in question complies** with the production rules set out in this Regulation.

Justification

This amendment is needed to avoid that conventional or non organic processes and substances are associated with the use of the term 'organic'.

Amendment 205

Proposal for a regulation

Article 21 – paragraph 3 – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

As regards plant varieties, the terms referred to in paragraph 1 may be used in the sales description, provided that:

(a) the breed complies with the production rules set out in point 1.4 of Part I of Annex II; and

(b) the term "organic breed" is used.

Amendment 206

Proposal for a regulation Article 21 – paragraph 4

Text proposed by the Commission

4. In order to provide clarity for consumers and to ensure that the appropriate information is communicated to them, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning adaptation of the list of terms set out in Annex IV, taking into account linguistic developments within the Member States **and concerning the establishment of specific labelling and compositional requirements applicable to feed and ingredients thereof.**

Amendment

4. In order to provide clarity for consumers and to ensure that the appropriate information is communicated to them, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning adaptation of the list of terms set out in Annex IV, taking into account linguistic developments within the Member States.

Amendment 207

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 as referred to in point (l) of Article 1(2) of Regulation (EU) No 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:

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 208

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**.

Amendment 209

Proposal for a regulation

Article 22 – paragraph 3

Text proposed by the Commission

3. The indications referred to in paragraphs 1 and 2 of this Article and in Article 23(3) shall be **marked** in a conspicuous place in such a way as to be easily visible, clearly legible and **indelible**.

Amendment

3. The indications referred to in paragraphs 1 and 2 of this Article and in Article 23(3) shall be **printed** in a conspicuous place in such a way as to be easily visible **and** clearly legible, and **shall not obscure the mandatory indications laid down in Article 9(1) of Regulation (EU) No 1169/2011**.

Amendment 210

Proposal for a regulation

Article 22 – paragraph 5 – subparagraph 1 – point c

Text proposed by the Commission

(c) the indication of the place where the agricultural raw materials have been farmed, in accordance with paragraph 2 of this Article and Article **232**(3).

Amendment

(c) the indication of the place where the agricultural raw materials have been farmed, in accordance with paragraph 2 of this Article and Article **23**(3).

Justification

Typing error in Commission proposal.

Amendment 211

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 laid down pursuant to Article 16. The organic production logo shall not be used in the case of food as referred to in point (b) of the first subparagraph of Article 21(3) and in-conversion products.***

Amendment 212

Proposal for a regulation Article 23 – paragraph 2

Text proposed by the Commission

2. The organic production logo of the European Union is an official attestation in accordance with Articles 85 and 90 of Regulation (EU) No XXX/XXXX [Official controls Regulation].

Amendment

deleted

Justification

If the organic production logo is an official attestation, this might create further administrative burden for operators in a future approval process.

Amendment 213

Proposal for a regulation Chapter V – title

Text proposed by the Commission

Organic certification

Amendment

Organic ***controls and*** certification

Amendment 214

Proposal for a regulation Article 23 a (new)

Text proposed by the Commission

Amendment

Article 23a

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 at least to an annual physical on-site control of their compliance with the applicable rules. Such controls shall be based on inspection, screening and targeted screening, depending on the likelihood of non-compliance.

The criteria for risk assessments used by control authorities to identify the most risky parts of the food chain are laid down in Annex Vf. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the detailed elements of the risk assessment, the frequency of controls and the

proportion of random controls as a fraction of the total number of controls.

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 only 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 in accordance with the most recently notified version, published in the C series of the Official Journal of the

European Union, of European Standard EN 17065 or ISO Guide 65 (General requirements for bodies operating product certification systems), and is approved by the competent authorities;

(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 complying with the provisions of paragraph 5, the competent authority shall take into account the following criteria when approving a control body or control authority:

(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 to have occurred.

7. The competent authority may not delegate to 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.

8. In accordance with Article 29 of the Official controls Regulation, competent authorities delegating control tasks to

control bodies or control authorities shall organise audits or inspections of the control bodies or control authorities in question, as necessary. If, as a result of an audit or an inspection, it appears that such bodies are failing to carry out properly the tasks delegated to them, the delegating competent authority may withdraw the delegation. It shall withdraw it without delay if the control body or control authority fails to take appropriate and timely remedial action.

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) of this paragraph or which no longer fulfils the criteria indicated in paragraphs 5 or 6, or which fails to satisfy the requirements laid down in paragraphs 11, 12 and 14.

10. Member States shall assign 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 the control system 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. 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 in each year, the control authorities and control bodies shall transmit to the competent authorities a list of the operators which were subject to their controls on 31 December of the previous year. A summary report of the control activities carried out during the previous year shall be provided by 31 March each year.

Amendment 215

Proposal for a regulation Article 24

Text proposed by the Commission

Amendment

[...]

deleted

Amendment 216

Proposal for a regulation Article 24 a (new)

Article 24a

Adherence to the control system

1. Any operator or group of operators which produces, prepares or stores organic products, which imports such products from a third country or exports such products to a third country, or which places such products on the market shall, prior to placing on the market any products characterised as 'organic' or 'in conversion to organic':

(a) notify their activity to the competent authorities of the Member State where the activity is carried out;

(b) submit their undertaking to the control system referred to in Article 23a.

Where an operator or group of operators subcontracts any of its activities to a third party, that operator or group of operators shall none the less be subject to the requirements laid down in points (a) and (b) of the first subparagraph, and the subcontracted activities shall be subject to the control system.

2. Member States shall exempt from the application of this Article organic operators who sell pre-packed products directly to the final consumer or user, provided that they do not produce, process, prepare or store such products other than in connection with the point of sale and they do not import such products from a third country and have not subcontracted such activities to another operator.

In accordance with point (c) of Article 26c Member States may exempt from the application of point (b) of the first subparagraph of paragraph 1 of this Article operators who sell less than a limited quantity per year of unpacked organic products to the final consumer or

user, provided that they notify their activity to the responsible authorities and do not produce, prepare or store such products other than in connection with the point of sale, do not import such products from a third country and have not subcontracted such activities to a third party.

3. Member States shall designate an authority or approve a body to receive notifications under point (a) of the first subparagraph of paragraph 1 of this Article.

4. Member States shall ensure that any operator or group of operators who complies with this Regulation, and who pays a reasonable fee by way of contribution to the control expenses, is entitled to be covered by the control system.

5. Operators and groups of operators shall keep records of the different activities in which they engage, in accordance with this Regulation.

6. Competent authorities shall keep an updated list containing the names and addresses of operators and groups of operators that have notified their activities in accordance with point (a) of the first subparagraph of paragraph 1 of this Article, and shall make that list public in an appropriate manner, including by means of publication on the internet, together with the information relating to their organic certificates as referred to in Article 25(1), and using the model set out in Annex Vd to this Regulation. The competent authorities shall respect the requirements of the protection of personal data laid down by Directive 95/46/EC of the European Parliament and of the Council^{1a}.

7. The Commission may adopt implementing acts prescribing details and specifications regarding the content, form and method of notification referred to in

paragraph 1, and the model referred to in paragraph 6 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).

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

Amendment 217

Proposal for a regulation Article 25 – title

Text proposed by the Commission

Amendment

Organic certificate

Certificate

Justification

The certificate confirms that the production complies with the rules set in this Regulation. Production complying with the rules is not organic from the beginning of the production process, during the conversion period. The word 'organic' may confuse the sector and consumers.

Amendment 218

Proposal for a regulation Article 25 – paragraph 1

Text proposed by the Commission

Amendment

1. Operators and groups of operators that have notified their activity in accordance with Article 24(1) and comply with this Regulation shall be entitled to be provided with an organic certificate. The organic certificate, issued in electronic form wherever possible, shall at least allow the identification of the operator or group of

1. Operators and groups of operators that have notified their activity **and submitted their undertaking to the control system** in accordance with Article 24a(1) and **that** comply with this Regulation shall be entitled to be provided with an organic certificate. The organic certificate, issued in electronic form wherever possible, shall

operators, the type or range of products covered by the certificate and its period of validity.

at least allow the identification of the operator or group of operators, the type or range of products covered by the certificate and its period of validity.

Amendment 219

Proposal for a regulation Article 25 – paragraph 2

Text proposed by the Commission

Amendment

2. The organic certificate is an official certification within the meaning of Articles 85 and 86 of Regulation (EU) No XXX/XXX (Official controls Regulation).

deleted

Justification

Private and public/private systems of certification should be possible (compare ISO 17065)

Amendment 220

Proposal for a regulation Article 25 – paragraph 3

Text proposed by the Commission

Amendment

3. Operators and groups of operators shall not be entitled to be provided with an organic certificate by different control authorities or control bodies for the same group of products, including when those operators and groups of operators engage in different stages of production, preparation and distribution.

3. Operators and groups of operators shall not be entitled to be provided with an organic certificate by different control **bodies for activities carried out in one Member State, as regards** the same group of products, including when those operators and groups of operators engage in different stages of production, preparation and distribution.

Justification

The rapporteur proposes to define the "groups of products" in a new Annex Vd based on Annex XII of former Regulation (EC) No 889/2008. Defining the groups of products in annex also removes the need for a delegated act under paragraph (6).

Amendment 221

Proposal for a regulation Article 25 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The groups of products referred to in the paragraph 3 are as follows:

- vegetables and plant products;***
- animals and animal products;***
- seaweed and aquaculture animals;***
- processed foods and fodder, including yeasts;***
- wine.***

Justification

See amendment to paragraph (3): the rapporteur proposes to define the "groups of products" in a new Annex Vd based on Annex XII of former Regulation (EC) No 889/2008.

Amendment 222

Proposal for a regulation Article 25 – paragraph 6

Text proposed by the Commission

Amendment

6. In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the criteria for defining the groups of products referred to in paragraph 3.

deleted

Amendment 223

Proposal for a regulation Article 26 – paragraph 2

Text proposed by the Commission

2. Deficiencies in the set-up or functioning of the system for internal controls referred in **to** paragraph 1, in particular as regards failures to detect or address non-compliance by individual members of the group of operators that affect the integrity of organic products, **may** result in the withdrawal of the organic **certification** for the whole group.

Amendment

2. Deficiencies in the set-up or functioning of the system for internal controls referred **to** in paragraph 1, in particular as regards failures to detect or address non-compliance by individual members of the group of operators that affect the integrity of organic products, **shall** result in the withdrawal of the organic **certificate referred to in Article 25** for the whole group.

Amendment 224

Proposal for a regulation
Article 26 – paragraph 3

Text proposed by the Commission

3. In order to ensure the effective and efficient functioning of the certification of a group of operators, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the responsibilities of the individual members of a group of operators, the composition and dimension of a group of operators, the categories of products to be produced by a group of operators, the conditions for participation in a group of operators, the set-up and functioning of the group's system for internal controls, including the scope, content and frequency of the controls to be carried out.

Amendment

3. The criteria for group certification of groups of operators are set out in Annex Ve.

Amendment 225

Proposal for a regulation
Article 26 – paragraph 4

Text proposed by the Commission

Amendment

4. The Commission may adopt implementing acts concerning the exchange of information between a group of operators and the competent authority or authorities, control authorities or control bodies, and between the Member States and the Commission. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37 (2).

deleted

Justification

These provisions are covered in a general article on infringements and subsequent communication of information from the existing Regulation and have been reintroduced into a new Article 26a on measures in case of non-compliance, applying to individual operators as well as groups.

Amendment 226

Proposal for a regulation Article 26 a (new)

Text proposed by the Commission

Amendment

Article 26a

Duties of competent authorities in the event of non-compliance

Competent authorities shall:

(a) ensure, in the event of non-compliance affecting the status of organic products throughout any of the stages of production, preparation and distribution and export, in particular arising from the use of prohibited or non-authorized substances and techniques or commingling with non-organic products, that no reference is made to organic production in the labelling and advertising of the entire lot or production run concerned;

(b) ensure, in the event of repetitive,

continued or fraudulent non-compliance, that the operators or group of operators concerned, in addition to being subjected to the measures referred to in point (a) of this Article, are prohibited from marketing products which refer to organic production, and that their organic certificate is suspended or withdrawn as appropriate.

Amendment 227

Proposal for a regulation Article 26 b (new)

Text proposed by the Commission

Amendment

Article 26b

Exchange of information and administrative cooperation

- 1. Administrative cooperation between Member States, control bodies, control authorities and competent authorities, including for the purposes of applying Article 20a(2), shall be based on the requirements laid down in Title 4 of the Official controls Regulation.***
- 2. Upon a request duly justified by the need to guarantee that a product has been produced in accordance with this Regulation, the competent authorities, control authorities and control bodies shall exchange relevant information on the results of their controls with other competent authorities, control authorities and control bodies. They may also exchange such information on their own initiative.***
- 3. Information concerning substantiated suspicions and non-compliance affecting the organic status of a product shall be immediately communicated between the competent authorities, control authorities, control bodies, operators and Member States involved, the Commission and the***

operators affected. The level of communication shall depend on the seriousness and extent of the substantiated suspicion or confirmed non-compliance.

4. A national stakeholder panel including control authorities, control bodies and representatives of the organic sector shall be established.

Amendment 228

Proposal for a regulation Article 26 c (new)

Text proposed by the Commission

Amendment

Article 26c

Delegated powers with regard to the control system

In order to supplement the rules relating to the control system provided for in Article 23a and 24a, and to ensure their full compatibility with the Official controls Regulation, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down rules on:

(a) the specific responsibilities and tasks of the competent authorities and control authorities, in addition to those provided for in this Chapter and in Articles 4, 8, 9, 10(1), 11 to 13, 34(1) and (2), and 36 of the Official controls Regulation;

(b) risk assessment requirements additional to those referred to in this Chapter and in Article 8(1) of the Official controls Regulation, taking into account the risk of non-compliance;

(c) the conditions under which certain operators are to be exempted from certain controls;

(d) methods and techniques for controls additional to those referred to in Article

13 and Article 33(1) to (5) of the Official controls Regulation, and specific requirements for the carrying-out of controls designed to ensure the traceability of organic products at all stages of production, preparation and distribution;

(e) actions and measures additional to those provided for in Article 20a and Chapter V of this Regulation and in Article 134(2) and (3) of the Official controls Regulation in cases of suspected non-compliance, criteria additional to those referred to in the second subparagraph of Article 135(1) of the Official controls Regulation, and criteria and measures additional to those provided for in Article 135(2) of the Official controls Regulation and in Article 26a of this Regulation in the event of non-compliance;

(f) specific criteria and conditions for the activation and functioning of the administrative assistance mechanisms provided for in Title IV of the Official controls Regulation, including the exchange of information between competent authorities, control authorities and control bodies concerning instances of non-compliance or the likelihood of non-compliance.

Justification

Rules specific to organics should be in the Organic Regulation and amendable through that Regulation only. Consequently, corresponding delegated powers should also be defined in this Regulation. Therefore these provisions have been moved here from Article 44 of the Commission proposal amending Article 23, points 2 and 3 of the Official Controls Regulation.

Amendment 229

Proposal for a regulation Article 26 d (new)

Text proposed by the Commission

Amendment

Article 26d

Implementation of this Regulation

By 1 January 2020, the Commission shall establish the necessary administrative structures within competent Union authorities so as to fulfil its responsibilities with regard to improved harmonisation and implementation of this Regulation in Member States, specifically concerning controls within the Union and imports from third countries, and improved communication between Member States and with the Union's Institutions.

The tasks to be carried out by those structures are set out in Annex Va.

Amendment 230

**Proposal for a regulation
Article 27**

Text proposed by the Commission

Amendment

Article 27

deleted

Export of organic products

1. A product may be exported from the Union as organic and bear the organic production logo of the European Union if it complies with this Regulation.

However, a product intended to be exported as organic to a third country which is recognised in accordance with Article 31 may be exported to that third country if it complies with that third country's requirements to be placed on the market in that third country as organic.

2. In order to avoid creating unequal conditions for operators when exporting to third countries, the Commission shall

be empowered to adopt delegated acts in accordance with Article 36 concerning specific rules for exports of organic products to a third country which is recognised in accordance with Article 31.

3. In order to ensure fair competition among operators, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning documents intended for customs authorities in third countries, in particular as regards an organic export certificate issued in electronic form wherever possible and providing assurance that exported organic products comply with this Regulation.

Justification

There should be no difference between standards applied in the EU Regulation and standards applied for products which are exported to Third countries.

Amendment 231

Proposal for a regulation Article 28 – paragraph 1

Text proposed by the Commission

1. A product may be imported from a third country in order to be placed on the market within the Union as organic if the following conditions are met:

- (a) the product is an organic product as referred to in Article 2(1);
- (b) the product:
 - (i) complies with Chapters II, III and IV and all operators, including *the* exporters in the third country concerned, have been subject to the control of control authorities or control bodies recognised in accordance with Article 29; or

Amendment

1. A product may be imported from a third country in order to be placed on the market within the Union as organic ***or as a plant product in conversion*** if the following conditions are met:

- (a) the product is an organic product as referred to in Article 2(1);
- (b) the product:
 - (i) complies with Chapters II, III and IV ***and with all relevant implementing rules*** and all operators, including ***groups of operators, and*** exporters in the third country concerned, have been subject to the control of control authorities or control bodies recognised in accordance with Article 29 ***and the product, upon being***

(ii) comes from a third country which is recognised in accordance with:

- Article 30; or
- Article 31;

(c) the **operators** in third countries are able to provide at any time, to the importers **or** the national authorities information **allowing the identification of the operator who carried out the last operation** with a view to ensuring the traceability of the organic product.

imported, is provided by those authorities or control bodies with a certificate of inspection confirming that all operators and their products are in compliance with this Regulation; or

(ii) comes from a third country which is recognised in accordance with:

- Article 30; or
- Article 31;

(c) the **exporters** in third countries are able to provide at any time, to **their control bodies**, the importers **and** the national authorities, information **enabling all operators** who carried out **operations to be identified, including the respective control authority or control body**, with a view to ensuring the traceability of the organic product **back to all operators involved. The exporters shall make such information available to the control bodies or control authorities of the importers.**

After (a date, to be inserted which corresponds to 5 years following the date of application of this Regulation), by way of derogation from point (b)(i) of the first subparagraph, when a product cannot comply with Chapters II, III and IV in a given third country because of specific climate and local conditions, and in order to avoid a supply disruption of the internal market for that specific product, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down specific conditions according to which the product may be imported from the third country in order to be placed on the market within the Union as an organic product. Such specific conditions shall apply for a maximum of (2) years. Such specific conditions shall also apply from ... (the date of application of this Regulation) to the outermost regions of the Union where the product concerned is also produced.

Amendment 232

Proposal for a regulation Article 28 – paragraph 2

Text proposed by the Commission

2. In order to ensure the traceability of the imported products intended to be placed on the market within the Union as organic, ***the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning documents, issued in electronic form wherever possible, that are necessary for the purposes of import.***

Amendment

2. In order to ensure the traceability of the imported products intended to be placed on the market within the Union as organic ***and their compliance with this Regulation, the Commission shall adopt implementing acts laying down specific rules for the content of the certificates referred to in paragraph 1 and the procedure to be followed for the establishment and control of those certificates, in particular concerning the role of the competent authorities, control authorities and control bodies, and the possibility of taking regional differences into account in balancing ecological, climate and local conditions, as well as practical conditions regarding specific production matters.***
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).

Justification

The shift from equivalence to compliance for products coming from third countries that are not identified under the terms of a trade agreement will improve the understandability and clarity of conditions governing imports and will reduce the administrative burden. Nonetheless, it is appropriate to plan the implementation of acts in order to take account of the specificities, particularly from an agronomic point of view, of different production sectors.

Amendment 233

Proposal for a regulation Article 28 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The provisions relating to Commission supervision in third countries shall be

strengthened. It is also important to strengthen supervision and controls in equivalence agreements with third countries.

Amendment 234

Proposal for a regulation Article 28 – paragraph 3

Text proposed by the Commission

3. The respect of the conditions and measures for the import of organic products into the Union shall be ascertained at border control posts, in accordance with Article 45(1) of **Regulation (EU) No XXX/XXX** (Official controls regulation). ***The physical checks referred to in Article 47(3) of that Regulation shall be performed at a frequency dependent on the risk of non-compliance with this Regulation.***

Amendment

3. The respect of the conditions and measures for the import of organic products into the Union shall be ascertained ***by the control provisions laid down in Chapter V and*** at border control posts, in accordance with Article 45(1) of ***the*** Official controls Regulation.

Amendment 235

Proposal for a regulation Article 29 – title

Text proposed by the Commission

Recognition of control ***authorities and control*** bodies

Amendment

Recognition of control bodies

Amendment 236

Proposal for a regulation Article 29 – paragraph 3 – point b

Text proposed by the Commission

(b) an accreditation body outside the Union that is a signatory ***of*** a multilateral recognition arrangement under the auspices

Amendment

(b) an accreditation body outside the Union that is a signatory ***to*** a multilateral recognition arrangement ***for product certification*** under the auspices of the

of the International Accreditation Forum.

International Accreditation Forum *or its regional bodies, and which has proven competence in the accreditation of organic certification.*

Amendment 237

Proposal for a regulation Article 29 – paragraph 7

Text proposed by the Commission

7. In order to ensure the transparency of the recognition and supervision procedures, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 **concerning** the criteria to be applied to the recognition, or the withdrawal of the recognition, of the control **authorities and control** bodies referred to in paragraph 1, as well as concerning the exercise of the supervision by the Commission, including through on-the-spot **examination**.

Amendment

7. In order to ensure the transparency of the recognition and supervision procedures, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 **supplementing** the criteria to be applied to the recognition, or the withdrawal of the recognition, of the control bodies referred to in paragraph 1, as well as **laying down provisions** concerning the exercise of the supervision by the Commission, including through on-the-spot **examinations**. **In the event that serious or repeated infringements of the rules governing inspection and certification are detected, recognition of the control bodies concerned shall be immediately withdrawn, in the third countries concerned as well as throughout the Union market, in respect of national accreditation bodies established in the Union in accordance with Regulation (EC) No 765/2008.**

Justification

A sanction should be provided for in case of repeated intentional infringements committed by accreditation bodies.

Amendment 238

Proposal for a regulation Article 29 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7a. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down specific rules concerning the procedure to be followed for the recognition of the control bodies referred to in paragraph 1, including the content of the technical dossier to be submitted, as well as the procedure to be followed for a withdrawal of recognition.

Amendment 239

Proposal for a regulation Article 29 – paragraph 7 b (new)

Text proposed by the Commission

Amendment

7b. In order to ensure the effectiveness, efficiency and transparency of controls of imported products, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the controls and other actions to be performed by control bodies recognised by the Commission for the purpose of this Article.

Amendment 240

Proposal for a regulation Article 29 – paragraph 8

Text proposed by the Commission

Amendment

8. The Commission **may** adopt **implementing acts to ensure** the application of measures in relation to cases of non-compliance affecting the integrity of organic products imported under the recognition provided for in this Article or suspicion of such cases. Such measures may consist in particular in the verification of the integrity of the organic products

8. The Commission **shall be empowered to** adopt **delegated acts in accordance with Article 36 concerning** the application of measures in relation to cases of non-compliance affecting the integrity of organic products imported under the recognition provided for in this Article or suspicion of such cases. Such measures may consist in particular in the verification

before placing the products on the market within the Union and, where appropriate, the suspension of the authorisation of placing on the market within the Union of such products as organic. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).***

Amendment 241

Proposal for a regulation Article 29 – paragraph 9

Text proposed by the Commission

9. On duly justified imperative grounds of urgency relating to the protection against unfair practices or practices which are incompatible with the principles and rules on organic production, the protection of consumers' confidence or the protection of fair competition between operators, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 37(3) to ***take the measures referred to in paragraph 8 of this Article or to*** decide on the withdrawal of ***the*** recognition of the control authorities and control bodies referred to in paragraph 1 of this Article.

Amendment 242

Proposal for a regulation Article 30 – paragraph 1 a (new)

Text proposed by the Commission

of the integrity of the organic products before placing the products on the market within the Union and, where appropriate, the suspension of the authorisation of placing on the market within the Union of such products as organic.

Amendment

9. On duly justified imperative grounds of urgency relating to the protection against unfair practices or practices which are incompatible with the principles and rules on organic production, the protection of consumers' confidence or the protection of fair competition between operators, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 37(3) to decide on the withdrawal of recognition of the control authorities and control bodies referred to in paragraph 1 of this Article.

The Commission shall publish, and shall provide the European Parliament and the Council with, regular status reports on all ongoing negotiations on such trade agreements and a list of differences between the production rules and the

control measures in the third country involved compared to the rules and measures that are applied within the Union. The final results of the negotiations shall be presented to the European Parliament and the Council, and shall be published, listing in detail any differences between the production rules and control measures applied in the third country concerned and those applied in the Union.

The Commission shall present a proposal on how to deal with the differences between the third country in question and the European Union when it comes to the production rules and the control measures.

The Commission shall publish a list of the differences between the production and control provisions contained in all existing trade agreements covered by this Article.

Amendment 243

Proposal for a regulation Article 31 – paragraph 1 – subparagraph 1

Text proposed by the Commission

A recognised third country referred to in ***the second indent of Article 28(1)(b)(ii)*** is a third country which has been recognised for the ***purpose*** of equivalence under Article 33(2) of Regulation (EC) No 834/2007, ***including those recognised under the transitional measure provided for in Article 40.***

Amendment

A recognised third country ***as*** referred to in ***point (b)(ii) of the first subparagraph of Article 28(1)*** is a third country which has been recognised for the ***purposes*** of equivalence under Article 33(2) of Regulation (EC) No 834/2007.

Amendment 244

Proposal for a regulation Article 31 – paragraph 2

Text proposed by the Commission

2. On the basis of annual reports to be sent to the Commission, by 31 March of each year, by the third countries referred to in paragraph 1 regarding the implementation and enforcement of the control measures established by them, the Commission assisted by the Member States shall ensure appropriate supervision of the recognised third countries by **regularly** reviewing their recognition. The nature of the supervision shall be determined on the basis of an assessment of the risk of non-compliance.

Amendment

2. On the basis of annual reports to be sent to the Commission, by 31 March of each year, by the third countries referred to in paragraph 1 regarding the implementation and enforcement of the control measures established by them, **and in the light of any other information received**, the Commission, assisted by the Member States, shall ensure appropriate supervision of the recognised third countries by **annually** reviewing their recognition. The nature of the supervision shall be determined on the basis of an assessment of the risk of non-compliance, **taking into account in particular the volume of exports to the Union from the third country concerned, the results of the monitoring and supervisory activities carried out by the competent authority and the results of previous controls. The Commission shall regularly report to the European Parliament and the Council on the outcome of its review.**

Amendment 245

**Proposal for a regulation
Article 31 – paragraph 6**

Text proposed by the Commission

6. The Commission **may** adopt **implementing acts to ensure** the application of measures in relation to cases of non-compliance affecting the **integrity** of organic products imported from third countries referred to in this Article **or suspicion of such cases**. Such measures may consist in particular in **the** verification of the **integrity** of the organic products before **placing the products** on the market within the Union and, where appropriate, **the** suspension of the authorisation of **placing** on the market within the Union of

Amendment

6. The Commission **shall be empowered to** adopt **delegated acts in accordance with Article 36 concerning** the application of **common measures and procedures for the imposition of sanctions** in relation to cases of non-compliance, **or suspected non-compliance**, affecting the **status** of organic products imported from third countries referred to in this Article. Such measures may consist, in particular, in verification of the **status** of the organic products before **they are placed** on the market within the Union and, where appropriate, suspension

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

of the authorisation *to place them* on the market within the Union as organic *products*.

Justification

Such provisions should be adopted via delegated acts with a view to ensure harmonised measures throughout the EU.

Amendment 246

Proposal for a regulation Article 32 – paragraph 2

Text proposed by the Commission

Amendment

2. In order to ensure the proper functioning of the single market and trade between Member States, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down rules relating to the free movement of organic products for the purposes of paragraph 1 of this Article.

deleted

Amendment 247

Proposal for a regulation Article 33 – title

Text proposed by the Commission

Amendment

Information relating to the organic sector *and trade*

Information relating to the organic sector

Amendment 248

Proposal for a regulation Article 33 – paragraph 1

Text proposed by the Commission

Amendment

1. Each year Member States shall transmit to the Commission the *information*

1. Each year Member States shall transmit to the Commission the *relevant statistical*

necessary for the implementation and monitoring of the application of this Regulation.

data for the implementation and monitoring of the application of this Regulation. ***Those data shall be defined within the context of the European Statistical programme.***

Justification

The information requested must be delimited in the basic act (e.g. trade data). Should new and trustful data be required to operators, the obligation of providing it to the Member States must be established in the basic act.

Amendment 249

Proposal for a regulation Article 33 – paragraph 2

Text proposed by the Commission

2. The Commission shall adopt ***implementing acts as regards*** the system to be used for transmitting the information referred to in paragraph 1, the details of information to be transmitted, and the date by which that information is to be transmitted. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).***

Amendment

2. The Commission shall ***be empowered to adopt delegated acts in accordance with Article 36 concerning*** the system to be used for transmitting the information referred to in paragraph 1, the details of information to be transmitted, and the date by which that information is to be transmitted.

Amendment 250

Proposal for a regulation Article 35

Text proposed by the Commission

By 31 December **2021**, the Commission shall present a report to the European Parliament and the Council on the availability of organic plant reproductive material **and** animals for breeding purposes.

Amendment

1. By 31 December **2020**, the Commission shall present a report to the European Parliament and the Council ***based on a foresight study including data collected and analysis carried out in all Member States, and dealing specifically with the following items:***

(a) an analytical part on the state of development of organic farming and

progress made as regards:

- identification of the causes of limited access to organic plant and animal reproductive material as well as organic input in general on the Union market;*
- specific data on the availability of organic plant reproductive material and feed;*
- specific data on the availability of animals for breeding purposes;*
- the availability of young poultry and parent animals for poultry production, including stocking density criteria, feeding, health care, animal welfare and disease management;*
- the selection of species and sub-species arising from differences in climate, soil, altitude and geography;*
- the situation of organic pig farming and poultry farming, including stocking density criteria, feeding, health care, animal welfare, and disease management;*
- the availability of aquaculture juveniles on the Union market;*

(b) a strategic part on measures applied or needed to improve the performance of organic farming and its institutional framework, including:

- support measures established or still needed in order to close the gaps identified;*
- a development plan including measures aimed at providing support to operators who have committed to developing organic plant or animal reproductive material. Such measures may include support for necessary investment by private operators in production facilities, quality control measures, distribution systems and pre-marketing research and development.*

2. In relation to assessing the availability of organic plant reproductive material,

the study referred to in paragraph 1 shall also evaluate, for each relevant sub-market, the diversity of available material and the operators providing them, the current demand for such material and the demand forecast for the next five years.

For the purposes of the study, a sub-market shall mean the tuple of a crop (defined as a botanical species or subspecies, e.g. Brassica oleracea) and a region, the region in question not being larger than a Member State. A Member State shall be divided into as many regions as may be necessary in terms of different growing conditions based on climate, soil types, and altitude or land use characteristics resulting in demand for plant reproductive material that differs from one region to another, with a view to comparing the regional markets in a fair and non-discriminatory manner. The study shall also consider project grants for the breeding of new varieties suitable for organic agriculture, participatory capital for small and medium-sized enterprises dedicated to offering organic plant reproductive material and marketing support through websites run by the Commission and Member States.

3. If appropriate, the report shall be accompanied by a legislative proposal.

4. By 31 December 2020 at the latest, the Commission shall present a report to the European Parliament and the Council on the presence of products or substances not authorised in accordance with Article 19 which have been detected in organic products, including on exchanges of information between competent authorities, control authorities and control bodies and exchanges of relevant information on the results of controls. The report may be accompanied, where appropriate, by a legislative proposal establishing the levels of unauthorised products or substances applicable to organic products and the systems for

compensating operators for losses in connection with contamination where they have taken proper measures which may reasonably be implemented to prevent the risk of contamination.

Amendment 251

Proposal for a regulation Article 39

Text proposed by the Commission

Amendment

Article 39

deleted

Transitional measures relating to conversion to organic farming

In order to ensure a smooth transition from the old to the new legal framework, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning rules providing for a derogation from Article 8(3) in relation to conversion periods for farmers initiating conversion before the entry into force of this Regulation.

Justification

Transitional measures included in this Article are no longer necessary due to amendments made to Article 8 on conversion.

Amendment 252

Proposal for a regulation Article 39 a (new)

Text proposed by the Commission

Amendment

Article 39a

Transitional measures

1. Where necessary, measures to facilitate the transition from the rules established by Regulation (EC) No 834/2007 to this Regulation shall be adopted in

accordance with the procedure referred to in Article 37(2).

2. Transitional measures that can be applied when new provisions are adopted in forthcoming regulation:

(a) When it is justified according to certain conditions, Member States can apply a transitional period when new EU provisions are introduced;

(b) The conditions are decided by delegated acts in the organic EU Regulation;

(c) The conditions should protect operators against risk of market distortion and avoid confusion about the identity or profile of organic products amongst consumers.

3. Those conditions should be:

- The Member State has to demonstrate that the production is that small that export is not relevant.

- The Member State has to demonstrate that the national production is that small that it does not make any competition against imported products of the same category.

4. To guarantee full transparency, a Member State that apply a transitional period according to this article has to notify and send the relevant justification to the Commission and to other Member States;

5. A Member State can only apply a transitional period for maximum 2 - 5 years.

Amendment 253

**Proposal for a regulation
Article 40**

Article 40

deleted

Transitional measures relating to the origin of plant reproductive material, animals for breeding purposes and young stock of aquaculture animals

In order to ensure a smooth transition between the rules on organic origin of plant reproductive material provided for in Article 12(1)(i) of Regulation (EC) No 834/2007 and on animals for breeding purposes provided for in Article 14(1)(a)(ii) of that Regulation and on young stock of aquaculture animals provided for in Article 15(1)(a)(ii) of that Regulation and the exception to production rules that the Commission adopted pursuant to Article 22 of Regulation (EC) No 834/2007, and the new production rules for plants and plant products and livestock and seaweed and aquaculture animals provided for in Articles 10(1) and 11(1), respectively, of this Regulation, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for exceptions where granting exceptions is deemed necessary in order to ensure access to plant reproductive material and live animals for breeding purposes and young stock of aquaculture animals, that may be used in organic production. The delegated acts adopted under this Article shall cease to apply on 31 December 2021.

Justification

Transitional measures included in this Article are no longer necessary given new text added to Articles 10 and 11 and new by provisions included in the relevant Annexes.

Amendment 254

**Proposal for a regulation
Article 44**

Text proposed by the Commission

Amendment

[...]

deleted

Justification

Controls covered by new Article 23a.

Amendment 255

Proposal for a regulation Annex I – indent 1

Text proposed by the Commission

Amendment

– yeasts used as food or feed,

deleted

Justification

This is already covered by Article 1.

Amendment 256

Proposal for a regulation Annex I – indent 2

Text proposed by the Commission

Amendment

– beer,

deleted

Justification

This is already covered by the definition of food.

Amendment 257

Proposal for a regulation Annex I – indent 4

Text proposed by the Commission

Amendment

– extracts, essences and concentrates of coffee, tea and maté and preparations with a basis of those products or with a basis of coffee, tea and maté; roasted

deleted

*chicory and other roasted coffee
substitutes, and extracts, essences and
concentrates thereof,*

Justification

This is already covered by the definition of food.

Amendment 258

Proposal for a regulation Annex I – indent 5

Text proposed by the Commission

Amendment

– fruit nectars, **deleted**

Justification

This is already covered by the definition of food.

Amendment 259

Proposal for a regulation Annex I – indent 6

Text proposed by the Commission

Amendment

*– cocoa paste, butter, fat, oil and powder;
chocolate, and other food preparations
containing cocoa,* **deleted**

Justification

This is already covered by the definition of food.

Amendment 260

Proposal for a regulation Annex I – indent 7

Text proposed by the Commission

Amendment

– sugar confectionery, **deleted**

Justification

This is already covered by the definition of food.

Amendment 261

Proposal for a regulation
Annex I – indent 8

Text proposed by the Commission

Amendment

– preparations of cereals, flour, starch or milk; pastrycooks' products, **deleted**

Justification

This is already covered by the definition of food.

Amendment 262

Proposal for a regulation
Annex I – indent 9

Text proposed by the Commission

Amendment

– soups, **deleted**

Justification

This is already covered by the definition of food.

Amendment 263

Proposal for a regulation
Annex I – indent 10

Text proposed by the Commission

Amendment

– sauces, **deleted**

Justification

This is already covered by the definition of food.

Amendment 264

Proposal for a regulation Annex I – indent 11

Text proposed by the Commission

Amendment

– cooked meals, **deleted**

Justification

This is already covered by the definition of food.

Amendment 265

Proposal for a regulation Annex I – indent 12

Text proposed by the Commission

Amendment

– ice cream, **deleted**

Justification

This is already covered by the definition of food.

Amendment 266

Proposal for a regulation Annex I – indent 13

Text proposed by the Commission

Amendment

*– flavoured yoghurts, yoghurts containing
added fruits, nuts or cocoa,* **deleted**

Justification

This is already covered by the definition of food.

Amendment 267

Proposal for a regulation Annex I – indent 14

Text proposed by the Commission

Amendment

– *sea* salt,

– salt,

Amendment 268

Proposal for a regulation Annex I – indent 15

Text proposed by the Commission

Amendment

– natural gums *and resins*,

– natural gums,

Justification

Resins are already covered by the definition of food.

Amendment 269

Proposal for a regulation Annex I – indent 15 a (new)

Text proposed by the Commission

Amendment

*– natural corks, non-agglomerated and
without binders,*

Amendment 270

Proposal for a regulation Annex I – indent 19

Text proposed by the Commission

Amendment

*– spirit drinks, provided that the ethyl
alcohol used for the production of the
spirit drinks is exclusively of agricultural
origin.*

deleted

Justification

This is already covered by the definition of food.

Amendment 271

Proposal for a regulation Annex I – indent 19 a (new)

Text proposed by the Commission

Amendment

– aromatised wine products as defined in Council Regulation (EU) No 251/2014^{1a}.

^{1a} Regulation (EU) No 251/2014 of the European Parliament and of the Council of 26 February 2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and repealing Council Regulation (EEC) No 1601/91 (OJ L 84, 20.3.2014, p. 14).

Justification

Aromatized wine products are obtained from products of the wine sector which, according to the relevant provisions, must be present in the finished product in a proportion of not less than 75 % for aromatized wines and 50% for aromatized wine based drinks and aromatized wine-product cocktails. Since the scope of the organic regulation has been broadened in order to cover processed agricultural products, aromatized wine products should be included.

Amendment 272

Proposal for a regulation Annex I – indent 19 b (new)

Text proposed by the Commission

Amendment

– uncarded and uncombed cotton,

Justification

These products originating from agriculture should fall within the scope of this Regulation.

Amendment 273

Proposal for a regulation Annex I – indent 19 c (new)

Text proposed by the Commission

Amendment

– uncarded and uncombed wools,

Justification

These products originating from agriculture should fall within the scope of this Regulation.

Amendment 274

Proposal for a regulation Annex I – indent 19 d (new)

Text proposed by the Commission

Amendment

– raw hides and unprocessed skins,

Justification

These products originating from agriculture should fall within the scope of this Regulation.

Amendment 275

Proposal for a regulation Annex I – indent 19 e (new)

Text proposed by the Commission

Amendment

**– plant-based raw materials for traditional
herbal medicinal products.**

Amendment 276

Proposal for a regulation Annex II – Part I – point 1.1

Text proposed by the Commission

Amendment

1.1. Hydroponic **production, which is a method of growing plants with their roots in a nutrient solution only or in an inert medium to which a nutrient solution is added**, is prohibited.

1.1. Hydroponic **production is prohibited.**

1.1.a By way of derogation from point 1.1, growing plants in pots as an exception to soil-bound plant production as defined in point (e)(ii) of Article 4 shall only be allowed for seedlings or for the production of ornamentals and herbs if the ornamentals and herbs in question are sold in pots to the final consumer.

Only mixtures of soil and/or soil improvers which are approved for use in organic farming shall be used.

Amendment 277

Proposal for a regulation Annex II – Part I – point 1.3.1 a (new)

Text proposed by the Commission

Amendment

1.3.1a. For the purpose of the conversion of perennial crops, which require a cultivation period of at least three years, varieties that cannot be easily differentiated may be involved provided that the production in question forms part of a conversion plan and the conversion to organic production of the last part of the area concerned begins within the shortest possible period and, in any event, does not exceed five years in duration.

Justification

This provision should be included in this Annex to take into account the specific features of perennial crops.

Amendment 278

Proposal for a regulation Annex II – Part I – point 1.3.3 – paragraph 1

Text proposed by the Commission

Amendment

1.3.3. In the case of treatment with a product not authorised for organic production, the competent authority shall

1.3.3. In the case of treatment with a product not authorised for organic production, the competent authority shall

require a new conversion period in accordance with point 1.3.1.

require a new conversion period ***for treated parts of the parcels*** in accordance with point 1.3.1.

Amendment 279

Proposal for a regulation

Annex II – Part I – point 1.3.3 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

That period may be shortened in the following ***two*** cases:

The competent authorities may decide that *that* period may be shortened in the following cases:

Amendment 280

Proposal for a regulation

Annex II – Part I – point 1.3.3 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) ***treatment*** with a product not authorised for organic production as part of a compulsory control measure for pests or weeds, including quarantine organisms or invasive species, imposed by the competent authority of the Member State;

(a) ***parcels treated*** with a product not authorised for organic production as part of a compulsory control measure for pests or weeds, including quarantine organisms or invasive species, imposed by the competent authority of the Member State;

Amendment 281

Proposal for a regulation

Annex II – Part I – point 1.3.3 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) ***treatment*** with a product not authorised for organic production as part of scientific tests approved by the competent authority of the Member State.

(b) ***parcels treated*** with a product not authorised for organic production as part of scientific tests approved by the competent authority of the Member State.

Amendment 282

Proposal for a regulation Annex II – Part I – point 1.3.4 – point b

Text proposed by the Commission

(b) the harvest following the treatment may not be sold with reference to organic production.

Amendment

(b) the harvest following the treatment may not be sold with reference to ***in-conversion or*** organic production ***methods***.

Amendment 283

Proposal for a regulation Annex II – Part I – point 1.3.4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Member States shall inform other Member States and the Commission of any decision taken by them which lays down compulsory measures;

Amendment 284

Proposal for a regulation Annex II – Part I – point 1.3.4 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

In the case of treatments with a product which is not authorised for organic production, the provisions of point 1.3.5.2 shall not apply.

Amendment 285

Proposal for a regulation Annex II – Part I – point 1.3.5.2

Text proposed by the Commission

Amendment

1.3.5.2 Notwithstanding point 1.3.5.1, the conversion period may be reduced to one year for pasturages and open air areas used

1.3.5.2 Notwithstanding point 1.3.5.1, the conversion period may be reduced to one year for pasturages and open air areas used

by non-herbivore species.

by non-herbivore species. *This period may be reduced to six months where the land concerned has not during the last year received any treatment with products not authorised for organic farming.*

Amendment 286

Proposal for a regulation Annex II – Part I – point 1.4.1 to 1.4.1b

Text proposed by the Commission

1.4.1. For the production of plants and plant products only organically produced plant reproductive material shall be used. ***To this end, the plant intended for*** plant reproductive material production and, where relevant, the mother plant shall have been produced in accordance with this Regulation for at least one generation, or, in the case of perennial crops, ***for at least one generation*** during two growing seasons.

Amendment

1.4.1. For the production of plants and plant products only organically produced plant reproductive material shall be used. ***As referred to in Article 10(2), a database shall list the corresponding*** plant intended for plant reproductive material production and, where relevant, the mother plant shall have been produced in accordance with this Regulation for at least one generation, or, in the case of perennial crops, during two growing seasons.

Plant reproductive material coming during the second year of conversion from a production unit which is run in accordance with this Regulation may be used for the production of organic plants and organic plant products.

Operators may, in order to foster genetic resources adapted to the special conditions of organic production, use traditional crop varieties obtained from their own farm.

1.4.1a. Varieties bred shall be used in accordance with the breeding rules laid down in this Regulation except in the event that the requisite plant reproductive material is not available.

Plant reproductive material selected for its ability to meet the specific needs and aims of organic agriculture shall be increasingly used and may include local breeds or varieties of population or open

pollinated varieties, namely material not obtained by controlled pollination or by the hybridisation of inbred lines.

1.4.1b. For the production of organically bred varieties, the varieties in question shall be bred and selected under organic conditions that comply with the requirements of this Regulation. All multiplication practices except meristem culture shall be under certified organic management.

Amendment 287

Proposal for a regulation Annex II – Part I – point 1.4.2

Text proposed by the Commission

1.4.2. Use of **plant reproductive** material not obtained from organic production

Plant reproductive material not obtained from organic production may be used only 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.

Amendment

1.4.2. Use of **seed or vegetative propagating** material not obtained from organic production

1.4.2.1. In order to ensure access to seed and vegetative propagating material where such organic inputs are not available, Member States may authorise the use of non-organic seed or vegetative propagating material. In that case, points 1.4.2.2 to 1.4.2.8 shall apply.

1.4.2.2. Non-organic seed and seed potatoes may be used, provided that the seed or seed potatoes are not treated with plant protection products other than those authorised for treatment of seed in accordance with Article 19(1) of this Regulation, unless chemical treatment is

prescribed in accordance with Council Directive 2000/29/EC^{1a} for phytosanitary purposes by the competent authority of the Member State concerned for all varieties of a given species in the area where the seed or seed potatoes are to be used.

1.4.2.3. Member States may delegate responsibility for granting the authorisation referred to in point 1.4.2.1 to other public administrations or to the control authorities or bodies referred to in points (33) and (34) of Article 3.

1.4.2.4. Authorisation to use seed or vegetative propagating material or plants not obtained from organic production methods may only be granted in the following cases:

(a) where no variety of the species which the user wishes to obtain is listed in the database referred to in Article 10;

(b) where no supplier, meaning an operator selling seed or vegetative propagating material or plants to other operators, is in a position to deliver the seed or vegetative propagating material or plants before sowing or planting, when the user has ordered them in good time;

(c) where the variety which the user wishes to obtain is not listed in the database referred to in Article 10, and the user can show that none of the listed varieties of the same species is appropriate and therefore authorisation is important for his production.

1.4.2.5. Authorisation shall be granted before the sowing takes place.

1.4.2.6. Authorisation can only be granted individually for one season at a time and the authority or body responsible for granting authorisations shall list the quantities of seed or vegetative propagating material or plants authorised.

1.4.2.7. Authorisation can only be granted

at times when the database referred to in Article 10 is annually updated by each Member State.

1.4.2.8. In order to improve the use of organic seed within the Union, each Member State shall publish in the database referred to in Article 10 a national list of seeds and vegetative propagating material and plants that can only be used in organic form. That list must specify the species and subspecies for which it is established that the seed and propagating material or plants obtained from organic production are available in sufficient quantities and are therefore to be used only in organic form.

^{1a} Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 169, 10.7.2000, p. 1.)

Amendment 288

Proposal for a regulation Annex II – Part I – point 1.5.2

Text proposed by the Commission

1.5.2. The fertility and biological activity of the soil shall be maintained and increased by multiannual crop rotation including **legumes** and other green manure crops, and by the application of livestock manure or organic material, both preferably composted, from organic production.

Amendment

1.5.2. The fertility and biological activity of the soil shall be maintained and increased by **the use of soil engineering, by** multiannual crop rotation including **mandatory leguminous crops as the main or cover crop for rotating crops** and other green manure crops, and by the application of livestock manure or organic material, both preferably composted, from organic production.

Amendment 289

Proposal for a regulation Annex II – part I – point 1.5.4

Text proposed by the Commission

1.5.4 The total amount of livestock manure, as defined in Council Directive 91/676/EEC⁶⁷, applied on the **agricultural holding**, shall not exceed 170 kg of nitrogen per year/hectare of agricultural area used. That limit shall only apply to the use of farmyard manure, dried farmyard manure and dehydrated poultry manure, composted animal excrements, including poultry manure, composted farmyard manure and liquid animal excrements..

⁶⁷ Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1).

Amendment

1.5.4 The total amount of livestock manure, as defined in Council Directive 91/676/EEC⁶⁷, applied on the **parcel**, shall not exceed 170 kg of nitrogen per year/hectare of agricultural area used. That limit shall only apply to the use of farmyard manure, dried farmyard manure and dehydrated poultry manure, composted animal excrements, including poultry manure, composted farmyard manure and liquid animal excrements. ***The total amount of livestock manure applied in market garden production under shelter shall not exceed 240kg of nitrogen per year/hectare over the whole area under shelter.***

⁶⁷ Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1).

Amendment 290

Proposal for a regulation Annex II – part I – point 1.5.6

Text proposed by the Commission

1.5.6. Preparations of micro-organisms may be used to improve the overall condition of the soil or the availability of nutrients in the soil or in the crops.

Amendment

1.5.6. Preparations of micro-organisms ***and biochar*** may be used to improve the overall condition of the soil or the availability of nutrients in the soil or in the crops.

Justification

Bioogljje je ekološki dodatek k tlom, ki omogoča, da po naravni poti trajno regeneriramo

strukturo zemlje ter povečamo njeno rodovitnost. To je oglje, proizvedeno iz biomase rastlinskega ali živalskega izvora z izgorevanjem pri visokih temperaturah (500 do 700 °C), brez prisotnosti kisika. Od navadnega oglja se razlikuje po tem, da je bolj krhko in izredno porozno, saj je v enem gramu biooglja za 400 m² površine. Biooglje zaradi svoje sestave in strukture v tleh zadržuje vodo, minerale in hranilne snovi, pospešuje izgradnjo humusa, predstavlja optimalen habitat za koristne mikroorganizme in z vezavo ogljika v tleh uspešno pripomore k zmanjšanju emisij toplogrednih plinov. Ogljik, vezan v biooglje, namreč ostane v tleh stoletja in se ne sprošča v ozračje kot CO₂. Biooglje ima visok pH, zato lahko z njim uravnamo pH v tleh, kjer je prenizek. Prav tako biooglje deluje kot zadrževalec hranil v tleh, kjer ostaja stoletja in s tem pomembno zmanjša izpiranje hranil iz tal. Vse te lastnosti pa imajo za posledico zmanjšano uporabo pesticidov. Zaradi vseh navedenih lastnosti bi bilo treba biooglje dovoliti tudi za uporabo v ekološkem kmetijstvu.

Amendment 291

Proposal for a regulation

Annex II – Part I – point 1.5.8 a (new)

Text proposed by the Commission

Amendment

1.5.8a. The use of biodynamic preparations shall be allowed.

Amendment 292

Proposal for a regulation

Annex II – part I – point 1.5.8 b (new)

Text proposed by the Commission

Amendment

1.5.8b. The use of ferti-irrigation is prohibited.

Amendment 293

Proposal for a regulation

Annex II – Part I – point 1.6.1 – introductory part

Text proposed by the Commission

Amendment

1.6.1. The prevention of damage caused by pests ***and weeds*** shall rely primarily on the protection by:

1.6.1. The prevention of damage caused by pests, ***weeds and diseases*** shall rely primarily on the protection by:

Amendment 294

Proposal for a regulation

Annex II – Part I – point 1.6.1 – indent 5

Text proposed by the Commission

– thermal processes such as solarisation and shallow steam treatment of the soil (**to a maximum depth of 10 cm**).

Amendment

– thermal processes such as solarisation and, **exclusively for protected crops**, shallow steam treatment of the soil.

Justification

Steam treatment should be allowed only in protected crops. 10-cm depth is very difficult to control, shallow is enough.

Amendment 295

Proposal for a regulation

Annex II – Part I – point 1.6.2

Text proposed by the Commission

1.6.2. Where plants cannot be protected adequately from pests by measures provided for in point 1.6.1. or in the case of an established threat to a crop, only products authorised for use in organic production pursuant to Article 19 may be used and only to the extent necessary.

Amendment

1.6.2. Where plants cannot be protected adequately from pests, **weeds and diseases** by measures provided for in point 1.6.1. or in the case of an established threat to a crop, only products authorised for use in organic production pursuant to Article 19 may be used, and only to the extent necessary. **Operators shall keep documentation proving the need for the use of such products.**

Amendment 296

Proposal for a regulation

Annex II – Part I – point 1.6.3

Text proposed by the Commission

1.6.3. **The** traps or dispensers **of products** other than pheromones shall prevent the substances from being released into the environment and prevent contact between the substances and the crops being

Amendment

1.6.3. **In relation to products used in** traps or dispensers other than pheromones, **the traps and/or dispensers** shall prevent the substances from being released into the environment and **shall** prevent contact

cultivated. **The** traps shall be collected after use and disposed of **safely**.

between the substances and the crops being cultivated. **All traps including pheromone traps** shall be collected after use and **safely** disposed of.

Amendment 297

Proposal for a regulation Annex II – Part I – point 1.7 – paragraph 1

Text proposed by the Commission

With regard to cleaning and disinfection, **only the products for cleaning and disinfection** in plant production authorised for use in organic production pursuant to Article 19 **shall be used**.

Amendment

For cleaning and disinfection, products **shall be used** in plant production **only if they are** authorised for use in organic production pursuant to Article 19.

Amendment 298

Proposal for a regulation Annex II – Part I – point 2.2 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Operators shall keep documentation on the parcels concerned and on the amount of the harvest.

Amendment 299

Proposal for a regulation Annex II – Part II – point 1.1

Text proposed by the Commission

1.1. **Where the farmer producing** livestock does not manage agricultural land and has not **established** a written cooperation agreement with another **farmer, landless livestock production** shall be prohibited.

Amendment

1.1. **Landless livestock production, by which the operator of the** livestock does not manage agricultural land and/or has not **concluded** a written cooperation agreement with another **operator in accordance with Annex II, Part I, point 1.5.4**, shall be prohibited **with the exception of beekeeping**.

Amendment 300

Proposal for a regulation Annex II – Part II – point 1.2.1

Text proposed by the Commission

1.2.1. The conversion period shall start at the earliest when the farmer has notified his activity to the competent authorities and subjected his holding to the control system in accordance with this Regulation.

Amendment

1.2.1. The conversion period shall start at the earliest when the farmer **or operator** has notified his activity to the competent authorities and subjected his holding to the control system in accordance with this Regulation.

Justification

e.g. for operators producing aquaculture.

Amendment 301

Proposal for a regulation Annex II – Part II – point 1.2.2

Text proposed by the Commission

1.2.2. Conversion periods specific to the type of animal production **are** set out in point 2.

Amendment

1.2.2. ***In the case of non-simultaneous conversion of pasturage/land used for animal feed and animals, the*** periods specific to the type of animal production set out in point 2 ***shall be applied.***

Amendment 302

Proposal for a regulation Annex II – Part II – point 1.2.4

Text proposed by the Commission

1.2.4. Animals and animal products may be considered organic at the end of the conversion period if there is simultaneous conversion of the complete production unit, including livestock, pasturage or any land used for animal feed.

Amendment

1.2.4. The total combined conversion period for both existing animals and their offspring, pasturage and/or any land used for animal feed, may be reduced to 24 months if the animals are mainly fed with products from the production unit in

conversion.

Justification

Wording taken from existing Commission Regulation (EC) No 889/2008.

Amendment 303

Proposal for a regulation
Annex II – Part II – point 1.3.1

Text proposed by the Commission

1.3.1. Organic livestock shall be born and raised on organic agricultural holdings.

Amendment

1.3.1. Organic livestock shall be born **or hatched** and raised on organic agricultural holdings.

With regard to the provisions provided for in Article 11(1), when a flock is constituted for the first time, renewed or reconstituted, and organically reared poultry are not available in sufficient numbers and with the prior authorisation of the competent authority, 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.

Such livestock and products derived from it may be considered as organic provided that the conversion period specified in point 2.4.1 of Part II of this Annex is respected.

Amendment 304

Proposal for a regulation
Annex II – Part II – point 1.3.3 – point d

Text proposed by the Commission

(d) the choice of breeds shall be appropriate and shall contribute to the prevention of any suffering and to avoiding the need for the mutilation of animals.

Amendment

(d) the choice of breeds shall be appropriate **to ensure a high standard of animal welfare** and shall **also** contribute to the prevention of any suffering and to

avoiding the need for the mutilation of animals.

Justification

Clearer wording taken from existing Council Regulation (EC) No 834/2007.

Amendment 305

Proposal for a regulation

Annex II – Part II – point 1.3.4 to 1.3.4c (new)

Text proposed by the Commission

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

Amendment

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

The preservation of rare and/or native breeds in danger of extinction shall be encouraged.

1.3.4a. Average growth and production rates shall be determined by the Commission in accordance with Article 11(2) for all fattening animals, including broilers and turkeys. Indicators shall be used where appropriate to assess and affirm the robustness and suitability of breeds in organic farming. Such indicators shall include average growth rates for all breeds and average production rates for all egg- and milk-producing breeds that are compatible with farming duration rules for each species (i.e. days until slaughter for poultry).

1.3.4b. Information on breeds used in organic farming shall be kept in a dedicated database that shall be set up by the Commission to promote transparency on the use of and information on the availability of breeds, including their adaptability to local conditions.

1.3.4c. Proper application and enforcement of breeding rules shall be facilitated, where appropriate, through rural development support and the Commission's Action Plan for the future of Organic Production in the European Union.

Amendment 306

Proposal for a regulation

Annex II – Part II – points 1.3.5 a to 1.3.5 d (new)

Text proposed by the Commission

Amendment

1.3.5a. By way of derogation from point 1.3.1, non-organic young mammals, when a herd or flock is constituted for the first time, shall be reared in accordance with the organic production rules immediately after they are weaned. Moreover, the following restrictions shall apply as at the date on which the animals enter the herd:

(a) buffalo, calves and foals shall be less than six months old;

(b) lambs and kids shall be less than 60 days old;

(c) piglets shall weigh less than 35 kg.

The derogation provided for in this point shall be phased out in accordance with the availability of bred organic animals.

1.3.5b. Non-organic adult male and nulliparous female mammals, introduced into a herd or flock with a view to its renewal, shall be reared subsequently in accordance with the organic production rules. Moreover, the number of female

mammals is subject to the following restrictions per year:

(a) no more than 10 % of adult equine or bovine livestock, including bubalus and bison species, and 20 % of the adult porcine, ovine and caprine livestock, shall be females;

(b) for units with fewer than 10 equine or bovine animals, or with fewer than five porcine, ovine or caprine animals, any renewal as mentioned above shall be limited to a maximum of one animal per year.

The derogation provided for in this point shall be phased out in accordance with the availability of bred organic animals:

(a) when a new livestock specialisation is initiated; or

(b) when breeds are in danger of being lost to farming as provided for in Annex IV to Commission Regulation (EC) No 1974/2006^{1a}.

Such livestock and products derived from them may be considered as organic provided that the conversion period specified in point 1.2 of Part II of this Annex is respected.

1.3.5c. The percentages referred to in point 1.3.5b may be increased to a maximum of 40 %, subject to prior authorisation by the competent authority, in the following cases:

(a) when a major extension of the farm is undertaken;

(b) when a breed is changed.

1.3.5d. For the renovation of apiaries, 20 % per year of the queen bees and swarms may be replaced by non-organic queen bees and swarms in the organic production unit, provided that the queen bees and swarms are placed in hives with combs or comb foundations coming from organic production units. In any case, one

swarm or queen bee can be replaced per year.

^{1a} Commission Regulation (EC) No 1974/2006 of 15 December 2006 laying down detailed rules for the application of Council Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 368, 23.12.2006, p. 15).

Justification

Specifications taken from existing Commission Regulation (EC) No 889/2008.

Amendment 307

Proposal for a regulation
Annex II – Part II – point 1.4.1 – point b

Text proposed by the Commission

(b) livestock shall be fed with organic feed that meets the animal's nutritional requirements at the various stages of its development. Restricted feeding shall not be permitted in livestock production;

Amendment

(b) livestock shall be fed with organic feed that meets the animal's nutritional requirements at the various stages of its development, ***in terms of both quality and quantity***. Restricted feeding shall not be permitted in livestock production. ***A part of the ration may contain feed from holdings which are in conversion to organic farming. By way of exception to the production rules relating to non-availability of organic farm input in accordance with point (b) of the first subparagraph of Article 17(2), where farmers are unable to obtain protein feed exclusively from organic production for porcine and poultry species, the maximum percentage of non-organic protein feed authorised per period of 12 months for those species shall not exceed 5 % and shall be decreased in line with its availability. The percentage of the dry matter of feed from agricultural origin shall be calculated.***

Amendment 308

Proposal for a regulation Annex II – Part II – point 1.4.1 – point d

Text proposed by the Commission

(d) ***fattening practices shall be reversible at any stage of the rearing process.*** Force-feeding is forbidden;

Amendment

(d) force-feeding is forbidden;

Amendment 309

Proposal for a regulation Annex II – Part II – point 1.4.1 – point g

Text proposed by the Commission

(g) suckling animals shall be fed in preference ***on maternal milk*** for a minimum period;

Amendment

(g) suckling animals shall be fed ***on maternal milk*** in preference ***to natural milk***, for a minimum period;

Justification

Wording taken from existing Council Regulation (EC) No 834/2007 as the Commission proposal also allows milk substitute.

Amendment 310

Proposal for a regulation Annex II – Part II – point 1.4.1 – point h a (new)

Text proposed by the Commission

Amendment

(ha) non-organic feed materials of plant origin, feed materials of animal and mineral origin, feed additives, certain products used in animal nutrition and processing aids shall be used only if they have been authorised for use in organic production pursuant to Article 19 and in duly justified cases.

Amendment 311

Proposal for a regulation

Annex II – Part II – point 1.4.2.1 – point a

Text proposed by the Commission

(a) the common land *is fully managed in accordance with this Regulation*;

Amendment

(a) the common land *on which grazing is taking place has not been treated with products not authorised for organic production for at least two years*;

This condition shall not apply to extensive pastures which are not used by animals for more than 150 days in a year;

Amendment 312

Proposal for a regulation

Annex II – part II – point 1.4.2.1 – point b

Text proposed by the Commission

(b) *any non-organic animals which use the land concerned are derived from a production system equivalent to one of those provided for in Articles 28 and 30 of Regulation (EU) No 1305/2013⁶⁹* ;

Amendment

deleted

⁶⁹ *Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).*

Amendment 313

Proposal for a regulation

Annex II – part II – point 1.4.2.2

Text proposed by the Commission

1.4.2.2. During the period of transhumance

Amendment

1.4.2.2. During the period of transhumance

animals may graze on non-organic land when they are being moved on foot from one grazing area to another. The uptake of non-organic feed, in the form of grass and other vegetation on which the animals graze, shall ***be allowed for a maximum of 35 days covering both the outward and return journeys.***

animals may graze on non-organic land when they are being moved on foot from one grazing area to another. The uptake of non-organic feed, in the form of grass and other vegetation on which the animals graze, shall ***not exceed 20 % of the total feed ration per year. This figure shall be calculated as a percentage of the dry matter of feeding stuffs from agricultural origin.***

Amendment 314

Proposal for a regulation

Annex II – Part II – point 1.4.2.2 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Operators shall keep documentary evidence of the use of provisions referred to in point 1.4.2.

Amendment 315

Proposal for a regulation

Annex II – Part II – point 1.4.3.1

Text proposed by the Commission

Amendment

1.4.3.1. For in-conversion agricultural holdings, up to 15 % of the total average amount of feed fed to livestock may originate from the grazing or harvesting of permanent pastures, perennial forage parcels or protein crops, +sown under organic management on lands in their first year of conversion, provided that they are part of the holding itself. Feed in their first year of conversion may not be used for the production of organic processed feed. When both in-conversion feed and feed from parcels in their first year of conversion are being used, the total combined percentage of such feed shall not exceed the maximum percentages

1.4.3.1. Up to 25 % on average of the feed fed to livestock may be made up of in-conversion feed. When the in-conversion feed comes from an in-conversion unit of the holding itself, this proportion may be increased to 100 %.

fixed in point 1.4.3.2.

Amendment 316

Proposal for a regulation Annex II – Part II – point 1.4.3.2

Text proposed by the Commission

1.4.3.2. *For organic agricultural holdings, up to 20 % on average of the feed formula of rations may comprise in-conversion feed, namely feed from the second year of conversion. For in-conversion agricultural holdings, when the in-conversion feed come from the holding itself, this percentage may be increased to 100.*

Amendment

1.4.3.2. *Up to 30 % of the total average amount of feedingstuffs fed to livestock may originate from the grazing or harvesting of permanent pastures, perennial forage parcels or protein crops, sown under organic management on lands in their first year of conversion, provided that they form part of the holding itself and have not been part of an organic production unit of that holding in the last five years. When both in-conversion feedingstuffs and feedingstuffs from parcels in their first year of conversion are being used, the total combined percentage of such feedingstuffs shall not exceed the maximum percentages fixed in point 1.4.3.1.*

Amendment 317

Proposal for a regulation Annex II – Part II – point 1.4.4 – paragraph 1

Text proposed by the Commission

Only organic feed materials of animal origin as well as feed materials and feed additives authorised for use in organic production pursuant to Article 19 may be used in the processing of organic feed and in the feeding of organic animals.

Amendment

Only organic feed materials of *plant and* animal origin, *feed materials of invertebrate origin and fermentative products of organic origin*, as well as feed materials and feed additives authorised for use in organic production pursuant to Article 19 may be used in the processing of organic feed and in the feeding of organic animals.

Non-organic protein feed may be used

provided that:

(i) it is not available in organic form;

(ii) it is produced or prepared without chemical solvents; and

(iii) its use is limited to porcine and poultry species and to specific stages of development (piglets up to 35kg and young poultry) and specific protein compounds.

This is an exception to the production rules relating to non-availability of organic farm input in accordance with point (b) of Article 17(2). Where farmers are unable to obtain protein feed exclusively from organic production for porcine and poultry species, the maximum percentage of non-organic protein feed authorised per period of 12 months for those species shall not exceed 5 % and shall be decreased in line with the availability of organic protein feed.

Non-organic spices, herbs and molasses may be used, provided that:

(i) they are not available in organic form;

(ii) they are produced or prepared without chemical solvents; and

(iii) their use is limited to 1 % of the feed ration of a given species, calculated annually as a percentage of the dry matter of feed from agricultural origin. This is an exception to the production rules relating to non-availability of organic farm input in accordance with point (b) of Article 17(2), where farmers are unable to obtain spices, herbs, and molasses exclusively from organic production. The percentage shall be decreased in line with the availability of organic spices, herbs and molasses;

Products from sustainable fisheries may be used, provided that:

(i) they are produced or prepared without chemical solvents;

(ii) their use is restricted to non-herbivores; and

(iii) the use of fish protein hydrolysate is restricted solely to young animals;

This is an exception to the production rules relating to non-availability of organic farm input in accordance with point (b) of Article 17(2), where farmers are unable to obtain products from sustainable fisheries exclusively from organic production. The percentage shall be decreased in line with the availability of organic fisheries.

Amendment 318

Proposal for a regulation

Annex II – part II – point 1.5.1.3 a (new)

Text proposed by the Commission

Amendment

1.5.1.3a. The use of bolus composed of synthesised allopathic chemical molecules is prohibited;

Amendment 319

Proposal for a regulation

Annex II – part II – point 1.5.2.2

Text proposed by the Commission

Amendment

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

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

Justification

Veterinarians' duty of care guarantees strict conditions.

Amendment 320

Proposal for a regulation

Annex II – part II – point 1.5.2.4

Text proposed by the Commission

1.5.2.4. With the exception of vaccinations, treatments for parasites and compulsory eradication schemes where an animal or group of animals receive more than three courses of treatments with chemically-synthesised allopathic veterinary medicinal products including antibiotics within 12 months, or more than one course of treatment if their productive lifecycle is less than one year, the livestock concerned, or produce derived from them, shall not be sold as organic products, and the livestock shall undergo the conversion periods referred to in points 1.2 and 2.

Amendment

1.5.2.4. With the exception of vaccinations, treatments for parasites, ***phytotherapeutic and homeopathic products*** and compulsory eradication schemes where an animal or group of animals receive more than three courses of treatments with chemically-synthesised allopathic veterinary medicinal products including antibiotics within 12 months, or more than one course of treatment if their productive lifecycle is less than one year, the livestock concerned, or produce derived from them, shall not be sold as organic products, and the livestock shall undergo the conversion periods referred to in points 1.2 and 2.

Amendment 321

Proposal for a regulation

Annex II – Part II – point 1.5.2.5

Text proposed by the Commission

1.5.2.5. The withdrawal period between the last administration of ***an*** allopathic veterinary medicinal product to an animal under normal conditions of use, and the production of organically produced foodstuffs from such animals, ***is to*** be twice the withdrawal period ***as*** referred to in Article ***11*** of Directive 2001/82/EC ***or, in a case in which this period is not specified***, 48 hours.

Amendment

1.5.2.5. The withdrawal period between the last administration of ***a chemically synthesised*** allopathic veterinary medicinal product to an animal under normal conditions of use, and the production of organically produced foodstuffs from such animals, ***shall*** be twice the withdrawal period referred to in Article ***9*** of Directive 2001/82/EC ***and at least*** 48 hours.

Amendment 322

Proposal for a regulation Annex II – Part II – point 1.6.5

Text proposed by the Commission

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

Amendment

1.6.5. Open air areas may be partially covered. Verandas shall **only** be considered as open air areas **for breeding birds and for pullets aged under 18 weeks**.

Amendment 323

Proposal for a regulation Annex II – Part II – point 1.7.3

Text proposed by the Commission

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

Amendment

1.7.3. **Herbivores** shall have permanent access to open air areas **during daytime, including open-air pens and pasture as appropriate to the species concerned**, whenever weather conditions and the state of the ground allow this, unless restrictions and obligations related to the protection of human and animal health are imposed **pursuant to** Union legislation.

Whenever weather and seasonal conditions and the state of the ground do not allow access to pasture, livestock shall, as appropriate, have access during daytime to open-air areas allowing the animals to exercise, save where this is not conducive to the welfare of the animals concerned or where temporary restrictions and obligations related to the protection of human and animal health are imposed pursuant to Union legislation.

Amendment 324

Proposal for a regulation Annex II – Part II – point 1.7.6

Text proposed by the Commission

1.7.6. Tethering or isolation of livestock shall be prohibited, ***unless*** for individual animals for a limited period of time, and in so far as this is justified for veterinary reasons. Competent authorities may authorise cattle in micro-enterprises to be tethered ***if it is not possible to keep the cattle in groups appropriate to their behaviour requirements***, provided they have access to pastures during the grazing period, and at least twice a week access to open air areas when grazing is not possible.

Amendment

1.7.6. Tethering or isolation of livestock shall be prohibited, ***save*** for individual animals for a limited period of time, and in so far as this is justified ***on grounds of safety or animal protection or*** for veterinary reasons. ***Isolation of livestock may be authorised, for a limited period of time, only when workers' safety is compromised and for animal welfare reasons.*** Competent authorities may authorise cattle in micro-enterprises ***and undertakings located in disadvantaged areas*** to be tethered, provided they have access to pastures during the grazing period ***whenever weather conditions and the state of the ground allow this during daytime, unless restrictions and obligations relating to the protection of human and animal health are imposed pursuant to Union legislation***, and at least twice a week access to open air areas when grazing is not possible.

Amendment 325

Proposal for a regulation Annex II – Part II – point 1.7.8

Text proposed by the Commission

1.7.8. Any suffering shall be kept to a minimum during the entire life of the animal, including at the time of slaughter.

Amendment

1.7.8. When organic production is carried out in accordance with this Regulation, its effect on animal welfare, understood in the light of Article 13 of the Treaty on the Functioning of the European Union, should be considered in order to spare the animals any avoidable pain, distress or suffering. Animal welfare legislation such as Council Regulation (EC) No 1/2005^{1a} and Council Regulation (EC) No

1099/2009^{1b} should necessarily continue to apply and be properly implemented. The rules contained in this Regulation should not duplicate or overlap with them.

^{1a} Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 (OJ L 3, 5.1.2005, p. 1).

^{1b} Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing (OJ L 303, 18.11.2009, p. 1).

Amendment 326

Proposal for a regulation Annex II – Part II – point 1.7.8 a (new)

Text proposed by the Commission

Amendment

1.7.8a. All persons handling organic animals during transport and slaughter shall receive adequate training to ensure proper application of the rules set out in this Regulation, as supported by regular inspections to ensure compliance.

Amendment 327

Proposal for a regulation Annex II – Part II – point 1.7.9

Text proposed by the Commission

Amendment

1.7.9. Mutilation of animals shall be prohibited.

1.7.9. Mutilation of animals shall be prohibited. ***The trimming of the beaks of poultry, when undertaken in the first three days of life, attaching elastic bands to the tails of sheep and tail-docking may be authorised by the competent authority***

for reasons of safety or animal and human health or if such actions are intended to improve the health, welfare or hygiene of the livestock concerned. Dehorning and castration of young mammals shall be approved only if adequate anaesthesia and/or analgesia are applied.

Amendment 328

Proposal for a regulation Annex II – Part II – point 1.7.12

Text proposed by the Commission

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

Amendment

1.7.12. Loading and unloading of animals shall be carried out without the use of any type of electrical stimulation to coerce the animals, *except in exceptional circumstances and in accordance with the provisions of point 1.9 of Annex III to Regulation (EC) No 1099/2009. Mixing of animals which are unfamiliar with each other during transport or lairage and unnecessary overnight lairage shall be avoided. Social animals shall be kept in groups and shall be able to move and turn around in the pens.* The use of allopathic tranquillisers, prior to or during transport, shall be prohibited.

Amendment 329

Proposal for a regulation Annex II – part II – point 2.1.1 – paragraph 1 – point a

Text proposed by the Commission

(a) 12 months in the case of bovine animals for meat production, *and in any case at least three quarters of their lifetime;*

Amendment

(a) 12 months in the case of bovine animals for meat production;

Justification

For the sake of the practicability of these provisions, the reference to lifetimes shall be deleted for beef cattle as well as for sheep and goats.

Amendment 330

Proposal for a regulation

Annex II – Part II – point 2.1.2 – point d

Text proposed by the Commission

(d) except during the period each year when the animals are under transhumance referred to in point 1.4.2.2., at least **90 %** of the feed shall come from the farm itself or ***in case*** this is not feasible, be produced in cooperation with other organic farms ***in the same region***;

Amendment

(d) except during the period each year when the animals are under transhumance ***as*** referred to in point 1.4.2.2., at least **60 %** of the feed shall come ***primarily*** from the farm itself or, ***where*** this is not feasible, ***shall to the extent possible*** be produced in cooperation with other organic farms ***established within a radius of 150 km of the farm itself and be produced in the Union. For the purposes of calculating the distance in the case of farms located on islands and in coastal areas, that part of the distance which consists of stretches of water shall not be taken into account. This condition as to distance shall not apply to farms in the outermost regions.***

Local production of organic feed shall be encouraged. To that end, Member States may increase this percentage depending on the availability of organic feed in the farms and the region;

Amendment 331

Proposal for a regulation

Annex II – part II – point 2.1.2 – paragraph 1 – point f

Text proposed by the Commission

(f) all suckling bovine, ovine and caprine animals shall be fed in preference on maternal milk for a minimum period of

Amendment

(f) all suckling bovine, ovine and caprine animals shall be fed in preference on maternal milk ***or natural milk*** for a

three months for bovine animals and 45 days for ovine and caprine animals.

minimum period of three months for bovine animals and 45 days for ovine and caprine animals.

Amendment 332

Proposal for a regulation

Annex II – Part II – point 2.1.3 - point c a (new)

Text proposed by the Commission

Amendment

(ca) when a calf is treated individually for veterinary reasons, it shall be kept in spaces that have a solid floor and must be provided with straw bedding. The calf should be able to turn around easily and to lie down comfortably at full length.

Amendment 333

Proposal for a regulation

Annex II – Part II – point 2.2.2 – point c

Text proposed by the Commission

Amendment

(c) except during the period each year when the animals are under transhumance as mentioned in point 1.4.2.2., at least **90** % of the feed shall come from the farm itself or ***in case*** this is not feasible, be produced in cooperation with other organic farms ***in the same region***;

(c) except during the period each year when the animals are under transhumance as mentioned in point 1.4.2.2., at least **60** % of the feed shall come ***primarily*** from the farm itself or, ***where*** this is not feasible, ***shall to the extent possible*** be produced in cooperation with other organic farms ***established within a radius of 150 km of the farm itself and be produced in the Union. For the purposes of calculating the distance in the case of farms located on islands and in coastal areas, that part of the distance which consists of stretches of water shall not be taken into account. This condition as to distance shall not apply to farms in the outermost regions.***

Local production of organic feed shall be encouraged. To that end, Member States may increase this percentage depending on the availability of organic feed in the

farms and the region;

Amendment 334

Proposal for a regulation

Annex II – Part II – point 2.2.2 – point d

Text proposed by the Commission

(d) rearing systems for equine animals shall be based on maximum use of grazing pasturage according to the availability of pastures in the different periods of the year. At least 60 % of the dry matter in daily rations of equine animals shall consist of roughage, fresh or dried fodder, or silage;

Amendment

(d) rearing systems for equine animals shall be based on maximum use of grazing pasturage according to the availability of pastures in the different periods of the year. ***Where higher percentages of roughage are not possible, the following minimum rule shall apply whilst respecting the nutrition, health and welfare requirements of the breeds concerned:*** at least 60 % of the dry matter in daily rations of equine animals shall consist of roughage, fresh or dried fodder, or silage;

Amendment 335

Proposal for a regulation

Annex II – part II – point 2.2.2 – point e

Text proposed by the Commission

(e) all suckling equine animals shall be fed in preference on maternal milk, ***for a minimum period of three months.***

Amendment

(e) all suckling equine animals shall be fed in preference on maternal milk ***suckled directly from the mother until the natural time of weaning.***

Amendment 336

Proposal for a regulation

Annex II – Part II – point 2.2 a (new)

Amendment

2.2a. Production of rabbits

2.2a.1. Conversion

In order for rabbits and their products to be considered organic, the production rules laid down by this Regulation must have been applied for at least 12 months.

2.2a.2. Nutrition

With regard to nutrition, the following rules shall apply:

- (a) rabbits shall have access to pasturage for grazing whenever conditions allow;***
- (b) rearing systems for rabbits shall be based on maximum use of grazing pasturage according to the availability of pastures in the different periods of the year;***
- (c) fibrous food such as straw and/or hay must be provided when grass is not sufficient. Forage shall comprise at least 60% of the diet;***
- (d) in the case of rabbits, at least 60 % of the feed shall come from the farm unit itself or, where this is not feasible, shall be produced in cooperation with other organic farms in the same region;***
- (e) rabbits must be fed with natural milk until weaning at a minimum age of four weeks.***

2.2a.3. Specific housing conditions

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

- (a) all rabbits shall be kept in groups. Where does are kept individually to protect their welfare, they must be able to contact each other or a buck through the wire at the side of the pen (i.e. if in moveable pens, two need to be placed next to each other). Bucks must be able to make similar contact with a doe;***
- (b) farms shall use robust breeds adapted to outdoor conditions;***
- (c) the housing shall be provided with a comfortable, clean and dry laying/rest area of sufficient size, consisting of a solid construction which is not slatted. Ample dry bedding strewn with litter material shall be provided in the rest area. The litter shall comprise straw or other suitable natural material. The litter may be improved and enriched with any mineral product authorised as fertiliser or soil conditioner for use in organic production pursuant to Article 19;***
- (d) all rabbits shall have access to:***
 - (i) covered shelter including dark hiding places with a minimum area of 0,4 m² having a minimum height of 60 cm;***
 - (ii) an outdoor run with vegetation, preferably pasture, with a minimum area of 5 m² (or a minimum length of 1,8 m and a minimum area of 2,4 m² for mobile runs).;***

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

(iv) nesting material for all nursing does.

2.2a.4. Stocking density

The number of rabbits per hectare shall respect the following limits:

<i>Class or species</i>	<i>Maximum number of animals per ha equivalent to 170 kg N/ha/year</i>
<i>Does and their offspring</i>	<i>25</i>
<i>Growing rabbits</i>	<i>100</i>
<i>Bucks</i>	<i>25</i>

The minimum surface areas indoors and outdoors and other characteristics of housing of rabbits shall be as follows:

(a) minimum space inside per rabbit (including those kept in mobile pens):

(i) adult rabbits including bucks, gestating and nursing does: 0,4 m²;

(ii) fattening rabbits: 0,15 m²;

(b) minimum space outside per rabbit (excluding those kept in mobile pens):

(i) adult rabbits including, bucks, gestating and nursing does: 5 m²;

(ii) fattening rabbits: 5 m²;

(c) minimum space outside per rabbit in the case of rabbits kept in mobile pens:

(i) adult rabbits including bucks, gestating and nursing does: 5 m²;

(ii) fattening rabbits: 0.4 m².

Justification

Specific rules should also be set in place for rabbits.

Amendment 337

Proposal for a regulation

Annex II – Part II – point 2.3.2 – point a

Text proposed by the Commission

(a) at least **60** % of the feed shall come from the farm itself or *in case* this is not feasible, be produced *in the same region* in cooperation with other organic farms or feed operators;

Amendment

(a) at least **30** % of the feed shall come *primarily* from the farm itself or, *where* this is not feasible, *shall to the extent possible* be produced in cooperation with other organic farms *established within a radius of 150 km of the farm itself and be produced in the Union. For the purposes of calculating the distance in the case of*

farms located on islands and in coastal areas, that part of the distance which consists of stretches of water shall not be taken into account. This condition as to distance shall not apply to farms in the outermost regions.

Local production of organic feed shall be encouraged. To that end, Member States may increase this percentage depending on the availability of organic feed in the farms and the region;

Amendment 338

Proposal for a regulation

Annex II – part II – point 2.3.2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) in order to meet the essential nutritional requirements of organic porcine animals, particularly as regards proteins and essential amino acids, and where it is impossible for the farmer to obtain protein-rich raw materials derived solely from organic feed production, the use of limited proportion of non-organic protein-rich materials shall be authorised for porcine animals and poultry.

The maximum percentage of non-organic protein-rich materials for animal feed authorised over a twelve-month period for these species shall be 5 %.

The figures shall be calculated each year as a percentage of dried fodder of agricultural origin.

Amendment 339

Proposal for a regulation

Annex II – Part II – point 2.3.3 – point b a (new)

Text proposed by the Commission

Amendment

(ba) there shall always be a straw bed large enough to ensure that all pigs in a pen can lie down at the same time in the most space-consuming way;

Amendment 340

Proposal for a regulation

Annex II – Part II – point 2.3.3 – point c

Text proposed by the Commission

Amendment

(c) sows shall be kept in groups, except in the last stages of pregnancy and during the suckling period;

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

Without prejudice to any additional requirements for straw, a few days before expected farrowing, sows must be provided with a quantity of straw or other suitable natural material sufficient to enable them to build nests;

Amendment 341

Proposal for a regulation

Annex II – Part II – point 2.3.4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The size of pig production units shall be limited in all cases to 1 500 slaughter pigs per year or 200 sows or their equivalent in the case of farrowing-fattening units. These maximum figures for each

production unit may be exceeded where 100 % of the feed is produced on the holding.

Justification

This is taken from French Ministry of Agriculture "Specifications concerning organic production and preparation of animals and animal products defining the implementation arrangements for amended Council Regulation (EEC) No 2092/91 and/or supplementing the provisions of amended Council Regulation No 2092/91.

Amendment 342

Proposal for a regulation

Annex II – part II – point 2.3.4. – paragraph 2 - table

<i>Text proposed by the Commission</i>			
The minimum surface areas indoors and outdoors and other characteristics for housing porcine animals shall be as follows:			
	Indoors area		Outdoors area
	(net area available to animals)		(exercise area, excluding pasturage)
	Live weight minimum (kg)	M ₂ /head	M ₂ /head
Farrowing sows with piglets up to 40 days		7,5 sow	2,5
Fattening porcine animals	up to 50	0,8	0,6
	up to 85	1,1	0,8
	up to 110	1,3	1
Piglets	over 40 days and up to 30 kg	0,6	0,4
Brood porcine animals		2,5 female	1,9
		6 male If pens are used for natural service: 10 m ² /boar	8,0
<i>Amendment</i>			
The minimum surface areas indoors and outdoors and other characteristics for housing porcine animals shall be as follows:			
	Indoors area		Outdoors area
	(net area available to animals)		(exercise area, excluding pasturage)

	Live weight minimum (kg)	M2/head	M2/head
Farrowing sows with piglets up to 40 days		7,5 per scrofa	2,5
Fattening porcine animals	up to 50	0,8	0,6
	up to 85	1,1	0,8
	up to 110	1,3	1
	over 110	1,5	1,2
Piglets	over 40 days and up to 30 kg	0,6	0,4
Brood porcine animals		2,5 female	1,9
		6 male	8,0
		If pens are used for natural service: 10 m2/boar	

Amendment 343

Proposal for a regulation

Annex II – Part II – point 2.4.2 – introductory part

Text proposed by the Commission

Poultry **shall either be reared until they reach a minimum age or else shall come** from slow-growing poultry strains as defined by the competent authority. Where slow-growing poultry strains are not used by the farmer the minimum age at slaughter shall be as follows:

Amendment

Poultry **for meat production must be derived** from slow-growing poultry strains **adapted for outdoor rearing**, as defined by the competent authority.

Poultry shall come from slow-growing poultry strains which meet set limited daily growth rates that are compatible with the minimum rearing ages for each species. The Commission shall establish those growth rates in accordance with Article 11(2).

Where slow-growing poultry is not available, competent authorities shall, by way of exception, authorise the use of poultry reared until they reach a minimum age as defined by the competent authority. Where slow-growing poultry strains are not used by the farmer the

minimum age at slaughter shall be as follows:

Amendment 344

Proposal for a regulation Annex II –Part 2 – point 2.4.2 – point h

Text proposed by the Commission

Amendment

(h) 140 days for male turkeys and roasting geese; **and**

(h) 140 days for male **and female** turkeys and roasting geese ***sold whole***; and

Justification

The proposed minimum age is taken from the current Annex IV of Regulation (EC) No 543/2008 on the marketing standards for types of farming: see d) "traditional free range" and differentiating as in this Regulation between male/female turkeys for cutting and whole.

Amendment 345

Proposal for a regulation Annex II – Part II – point 2.4.2 – point i

Text proposed by the Commission

Amendment

(i) **100** days for female turkeys.

(i) **98** days for female turkeys ***intended for cutting and 126 days for male turkeys intended for cutting.***

Amendment 346

Proposal for a regulation Annex II – part II – point 2.4.2 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Laying hens must be derived from strains adapted to outdoor rearing.

Amendment 347

Proposal for a regulation Annex II – Part II – point 2.4.3 – point a

Text proposed by the Commission

(a) at least **60** % of the feed shall come from the farm itself or ***in case*** this is not feasible, be produced ***in the same region*** in cooperation with other organic farms ***or feed operators***;

Amendment

(a) at least **30** % of the feed shall come ***primarily*** from the farm itself or, ***where*** this is not feasible, ***shall to the extent possible*** be produced in cooperation with other organic farms ***established within a radius of 150 km of the farm itself and be produced in the Union. For the purposes of calculating the distance in the case of farms located on islands and in coastal areas, that part of the distance which consists of stretches of water shall not be taken into account. This condition as to distance shall not apply to farms in the outermost regions.***

Local production of organic feed shall be encouraged. To that end, Member States may increase this percentage depending on the availability of organic feed in the farms and the region;

Amendment 348

**Proposal for a regulation
Annex II – part II – point 2.4.4 – point c**

Text proposed by the Commission

(c) poultry shall have access to an open air area for at least one third of their life. Open air areas for poultry shall be mainly covered with vegetation ***and be provided with protective facilities and permit fowl to have easy access to adequate numbers of drinking troughs***;

Amendment

(c) poultry shall have access to an open air area for at least one third of their life. Open air areas for poultry shall be mainly covered with vegetation;

Justification

The presence of drinking troughs in outdoor runs attracts wild birds and entails a major risk in the events of outbreaks of bird flu. For this reason, the European Commission advises against them in the event of outbreaks of bird flu. They are also permanently prohibited in some Member States. Vegetation like shrubs or trees helps poultry to lie down in outdoor runs and other additional protective equipment is not needed.

Amendment 349

Proposal for a regulation

Annex II – Part II – point 2.4.4 – point d a (new)

Text proposed by the Commission

Amendment

(da) the total usable surface area of poultry buildings for fattening poultry of any production unit shall not exceed 1 600 m²;

Justification

For a sustainable production a production ceiling per unit is needed.

Amendment 350

Proposal for a regulation

Annex II – Part II – point 2.4.4 – point d b (new)

Text proposed by the Commission

Amendment

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

Justification

For a sustainable production a production ceiling per unit is needed.

Amendment 351

Proposal for a regulation

Annex II – Part II – point 2.4.5 – title

Text proposed by the Commission

Amendment

2.4.5. Stocking density

2.4.5. Manure

Justification

The text and its heading are not clear. It would be better to clarify them by indicating that this point deals with manure by referring to the current Directive. Each Member State has adapted the European Directive on nitrates depending on its environmental problems. It is important to leave the possibility of basing it on national provisions, as in the case of the current Regulation on organic production (Article 15(2) of Regulation 889/2008).

Amendment 352

Proposal for a regulation

Annex II – Part II – point 2.4.5 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

The maximum number of animals per hectare shall respect the following limits:

The maximum quantity of manure spread per hectare must comply with the limit of 170 kg of organic nitrogen per year and per hectare of agricultural area. For this reason, the maximum number of animals per hectare shall respect the following limits or be calculated on the basis of corresponding national provisions adopted pursuant to the implementation of Directive 91/676/EEC:

Justification

The text and its heading are not clear. It would be better to clarify them by indicating that this point deals with manure by referring to the current Directive. Each Member State has adapted the European Directive on nitrates depending on its environmental problems. It is important to leave the possibility of basing it on national provisions, as in the case of the current Regulation on organic production (Article 15(2) of Regulation 889/2008)

Amendment 353

Proposal for a regulation

Annex II – Part II – point 2.4.5. – paragraph 2

<i>Text proposed by the Commission</i>							
The minimum surface area indoors and outdoors and other characteristics of housing for birds of the species <i>Gallus gallus</i> shall be as follows:							
	Breeders/ parents	Young stock		Fattening birds		Capons	Layers
Age	Breeding birds	Pullets 0-	Pullets 9-	Starter 0-	Finisher	22-	Laying

		8 weeks	18 weeks	21 days	22 to 81 days	150 days	hens from 19 weeks
In house stocking rate (birds per m ² of usable area) for fixed and mobile houses	6 birds	24 birds with a maximum of 21 kg liveweight/m ²	15 birds with a maximum of 21 kg liveweight/m ²	20 birds with a maximum of 21 kg liveweight/m ²	10 birds with a maximum of 21 kg liveweight/m ²	10 birds with a maximum of 21 kg liveweight/m ²	6 birds
Perch space (cm)							18
Multi-layer systems additional limits/m ² of ground floor area (including veranda if 24h access)	9 birds	36 birds excluding veranda area	22 birds	Not normally applicable			9 birds
Flock size limits	3 000, including males	10 000*	3 300	10 000*	4 800	2 500	3 000
Open-air run stocking rates (m ² /bird), provided that the limit of 170 kg of N/ha/year is not exceeded	4	1	4	1	4	4	4

* sub-dividable to produce 3x3 000 or 2x4 800 batches

Amendment

The minimum surface area indoors and outdoors and other characteristics of housing for birds of the species *Gallus gallus* shall be as follows:

	Breeders/parents	Young stock		Fattening birds		Capons	Layers
Age	Breeding birds	Pullets 0-8 weeks	Pullets 9-18 weeks	Starter 0-28 days	Finisher 22 to 91 days	91- 150 days	Laying hens from 19 weeks
In house stocking rate (birds per m ² of usable area) for fixed and mobile houses	6 birds	24 birds with a maximum of 25 kg liveweight/m ²	16 birds with a maximum of 25 kg liveweight/m ²	20 birds with a maximum of 25 kg liveweight/m ²	10 birds with a maximum of 25 kg liveweight/m ² However, in the case of mobile housing which does not exceed 150 m² decks	6.5 birds with a maximum of 25 kg liveweight/m ²	9 birds <i>per m²/usable surface excluding veranda</i>

					<i>and which isf left open at night, occupation can be increased to 16 animals provided that the total charge does not exceed 30 kg liveweight/m²</i>		
Perch space (cm)							15
Multi-layer systems additional limits/m ² of ground floor area (including veranda if 24h access)		36 birds excluding veranda area	24 birds	Not normally applicable			9 birds
Flock size limits		10 000*	10 000	<i>Maximum 1 flock per poultry house and 4 houses per production unit</i>	<i>Maximum 1 flock per poultry house and 4 houses per production unit</i>	<i>Maximum 1 flock per poultry house and 4 houses per production unit</i>	<i>3 000 and 9 000 maximum per poultry house and maximum 18 000 per farm</i>
Open-air run stocking rates (m ² /bird), provided that the limit of 170 kg of N/ha/year is not exceeded	4			1	2	4	4
* sub-dividable to produce 3x3 000 or 2x4 800 batches							

Amendment 354

Proposal for a regulation

Annex II – part II – point 2.4.5. – paragraph 3

Text proposed by the Commission

The minimum surface areas indoors and outdoors and other characteristics of housing for birds of species other than *Gallus gallus* shall be as follows:

Type	Turkeys		Geese	Ducks				Guinea fowl
	Male	Female	All	Peking	Type	Male	Female	All
In house stocking rate (birds per m ² of usable area) for fixed and mobile houses	10 with a maximum of 21 kg liveweight/m ²	10 with a maximum of 21 kg liveweight/m ²	10 with a maximum of 21 kg liveweight/m ²	10 with a maximum of 21 kg liveweight/m ²	10 with a maximum of 21 kg liveweight/m ²	10 with a maximum of 21 kg liveweight/m ²	10 with a maximum of 21 kg liveweight/m ²	10 with a maximum of 21 kg liveweight/m ²
Perch space (cm)	40	40	<i>Not normally applicable</i>	<i>Not normally applicable</i>	40	40	<i>Not normally applicable</i>	20
Flock size limits	2,500	2,500	2,500	4,000 females 3,200 males	3,200	4,000	3,200	5,200
Open air stocking rate (m ² /bird) provided that the limit of 170 kg of N/ha/year is not exceeded	10	10	15	4.5	4.5	4.5	4.5	4

Amendment

The minimum surface areas indoors and outdoors and other characteristics of housing for birds of species other than *Gallus gallus* shall be as follows:

Type	Turkeys		Geese	Ducks				Guinea fowl
	Male	Female	All	Peking	Type	Male	Female	All
Starter period	0-63 days	0-63 days	0-35 days	0-26 days	0-35 days	0-35 days	0-35 days	0-28 days
In house stocking rate (birds per m ² of usable area) for fixed and mobile houses	6.25 with a maximum of 35 kg liveweight/m ²	6.25 with a maximum of 35 kg liveweight/m ²	5 with a maximum of 30 kg liveweight/m ²	8 with a maximum of 35 kg liveweight/m ²	8 with a maximum of 35 kg liveweight/m ²	10 with a maximum of 25 kg liveweight/m ²	8 with a maximum of 35 kg liveweight/m ²	13 with a maximum of 25 kg liveweight/m ²
In-house stocking rate (birds per m² of usable area) for mobile houses with a floor area of not more than 150 m²	16 with a maximum of 30 kg liveweight/m²							

Flock size limits	2,500	2,500	2,500	4,000 females 3,200 males	3,200	4,000	3,200	5,200
Farm size limits	<i>A maximum of 1 flock per poultry house and a maximum of 4 buildings per production unit.</i>							
Open air stocking rate (m ² /bird) provided that the limit of 170 kg of N/ha/year is not exceeded	6	6	10	2	2	2	3	2

Amendment 355

Proposal for a regulation Annex II – Part II – point 2.4.6 – point a

Text proposed by the Commission

(a) poultry shall have access to an open air area for at least one third of their life. ***In particular, continuous daytime open air access shall be provided from as early an age as practically possible, whenever physiological and physical conditions allow***, except in the case of temporary restrictions imposed on the basis of Union legislation;

Amendment

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

Justification

For sanitary reasons, pullets less than 18 weeks old which go on to become laying hens have no access to external areas (cover from vaccines is not guaranteed and there is a risk of the eggs becoming contaminated with salmonella and mycoplasmae). Since the pullet stage represents one third of a hen's life, these provisions do not prevent the animals from having access to an open air area for the majority of their lives.

Amendment 356

Proposal for a regulation Annex II – Part II – point 2.4.6 – point b

Text proposed by the Commission

(b) open air areas for poultry shall be

Amendment

(b) open air areas for poultry shall be

mainly covered with vegetation ***composed of a diverse range of plants and be provided with protective facilities and permit fowl to have easy access to adequate numbers of drinking troughs.***

The vegetation on the open-air area must be harvested and removed at regular intervals to reduce the potential for nutrient surpluses. The open air areas shall not extend beyond a radius of 150 m from the nearest pop-hole of the poultry house. However an extension of up to 350 m from the nearest pop-hole of the poultry house is permissible provided that a sufficient number of shelters ***and drinking troughs*** are evenly distributed throughout the whole open-air area with at least four shelters per hectare;

mainly covered with vegetation. The vegetation on the open-air area must be harvested and removed at regular intervals to reduce the potential for nutrient surpluses. The open air areas shall not extend beyond a radius of 150 m from the nearest pop-hole of the poultry house. However an extension of up to 350 m from the nearest pop-hole of the poultry house is permissible provided that a sufficient number of shelters ***or shrubs/foliage*** are evenly distributed throughout the whole open-air area with at least four shelters ***or groves*** per hectare;

Justification

Les variétés de plantes qui peuvent être sur un parcours dépendent avant tout de la région de l'élevage et de son climat. La réglementation ne doit pas imposer « un large éventail de plantes » au risque d'avoir des espèces exotiques néfastes pour l'environnement. La présence d'abreuvoirs sur les parcours extérieurs attire les oiseaux sauvages et entraîne un risque important en cas d'épisode d'Influenza aviaire. Pour cette raison, la Commission européenne la déconseille en cas d'épisode d'Influenza aviaire, et cela est même interdit en permanence dans certains états-membres. C'est la végétation, par exemple avec des arbustes ou de arbres, qui aide les volailles à s'étendre sur les parcours en plein air, il n'est pas nécessaire d'avoir d'autres équipements de protection en plus.

Amendment 357

Proposal for a regulation Annex II – Part II – point 2.5 a (new)

Text proposed by the Commission

Amendment

2.5a. Rearing of fallow deer, mouflon and red deer

2.5a.1. Conversion

Fallow deer, mouflon, red deer and their products may be deemed organic after compliance with a conversion period of at least six months for fallow deer and

mouflon and 12 months for red deer.

2.5a.2. Specific housing conditions and stocking density

The following rules shall apply with regard to housing conditions and stocking density:

(a) fallow deer, mouflon and red deer shall be reared in pens as referred to in point (f). The minimum size of a pen for fallow deer and mouflon shall be one hectare and for red deer two hectares. If several species are reared together in a pen, the minimum size of the pen shall be three hectares;

(b) the possibility of a division into at least two paddocks must be ensured for each pen. The minimum size of a pen shall be half a hectare for fallow deer and mouflon and at least one hectare for red deer or several farmed species reared in a common pen;

(c) animals must live in social groups. The adult animals in a pen must include, as a minimum, three females and one male for each species of animal. The upper limit for the number of animals per hectare in a pen shall be:

(i) fallow deer and mouflon: 10 adult animals per hectare;

(ii) red deer: 5 adult animals per hectare;

(d) animals that are bred in a herd shall be included in the quota referred to in point (c) in the first year of life;

(e) rearing individual animals separately shall not be permitted, save for a limited period of time and for a valid reason, such as disease prevention or veterinary treatment;

(f) the following provisions shall apply to pens:

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

weather. Organic livestock rearing in a pen on very wet or marshy soil shall not be allowed;

(ii) natural grazing must be ensured in a pen during the period of vegetation. Pens that cannot provide feed by grazing during the period of vegetation shall not be allowed;

(iii) animals must be provided with hiding places and shelters;

(iv) animals must be provided with a natural method of hoof treatment. If this is not adequate due to the composition of the soil, adequacy must be ensured through other appropriate measures (e.g. by consolidating the soil around feeding sites);

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

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

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

(viii) the outer and inner fences must be clearly visible to animals so that they cannot be harmed. The fence must not have sharp edges

(ix) the pen fence should be at least 1,8 metres tall for fallow deer and mouflon and at least two metres tall for red deer. These heights shall not apply to a fence inside the pen for setting up paddocks;

(x) during the vegetation period the animals must feed by grazing in the pens;

(xi) feeding shall only be allowed in the

event of a shortage of grazing due to poor weather conditions;

(xii) farmed animals in a pen must be provided with safe water. If a natural source of water that is easily accessible to animals is not available, watering places must be provided.

Justification

Consumers are increasingly demanding organic wild game and rabbit products. That is why uniform rules should also be introduced for the rearing of red deer, mouflon, fallow deer and rabbits at the EU level.

Amendment 358

Proposal for a regulation

Annex II – Part III – paragraph 1 – point 9 a (new)

Text proposed by the Commission

Amendment

(9a) ‘sustainable fishing’ means the extraction of living aquatic resources that can be maintained indefinitely without reducing the capacity of the target species, in such a way as to maintain healthy population levels and without high negative impacts on other species in the ecosystem or in their habitats within the meaning of the Water Framework Directive^{1 a} or Marine Strategy Framework Directive^{1b}, as applicable.

^{1a} Directive 2006/113/EC of the European Parliament and of the Council of 12 December 2006 on the quality required of shellfish waters (OJ L 376, 27.12.2006, p. 14).

^{1b} Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for Community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).

Amendment 359

Proposal for a regulation Annex II – Part III – point 2.6 a (new)

Text proposed by the Commission

Amendment

2.6a. Organic production holdings of seaweed and aquaculture animals shall not cause risks to species of conservation interest.

Amendment 360

Proposal for a regulation Annex II – Part III – point 3.2.1 – point a

Text proposed by the Commission

Amendment

(a) the growing areas are of high ecological status as defined by Directive 2000/60/EC⁷⁵, and are not unsuitable from a health point of view;

(a) the growing areas are of high ecological status as defined by Directive 2000/60/EC⁷⁵, ***or have a quality equivalent to the production zones classed as A and B in Regulation (EC) No 854/2004⁷⁶*** and are not unsuitable from a health point of view;

⁷⁵ Directive **2006/113/EC** of the European Parliament and of the Council of **12 December 2006 on the quality required of shellfish waters (OJ L 376, 27.12.2006, p. 14)**.

⁷⁵ Directive **2000/60/EC** of the European Parliament and of the Council of **23 October 2000 establishing a framework for the Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1)**.

^{75a} ***Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption (OJ L 139, 30.04.2004)***.

Amendment 361

Proposal for a regulation Annex II – Part III – point 3.2.2 – point b

Text proposed by the Commission

(b) to ensure that a wide gene-pool is maintained, the collection of **juvenile** seaweed in the wild shall take place on a regular basis to **supplement** indoor culture stock;

Amendment

(b) to ensure that a wide gene-pool is maintained, the collection of seaweed in the wild shall take place on a regular basis **so as to maintain and increase the diversity of** indoor culture stock;

Amendment 362

Proposal for a regulation Annex II – Part III – point 3.4.4

Text proposed by the Commission

3.4.4. If seaweed is harvested from a shared or common harvest area, documentary evidence shall be available that the total harvest complies with this Regulation.

Amendment

3.4.4. If seaweed is harvested from a shared or common harvest area, documentary evidence **produced by the competent authority designated by the Member State concerned** shall be available, **showing** that the total harvest complies with this Regulation.

Amendment 363

Proposal for a regulation Annex II – Part III – point 4.1.2.1 – point a (new)

Text proposed by the Commission

Amendment

(aa) where it is impracticable to obtain animals under the conditions specified in point (a), they may be caught in the wild. Such animals shall be kept under organic management for at least three months before they may be used.

Amendment 364

Proposal for a regulation

Annex II – Part III – point 4.1.2.1 – point d

Text proposed by the Commission

(d) wild caught or non-organic aquaculture animals may be brought into a holding with a view to improving genetic stock. Such animals shall be kept under organic management for at least three months before they may be used for breeding.

Amendment

(d) wild caught or non-organic aquaculture animals may be brought into a holding ***only in duly justified cases where no organic breed is available or where new genetic stock for breeding purposes is brought into the production unit after the authorisation has been granted by the competent authority***, with a view to improving ***the suitability of*** genetic stock. Such animals shall be kept under organic management for at least three months before they may be used for breeding.

Each Member State shall ensure that a computerised database is established for listing the aquaculture species for which organic juveniles are available on its territory and the production capacity among certified aquaculture farms.

In no circumstances may authorisation be granted to catch wild fish which is on the red list of endangered species.

The Commission shall adopt implementing acts laying down the technical details for establishing the database referred to in the second paragraph. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).

Amendment 365

Proposal for a regulation

Annex II – Part III – point 4.1.3.1 – point d

Text proposed by the Commission

Amendment

(d) in the case of non-organic feed materials from ***plant origin, feed materials from*** animal and mineral origin, feed additives, certain products used in animal nutrition and processing aids shall be used only if they have been authorised for use in organic production under this Regulation;

(d) in the case of non-organic feed materials from animal and mineral origin, feed additives, certain products used in animal nutrition and processing aids shall be used only if they have been authorised for use in organic production under this Regulation;

Justification

The use of non-organic feed material is not necessary for aquaculture.

Amendment 366

Proposal for a regulation Annex II – Part III – point 4.1.3.2 – point b

Text proposed by the Commission

Amendment

(b) the growing areas shall be of high ecological status as defined by Directive 2000/60/EC.

(b) the growing areas shall be of high ecological status as defined by Directive 2000/60/EC, ***or of good environmental status, as defined by Directive 2008/56/EC. Natural landscape elements such as 'natural heritage sites' shall be preserved.***

Amendment 367

Proposal for a regulation Annex II – Part III – point 4.1.3.3 – point e

Text proposed by the Commission

Amendment

(e) organic feed materials of plant or animal origin; ***plant material shall not exceed 60% of total ingredients.***

(e) organic feed materials of plant or animal origin; ***the feed ration may comprise a maximum of 60 % organic plant products;***

Justification

Taken from 889/2008.

Amendment 368

Proposal for a regulation

Annex II – Part III – point 4.1.3.3 – point e a (new)

Text proposed by the Commission

Amendment

(ea) astaxanthin derived primarily from organic sources, such as organic crustacean shells, may be used in the feed ration for salmon and trout within the limit of their physiological needs. If organic sources are not available, natural sources of astaxanthin (such as Phaffia yeast) may be used.

Justification

To meet the physiological needs of, primarily, carnivorous aquaculture animals, natural derived astaxanthin should be permitted under specific conditions. The existing regulation on this area should be maintained.

Amendment 369

Proposal for a regulation

Annex II – Part III – point 4.1.4.2 – point d

Text proposed by the Commission

Amendment

(d) the use of allopathic treatments shall be limited to two courses of treatment per year, with the exception of vaccinations and compulsory eradication schemes. However, in the **cases** of a production cycle of less than a year a limit of one allopathic treatment **applies**. If the indicated limits for allopathic treatments are exceeded the aquaculture animals concerned shall not be sold as organic products;

(d) the use of allopathic treatments shall be limited to two courses of treatment per year, with the exception of vaccinations, **parasite treatments** and compulsory eradication schemes. However, in the **case** of a production cycle of less than a year, a limit of one allopathic treatment **shall apply**. If the indicated limits for allopathic treatments are exceeded, the aquaculture animals concerned shall not be sold as organic products;

Justification

Parasites are often treated with products categorized as allopathic treatments. For this reason and to ensure coherence with 4.1.4.2.(e), an exemption is needed in 4.1.4.2 (d).

Amendment 370

Proposal for a regulation

Annex II – Part III – point 4.1.5.5 – point b

Text proposed by the Commission

(b) at least **five percent** of the perimeter ('land-water interface') area shall have natural vegetation.

Amendment

(b) at least **15 %** of the perimeter ('land-water interface') area shall have natural vegetation.

Justification

To reach 15 % of natural vegetation is adequate for organic aquaculture holdings.

Amendment 371

Proposal for a regulation

Annex II – Part III – point 4.1.5.10 – point a – table

Text proposed by the Commission

Production system

Ongrowing farm systems must be fed from open systems. The flow rate must ensure a minimum of 60 % oxygen saturation for stock and must ensure their comfort and the elimination of production effluent.

Maximum stocking density

Salmonid species not listed below 15 kg/m³

Salmon **20** kg/m³

Brown trout and Rainbow trout **25** kg/m³

Arctic charr **20** kg/m³

Amendment

Production system

Ongrowing farm systems must be fed from open systems. The flow rate must ensure a minimum of 60 % oxygen saturation for stock and must ensure their comfort and the elimination of production effluent.

Maximum stocking density

Salmonid species not listed below 15 kg/m³

Salmon **15** kg/m³

Brown trout and Rainbow trout **15** kg/m³

Arctic charr **15 kg/m³**

Amendment 372

Proposal for a regulation

Annex II – Part III – point 4.1.5.10 – point c – table

Text proposed by the Commission

Production system	In open water containment systems (net pens/cages) with minimum sea current speed to provide optimum fish welfare or in open systems on land.
Maximum stocking density	For fish other than turbot: 15 kg/m³ For turbot: 25 kg/m²

Amendment

Production system	In open water containment systems (net pens/cages) with minimum sea current speed to provide optimum fish welfare or in open systems on land.
Maximum stocking density	For fish other than turbot: 10 kg/m³ For turbot: 20 kg/m²

Amendment 373

Proposal for a regulation

Annex II – Part III – point 4.1.5.10 – point e – table

Text proposed by the Commission

Production system	Water flow in each rearing unit shall be sufficient to ensure animal welfare Effluent water to be of equivalent quality to incoming water
Maximum stocking density	30 kg/m³

Amendment

Production system	Water flow in each rearing unit shall be sufficient to ensure animal welfare
-------------------	--

Effluent water to be of equivalent quality to incoming water

Maximum stocking density

20 kg/m³

Amendment 374

Proposal for a regulation

Annex II – Part III – point 4.1.5.10 – point i – table

Text proposed by the Commission

Production system

Ponds and net cages

Maximum stocking density

Pangasius: 10 kg/m³

Oreochromis: **20** kg/m³

Amendment

Production system

Ponds and net cages

Maximum stocking density

Pangasius: 10 kg/m³

Oreochromis: **15** kg/m³

Amendment 375

Proposal for a regulation

Annex II – Part III – point 4.1.6.3 – point a

Text proposed by the Commission

(a) for prolonging natural day-length it shall not exceed a maximum that respects the ethological needs, geographical conditions and general health of produced animals, this maximum shall not exceed **16** hours per day, except for reproductive purposes;

Amendment

(a) for prolonging natural day-length it shall not exceed a maximum that respects the ethological needs, geographical conditions and general health of produced animals; this maximum shall not exceed **12** hours per day, except for reproductive purposes;

Justification

In the sense of animal welfare, the prolonging of the daylight up to 16 hours is too long.

Amendment 376

Proposal for a regulation

Annex II – Part III – point 4.2.1 – point c

Text proposed by the Commission

(c) records shall be kept of how, where and when wild seed was collected to allow traceability back to the collection area.

Amendment

(c) records shall be kept of how, where and when wild seed was collected to allow traceability back to the collection area ***and only after the authorisation has been granted by the competent authority.***

Amendment 377

Proposal for a regulation

Annex II – part III – point 4.2.2 – point c

Text proposed by the Commission

(c) organic shellfish farms ***shall minimise*** risks to species of conservation interest.

If predator nets are used their design shall not permit diving birds to be harmed.

Amendment

(c) organic shellfish farms ***shall not cause*** risks to species of conservation interest.

If predator nets are used their design shall not permit diving birds to be harmed.

Amendment 378

Proposal for a regulation

Annex II – Part III – point 4.2.3 – point b

Text proposed by the Commission

(b) bottom cultivation of molluscs is only permitted where no significant environmental impact is caused at the collection and growing sites. The evidence of minimal environmental impact shall be supported by a survey and report on the exploited area to be provided by the operator to the control authority or control body. The report shall be added as a separate chapter to the sustainable management plan.

Amendment

deleted

Justification

Bottom cultivation of molluscs is not possible in a sustainable way and does not preserve the marine ecosystem.

Amendment 379

Proposal for a regulation Annex II – Part IV – point 1.1

Text proposed by the Commission

1.1. Food and feed additives, processing aids and other substances and ingredients used for processing food or feed and any processing practice applied, such as smoking, shall respect the principles of good manufacturing practice⁷⁶.

⁷⁶ Good manufacturing practices (GMPs) as defined in Article 3(a) of Commission Regulation (EC) N° 2023/2006 of 22 December 2006 on good manufacturing practice for materials and articles intended to come into contact with food (O.J. L 384, 29.12.2006, p. 75)

Amendment

1.1. Food and feed additives, processing aids and other substances and ingredients used for processing food or feed and any processing practice applied, such as smoking, shall respect the principles of good manufacturing practice⁷⁶. ***In the smoking of food, procedures which meet the concerns of food safety, environmental and resource protection are preferable.***

⁷⁶ Good manufacturing practices (GMPs) as defined in Article 3(a) of Commission Regulation (EC) N° 2023/2006 of 22 December 2006 on good manufacturing practice for materials and articles intended to come into contact with food (O.J. L 384, 29.12.2006, p. 75)

Justification

The generating of smoke in a conventional manner produces polluting emissions into the environment and creates residues of harmful substances such as tar and polycyclic aromatic hydrocarbons (PAHs) in smoked foods. For these reasons, EU funding has supported the development of alternative smoking products. The use of purified smoke (Clean Smoke) is safer to use, having less impact on the environment (Article 11 TFEU) and on health (Article 168(1) TFEU).

Amendment 380

Proposal for a regulation Annex II – Part IV – point 1.4 a (new)

Text proposed by the Commission

Amendment

1.4a. Operators shall ensure the traceability of each product within two days in accordance with Article 18 of Regulation (EC) No 178/2002.

Justification

Regulation laying down the general principles and requirements of food law. Food and feed business operators shall be able to identify any person from whom they have been supplied with a food, a feed, a food-producing animal, or any substance intended to be, or expected to be, incorporated into a food or feed. To this end, such operators shall have in place systems and procedures which allow for this information to be made available to the competent authorities on demand.

Amendment 381

Proposal for a regulation Annex II – Part IV – point 1.6

Text proposed by the Commission

Amendment

1.6. Products, substances and techniques that reconstitute properties that are lost in the processing and storage of organic food, that correct the results of negligence in the processing of organic food or that otherwise may be misleading as to the true nature of products intended to be marketed as organic food shall not be used. ***deleted***

Justification

This wording does not correspond to a production rule and its content is already covered by Article 6 especially points d) and e).

Amendment 382

Proposal for a regulation Annex II – Part IV – point 1.6 a (new)

Text proposed by the Commission

Amendment

1.6a. The use of techniques, products and substances produced by using nanotechnology shall be prohibited in the production of organic processed food and feed.

Amendment 383

Proposal for a regulation

Annex II – Part IV – point 2.1 – point a

Text proposed by the Commission

Amendment

(a) the product shall be produced mainly from agricultural ingredients; in order to determine whether a product is produced mainly from agricultural ingredients, added water and salt shall not be taken into account;

(a) the product shall be produced mainly from agricultural ingredients ***and yeast***; in order to determine whether a product is produced mainly from agricultural ingredients, added water and salt shall not be taken into account;

Amendment 384

Proposal for a regulation

Annex II – Part IV – point 2.1 – point c

Text proposed by the Commission

Amendment

(c) an organic ingredient shall not be present together with the same ingredient in conversion or in non-organic form;

deleted

Amendment 385

Proposal for a regulation

Annex II – Part IV – point 2.1 – point d

Text proposed by the Commission

Amendment

(d) food produced from in-conversion crops shall contain only one crop

deleted

ingredient of agricultural origin.

Amendment 386

Proposal for a regulation

Annex II – part IV – point 2.2.2 – point e

Text proposed by the Commission

(e) minerals (trace elements included), vitamins, aminoacids, and micronutrients, *only authorised as far their use is legally required in the foodstuffs in which they are incorporated.*

Amendment

(e) minerals (trace elements included), vitamins, aminoacids, and micronutrients *to fulfil dietary requirements in the case of food intended for infants and young children and food for special medical purposes in accordance with Regulation (EU) No 609/2013 of the European Parliament and of the Council^{1a}*

^{1a} Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009. (OJ L 181, 29.6.2013, p. 35).

Justification

Production of organic products must be supported at all levels; that also includes for the EC-Organic Regulation to keep up with the general food law; in particular to fulfil dietary requirements in case of food intended for infants and young children and food for special medical purposes.

Amendment 387

Proposal for a regulation

Annex II – Part IV– point 2.2.3 – point b

Text proposed by the Commission

Amendment

(b) preparations and substances referred to in point 2.2.2. shall not be calculated as agricultural ingredients;

(b) preparations and substances referred to in **points (a), (c), (d) and (e)** of point 2.2.2. shall not be calculated as agricultural ingredients;

Amendment 388

Proposal for a regulation

Annex II – Part IV – point 2.2.4 – point b – point iii – indent 1

Text proposed by the Commission

Amendment

– algae, including seaweed;

– algae, including seaweed **and Lithothamnium**;

Justification

By virtue of its high calcium content, the alga Lithothamnium is already used in the production of organic plant-based milk drinks, without any further additives being required. This should also be possible at EU level.

Amendment 389

Proposal for a regulation

Annex II – Part IV – point 2.2.4 a (new)

Text proposed by the Commission

Amendment

2.2.4a. The following non-organic agricultural ingredients may be used in the processing of organic food:

1. Where an ingredient of agricultural origin is not available in an organic form, that ingredient may be used, but only provided that:

(a) the operator has notified to the competent authority of the Member State concerned all the requisite evidence showing that the ingredient concerned is not produced in sufficient quantities, or to a sufficiently high level of quality, in the Union in accordance with the organic

production rules, or that it cannot be imported from third countries;and

(b) the competent authority of the Member State concerned has provisionally authorised the use of the ingredient for a maximum period of 12 months after having verified that the operator has undertaken the necessary contacts with suppliers in the organic sector to satisfy himself as to the unavailability of the ingredient concerned with the required quality requirements;and

(c) the agriculture ingredient meets the following conditions:

- it is a mono ingredient product; and/or*
- the specific quality characteristics cannot be met by similar products.*

The Member State concerned may, where necessary, prolong the authorisation provided for in point (b).

2. Where an authorisation as referred to in paragraph 1 has been granted, the Member State concerned shall immediately transmit to the other Member States and to the Commission the following information:

(a) the date of the authorisation and, in the case of a prolonged authorisation, the date of the first authorisation;

(b) the name, address, telephone number, and where relevant, fax number and e-mail address of the holder of the authorisation; the name and address of the contact point of the authority which granted the authorisation;

(c) the name and, where necessary, the precise description and quality requirements of the ingredient of agricultural origin concerned;

(d) the type of products for the preparation of which the requested ingredient is necessary;

(e) the quantities that are required and the justification for those quantities;

(f) the reasons for, and expected duration of, the shortage;

(g) the date on which the Member State sent this information to the other Member States and to the Commission.

The Commission and/or Member States shall make this information available to the public in a database.

3. Where a Member State submits to the Commission and to the Member State which granted the authorisation comments which show that supplies are available during the period of the shortage, the Member State which granted the authorisation shall consider whether to withdraw the authorisation or to reduce the envisaged period of its validity, and shall inform the Commission and the other Member States of the measures it has taken or will take, within 15 working days from the date of receipt of the comments.

4. At the request of a Member State or on the Commission's initiative, the matter shall be re-evaluated by the competent authority concerned.

The competent authority concerned may decide, in accordance with the procedure laid down in paragraph 2 of this point, that a previously granted authorisation is to be withdrawn or its period of validity modified.

Justification

The use of ingredient in non-organic form should only be allowed if organic ingredients are not available on the market. The Commission approach to permit the use of some agricultural products in a non organic form does not take into account the development of the organic market.

Amendment 390

Proposal for a regulation Annex II – part IV – point 2.2.5 a (new)

Text proposed by the Commission

Amendment

2.2.5a. For the processing of organic flavours the following additional requirements shall be fulfilled:

(a) only flavouring extracts and natural flavourings as defined in Article 16(4) and (5) of Regulation (EC) No 1334/2008 of the European Parliament and of the Council^{1a} shall be considered as organic flavourings;

(b) for organic flavourings, 95% of flavour components shall be organic;

(c) only organic carriers shall be allowed and included in the calculation of the percentage of agricultural ingredients;

(d) additives, solvents and processing aids shall be used in organic form when available.

^{1a} Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC (OJ L 354, 31.12.2008, p. 34).

Amendment 391

Proposal for a regulation Annex II – Part V – point 1.1

Text proposed by the Commission

Amendment

1.1. In addition to the general production rules laid down in Articles 7, 8, 9 and **14**,

1.1. In addition to the general production rules laid down in Articles 7, 8, 9, **13a** and

the rules laid down in this Part shall apply to the organic production of the products of the wine sector as referred to in point (l) of Article 1(2) of Regulation (EU) No 1308/2013.

14, the rules laid down in this Part shall apply to the organic production of the products of the wine sector as referred to in point (l) of Article 1(2) of Regulation (EU) No 1308/2013.

Amendment 392

Proposal for a regulation Annex II – part V – point 3.1

Text proposed by the Commission

3.1. ***Without prejudice to Sections 1. and 2. and to specific prohibitions and restrictions provided for in points 3.2 to 3.5, only*** oenological practices, processes and treatments, including the restrictions provided for in Article 80 and 83(2) of Regulation (EU) No 1308/2013, and in Article 3, Articles 5 to 9 and Articles 11 to 14 of Regulation (EC) No 606/2009, and in the Annexes to those Regulations, used before 1 August 2010, shall be permitted.

Amendment

3.1. ***Only*** oenological practices, processes and treatments, including the restrictions provided for in Article 80 and 83(2) of Regulation (EU) No 1308/2013, and in Article 3, Articles 5 to 9 and Articles 11 to 14 of Regulation (EC) No 606/2009, and in the Annexes to those Regulations, used before 1 August 2010, shall be permitted.

Justification

For reasons of understanding, simplification and the good application of the Regulation by operators, it is essential that all oenological practices authorised for the production of organic wine are kept within a single document, as is currently the case with Regulation 203/2012. This enables oenological practices authorised for conventional wines and those for organic wines to be linked together in a more coherent way, with every practice being subject prior to its authorisation to the criteria laid down in Article 80(3) of the Single CMO Regulation, no 1308/2013.

Amendment 393

Proposal for a regulation Annex II – part V – point 3.2

Text proposed by the Commission

3.2 The use of the following oenological practices, processes and treatments shall be prohibited:

Amendment

deleted

(a) partial concentration through cooling according to point (c) of Section B.1 of Part I of Annex VIII to Regulation (EU) No 1308/2013;

(b) elimination of sulphur dioxide by physical processes according to point 8 of Annex I A to Regulation (EC) No 606/2009;

(c) electro dialysis treatment to ensure the tartaric stabilisation of the wine according to point 36 of Annex I A to Regulation (EC) No 606/2009;

(d) partial dealcoholisation of wine according to point 40 of Annex I A to Regulation (EC) No 606/2009;

(e) treatment with cation exchangers to ensure the tartaric stabilisation of the wine according to point 43 of Annex I A to Regulation (EC) No 606/2009.

Justification

For reasons of understanding, simplification and the good application of the Regulation by operators, it is essential that all oenological practices authorised for the production of organic wine are kept within a single document, as is currently the case with Regulation 203/2012. This enables the oenological practices authorised for conventional wines and those for organic wines to be set out in a more coherent way, with every practice being subject prior to its authorisation to the criteria laid down in Article 80(3) of the Single CMO Regulation, no 1308/2013.

Amendment 394

Proposal for a regulation Annex II – part V – point 3.3 – point a

Text proposed by the Commission

(a) for heat treatments according to point 2 of Annex I A to Regulation (EC) No 606/2009, the temperature shall not exceed 70 °C;

Amendment

(a) for heat treatments according to point 2 of Annex I A to Regulation (EC) No 606/2009, the temperature shall not exceed 75 °C;

Justification

Heat-treating wine enables winemakers to cope more easily with the problems caused by

spoiled grape harvests and represents an interesting alternative to the use of sulphur dioxide. The non-use of sulphur is better for health and enables demand from export markets to be met. Heat treatment is a physical process which does not alter the composition of the wine. Raising it from 70 to 75° would optimise the results of this alternative practice.

Amendment 395

Proposal for a regulation Annex II – Part VI – introductory part

Text proposed by the Commission

In addition to the general production rules laid down in Articles 7, 9 **and 15**, the rules laid down in this Part shall apply to organic yeast used as food or feed.

Amendment

In addition to the general production rules laid down in Articles 7, 9, **13, 13a** and 15, the rules laid down in this Part shall apply to organic yeast used as food or feed.

Amendment 396

Proposal for a regulation Annex II – part VI – point 1.3 – point b a (new)

Text proposed by the Commission

Amendment

(ba) addition to the substrate (calculated in terms of dry matter) of up to 5 % non-organic yeast extracts or autolysates shall be authorised for the production of organic yeasts.

Amendment 397

Proposal for a regulation Annex II – part VI a (new)

Text proposed by the Commission

Amendment

***Part VIa: Labelling of origin
Labelling of origin shall take one of the following forms, as appropriate:
1. (a) 'EU Agriculture', where the agricultural raw material has been***

farmed in the Union;

(b) 'non-EU Agriculture', where the agricultural raw material has been farmed in third countries;

(c) 'EU/non-EU Agriculture', where a part of the agricultural raw materials has been farmed in the Union and a part of it has been farmed in a third country.

The word 'Agriculture' may be replaced by 'Aquaculture' where appropriate.

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.

For the indication 'EU' or 'non-EU' or the country of origin, small quantities by weight of ingredients may be disregarded provided that the total quantity of the disregarded ingredients does not exceed 5 % of the total quantity by weight of agricultural raw materials.

The indication 'EU' or 'non-EU' or the country of origin shall not appear in a colour, size and style of lettering more prominent than the name of the food.

2. The labelling requirements referred to in point 1 shall not apply in the following cases:

- where the origin of all ingredients is specified in the ingredients list referring to the place of agricultural production ;*
- where labelling of origin is required by Regulation (EC) No 1269/211, Regulation (EC) No 1580/2007 referring to the place of agricultural production;*
- when products are labelled under Regulation (EC) No 510/2006 referring to the place of agricultural production.*

Justification

This amendment has shifted the details of Article 21 on labelling of origin to this new Annex.

This is in order to simplify labelling and to avoid confusion of consumers.

Amendment 398

Proposal for a regulation Annex V a (new)

Text proposed by the Commission

Amendment

ANNEX Va

Specific tasks of the Commission, Member States and the competent Union authorities

***The Commission, Member States and the
competent Union authorities shall
perform the following specific tasks:***

- continuous exchange of relevant
information between operators and
responsible authorities to ensure the
smooth functioning and development of
the organic sector;***
- identification and analysis of gaps and
deficiencies in the supply of inputs
(organically bred seeds, feed and
livestock);***
- identification of those areas in which
there is a particular risk of non-
compliance with this Regulation;***
- monitoring of the organic sector,
scientific findings and consultations with
stakeholders in the sector and other
interested parties;***
- assessment concerning the amendment
or supplementation of the provisions
contained in this Regulation or the
Annexes hereto;***
- collection, analysis and hosting of
relevant scientific and technical data as
specified in and relevant for the
implementation of this Regulation in
Member States and in third countries;***
- setting-up of communication procedures
and tools, data exchange and information***

exchange between the competent Union authorities, Member States and accreditation bodies as required by this Regulation;

– facilitation of the requirements for controls by competent authorities and bodies and for supervision of the recognition of control bodies and control authorities within the Union and in third countries;

– coordination of harmonised implementation of controls and of procedures for the exchange of information and activities in cases of suspected non-compliance where more than one Member State or third country is involved as referred to in Articles 20a and 26b;

– management and regular updating of all relevant directories of recognised control bodies and control authorities authorised for third countries pursuant to Article 29(4);

– revision of lists of authorised procedures and substances in accordance with Article 19;

– monitoring and coordination of the European organic action plan, including development of the organic seed sector and the market for organic feed;

– facilitation of exchanges of information with the organic sector on the implementation of this Regulation, proposed changes and demands from the sector.

Amendment 399

Proposal for a regulation Annex V c (new)

ANNEX Vc

Control arrangements and undertaking by the operator

1. Implementation of control arrangements

1.1. When the control arrangements are first implemented, the operator shall draw up, implement and subsequently keep record of:

(a) a full description of the unit and/or premises and/or activity;

(b) all the practical measures to be taken at the level of the unit and/or premises and/or activity to ensure compliance with the organic production rules;

(c) the precautionary measures to be taken in order to reduce the risk of non-compliance with the applicable rules and the cleaning measures to be taken in storage places and throughout the operator's production chain.

Where appropriate, the description and measures provided for in the first subparagraph may form part of a quality system set up by the operator (organic critical control points – OCCP).

1.2. The description and the measures referred to in point.1.1 shall be contained in a declaration, signed by the responsible operator and by any subcontractor(s). In addition, that declaration shall include an undertaking by the operator:

(a) to perform the operations in accordance with the organic production rules;

(b) to accept, in the event of infringement or irregularities, enforcement of the measures provided for by the organic production rules;

(c) to inform the buyers of the product in

writing, so as to ensure that the indications referring to the organic production method are removed from the production concerned;

(d) in cases where the operator and/or the operator's subcontractors are checked by different control authorities or control bodies in accordance with the control system set up by the Member State concerned, to accept the exchange of information between those authorities or bodies;

(e) in cases where the operator and/or the operator's subcontractors change their control authority or control body, to accept the transmission of their control files to the subsequent control authority or control body;

(f) in cases where the operator withdraws from the control system, to inform the relevant competent authority and control authority or control body without delay of such withdrawal;

(g) in cases where the operator withdraws from the control system, to keep the control file for a period of at least five years;

(h) to inform the relevant control authority or control body without delay of any irregularity or infringement affecting the organic status of the operator's product or of organic products received from other operators or subcontractors.

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 instances of non-compliance with the organic production rules. The operator shall countersign that report and take the necessary corrective measures.

1.3. For the application of Article 24a(1), the operator shall notify the following

information to the competent authority:

(a) name and address of operator;

(b) location of premises and, where appropriate, parcels (land register data) where operations are carried out;

(c) nature of operations and products;

(d) 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;

(e) the name of the control body to which the operator entrusted control of his undertaking, where the Member State concerned 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 measures referred to in point 1 and in the initial control arrangements set out in points 4.1, 5, 6.1, 7.1, 8.1, 9.2, 10.1 and 11.2 to the control authority or control body in due time.

3. Access to facilities

3.1. The operator shall:

(a) 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;

(b) provide the control authority or control body with any information reasonably necessary for the purposes of the control;

(c) when requested so to do by the control authority or control body, submit the results of his own quality assurance programmes.

3.2. In addition to the requirements set out in point 3.1., importers and first consignees shall submit to the control authority or control body the information

on imported consignments referred to in point 9.3.

4. Specific control requirements for plants and plant products from farm production or collection

4.1. Control arrangements

4.1.1. The full description of the unit as referred to in point 1.1.(a) shall:

(a) be drawn up even where the operator limits his activity to the collection of wild plants;

(b) indicate the storage and production premises and land parcels and/or collection areas and, where applicable, premises where certain processing and/or packaging operations take place; and

(c) specify the date of the last application on the parcels and/or collection areas concerned of products the use of which is not compatible with the organic production rules.

4.1.2. In the case of collection of wild plants, the practical measures referred to in point 1.1.(b) shall include any guarantees given by third parties which the operator can provide to ensure that the provisions of Annex II, Part I, point 2.2. are complied with.

4.2. 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.

4.3. 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 points 1, 2, 3, 4.1 and 4.2..

5. Specific control requirements for algae

When the control system applying specifically to algae is first implemented, the full description of the unit as referred to in point 1.1.(a) shall include:

(a) a full description of the installations on land and at sea;

(b) the environmental assessment as outlined in point 2.3. of Annex II, Part III, where applicable;

(c) the sustainable management plan as outlined in points 2.4. and 2.5. of Annex II, Part III, where applicable;

(d) for wild algae, a full description and a map of shore and sea collection areas and land areas where post-collection activities take place.

6. Specific control requirements for livestock and livestock products produced by animal husbandry

6.1. Control arrangements

6.1.1. When the control system applying specifically to livestock production is first implemented, the full description of the unit as referred to in point 1.1.(a) shall include:

(a) a full description of the livestock buildings, pasturage, open air areas, etc., and, where applicable, of the premises used for the storage, packaging and processing of livestock, livestock products, raw materials and inputs;

(b) a full description of the installations used for the storage of livestock manure.

6.1.2. The practical measures referred to in in point 1.1.(b) shall include:

(a) a plan for spreading manure agreed with the control body or authority, together with a full description of the areas given over to crop production;

(b) where appropriate, as regards the spreading of manure, the written arrangements with other holdings as referred to in Annex II, Part I, point 1.5.5 complying with the organic production rules;

(c) a management plan for the organic-production livestock unit.

6.2. 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.

6.3. Control measures in respect of veterinary medicinal products for livestock

Whenever veterinary medicinal products are used, the livestock treated shall be clearly identified, individually in the case of large animals and individually or by batch or hive in the case of poultry, small animals and bees.

6.4. Specific control measures in respect of beekeeping

6.4.1. A map on an appropriate scale listing the location of hives shall be provided to the control authority or control body by the beekeeper. The beekeeper shall provide the control authority or control body with appropriate documentation and evidence, including suitable analyses where necessary, that the areas accessible to his colonies fulfil the conditions laid down in this Regulation.

6.4.2. 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.

6.4.3. Whenever veterinary medicinal products are to be used, the type of

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

6.4.4. The zone where the apiary is situated shall be registered together with the identification of the hives. The control body or authority shall be informed of any moving of apiaries by a deadline agreed on with the control authority or body.

6.4.5. Particular care shall be taken to ensure adequate extraction, processing and storage of beekeeping products. All the measures taken to comply with this requirement shall be recorded.

6.4.6. Removals of the supers and the honey extraction operations shall be entered in the register of the apiary.

6.5. Several production units run by the same operator

Where an operator manages several production units, the units which produce non-organic livestock or non-organic livestock products shall also be subject to the control system laid down in points 1, 2, 3 and 6.1 to 6.4 of this Annex.

7. Specific control requirements in respect of aquaculture animal production

7.1. Control arrangements

When the control system applying specifically to aquaculture animal production is first implemented, the full description of the unit as referred to in point 1.1.(a) shall include:

(a) a full description of the installations on land and at sea;

(b) the environmental assessment as outlined in Annex II, Part III, point 2.3,

where applicable;

(c) the sustainable management plan outlined in Annex II, Part III, points 2.4 and 2.5, where applicable.

7.2. Several production units run by the same operator

Where an operator manages several production units, the units which produce non-organic aquaculture animals shall also be subject to the control system laid down in points 1, 2, 3 and 7.1 of this Annex.

8. Specific control requirements in respect of units for the preparation of plant, algae, livestock and aquaculture animal products and foodstuffs composed thereof

8.1. Control arrangements

In the case of a unit involved in the preparation of products for its own account or for the account of a third party, and including, in particular, units involved in the packaging and/or re-packaging of such products and units involved in the labelling and/or re-labelling of such products, the full description of the unit as referred to in point 1.1.(a) shall show the facilities used for the reception, processing, packaging, labelling and storage of agricultural products before and after the operations concerning them, as well as the procedures for the transport of those products.

9. Specific control requirements for imports of organic products from third countries

9.1. Scope

The provisions of this point shall apply to any operator involved, as importer and/or as first consignee, in the import and/or reception, for his own account or for the account of another operator, of organic products.

9.2. Control arrangements

9.2.1. In the case of the importer, the full description of the unit as referred to in point 1.1.(a) shall include the importer's premises and import activities, indicating the points of entry of the products into the Union and any other facilities which the importer intends to use for the storage of the imported products pending their delivery to the first consignee.

9.2.2. In addition, the declaration referred to in point 1.2. shall include an undertaking by the importer to ensure that any facilities that the importer will use for storage of products are submitted to control, to be carried out either by the control body or by the control authority or, when those 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.

9.2.3. In the case of the first consignee, the full description of the unit as referred to in point 1.1.(a) shall show the facilities used for reception and storage.

9.2.4. 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 paragraph of point 1.2 may be formalised within one single report.

9.3. Information in respect of imported consignments

The importer shall, in due time, inform the control body or control authority of each consignment to be imported into the Union, providing:

(a) the name and address of the first consignee;

(b) any details which the control body or authority may reasonably require, including:

(i) in the case of products imported in accordance with point (b)(i) of Article 28(1), the documentary evidence referred to in that Article;

(ii) in the case of products imported in accordance with point (b)(ii) of Article 28(1), a copy of the certificate of inspection referred to in that Article.

Upon request by 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.

9.4. Control visits

Where the importer performs the import operations using different units or premises, he shall make available upon request the reports referred to in the second paragraph of point 1.2 in respect of each of those facilities.

10. Specific control requirements for units involved in the production, preparation or import of organic products and which have subcontracted to third parties, wholly or in part, the actual operations concerned

10.1. Control arrangements

With regard to operations which are subcontracted to third parties, the full description of the unit as referred to in point 1.1.(a) shall include:

(a) a list of the subcontractors with a description of their activities and an indication of the control bodies or authorities to which they are subject;

(b) written agreement by the subcontractors that their holding will be subject to the control regime and certification system provided for by Chapter V (Articles 24 to 26);

(c) details of all the practical measures, including an appropriate system of

documentary accounts, to be taken at the level of the unit to ensure that the products which the operator places on the market can be traced to, as appropriate, the suppliers, sellers, consignees and buyers of those products.

11. Control requirements for units preparing feed

11.1. Scope

This point applies to any unit involved in the preparation of products referred to in point (c) of Article 2(1) on its own account or on behalf of a third party.

11.2. Control arrangements

11.2.1.1. The full description of the unit as referred to in in point 1.1.(a) shall indicate:

(a) the facilities used for the reception, preparation and storage of the products intended for animal feed before and after the operations concerning them;

(b) the facilities used for the storage of other products used to prepare feedingstuffs;

(c) the facilities used to store products for cleaning and disinfection;

(d) where necessary, a description of the compound feedingstuff which the operator intends to produce and the livestock species or class for which the compound feedingstuff is intended;

(e) where necessary, the name of the feed materials that the operator intends to prepare.

11.2.2. The measures to be taken by operators, as referred to in in point 1.1.(b), to guarantee compliance with the organic production rules shall include the indications of measures referred to in Annex II, Part IV, point 1.

11.2.3. The control authority or control body shall use those measures to carry out a general evaluation of the risks attendant

on each preparation unit and to draw up a control plan. That control plan shall provide for a minimum number of random samples, depending on the potential risks.

Amendment 400

Proposal for a regulation Annex V d (new)

Text proposed by the Commission

Amendment

ANNEX Vd

Model of documentary evidence to be issued to the operator, as referred to in Article 24a(6)

Documentary evidence to be issued to the operator

Document number:

Name and address of operator:

Name, address and code number of control body/authority:

Main activity (producer, processor, importer, etc):

Defined as:

Group of products as set out in Article 25(3a)/Activity:

Organic production, in-conversion products; and also non-organic production where parallel production/processing pursuant to Article 7 of Regulation (EU) No XXX/XXXX occurs

- vegetables and plant products;*
- animals and animal products;*
- seaweed and aquaculture animals;*
- processed foods and fodder, including yeasts;*
- wine.*

Validity period:

Date of control(s):

- vegetables and plant products from...to...*
- animals and animal products from...to...*

- seaweed and aquaculture animals from...to...;*
- processed foods and fodder, including yeasts from...to... ;*
- wine from...to....*

This document has been issued on the basis of Article 24a(5) of Regulation (EU) No XXX/XXXX. The declared operator has submitted his activities under control and meets the requirements laid down in the said Regulation.

Date, place:

Signature on behalf of the issuing control body/authority:

Amendment 401

Proposal for a regulation Annex V e (new)

Text proposed by the Commission

Amendment

ANNEX Ve

Criteria for certification of group operators

(To be defined at a later stage)

Amendment 402

Proposal for a regulation Annex V f (new)

Text proposed by the Commission

Amendment

ANNEX Vf

Criteria in respect of risk assessments

(To be defined at a later stage)

EXPLANATORY STATEMENT

Background

The first EU legislation on organic farming was adopted in 1991 (EEC 2092/91). It reflected and recognised the growing importance of the organic movement in Europe, with a new organic market which had developed over decades without any specific public support. The adoption of Regulation 2092/91 also honoured the many farmers and consumers who had together established principles, rules and control schemes which made the success of the sector possible. Legislation was first limited to plant products. It was revised in 1998 and in 2007, to include animal products and further rules for processing, controls and marketing.

The Commission published its proposal for a new organic Regulation in March 2014, pointing at concerns about possible irregularities in the fast growing organic food chain; it argued that consumer confidence in organic products could be undermined by fraud cases increasingly detected at imports from third countries but also within the internal market; and it raised caution on parallel production, processing and trade structures of conventional and organic products carrying the risk of undetected non-compliance with the organic regulation.

The proposal was echoed by much criticism especially from the professional organisations of the organic sector. Firstly, it was questioned whether a completely new regulation was really necessary a few years after the last regulation came into force. A revision of the regulation currently in force was preferred. Secondly, the new structure and certain new rules for production, control and marketing were criticised for making the life of organic farmers more difficult and cumbersome, with the possible consequence that organic farmers would give up, instead of being encouraged to enter the sector. Thirdly, the proposed stricter rules on thresholds for pesticide residues were rejected as long as there were no clear and reliable provisions foreseen for precautionary measures and compensation for losses incurred for organic farmers due to unintended contamination from conventional farms.

In the run-up for this report your rapporteur has examined these concerns and received many more detailed questions by the professional sector, by consumers' associations and a wide range of stakeholders; he has taken note of the Commissions' impact assessment, the report of the Court of Auditors and the conclusions drawn from the consultation process with civil society, which preceded the drafting of the Commissions' proposal; he has valued the expertise bought to our committee at its hearing on the subject, as well as opinions of the shadow rapporteurs of other political groups. He offers below a more detailed appraisal of the legislative proposal and the reasoning behind the proposed amendments.

1. The Commissions' impact assessment

The Commission has based its proposal on the following conclusions of its impact assessment: over the past ten years, demand for organic products has substantially grown. The global market for organic food expanded fourfold between 1999 and 2011, yet the area under organic production in the EU only doubled in the decade 2000-2010. According to the IA, neither internal supply, nor the legislative framework, has kept up with this market expansion, resulting in lost opportunities for EU producers. The Commission considers that the continued

growth of the organic market might itself be at threat from possible erosion of consumer confidence. Furthermore, the entire regulatory framework has become too complex and difficult to understand for operators, producers, consumers and public authorities, and became more so with the foreseen implementation of a compliance regime for control bodies in non-recognised third countries. There is significant administrative burden and risk linked to the management of numerous exceptions by national administrations and to the control of business operators.

2. Structure of the new proposal

The Commission suggests a new simplified structure for the organic regulation, bringing the current basic Regulation (EC) No 834/2007 and two implementing regulations (889/2008 and 1235/2008) into a single regulation with numerous annexes. This proposal follows alignment rules to the Lisbon treaty and the general goal of simplification of European legislation. Your rapporteur agrees in principle with these goals. However, the proposal for a new structure includes about thirty delegated acts (DA) through which the Commission intends to define much of the substance of the regulation rules at a later stage. Your rapporteur suggests reintroducing basic principles and core rules for organic production into the basic act, as well as limiting the empowerment of the Commission in DAs. This is why your rapporteur has suggested moving a number of provisions from suggested delegated acts into the basic regulation and annexes.

3. Scope, definitions and principles

The Commission proposes a changed scope (art. 2), as well as new definitions (art.3) and principles (art.4-6) for organic production. Many of these changes are suggested in relation with annexes and delegated acts. Your rapporteur suggests a number of amendments which offer more precision on products and processes included in, or excluded from the basic regulation. These include definitions needed to clarify provisions and positive lists for authorised substances foreseen in the annexes, as well as principles concerning management of biological processes, soil protection, animal welfare or environmental performance of operators. These are also important to implement, control and phase-out temporary exemptions being controlled by competent authorities.

4. Production rules and labelling

The Commission has suggested defining major parts of production rules for plant and animal production in delegated acts at a later stage. This significantly increases the possibility of changing essential parts of organic rules in non-legislative acts. Your rapporteur suggests a number of amendments which clearly differentiate basic rules to be defined in the basic regulation from specific requirements for plant or animal production which can be dealt with in delegated acts and technical details which can be dealt with in implementing acts.

Your rapporteur agrees with the Commission that exceptions from these rules must be phased out over time, e.g. for seeds or feed which is temporarily not available on the market. However this phasing out of derogations should be based upon reliable data on availability in regions and Member States and should be accompanied by support measures for the relevant sectors, so as to effectively increase the offer. On labelling your rapporteur deplores that information explaining the concept of organic farming and its specificities is not available.

The regulation should offer more flexibility concerning origin of organic ingredients.

In its proposal the Commission has not foreseen measures to support the development of organic breeding of plants and animals, nor to close existing gaps on the market for organically bred and grown seeds and animals. Your rapporteur has suggested such measures in the annexes.

5. Controls and certification

With the aim of simplifying legislation the Commission has moved most of the control requirements for organic production and marketing to the proposal for a horizontal legislation for official control on food and feed still to be adopted along with this proposal for a regulation. This is in principle a reasonable undertaking. However, some specificities of the organic production need to be taken into account and dealt with. The quality of organic production is not only a matter to be controlled at the level of the final product. It is the entire process of production, including positive impact on the environment, animal welfare, soil fertility, climate mitigation and the sustainable use of biodiversity which need to be taken into account.

Your rapporteur agrees in principle also with a risk based approach to controls and suggests that certain specific requirements for organic control and certification should still remain within the regulation, including a combination of annual with risk-based controls so as to improve control performance over time.

Furthermore, supervision of the Member States over control bodies and control authorities needs improvement. Dealing with provisions concerning the presence of non-authorized products in organic production your rapporteur wishes to strengthen the responsibility of operators and control bodies and has made a proposal for precautionary measures as well as compensation facilities in case of adventitious contamination (art.20a)

6. EU Organic Agency

Implementation of the current organic regulation has revealed a number of weaknesses concerning control as well as missing data collection and communication between member states and on the European level. The Commissions' own impact assessment, the report of the Court of Auditors, concerns raised in many Member states and the organic sector clearly call for more coordinated action and communication between competent authorities, control bodies and operators. The basis of data for the identification of risks, the development of the market, including the gaps for inputs, which are reasons for ongoing exceptions, is very thin to take the necessary action for improvement. Your rapporteur therefore suggests considering the establishment of an EU Organic Agency with the task to improve the implementation of the organic regulation concerning controls and coordinated action on the European level, to collect and evaluate the necessary data and scientific advice, and to establish improved information services.

7. Trade with third countries

For the regime of imports from third countries the Commission suggests a two tier system of recognition and controls of organic products, based on compliance or equivalence. The

concept of compliance means that operators in third countries have to fully apply EU legislation, even if there is no specific organic legislation in place; equivalence meaning that producers in third countries meet the principles and objectives of domestic legislation with standards which are appropriate for the climatic and regional conditions of production (e.g. tropical). The concept of equivalence is currently mainly applied in trade agreements with third countries. Your rapporteur suggests a three tier system of full equivalence, transition towards equivalence with recognized regional standards, and compliance with restricted exemptions so as to improve the development of organic farming in third countries and the supervision of control bodies. For the compliance option he suggests clear production rules and control measures adapted to conditions in concerned countries. He also suggests measures how communication between accreditation bodies and the Commission especially with respect to complaints and irregularities can be improved.

11.5.2015

OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND FOOD SAFETY

for the Committee on Agriculture and Rural Development

on the proposal for a regulation of the European Parliament and of the Council on organic production and labelling of organic products, amending Regulation (EU) No XXX/XXX of the European Parliament and of the Council [Official controls Regulation] and repealing Council Regulation (EC) No 834/2007
(COM(2014)0180 – C7-0109/2014 – 2014/0100(COD))

Rapporteur: Sirpa Pietikäinen

SHORT JUSTIFICATION

Organic farming brings together the aspects of environmental sustainability, biodiversity protection, healthiness and safety of food, and ethical treatment of animals in food production. The organic label also benefits the farmers participating in it.

The popularity of organic products is increasing in Europe and worldwide. The organic sector in Europe today is four times the size of the sector in 1999 and the annual growth speed remains high, around 9 per cent. To guarantee the growth of the sector also in the future, we need to ensure that the organic label remains at least as attractive and trustworthy as it is now.

The Commission proposal to develop organic farming in Europe focuses on three objectives: removing obstacles, guaranteeing fair competition and improving consumer confidence. The Commission seeks to abolish many existing derogations thereby streamlining the rules and reducing administrative burden.

The Commission proposal contains crucial elements to improve the longevity of the organic sector. It should be improved by adding flexibility in those points where having the same rules for all farmers would, in practice, result in a situation in which a level-playing field would not be granted for certain farmers.

This would be the case, for instance, if all reproductive material was required to be organic without any derogations. This rule would make it difficult for farmers in northern Europe to find winter proof seeds, as the pool of such seeds is still very narrow. Different geographical conditions also need to be taken into account in the rules concerning greenhouse cultivation, ensuring that the current interpretation of the rules on organic greenhouse cultivation also

apply in the future.

It is vital for consumer confidence, quality of the production and level-playing field for the producers to develop open and fair quality controls for imported organic products. Self-control and external auditing systems should therefore be put in place for the products from within the EU and for imported products. The auditor would be held financially liable in case of non-compliance.

More flexibility is also needed in situations where residues are found in organic products. In the Commission proposal, the liability lies solely on farmer, regardless of whether the polluter is a farmer or a third party. It is important to introduce the "polluter pays"- principle for those cases where an installation of high contamination risk is established near an organic farm and where there is evidence of third party's liability.

One of the arguments for choosing to produce organic is better animal welfare. Therefore, the Commission proposal needs to be supplemented with more stringent rules on animal welfare standards.

Outside of this specific Regulation, organic farming should be enhanced also in other EU legislation. In the next revision of Common Agricultural Policy, better incentives and more financial resources should be secured for farmers in organic or in-transition production. To increase the availability of organic reproductive material, European databases should be further developed and more funding should be available for research and innovation with a view to increasing the production and availability of organic seed and plant reproductive material.

AMENDMENTS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Agriculture and Rural Development, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) Furthermore, organic production is a system that contributes to the integration of environmental protection requirements into the CAP, and promotes sustainable agricultural production. ***That is why***, measures financially supporting organic production have been introduced under the

Amendment

(4) Furthermore, organic production is a system that contributes to the integration of environmental protection requirements into the CAP, and promotes sustainable agricultural production ***and species-appropriate husbandry. For that reason***, measures financially supporting organic

CAP, most recently under Regulation (EU) No 1307/2013 of the European Parliament and of the Council¹⁴, and in particular strengthened in the recent reform of the legal framework for rural development policy as established by Regulation (EU) No 1305/2013 of the European Parliament and of the Council¹⁵.

production have been introduced under the CAP, most recently under Regulation (EU) No 1307/2013 of the European Parliament and of the Council¹⁴, and in particular strengthened in the recent reform of the legal framework for rural development policy as established by Regulation (EU) No 1305/2013 of the European Parliament and of the Council¹⁵. ***However, in the next revision of the CAP, better incentives and increased financial resources should be secured for farmers in organic or in-conversion production in order to increase the area dedicated to organic farming to at least 20% of utilised agricultural area in the Union by 2030 and to preserve and enhance biodiversity through, inter alia, the application of agroforestry practices.***

¹⁴ Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ L 347, 20.12.2013, p. 608).

¹⁵ Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).

¹⁴ Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ L 347, 20.12.2013, p. 608).

¹⁵ Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).

Amendment 2

Proposal for a regulation Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) The organic farming sector in the

Union has developed rapidly in the past years, in terms not only of the area used for organic farming but also of the number of holdings and the overall number of organic operators registered in the Union.

Amendment 3

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) Research projects have demonstrated that consumer confidence is crucial in the market for organic food. In the long run, rules that are not trustworthy can jeopardise public confidence and lead to market failure. Therefore the sustainable development of organic production in the Union should be based on sound production rules which are harmonised at Union level. In addition, those production rules should meet operators' and consumers' expectations regarding the quality of organic products and *the* compliance with the principles and rules laid down in this Regulation.

Amendment

(13) Research projects have demonstrated that consumer confidence is crucial in the market for organic food. In the long run, rules that are not trustworthy can jeopardise public confidence and lead to market failure. Therefore the sustainable development of organic production in the Union should be based on sound *and transparent* production rules which are harmonised at Union level *with due regard to the varying geographic and climate conditions within the Union*. In addition, those production rules should meet operators' and consumers' expectations regarding the *safety and* quality of organic products and compliance with the principles and rules laid down in this Regulation.

Amendment 4

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) As a matter of principle, the general production rules *of* this Regulation should include a prohibition on the use of ionising radiation *and* genetically modified organisms (GMOs) and products produced from or by GMOs. Since consumers are

Amendment

(15) As a matter of principle, the general production rules *laid down by* this Regulation should include a prohibition on the use of ionising radiation, genetically modified organisms (GMOs) and products produced from or by GMOs, *animal*

more and more concerned about environmental impacts of food processing and transportation, organic operators other than farmers and operators producing seaweed or aquaculture animals should be required to manage their environmental performance according to a harmonised system. With the objective of minimising the regulatory burden of micro-enterprises as defined in Commission Recommendation 2003/361/EC²⁷ involved in organic production, it is appropriate to exempt them from this requirement. In order to ensure the correct application of the general production rules, the power to adopt certain acts should be delegated to the Commission in respect of establishing the criteria to which the environmental management system is to correspond.

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

cloning including descendants of cloned animals and products derived from cloned animals, and artificially induced polyploidy. Since consumers are more and more concerned about environmental impacts of food processing and transportation, organic operators other than farmers and operators producing seaweed or aquaculture animals should be required to manage their environmental performance according to a harmonised system. With the objective of minimising the regulatory burden of micro-enterprises as defined in Commission Recommendation 2003/361/EC²⁷ involved in organic production, it is appropriate to exempt them from this requirement ***of compliance with the environmental performance system.*** In order to ensure the correct application of the general production rules, the power to adopt certain acts should be delegated to the Commission in respect of establishing the criteria to which the environmental management system is to correspond.

²⁷Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, of 20.5.2003, p. 36).

Amendment 5

Proposal for a regulation Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) To further reduce the ecological footprint of organic farming, Member States should encourage consumption of local produce, reduce packaging, promote the use of reusable, recyclable or biodegradable packaging materials and

cut transport emissions.

Amendment 6

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) The risk of non-compliance with the organic production rules is considered higher in agricultural holdings which include units not managed under organic production rules. Therefore, after an appropriate conversion period, all agricultural holdings in the Union which aim to become organic should be entirely managed in compliance with the requirements applicable to organic production. Organic agricultural holdings should undergo the same conversion period in all Member States, irrespective of whether they have previously adhered to agri-environmental measures supported by Union funds. However, no conversion period is necessary in the case of fallow land. In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the general conversion rules or supplementing and amending the specific conversion rules.

Amendment

(16) The risk of non-compliance with the organic production rules is considered higher in agricultural holdings which include units not managed under organic production rules. Therefore, after an appropriate conversion period, all agricultural holdings in the Union which aim to become organic should be entirely managed in compliance with the requirements applicable to organic production. ***However, mixed farms including units not managed under organic production rules and units managed under such rules are to be allowed, if a clear separation between the organic and conventionally managed units can be made, provided that the conventional farming activities are clearly differentiated from the organic farming activities or the conventional farming activities are taking place in a geographical location far from the organic farming activities. Mixed farms are also to be allowed where the agricultural holding or aquaculture operation is in the course of conversion.*** Organic agricultural holdings should undergo the same conversion period in all Member States, irrespective of whether they have previously adhered to agri-environmental measures supported by Union funds. However, no conversion period is necessary in the case of fallow land. In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of

establishing rules supplementing the general conversion rules or supplementing and amending the specific conversion rules.

Amendment 7

Proposal for a regulation Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) As under Council Regulation (EC) No 834/2007^{1a}, organic production in greenhouses and in herb pots should also be allowed in the future.

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

Amendment 8

Proposal for a regulation Recital 20

Text proposed by the Commission

Amendment

(20) The use of pesticides should be significantly restricted. Preference should be given to the application of measures that prevent any damage by pests and weeds through techniques which do not involve the use of plant protection products such as crop rotation. Presence of pests and weeds should be monitored to decide whether any intervention is economically and ecologically justified. The use of certain plant protection products should be allowed if such techniques do not provide adequate protection and only if those plant protection products have been authorised in accordance with Regulation (EC) No

(20) The use of pesticides should be significantly restricted. Preference should be given to the application of measures that prevent any damage by pests and weeds through techniques which do not involve the use of plant protection products such as crop ***alternation and*** rotation. Presence of pests and weeds should be monitored to decide whether any intervention is economically and ecologically justified. The use of certain plant protection products should be allowed if such techniques do not provide adequate protection and only if those plant protection products have been authorised in accordance with Regulation

1107/2009 of the European Parliament and of the Council²⁸, after having been assessed to be compatible with objectives and principles of organic production, including with restrictive conditions of use, and consequently authorised in accordance with this Regulation.

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

(EC) No 1107/2009 of the European Parliament and of the Council²⁸, after having been assessed to be compatible with objectives and principles of organic production, including with restrictive conditions of use, and consequently authorised in accordance with this Regulation.

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

Amendment 9

Proposal for a regulation Recital 20 a (new)

Text proposed by the Commission

Amendment

(20a) The Commission is to be encouraged to review Regulation (EC) No 1107/2009 of the European Parliament and of the Council^{1a} and to take other requisite action in such a way as to favour the use of biologically active pesticides that pose a lower risk to human health than other pesticides.

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

Amendment 10

Proposal for a regulation

Recital 21 a (new)

Text proposed by the Commission

Amendment

(21a) Given that it is important to develop the use of seeds and plants that are suited to soil and climate conditions and that meet consumer expectations, the production of organic seeds and plants should be encouraged while continuing to provide for the possibility of using non-organic seeds and plants where no organic equivalents are available, or in order to ensure that a sufficient genetic base is maintained.

Amendment 11

Proposal for a regulation

Recital 21 b (new)

Text proposed by the Commission

Amendment

(21b) Given that organic farming needs to be able to rely on genetically high-quality animals for breeding, and that those animals must be reared in accordance with organic farming rules, it is desirable to maintain the possibility of using non-organic breeding animals under certain conditions in order to offset a lack of availability or to ensure a sufficient genetic base, particularly in the case of rarer species and breeds.

Amendment 12

Proposal for a regulation

Recital 22

Text proposed by the Commission

Amendment

(22) As livestock production naturally involves the management of agricultural land, where ***the*** manure is used to nourish crop production, landless livestock

(22) As livestock production naturally involves the management of agricultural land, where manure is used to nourish crop production, landless livestock production

production should be *prohibited*. The *choice of breeds should take account of their capacity to adapt to local conditions, their vitality and their resistance to disease, and a wide biological diversity should be encouraged*.

should be *penalised*. *It is advisable to encourage the use of native species so as to ensure optimum capacity to adapt while seeking at the same time to encourage wide biological diversity*.

Amendment 13

Proposal for a regulation Recital 23 a (new)

Text proposed by the Commission

Amendment

(23a) Due to existing exceptions to higher animal welfare standards in organic production, the associated farming practices for animals vary considerably across the Union.

Amendment 14

Proposal for a regulation Recital 25

Text proposed by the Commission

Amendment

(25) Mutilations which lead to stress, harm, disease or suffering of animals should be prohibited.

(25) Mutilations *and all practices* which lead to stress, harm, disease or suffering of animals should be prohibited. *An exception for dehorning should be maintained in cases where it can be justified by animal welfare and work safety concerns. Whenever a surgical intervention is deemed necessary, it should be carried out with anaesthesia and prolonged analgesia.*

Amendment 15

Proposal for a regulation Recital 26

Text proposed by the Commission

(26) Livestock should be fed on feed materials produced in accordance with the rules of organic production, and preferably coming from the own holding, taking their physiological needs into account. In addition, in order to provide for the basic nutritional requirements of livestock, certain minerals, trace elements and vitamins may need to be used under well-defined conditions.

Amendment

(26) Livestock should be fed on feed materials produced in accordance with the rules of organic production, and preferably coming from the own holding, taking their physiological needs into account. In addition, in order to provide for the basic nutritional requirements of livestock, certain minerals, trace elements and vitamins may need to be used under well-defined conditions. ***In this context, the Commission should also ensure a derogation for the use in the future of selenium in organic farming. That derogation will ensure animal welfare through high-quality nutrition, including in those geographical conditions where selenium does not appear naturally in the soil. Furthermore, the Commission should, for this purpose, establish a positive list of non-organic feed where supplies of organic feed are insufficient, ensuring that the sector has a reasonable amount of time in which to adjust to market development.***

Justification

A deficiency of selenium reduces the development of antibodies in cattle. In those European countries where the pasture does not contain a sufficient amount of selenium, the derogation for its use in feed must be ensured.

Amendment 16

Proposal for a regulation Recital 43

Text proposed by the Commission

(43) Regulation (EC) No 834/2007 provided for different exceptions from

Amendment

(43) Regulation (EC) No 834/2007 provided for different exceptions from

organic production rules. The experience gained from the application of those provisions has shown that such exceptions have a negative impact on organic production. In particular, it has been found that the very existence of such exceptions impedes the production of inputs in organic form and that the high level of animal welfare associated with organic production is not ensured. In addition, the management and control of exceptions entail considerable administrative burden, both for the national administrations and operators. Finally, the existence of exceptions has created conditions for distortions in competition and has threatened to undermine consumer confidence. Accordingly, the scope for allowing exceptions from organic production rules should be further restricted and limited *to cases of catastrophic circumstances*.

organic production rules. The experience gained from the application of those provisions has shown that such exceptions have a negative impact on organic production. In particular, it has been found that, *in some cases*, the very existence of such exceptions impedes the production of inputs in organic form and that the high level of animal welfare associated with organic production is not ensured. In addition, the management and control of exceptions entail considerable administrative burden, both for the national administrations and operators. Finally, the existence of exceptions has created conditions for distortions in competition and has threatened to undermine consumer confidence. Accordingly, the scope for allowing exceptions from organic production rules should be further restricted and limited.

Amendment 17

Proposal for a regulation Recital 44

Text proposed by the Commission

(44) In order to allow organic production to continue or recommence in cases of catastrophic circumstances, the power to adopt certain acts should be delegated to the Commission in respect of establishing the criteria for qualifying cases of catastrophic circumstances and to lay down specific rules for addressing such cases and for the necessary monitoring and reporting requirements.

Amendment

deleted

Amendment 18

Proposal for a regulation Recital 51

Text proposed by the Commission

Amendment

(51) Organic production is based on the general principle of restriction of the use of external inputs. Farmers are required to take measures to prevent the risk of contamination by non-authorized products or substances. Despite such measures, there may be instances where farmers are prevented from marketing their agricultural products as organic due to the unintentional presence of non-authorized products or substances. It is therefore appropriate to provide for the possibility whereby Member States may, in accordance with Article 42 of the Treaty, be authorised by the Commission to grant national payments to compensate for the losses incurred in such instances. Member States may also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.

(51) Member States should ensure that losses which organic farmers incur due to unintended contaminations are adequately covered. Where the origin of contamination can be traced, Member States are to apply the polluter-pays principle.

Amendment 19

Proposal for a regulation Recital 55 a (new)

Text proposed by the Commission

Amendment

(55a) In the past, higher animal welfare standards expected from organic products have not always been applied in practice. Measures should be taken to ensure that consumers in the Union who buy products of animal origin, including food, will be confident that food labelled as organic meets the highest production, including animal welfare, standards.

Amendment 20

Proposal for a regulation Recital 58

(58) Organic production is only credible if accompanied by effective verification and controls at all stages of production, ***processing and distribution***. Organic production should be subject to official controls or other official activities carried out in accordance with Regulation (EU) No (XXX/XXXX) of the European Parliament and of the Council³³ to verify compliance with the rules on organic production and labelling of organic products.

³³ Regulation (EU) No XX/XXX of the European Parliament and of the Council of [...] on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health, plant reproductive material, plant protection products and amending Regulations (EC) No 999/2001, 1829/2003, 1831/2003, 1/2005, 396/2005, 834/2007, 1099/2009, 1069/2009, 1107/2009, Regulations (EU) No 1151/2012, [...] /2013 [Office of Publications, please insert number of Regulation laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material], and Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC, 2008/120/EC and 2009/128/EC (Official controls Regulation) (OJ L ...).

(58) Organic production is only credible if accompanied by effective verification and controls at all stages of ***the*** production ***process***. Organic production should be subject to official controls or other official activities carried out in accordance with ***this Regulation***. ***Once*** Regulation (EU) No (XXX/XXXX) of the European Parliament and of the Council³³ ***is adopted, the Commission could, as appropriate, make a proposal to the European Parliament and the Council for the inclusion of organic production in the scope of this Regulation, so as*** to verify compliance with the rules on organic production and labelling of organic products.

³³ Regulation (EU) No XX/XXX of the European Parliament and of the Council of [...] on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health, plant reproductive material, plant protection products and amending Regulations (EC) No 999/2001, 1829/2003, 1831/2003, 1/2005, 396/2005, 834/2007, 1099/2009, 1069/2009, 1107/2009, Regulations (EU) No 1151/2012, [...] /2013 [Office of Publications, please insert number of Regulation laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material], and Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC, 2008/120/EC and 2009/128/EC (Official controls Regulation) (OJ L ...).

Amendment 21

Proposal for a regulation Recital 58 a (new)

Text proposed by the Commission

Amendment

(58a) Taking into account severe verification and compliance issues in relation to organic production originating from third countries, the Commission should examine and evaluate whether and how a self-control and external auditing system could be created by the end of 2020 and, as appropriate, take the necessary preparatory and legislative action. In such a system, operators in third countries producing organic products to be imported into the Union are to establish a self-control system for the inspection and verification of the quality of processes and products. Such independent control systems are to be audited by an independent auditor, established as an authorised representative within the Union. The auditor is to be held financially liable in cases of non-compliance.

Amendment 22

Proposal for a regulation Recital 62 a (new)

Text proposed by the Commission

Amendment

(62a) In order to maximise opportunities for small farmers and encourage individual farmers to form groups of operators, the rules concerning groups of operators should be sensitive to the needs and resource capacity of all small farmers.

Justification

The definition of a 'small farmer' is set by each Member State. In order to encourage

membership of groups of operators, it is important that the rules governing groups of operators are sensitive to the needs of small farmers in all Member States. These rules should not represent an administrative burden or be difficult to implement.

Amendment 23

Proposal for a regulation

Recital 75

Text proposed by the Commission

(75) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards the technical details for the establishment of the database for the listing of the varieties for which plant reproductive material obtained by the organic production method is available, as regards the authorisation or the withdrawal of the authorisation of the products and substances that may be used in organic production in general and in the production of processed organic food in particular, including the procedures to be followed for the authorisation and the lists of those products and substances and, where appropriate, their description, compositional requirement and conditions for use, as regards the specific and practical modalities regarding the presentation, composition and size of the indications referring to the code numbers of control authorities and control bodies and of the indication of the place where the agricultural raw materials have been farmed, the assignment of code numbers to control authorities and control bodies and the indication of the place where the agricultural raw materials have been farmed, as regards the details and specifications regarding the content, form and way of notification of the notifications by operators and groups of operators of their activity to the competent authorities and the form of publication of the fees that may be collected for the controls, as

Amendment

(75) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards the technical details for the establishment of the ***single*** database for the listing of the varieties, ***in particular traditional and rare varieties***, for which plant reproductive material obtained by the organic production method is available, as regards the authorisation or the withdrawal of the authorisation of the products and substances that may be used in organic production in general and in the production of processed organic food in particular, including the procedures to be followed for the authorisation and the lists of those products and substances and, where appropriate, their description, compositional requirement and conditions for use, as regards the specific and practical modalities regarding the presentation, composition and size of the indications referring to the code numbers of control authorities and control bodies and of the indication of the place where the agricultural raw materials have been farmed, the assignment of code numbers to control authorities and control bodies and the indication of the place where the agricultural raw materials have been farmed, as regards the details and specifications regarding the content, form and way of notification of the notifications by operators and groups of operators of their activity to the competent authorities and the form of publication of the fees that

regards the exchange of information between groups of operators and competent authorities, control authorities and control bodies and between Member States and the Commission, as regards the recognition or withdrawal of the recognition of control authorities and control bodies which are competent to carry out controls in third countries and the establishment of the list of those control authorities and control bodies and rules to ensure the application of measures in relation to cases of non-compliance, or suspicion thereof, affecting the integrity of imported organic products, as regards the establishment of a list of third countries recognised under Article 33(2) of Regulation (EC) No 834/2007 and the amendment of that list as well as rules to ensure the application of measures in relation to cases of non-compliance, or suspicion thereof, affecting the integrity of organic products imported from those countries, as regards the system to be used to transmit the information necessary for the implementation and monitoring of this Regulation, and as regards the establishment of the list of control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007 and the amendment of that list. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council³⁴.

³⁴ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

may be collected for the controls, as regards the exchange of information between groups of operators and competent authorities, control authorities and control bodies and between Member States and the Commission, as regards the recognition or withdrawal of the recognition of control authorities and control bodies which are competent to carry out controls in third countries and the establishment of the list of those control authorities and control bodies and rules to ensure the application of measures in relation to cases of non-compliance, or suspicion thereof, affecting the integrity of imported organic products, as regards the establishment of a list of third countries recognised under Article 33(2) of Regulation (EC) No 834/2007 and the amendment of that list as well as rules to ensure the application of measures in relation to cases of non-compliance, or suspicion thereof, affecting the integrity of organic products imported from those countries, as regards the system to be used to transmit the information necessary for the implementation and monitoring of this Regulation, and as regards the establishment of the list of control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007 and the amendment of that list. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council³⁴.

³⁴ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of *the* Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Amendment 24

Proposal for a regulation Recital 75 a (new)

Text proposed by the Commission

Amendment

(75a) To preserve the Union's biodiversity, a European gene bank, as well as a single database, should be set up in cooperation with Member States and regional and local authorities.

Amendment 25

Proposal for a regulation Recital 77 a (new)

Text proposed by the Commission

Amendment

(77a) The Action Plan for the future of Organic Production in the European Union should be used to help fund research and innovation with a view to increasing the production and availability of organic seed and plant reproductive material.

Amendment 26

Proposal for a regulation Recital 77 b (new)

Text proposed by the Commission

Amendment

(77b) In order to increase the production, availability and use of organic seed and plant reproductive material, partnership arrangements between seed growers, breeders and all those involved in organic farming should be encouraged. In addition, the Expert Group for Technical Advice on Organic Production (EGTOP) should be entrusted with the task of developing a new system for the effective and sustainable use of organic seed,

providing an incentive for organic seed growers and breeders.

Amendment 27

Proposal for a regulation Recital 78 a (new)

Text proposed by the Commission

Amendment

(78a) The Commission and the Member States should look into developing a Union-wide database on the availability of organic animal breeds, including their adaptability to local conditions. Member States should also ensure that the advisory service on the availability and suitability of such breeds is at a sufficient level.

Amendment 28

Proposal for a regulation Article 1

Text proposed by the Commission

Amendment

This Regulation establishes the principles of organic production and lays down the rules concerning organic production and the use of indications referring thereto in labelling and advertising.

This Regulation establishes the principles of organic production and lays down the rules concerning organic production, ***inspection and certification thereof***, and the use of indications referring thereto in labelling and advertising.

Amendment 29

Proposal for a regulation Article 2 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

Mass catering operations carried out by a mass caterer as defined in point (d) of Article 2(2) of Regulation (EU) No 1169/2011 of the European Parliament

Mass catering operations ***for the provision of organic food products and preparations*** carried out by a mass caterer as defined in point (d) of Article 2(2) of Regulation (EU)

and of the Council³⁵ shall not be subject to this Regulation.

No 1169/2011 of the European Parliament and of the Council³⁵ shall not be subject to this Regulation.

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

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

Amendment 30

Proposal for a regulation Article 3 – point 3

Text proposed by the Commission

(3) ‘agricultural raw material’ means an agricultural product that has not been subjected to any operation of **preservation or processing**;

Amendment

(3) ‘agricultural raw material’ means an agricultural product that has not been subjected to any operation of **processing, preparation or preservation**;

Amendment 31

Proposal for a regulation Article 3 – point 4

Text proposed by the Commission

(4) ‘preventive measures’ means measures to be taken in order to ensure soil quality as well as prevention and control of pests and weeds, and to prevent contamination with products or substances that are not

Amendment

(4) ‘preventive measures’ means measures to be taken in order to ensure soil quality **and fertility and preservation of biodiversity**, as well as prevention and control of pests, **diseases** and weeds, and to

authorised under this Regulation;

prevent contamination with products or substances that are not authorised under this Regulation ***at all stages of production, preparation and distribution***;

Amendment 32

Proposal for a regulation Article 3 – point 5

Text proposed by the Commission

(5) ‘conversion’ means the transition from non-organic to organic ***production*** within a given period of time;

Amendment

(5) ‘conversion’ means the transition from non-organic to organic ***farming*** within a given period of time, ***during which the rules governing organic production are applied***;

Amendment 33

Proposal for a regulation Article 3 – point 7

Text proposed by the Commission

(7) ‘group of operators’ means a group in which each operator is a farmer who has a holding of up to ***5 hectares of utilised agricultural area and who may, in addition to producing food or feed, be engaged in processing of food or feed***;

Amendment

(7) ‘group of operators’ means a group in which each operator is a farmer who has a holding of up to ***five hectares or an annual turnover of up to EUR 25 000. The farms of the individual members of the group shall be geographically close to each other***;

Justification

This amendment is linked to Article 26 (group certification). Small farmers should be allowed to participate in group certification in order to, in particular, reduce inspection and certification costs and the associated administrative burden. As to the conditions for participation, an additional criterion (annual turnover of maximum 25.000 €) should be introduced.

Amendment 34

Proposal for a regulation Article 3 – point 11 a (new)

Text proposed by the Commission

Amendment

(11a) 'plant reproductive material' means any plant at any stage in its development, including seeds from which entire plants can be grown and which are intended for this purpose;

Justification

It is necessary to include a definition of plant reproductive material, specifying that this term also covers seeds, which could otherwise be excluded.

Amendment 35

Proposal for a regulation Article 3 – point 16 a (new)

Text proposed by the Commission

Amendment

(16a) 'direct environmental aspect' means a direct environmental aspect as defined in point 2 of Article 2 of Regulation (EC) No 1221/2009^{1a}.

^{1a} Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1).

Justification

Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) defines "direct environmental aspect" as "environmental aspect associated with activities, products and services of the organisation itself over which it has direct management control". This AM is linked to the AM on Article 7 (1) (d).

Amendment 36

Proposal for a regulation Article 3 – point 33

Text proposed by the Commission

(33) ‘control authority’ means control authority for organic production and labelling of organic products as defined in point 39 of Article 2 of Regulation (EU) No XXX/XXXX [Official controls Regulation];

Amendment

(33) ‘control authority’ means **a** control authority for organic production and labelling of organic products as defined in point 39 of Article 2 of Regulation (EU) No XXX/XXXX [Official controls Regulation] **to which a competent authority has, wholly or in part, transferred its responsibility for checking and certifying organic production in accordance with this Regulation or, where applicable, an equivalent authority performing its activities in a third country;**

Amendment 37

Proposal for a regulation Article 3 – point 34

Text proposed by the Commission

(34) ‘control body’ means a delegated body as defined in point 38 of Article 2 of Regulation (EU) No XXX/XXXX [Official controls Regulation], as well as **a** body recognised by the Commission or by a third country recognised by the Commission to carry out controls in third countries for the import of organic products into the Union;

Amendment

(34) ‘control body’ means a delegated body as defined in point 38 of Article 2 of Regulation (EU) No XXX/XXXX [Official controls Regulation] **that checks and certifies organic production in accordance with this Regulation**, as well as **an equivalent** body recognised by the Commission or by a third country recognised by the Commission to carry out controls **and certification** in third countries for the import of organic products into the Union;

Amendment 38

Proposal for a regulation Article 3 – point 40 a (new)

Text proposed by the Commission

Amendment

(40a) 'engineered nanomaterial' means engineered nanomaterials as defined in point (t) of Article 2(2) of Regulation (EU) No 1169/2011^{1a};

^{1a} Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).

Amendment 39

Proposal for a regulation

Article 3 – point 43

Text proposed by the Commission

(43) 'ionising radiation' means ionising radiation as defined in Article 1 of Council Directive 96/29/Euratom⁴⁷.

⁴⁷ Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation (OJ L 159, 29.6.1996, p. 1).

Amendment

(43) 'ionising radiation' means ionising radiation as defined in Article 1 of Council Directive 96/29/Euratom⁴⁷ **and as regulated by Directive 1999/2/EC of the European Parliament and of the Council^{47a};**

⁴⁷ Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation (OJ L 159, 29.6.1996, p. 1).

^{47a} Directive 1999/2/EC of the European Parliament and of the Council of 22 February 1999 on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation (OJ L 66, 13.3.1999, p. 16).

Amendment 40

Proposal for a regulation Article 3 – point 43 a (new)

Text proposed by the Commission

Amendment

(43a) 'soil-bound crop cultivation' means production in living soil (mineral soil mixed and/or fertilised with materials and products allowed in organic production) in connection with the subsoil and bedrock;

Justification

Linked to the AM on Article 4 (1) (e) (ii).

Amendment 41

Proposal for a regulation Chapter II – title

Text proposed by the Commission

Amendment

Principles of organic production

Objectives and principles of organic production

Amendment 42

Proposal for a regulation Article 4 – title

Text proposed by the Commission

Amendment

General principles

General ***objectives and*** principles

Amendment 43

Proposal for a regulation Article 4 – introductory part

Text proposed by the Commission

Organic production is a sustainable management system **for agriculture** that is based on the following general principles:

Amendment

Organic production is a sustainable management system that **pursues the following general objectives and** is based on the following general principles:

Amendment 44

Proposal for a regulation Article 4 – point c

Text proposed by the Commission

(c) responsible use of energy and natural resources, such as water, soil, organic matter and air;

Amendment

(c) responsible **and environmentally friendly** use of energy and natural resources, such as water, soil, organic matter and air;

Amendment 45

Proposal for a regulation Article 4 – point da (new)

Text proposed by the Commission

Amendment

(da) production of products of high quality;

Amendment 46

Proposal for a regulation Article 4 – point db (new)

Text proposed by the Commission

Amendment

(db) production of a wide variety of foods and other agricultural products that respond to consumers' demand for goods produced by the use of processes that do

not cause adverse effects to the environment, human health, plant health or animal health and welfare;

Amendment 47

Proposal for a regulation Article 4 – point e – point ii

Text proposed by the Commission

(ii) practice *land-related* crop cultivation *and* livestock production *or practice aquaculture* which complies with *the principle of sustainable exploitation of fisheries;*

Amendment

(ii) practice *soil-bound* crop cultivation *and/or land-related* livestock production *within the farm ecosystem* which complies with *preventive measures such as:*

- soil protection and cover against wind and water erosion,*
- crop rotation,*
- use of seeds and animals with a high degree of resistance against diseases, or practice sustainable aquaculture;*

Amendment 48

Proposal for a regulation Article 4 – point g a (new)

Text proposed by the Commission

Amendment

(ga) encouragement of short distribution channels and local production in the various areas of the Union;

Amendment 49

Proposal for a regulation Article 4 – point g b (new)

Text proposed by the Commission

Amendment

(gb) use of practices that have a positive impact on the health of consumers and

farmers.

Amendment 50

Proposal for a regulation Article 5 – introductory part

Text proposed by the Commission

In the framework of agricultural activities and aquaculture, organic production shall *in particular* be based on the following specific principles:

Amendment

Organic production shall be based on the following specific principles:

Amendment 51

Proposal for a regulation Article 5 – point f

Text proposed by the Commission

(f) observance of a high level of animal welfare respecting species-specific needs;

Amendment

(f) observance of a high level of animal welfare respecting species-specific needs *at all stages of life, including transport and slaughter*;

Amendment 52

Proposal for a regulation Article 5 – point g

Text proposed by the Commission

(g) feeding of livestock with organic feed composed of agricultural ingredients from organic production and of natural non-agricultural substances;

Amendment

(g) feeding of livestock with organic feed composed of agricultural ingredients from organic production and of natural non-agricultural substances *that meet the nutritional needs of animals. Where it is not possible to use natural products to meet nutritional needs, recourse may be had to limited exemptions pursuant to Article 19 under well-defined conditions*;

Amendment 53

Proposal for a regulation Article 5 – point h

Text proposed by the Commission

(h) exclusion of genetic engineering, animal cloning, artificially induced polyploidy and ionising radiation from the whole organic food chain;

Amendment

(h) exclusion of genetic engineering, ***including genetically modified organisms and products derived from them***, animal cloning ***including descendants of cloned animals and products derived from cloned animals***, artificially induced polyploidy and ionising radiation from the whole organic food chain;

Amendment 54

Proposal for a regulation Article 6 – point e a (new)

Text proposed by the Commission

Amendment

(ea) exclusion of food containing or consisting of engineered nanomaterials;

Amendment 55

Proposal for a regulation Article 7 – paragraph 1 – point a

Text proposed by the Commission

(a) the entire agricultural holding or aquaculture operation shall be managed in compliance with the requirements applicable to organic production;

Amendment

(a) the entire agricultural holding or aquaculture operation shall be managed in compliance with the requirements applicable to organic production, ***with the exception of holdings or operations where a clear separation can be made between the organic and conventionally managed units, and which fulfil one of the following conditions:***

(i) conventional farming activities are clearly differentiated from the organic farming activities, provided that:

– as regards livestock, different species

are involved;

– as regards plants, different varieties that can be easily differentiated are involved.

As regards aquaculture, the same species may be involved, provided that there is adequate separation between the production sites;

(ii) conventional farming activities are taking place in a geographical location far from the organic farming activities; or

(iii) the agricultural holding or aquaculture operation is in the course of conversion.

Where not all units of a holding are used for organic production, the operator shall keep the land, animals and products used for, or produced by, the organic units separate from those used for, or produced by, the non-organic units, and shall keep adequate records to show the separation.

Amendment 56

Proposal for a regulation

Article 7 – paragraph 1 – point d

Text proposed by the Commission

(d) organic operators other than micro-enterprises, farmers and operators producing seaweed or aquaculture animals, shall put in place an environmental management system with a view to improving their environmental performance.

Amendment

(d) organic operators other than micro-enterprises, farmers, **beekeepers**, and operators producing seaweed or aquaculture animals, shall put in place an environmental management system with a view to improving their environmental performance, **including methods for identifying and measuring the direct environmental aspects of the organisation's operation, which are based on the core indicators outlined in Annex IV to Regulation (EC) No 1221/2009^{1a}. The establishment of annual targets for the continuous improvement of the environmental performance and the implementation of a documentation and reporting system in this regard shall be**

supervised within the organic certification process.

^{1a} Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009, p. 1).

Amendment 57

Proposal for a regulation Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Organic farmers shall put in place strategies that enhance nature and protect biodiversity, and limit the negative impacts of climate change.

Operators shall demonstrate how they contribute to the protection and enhancement of nature and biodiversity. Member States shall decide the way or ways in which that contribution can be made in practice, and may establish minimum aims and targets.

Operators shall demonstrate which initiatives they apply within their farm system in order to contribute to climate change mitigation, for example carbon sequestration, and shall establish performance targets on their farm. Member States may establish minimum aims and targets that must be met taking into consideration the regional situation including the regional farm structure.

Justification

Organic farming is positive for the protection of biodiversity because of the prohibition of the

use of pesticides, the use of organic fertilizers, the use of green manure, pastureland and crop diversity. However, active initiatives to safeguard the principle mentioned in article 4 (b) are necessary. It seems appropriate to introduce a provision that provides a guarantee for a minimum deliverance within C sequestration which is an important and strong climate protection tool that can be taken up at farm level. Beyond this the contribution to climate protection is expected by the consumers of organic products and should therefore be guaranteed by the regulation.

Amendment 58

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

Amendment 59

Proposal for a regulation Article 9 – paragraph 1

Text proposed by the Commission

Amendment

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.

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, **including seeds**, micro-organisms and animals in organic production.

Amendment 60

Proposal for a regulation

Article 10 – paragraph 3 – point d

Text proposed by the Commission

Amendment

(d) management of mushroom production and other specific plant and plant production systems; ***deleted***

Justification

The aim of this amendment is to limit delegated powers conferred on the Commission in relation to greenhouses and mushrooms. The Commission should thus not have the power to adopt delegated acts in these areas.

Amendment 61

Proposal for a regulation

Article 10 – paragraph 3 – point f

Text proposed by the Commission

Amendment

(f) the collection of wild plants. ***deleted***

Justification

The aim of this amendment is to limit delegated powers conferred on the Commission in relation to wild plants and herbs. The Commission should thus not have the power to adopt delegated acts in these areas.

Amendment 62

Proposal for a regulation

Article 11 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down specific rules on the production of rabbits and silkworms.

Justification

These categories need to be specified as they are very widespread in organic farming and we have never so far managed to have any relevant legislation.

Amendment 63

Proposal for a regulation

Article 12 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States shall encourage the establishment of a computerised database listing the available young stock of aquaculture animals originating from organic stock and holdings within the Union.

Amendment 64

Proposal for a regulation

Article 17

Text proposed by the Commission

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.

Subject to the principles laid down in Chapter II and in accordance with Annex II, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for the granting of exceptions from the production rules laid down in Chapter III.

Such exceptions shall be kept to a minimum and, where appropriate, limited in time. The delegated acts adopted under this Article and providing for exceptions to the production rules for plants and plant products, livestock and young stock of aquaculture animals shall, in any event, cease to apply on 31 December

2021.

Amendment 65

Proposal for a regulation

Article 18 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The transport of organic animals shall comply with the requirements laid down in Regulation (EC) No 1/2005^{1a}, and shall ensure the respect of higher animal welfare standards in accordance with additional rules limiting the duration of transport and setting conditions for the transport of organic animals as laid down in Annex II to this Regulation.

^{1a} Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 (OJ L 3, 5.1.2005, p. 1).

Amendment 66

Proposal for a regulation

Article 18 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. In line with the precautionary principle, the Commission shall establish a list of substances that cannot be used in materials used for packaging organic products.

Justification

Substances can migrate from packaging into food. Since consumers logically expect organic products to be even safer than non-organic products, the Commission should establish, in line with the precautionary principle, a list of substances which can have a negative impact on

health and should therefore not be used in packaging material used for organic products at all or in negligible amounts only.

Amendment 67

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.

Amendment 68

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(iia) if the products referred to in point (a) of paragraph 1 are biologically active pesticides of a microbial origin and all the active substances contained in those products are low-risk active substances as referred to in Article 22 of Regulation (EC) No 1107/2009^{1a}, such products shall be considered as low-risk plant protection products, unless the European Food Safety Authority or the rapporteur Member State assesses otherwise.

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

Amendment 69

Proposal for a regulation

Article 19 – paragraph 2 – subparagraph 3

Text proposed by the Commission

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.

Amendment

The authorisation of the use of chemically synthesised products or substances shall be strictly limited to cases where ***such products or substances are needed as a feed additive to ensure the health and well-being of animals in accordance with point (i) of point (e) of the first subparagraph of this paragraph and where*** the use of external inputs ***as*** referred to in Article 4(f) would contribute to unacceptable environmental impacts.

Amendment 70

Proposal for a regulation Article 19 – paragraph 5

Text proposed by the Commission

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).***

Amendment

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

Amendment 71

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 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.***

Justification

Organic farmers should be compensated 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. Apart from compensation at national/EU level, organic farmers should have the possibility to hold operators responsible for such contamination liable (polluter pays principle).

Amendment 72

Proposal for a regulation Article 20 a (new)

Text proposed by the Commission

Amendment

Article 20a

National schemes for precautionary measures and compensation schemes for unintended contamination

In order to avoid instances of adventitious contamination with non-authorised 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. Member States shall ensure that losses incurred by organic farmers due to unintended contamination are adequately covered. Where the origin of contamination can be traced, Member States shall apply the polluter-pays principle.

Amendment 73

Proposal for a regulation

Article 21 – paragraph 3 – subparagraph 3

Text proposed by the Commission

The terms referred to in paragraph 1 and the indication of the percentage referred to in point (b) of the first subparagraph of this paragraph shall appear in the same colour, identical size and style of lettering as the other indications in the list of ingredients.

Amendment

Without prejudice to Article 21 of Regulation (EU) No 1169/2011^{1a}, the terms referred to in paragraph 1 and the indication of the percentage referred to in point (b) of the first subparagraph of this paragraph shall appear *in brackets after the indication of the organic ingredient* in the same colour, identical size and style of lettering as the other indications in the list of ingredients.

^{1a} Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of

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

Amendment 74

Proposal for a regulation Article 22 – paragraph 3

Text proposed by the Commission

3. The indications referred to in paragraphs 1 and 2 of this Article and in Article 23(3) shall be **marked** in a conspicuous place in such a way as to be easily visible, clearly legible and **indelible**.

Amendment

3. The indications referred to in paragraphs 1 and 2 of this Article and in Article 23(3) shall be **printed** in a conspicuous place in such a way as to be easily visible **and** clearly legible, and **they shall not obscure the mandatory indications laid down in Article 9(1) of Regulation (EU) No 1169/2011^{1a}**.

*^{1a} Regulation (EU) No 1169/2011 of the
European Parliament and of the Council
of 25 October 2011 on the provision of
food information to consumers ,
amending Regulations (EC) No
1924/2006 and (EC) No 1925/2006 of the
European Parliament and of the Council,
and repealing Commission Directive
87/250/EEC, Council Directive
90/496/EEC, Commission Directive
1999/10/EC, Directive 2000/13/EC of the
European Parliament and of the Council,
Commission Directives 2002/67/EC and
2008/5/EC and Commission Regulation
(EC) No 608/2004 (OJ L 304, 22.11.2011,*

p. 18).

Amendment 75

Proposal for a regulation

Article 23 – paragraph 4 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The Commission shall promote information campaigns to increase citizens' familiarity with the organic production logo of the European Union, so that consumers are able to make informed choices.

Amendment 76

Proposal for a regulation

Chapter 5 – title

Text proposed by the Commission

Amendment

Organic certification

Organic ***control and*** certification

Amendment 77

Proposal for a regulation

Article 24

Text proposed by the Commission

Amendment

[...]

deleted

Amendment 78

Proposal for a regulation

Article 24 a (new)

Text proposed by the Commission

Amendment

Article 24a

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 and in conformity with Regulation (EU) No XXX/XXXX (Official controls Regulation).

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 precautionary and control measures to be adopted by the Commission in accordance with the examination 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 operators selling products directly to the final consumer or user, as referred to in Article 24b(2), and retailers that are micro-enterprises as defined in Commission Recommendation 2003/361/EC^{1a}, shall be subject to a verification of compliance at least once a year. When establishing the frequency of official controls on mixed farms including units not managed under organic production rules and units managed under those rules, the risk of non-compliance by such farms with the organic production rules shall, in particular, be taken into account.

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 the Official controls 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 performance 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 reveal 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.

6. In addition to the conditions laid down in 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 control 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 identified.

7. The competent authorities may not delegate the following tasks to control bodies:

(a) the supervision and auditing of other control bodies;

(b) the granting of exceptions, as referred to in Article 17.

8. In accordance with Article 5(3) of the Official controls Regulation, competent authorities delegating control tasks to control bodies shall organise audits or inspections of control bodies as necessary. If an audit or an inspection reveals 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 the requirements laid down in 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) note any irregularities or infringements identified and corrective

measures taken;

(d) withdraw approval of the control body if it fails to meet the requirements referred to in (a) and (b) or no longer fulfils the criteria set out in paragraphs 5 and 6 or fails to meet 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, in accordance with Article 18 of Regulation (EC) No 178/2002^{1b}, 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.

14. By 31 January in 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 at the latest by 31 March each year.

^{1a} Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

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

Amendment 79

Proposal for a regulation Article 24 b (new)

Text proposed by the Commission

Amendment

Article 24b

Participation in the control system

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

(a) notify his activity to the competent authorities of the Member State where the activity is carried out;

(b) submit his undertaking to the control system referred to in Article 24a.

The first subparagraph shall apply also to exporters who export products produced in compliance with the production rules laid down in this Regulation.

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 (a) and (b), and the subcontracted activities shall

be subject to the control system.

2. Member States may exclude from the scope of this Article operators with verification systems 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 or import such products from a third country or have not contracted out such activities to a third party.

3. Member States shall designate an authority or approve a body to receive such notifications.

4. Member States shall ensure that any operator who complies with the provisions 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.

5. The control authorities and control bodies shall keep an up-to-date list containing the names and addresses of operators under their control. This list shall be made available to the interested parties.

6. The Commission, acting in accordance with the procedure referred to in Article 37(2), shall adopt implementing rules for the notification and submission procedure referred to in paragraph 1 of this Article, in particular as regards the information to be included in the notification referred to in paragraph 1(a) of this Article.

Amendment 80

Proposal for a regulation Article 25 – paragraph 1

Text proposed by the Commission

1. Operators and groups of operators that have notified their activity in accordance with Article **24(1)** and comply with this

Amendment

1. Operators and groups of operators that have notified their activity in accordance with Article **24b(1)** and comply with this

Regulation shall be entitled to be provided with an organic certificate. The organic certificate, issued in electronic form wherever possible, shall at least allow the identification of the operator or group of operators, the type or range of products covered by the certificate and its period of validity.

Regulation shall be entitled to be provided with an organic certificate. The organic certificate, issued in electronic form wherever possible, shall at least allow the identification of the operator or group of operators, the type or range of products covered by the certificate and its period of validity.

Amendment 81

Proposal for a regulation Article 26 a (new)

Text proposed by the Commission

Amendment

Article 26a

Measures in cases of infringements and irregularities

1. Where an irregularity is discovered 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 such irregularity, where this would be proportionate to the relevance of the requirement that has been breached and to the nature and particular circumstances of the irregular activities.

Where a serious infringement or an infringement with prolonged effect is discovered, 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.

2. Information concerning 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.

The level at which such communication takes place shall depend on the seriousness and extent of the irregularity or infringement detected.

The Commission may, in accordance with the examination procedure referred to in Article 37(2), lay down the form of and the procedures for such communications.

Amendment 82

Proposal for a regulation Article 26 b (new)

Text proposed by the Commission

Amendment

Article 26b

Exchange of information

In response to a request justified by the need to guarantee that a product has been produced in accordance with this Regulation, the competent authorities, control authorities and control bodies shall exchange relevant information concerning the results of their controls with other competent authorities, control authorities and control bodies. They may also exchange such information on their own initiative.

Amendment 83

Proposal for a regulation Article 28 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The provisions relating to Commission supervision in third countries shall be strengthened. It is also important to

strengthen supervision and controls in equivalence agreements with third countries.

Amendment 84

Proposal for a regulation Article 28 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. It would be advisable to check the provisions already set out in the Union legislation currently in force concerning imports of organic products from third countries (Regulation (EC) No 1235/2008)^{1a}, currently being revised, in order to establish an effective link and ensure overall consistency.

^{1a} Commission Regulation (EC) No 1235/2008 of 8 December 2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries (OJ L 334, 12.12.2008, p. 25).

Amendment 85

Proposal for a regulation Article 35

Text proposed by the Commission

Amendment

By 31 December 2021, the Commission shall present a report to the European Parliament and the Council on the availability of organic plant reproductive material **and** animals for breeding purposes.

By 31 December 2021, the Commission shall present a report to the European Parliament and the Council on the availability of organic plant reproductive material, animals for breeding purposes **and young stock of aquaculture animals. That report shall be accompanied, if appropriate, by a legislative proposal.**

Amendment 86

Proposal for a regulation Article 40

Text proposed by the Commission

Amendment

Article 40

deleted

Transitional measures relating to the origin of plant reproductive material, animals for breeding purposes and young stock of aquaculture animals

In order to ensure a smooth transition between the rules on organic origin of plant reproductive material provided for in Article 12(1)(i) of Regulation (EC) No 834/2007 and on animals for breeding purposes provided for in Article 14(1)(a)(ii) of that Regulation and on young stock of aquaculture animals provided for in Article 15(1)(a)(ii) of that Regulation and the exception to production rules that the Commission adopted pursuant to Article 22 of Regulation (EC) No 834/2007, and the new production rules for plants and plant products and livestock and seaweed and aquaculture animals provided for in Articles 10(1) and 11(1), respectively, of this Regulation, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for exceptions where granting exceptions is deemed necessary in order to ensure access to plant reproductive material and live animals for breeding purposes and young stock of aquaculture animals, that may be used in organic production. The delegated acts adopted under this Article shall cease to apply on 31 December 2021.

Amendment 87

Proposal for a regulation Article 44

Text proposed by the Commission

Amendment

[...]

deleted

Amendment 88

Proposal for a regulation Annex I – indent 14

Text proposed by the Commission

Amendment

– sea salt,

deleted

Justification

Sea salt should be excluded from the scope of the regulation. Sea salt is a mineral and should therefore not be considered as an agricultural product. So far no proposal for production rules has been presented, and we fear that it will cause confusion to deal with organic sea salt and non-organic mined rock-salt. Including salt within the scope will significantly increase the administrative burdens for the food processing industry.

Amendment 89

Proposal for a regulation Annex I – indent 19 a (new)

Text proposed by the Commission

Amendment

**- aromatised wine products as defined in
Council Regulation (EU) No 251/2014^{1a}.**

**^{1a} Regulation (EU) No 251/2014 of the
European Parliament and of the Council
of 26 February 2014 on the definition,
description, presentation, labelling and
the protection of geographical indications
of aromatised wine products and
repealing Council Regulation (EEC) No
1601/91 (OJ L 84, 20.3.2014, p. 14).**

Justification

Aromatized wine products are obtained from products of the wine sector which, according to the relevant provisions, must be present in the finished product in a proportion of not less than 75 % for aromatized wines and 50% for aromatized wine based drinks and aromatized wine-product cocktails. Since the scope of the organic regulation has been broadened in order to cover processed agricultural products, aromatized wine products should be included.

Amendment 90

Proposal for a regulation Annex II – Part I – point 1.4.1

Text proposed by the Commission

1.4.1. For the production of plants and plant products **only** organically produced plant reproductive material shall be used. ***To this end, the plant intended for plant reproductive material production and, where relevant, the mother plant shall have been produced in accordance with this Regulation for at least one generation, or, in the case of perennial crops, for at least one generation during two growing seasons.***

Amendment

1.4.1. For the production of plants and plant products, organically produced plant reproductive material shall be used.

Amendment 91

Proposal for a regulation Annex II – Part I – point 1.4.2

Text proposed by the Commission

1.4.2. Use of plant reproductive material not obtained from organic production

Plant reproductive material not obtained from organic production may be used only ***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***

Amendment

1.4.2. 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 only ***if authorised by the Commission in accordance with Article 17 and if one of the following conditions is fulfilled:***

Member State.

- organic material is not available, as confirmed by the competent authority;*
- its use is considered necessary for the regional conservation of biodiversity or a sufficiently wide genetic pool;*
- it comes from a production unit which is in the course of conversion to organic production; or*
- its use is justified for research or testing in small-scale field trials.*

Amendment 92

Proposal for a regulation Annex II – Part I – point 1.5.8 a (new)

Text proposed by the Commission

Amendment

1.5.8a. Biodynamic preparations

The use of biodynamic preparations shall be permitted.

Justification

Biodynamic preparations should be permitted.

Amendment 93

Proposal for a regulation Annex II – Part II – point 1.3.3 – point d

Text proposed by the Commission

Amendment

(d) the choice of breeds shall be appropriate and shall contribute to the prevention of any suffering and to avoiding the need for the mutilation of animals.

(d) the choice of breeds shall be appropriate ***to ensure a high standard of animal welfare*** and shall contribute to the prevention of any suffering and to avoiding the need for the mutilation of animals.

Amendment 94

Proposal for a regulation

PE557.122v03-00

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Annex II – Part II – point 1.3.3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Proper application and enforcement of breeding rules shall be facilitated, where appropriate, through rural development support and the Action plan for the future of Organic Production in the European Union.

Amendment 95

Proposal for a regulation

Annex II – Part II – point 1.3.4

Text proposed by the Commission

Amendment

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

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

Average growth and production rates shall be determined by the Commission in accordance with Article 11(2) for all fattening animals, including broilers and turkeys. Indicators shall be used where appropriate to assess and affirm the robustness and suitability of breeds in organic farming. Such indicators shall include average growth rates for all breeds and average production rates for all egg- and milk-producing breeds that are compatible with farming duration rules for each species (i.e. days until

slaughter for poultry).

Amendment 96

Proposal for a regulation Annex II – Part II – point 1.3.5

Text proposed by the Commission

1.3.5. For breeding purposes, **non organically** raised animals may be brought onto an agricultural holding when breeds are in danger of being lost to farming in accordance with Annex IV to Commission Regulation (EC) No 1974/20062 and in that case animals of those breeds **must** not **necessarily** be nulliparous.

Amendment

1.3.5. For breeding purposes, **non-organically** raised animals may be brought onto an agricultural holding **if authorised by the Commission in accordance with Article 17 and if one of the following conditions is fulfilled:**

– when breeds are in danger of being lost to farming in accordance with Annex IV to Commission Regulation (EC) No 1974/20062, and in that case animals of those breeds **need** not be nulliparous;

– **when organic animals are not available in a particular region, as confirmed by the competent authority.**

Such animals and their products may be deemed organic after the conversion period in point 1.2 has elapsed. Non-organic poultry can be brought onto a holding and converted before they are three days old.

Amendment 97

Proposal for a regulation Annex II – Part II – point 1.4.1 – point b

Text proposed by the Commission

(b) livestock shall be fed with organic feed that meets the animal's nutritional requirements at the various stages of its development. Restricted feeding shall not be permitted in livestock production;

Amendment

(b) livestock shall be fed with organic **or in-conversion** feed, **as referred to in point 1.4.3**, that meets the animal's nutritional requirements at the various stages of its development. Restricted feeding shall not

be permitted in livestock production;

Justification

It is necessary to maintain the status quo since there is not enough organic feed available in the market.

Amendment 98

**Proposal for a regulation
Annex II – Part II – –point 1.4.1 – point f**

Text proposed by the Commission

(f) growth promoters **and synthetic amino-acids** shall not be used;

Amendment

(f) growth promoters shall not be used **and chemically synthesised products or substances shall be strictly limited to cases where these are needed as a feed additive to ensure the health and well-being of animals in accordance with point (e)(i) of Article 19(2) of this Regulation;**

Amendment 99

**Proposal for a regulation
Annex II – Part II – –point 1.4.2.1 – point a**

Text proposed by the Commission

(a) the common land is fully managed in accordance with this Regulation;

Amendment

(a) the common land **has not, for at least three years, been treated with products not authorised for organic production and** is fully managed in accordance with this Regulation;

Justification

The amendment keeps the status quo.

Amendment 100

**Proposal for a regulation
Annex II – Part II – –point 1.4.2.1 – point b**

Text proposed by the Commission

Amendment

(b) any non-organic animals which use the land concerned are derived from a production system equivalent to one of those provided for in Articles 28 and 30 of Regulation (EU) No 1305/2013³;

deleted

³ ***Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).***

Justification

Specific requirements for non-organic animals grazing with organic animals reduce flexibility and thereby the potential conversion of common agricultural areas for grazing. Management on the conventional holding, in proportion to the requirements in Articles 28 and 30 of Regulation (EU) No 1305/2013, does not affect the quality of the manure deposited on the grazing areas. It is of more importance that the animals are treated in line with the organic regulation when using organic areas for common grazing.

Amendment 101

Proposal for a regulation Annex II – Part II – –point 1.4.3.1

Text proposed by the Commission

Amendment

1.4.3.1. For in-conversion agricultural holdings, up to **15** % of the total average amount of feed fed to livestock may originate from the grazing or harvesting of permanent pastures, perennial forage parcels or protein crops, sown under organic management on lands in their first year of conversion, provided that they are part of the holding itself. Feed in their first year of conversion may not be used for the production of organic processed feed. When both in-conversion feed and feed

1.4.3.1. For in-conversion agricultural holdings, up to **20** % of the total average amount of feed fed to livestock may originate from the grazing or harvesting of permanent pastures, perennial forage parcels or protein crops, sown under organic management on lands in their first year of conversion, provided that they are part of the holding itself. Feed in their first year of conversion may not be used for the production of organic processed feed. When both in-conversion feed and feed

from parcels in their first year of conversion are being used, the total combined percentage of such feed shall not exceed the maximum percentages fixed in point 1.4.3.2.

from parcels **both** in their first **and second** year of conversion are being used **for feeding**, the total combined percentage of such feed shall not exceed the maximum percentages fixed in point 1.4.3.2. **Feed in their first year of conversion may not be used for the production of organic processed feed.**

Justification

The amendment keeps the status quo.

Amendment 102

Proposal for a regulation
Annex II – Part II – –point 1.4.3.2

Text proposed by the Commission

1.4.3.2. For organic agricultural holdings, up to **20 %** on average of the feed formula of rations may comprise in-conversion feed, namely feed from the second year of conversion. For in-conversion agricultural holdings, when the in-conversion feed **come** from the holding itself, this percentage may be increased to 100.

Amendment

1.4.3.2. For organic agricultural holdings, up to **30 %** on average of the feed formula of rations may comprise in-conversion feed, namely feed from the second year of conversion. For in-conversion agricultural holdings, when the in-conversion feed **from the second year of conversion comes** from the holding itself, this percentage may be increased to 100.

Justification

The amendment keeps the status quo.

Amendment 103

Proposal for a regulation
Annex II – Part II – –point 1.5.2.2

Text proposed by the Commission

1.5.2.2. Disease shall be treated immediately to avoid suffering of the animal; chemically synthesised allopathic veterinary medicinal products including antibiotics may be used where necessary

Amendment

1.5.2.2. Disease shall be treated immediately to avoid suffering of the animal; chemically synthesised allopathic veterinary medicinal products including antibiotics may be used where necessary

and under strict conditions and under the responsibility of a veterinarian, when the use of phytotherapeutic, homeopathic and other products is inappropriate. In particular restrictions with respect to courses of treatment and withdrawal periods shall be defined.

and under strict conditions and under the responsibility of a veterinarian, when the use of phytotherapeutic, homeopathic and other products is inappropriate. In particular restrictions with respect to courses of treatment and withdrawal periods shall be defined. ***Allopathic veterinary medicinal products authorised for use in organic production pursuant to Article 19 can be used without consulting a veterinarian.***

Justification

In order to ensure animal welfare and appropriate action for specific diseases, a list of permitted allopathic veterinary medicinal products should be introduced. Certain products suitable for organic production are banned due to their categorization as allopathic veterinary medicinal products or limited due to the requirement for veterinarian inclusion, e.g. Orbeseal which is a sterile, non-antibiotic intramammary infusion in the form of a viscous paste, oxytocin hormone for calving cattle, intravenous infusion of calcium salt solutions to cure milk fever, or storage of analgesic products used in connection with castration of piglets.

Amendment 104

Proposal for a regulation Annex II – Part II – point 1.6.2

Text proposed by the Commission

1.6.2. Housing for livestock shall not be mandatory in areas with appropriate climatic conditions to enable animals to live outdoors. Livestock shall have permanent access to open air areas, preferably pasture, whenever weather conditions and the state of the ground allow this, unless restrictions and obligations related to the protection of human and animal health are imposed on the basis of Union legislation. Animals shall have access to shelters or shady areas to protect them from adverse weather conditions.

Amendment

1.6.2. Housing for livestock shall not be mandatory in areas with appropriate climatic conditions to enable animals to live outdoors. Livestock shall have permanent access to open air areas, preferably pasture, whenever weather and seasonal conditions, animal welfare and the state of the ground allow this, unless restrictions and obligations related to the protection of human and animal health are imposed on the basis of Union legislation. Animals shall have access to shelters or shady areas to protect them from adverse weather conditions. ***Closed confinement systems shall not be permitted in organic farming.***

Amendment 105

Proposal for a regulation Annex II – Part II – point 1.7.1

Text proposed by the Commission

1.7.1. All persons involved in keeping animals shall possess the necessary **basic** knowledge and skills as regards the health and the welfare needs of the animals.

Amendment

1.7.1. All persons involved in keeping animals shall possess the necessary knowledge and skills as regards the health and the welfare needs of the animals.

Amendment 106

Proposal for a regulation Annex II – Part II – point 1.7.2

Text proposed by the Commission

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

Amendment

1.7.2. Husbandry practices, including stocking densities and housing conditions shall ensure that the developmental, physiological and ethological needs of animals are met ***throughout the entire life of the animals concerned. Minimising stress of the animals shall be a guiding principle in husbandry.***

Amendment 107

Proposal for a regulation Annex II – Part II – point 1.7.3

Text proposed by the Commission

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

Amendment

1.7.3. ***Herbivores*** shall have permanent access to pasture, whenever weather conditions and the state of the ground allow this unless restrictions and obligations related to the protection of human and animal health are imposed on the basis of Union legislation. ***Whenever weather and seasonal conditions and the state of the ground do not allow access to pasture, herbivores shall, as appropriate, have access to open-air areas allowing the***

animals to exercise, save where this is not conducive to the welfare of the animal or animals concerned or where temporary restrictions and obligations relating to the protection of human and animal health are imposed on the basis of Union legislation.

Amendment 108

Proposal for a regulation Annex II – Part II – point 1.7.6

Text proposed by the Commission

1.7.6. Tethering or isolation of livestock shall be prohibited, **unless** for individual animals for a limited period of time, and in so far as this is justified for veterinary reasons. Competent authorities may authorise cattle in micro-enterprises to be tethered if it is not possible to keep the cattle in groups appropriate to their behaviour requirements, provided they have access to pastures during the grazing period, and at least twice a week access to open air areas when grazing is not possible.

Amendment

1.7.6. Tethering or isolation of livestock shall be prohibited, **save** for individual animals for a limited period of time and in so far as this is justified for veterinary reasons. ***For a period of up to [15 years from the date of entry into force of the Regulation],*** competent authorities may authorise cattle in micro-enterprises to be tethered if it is not possible to keep the cattle in groups appropriate to their behaviour requirements, provided they have access to pastures during the grazing period, and at least twice a week access to open-air areas when grazing is not possible.

Amendment 109

Proposal for a regulation Annex II – Part II – point 1.7.7

Text proposed by the Commission

1.7.7. Duration of transport of livestock shall be **minimised**.

Amendment

1.7.7. ***The*** duration of transport of livestock shall be ***no more than eight hours for mammals and four hours for poultry and rabbits, with some exceptions taking into account geographical conditions in the outermost regions, sparse road networks, remote location or the option of longer transport of some***

animal species confirmed by scientific research results, provided that the rules on animal welfare are complied with. To that end, support shall be given to local slaughterhouses.

Amendment 110

Proposal for a regulation Annex II – Part II – point 1.7.7 a (new)

Text proposed by the Commission

Amendment

1.7.7a. The maximum transport duration rules referred to in point 1.7.7 shall be adapted in line with species-specific needs defined in this Annex. Other conditions for transport laid down in this Annex, such as those relating to space allowances on lorries, flooring, temperature control, access to water, social requirements and lairage according to each species shall also be respected. Special attention shall be paid when transporting fragile or cull animals.

Amendment 111

Proposal for a regulation Annex II – Part II – point 1.7.8

Text proposed by the Commission

Amendment

1.7.8. Any suffering shall be ***kept to a minimum during*** the ***entire*** life of the animal, including at the time of slaughter.

1.7.8. Any ***avoidable*** suffering shall be ***prevented throughout*** the entire life of the animal, including at the time of ***transport and*** slaughter.

Amendment 112

Proposal for a regulation Annex II – Part II – point 1.7.8 a (new)

Text proposed by the Commission

Amendment

1.7.8a. Appropriate and humane pre-stunning at the time of slaughter shall be compulsory for all animals. Inappropriate stunning and/or slaughter methods, such as the use of live shackling and electrical water baths for broiler chickens and turkeys, asphyxia, and exsanguination without stunning, shall be prohibited.

All persons handling organic animals during transport and slaughter shall receive adequate training to ensure proper application of the rules laid down in this Regulation, and regular inspections shall be carried out to ensure compliance with those rules.

Amendment 113

Proposal for a regulation Annex II – Part II – point 1.7.9 a (new)

Text proposed by the Commission

Amendment

1.7.9a. Dehorning and disbudding shall not be carried out routinely in organic farming. However, that operation may, on a case-by-case basis, be authorised by the competent authority on veterinary or animal welfare grounds, or to ensure the safety of workers.

Amendment 114

Proposal for a regulation Annex II – Part II – point 1.7.9 b (new)

Text proposed by the Commission

Amendment

1.7.11. Physical castration shall be allowed in order to maintain the quality of

1.7.9b. Surgical castration shall be prohibited save in individual cases where

products and traditional production practices but only under adequate anaesthesia or analgesia and by carrying out the operation only at the most appropriate age by qualified personnel.

it is unavoidable. If it is unavoidable, interventions shall be carried out with anaesthesia and prolonged analgesia.

Available alternative non-hormonal products and methods that avoid or reduce the use of surgical castration shall be allowed, including immunological prevention of boartaint, using specific genetic selections with lower boartaint traits, and feed additives.

The Commission shall consider a prohibition of castration of piglets in line with the results of an impact assessment, and shall, accordingly, propose legislative action by 2020.

Amendment 115

Proposal for a regulation Annex II – Part II – point 1.7.10

Text proposed by the Commission

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

Amendment

1.7.10. **Whenever a surgical intervention is deemed necessary for any of the reasons mentioned in point 1.7.9a.**, any suffering to the animals **concerned** shall be **prevented** by applying **sound veterinary practices including** adequate anaesthesia and **prolonged** analgesia and by carrying out the operation only at the most appropriate age **of the animal concerned** by **authorised and** qualified personnel. **Pain relief for the animal shall be continued as long as deemed appropriate after any operation requiring it.**

Amendment 116

Proposal for a regulation Annex II – Part II – point 1.7.10 a (new)

Text proposed by the Commission

Amendment

1.7.10a. Any surgical procedures which may be necessary shall be carried out by a veterinary surgeon. Wherever practicable, non-surgical alternatives and advice concerning the use of appropriate breeds and keeping practices shall be applied to address specific concerns associated with raising uncastrated (entire) males and horned animals.

Amendment 117

Proposal for a regulation Annex II – Part II – point 1.7.12

Text proposed by the Commission

Amendment

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

1.7.12. Loading and unloading of animals shall be carried out without the use of any type of electrical stimulation to coerce the animals, ***except in exceptional circumstances and in accordance with point 1.9 of Annex III to Regulation (EC) No 1099/2009^{1a}. Mixing of unknown animals during transport or lairage and unnecessary overnight lairage shall be avoided. Social animals shall be kept in groups and shall be able to move and turn around in the pens.*** The use of allopathic tranquillisers, prior to or during transport, shall be prohibited.

^{1a} Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing (OJ L 303, 18.11.2009, p. 1).

Amendment 118

Proposal for a regulation

Annex II – Part II – point 2.1.2 – point a

Text proposed by the Commission

(a) bovine, ovine and caprine animals shall have access to pasturage for grazing whenever conditions allow;

Amendment

(a) bovine, ovine and caprine animals shall have **permanent** access to pasturage for grazing whenever conditions allow;

Amendment 119

Proposal for a regulation

Annex II – Part II – point 2.1.2 – point b

Text proposed by the Commission

(b) notwithstanding point (a), male bovine animals over one year old shall have access to pasturage or an open air area;

Amendment

(b) notwithstanding point (a), male bovine animals over one year old shall have access to pasturage or an open air area.

In cases where existing organic farming installations need to be adapted to meet the criteria mentioned in point (a) and in this point, the adaptation shall be carried out within a transitional period of 15 years from the date of entry into force of this Regulation;

Amendment 120

Proposal for a regulation

Annex II – Part II – point 2.1.2 – point c

Text proposed by the Commission

(c) in cases where bovine, ovine and caprine animals have access to pasturage during the grazing period and where the winter-housing system gives freedom of movement to the animals, the obligation to provide open air areas during the winter months may be waived;

Amendment

deleted

Amendment 121

Proposal for a regulation

Annex II – Part II – point 2.1.2 – point d

Text proposed by the Commission

(d) except during the period each year when the animals are under transhumance referred to in point 1.4.2.2., at least **90 %** of the feed shall come from the farm itself or ***in case*** this is not feasible, be produced in cooperation with other organic farms in the same region;

Amendment

(d) except during the period each year when the animals are under transhumance ***as*** referred to in point 1.4.2.2., at least **60 %** of the feed shall come from the farm itself or, ***where*** this is not feasible, ***shall*** be produced in cooperation with other organic farms in the same region;

Amendment 122

Proposal for a regulation

Annex II – Part II – point 2.1.2 – point e

Text proposed by the Commission

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

Amendment

(e) rearing systems for bovine, ovine and caprine animals shall be based on maximum use of grazing pasturage according to the availability of pastures in the different periods of the year. ***Breeds shall be chosen on the basis of their local adaptability to grazing conditions and their suitability with regard to other diet provisions, including requirements in respect of roughage, fresh or dried fodder, or silage. Where higher percentages of roughage are not possible, the following minimum rules shall apply whilst respecting the nutrition, health and welfare requirements of the breeds concerned:*** at least 60 % of the dry matter in daily rations of bovine, ovine and caprine animals shall consist of roughage, fresh or dried fodder, or silage. A reduction to 50 % for animals in dairy production for a maximum period of three months in early lactation shall be allowed;

Amendment 123

Proposal for a regulation

Annex II – Part II – point 2.1.3 – point c

Text proposed by the Commission

(c) notwithstanding point (a) of the first subparagraph of Article 3(1) and the second subparagraph of Article 3(1) of Council Directive 2008/119/EC⁴, the housing of calves in individual boxes shall be forbidden ***after the age of one week, unless*** for individual animals for a limited period of time, and in so far as this is justified for veterinary reasons.

⁴ Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves (OJ L 10, 15.1.2009, p. 7).

Amendment

(c) notwithstanding point (a) of the first subparagraph of Article 3(1) and the second subparagraph of Article 3(1) of Council Directive 2008/119/EC⁴, ***any form of single housing, including*** the housing of calves in individual boxes, shall be forbidden, ***save*** for individual animals for a limited period of time and in so far as this is justified for veterinary reasons.

⁴ Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves (OJ L 10, 15.1.2009, p. 7).

Amendment 124

Proposal for a regulation

Annex II – Part II – point 2.1.3 – point c a (new)

Text proposed by the Commission

Amendment

(ca) when calves are treated individually for veterinary reasons they shall be kept in spaces that have a solid floor, and shall be provided with straw bedding. Each individual calf should be able to turn around easily, lie down in full length (comfortably) and be able to have visual contact with other calves. If mother-bonded rearing is not taking place, group keeping of young calves shall only be permitted after the age of one week;

Amendment 125

Proposal for a regulation

Annex II – Part II – point 2.1.3 – point c b (new)

Text proposed by the Commission

Amendment

(cb) all housing shall provide access to an open-air area allowing animals to exercise.

Amendment 126

Proposal for a regulation

Annex II – Part II – point 2.2.2 – point a

Text proposed by the Commission

Amendment

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

(a) equine animals shall have access to pasturage for grazing whenever conditions allow. ***At all other times, horses shall have access to roughage;***

Amendment 127

Proposal for a regulation

Annex II – Part II – point 2.2.2 – point b

Text proposed by the Commission

Amendment

(b) in cases where equine animals have access to pasturage during the grazing period and where the winter-housing system gives freedom of movement to the animals, the obligation to provide open air areas during the winter months may be waived;

deleted

Amendment 128

Proposal for a regulation

Annex II – Part II – point 2.2.2 – point c

Text proposed by the Commission

(c) except during the period each year when the animals are under transhumance as mentioned in point 1.4.2.2., at least **90** % of the feed shall come from the farm itself or *in case* this is not feasible, be produced in cooperation with other organic farms in the same region;

Amendment

(c) except during the period each year when the animals are under transhumance as mentioned in point 1.4.2.2., at least **60** % of the feed shall come from the farm itself or, *where* this is not feasible, *shall* be produced in cooperation with other organic farms in the same region;

Amendment 129

Proposal for a regulation

Annex II – Part II – point 2.2.2 – point d

Text proposed by the Commission

(d) rearing systems for equine animals shall be based on maximum use of grazing pasturage according to the availability of pastures in the different periods of the year. At least 60 % of the dry matter in daily rations of equine animals shall consist of roughage, fresh or dried fodder, or silage;

Amendment

(d) rearing systems for equine animals shall be based on maximum use of grazing pasturage according to the availability of pastures in the different periods of the year. ***Where higher percentages of roughage are not possible, the following minimum rule shall apply whilst respecting the nutrition, health and welfare requirements of the breeds concerned:*** at least 60 % of the dry matter in daily rations of equine animals shall consist of roughage, fresh or dried fodder, or silage;

Amendment 130

Proposal for a regulation

Annex II – Part II – point 2.2.3 – point a

Text proposed by the Commission

(a) housing of equine animals shall have smooth, but not slippery floors. ***At least half of the*** indoor surface area as specified in the table on minimum surface areas for

Amendment

(a) housing of equine animals shall have smooth, but not slippery floors. ***The entire*** indoor surface area as specified in the table on minimum surface areas for equine

equine animals set out in point 2.2.4., shall be solid, that is, not of slatted or of grid construction;

animals set out in point 2.2.4. shall be solid, that is *to say*, not of slatted or grid construction;

Amendment 131

Proposal for a regulation

Annex II – Part II – point 2.3.2 – point a

Text proposed by the Commission

(a) at least **60 %** of the feed shall come from the farm itself or *in case* this is not feasible, be produced in the same region in cooperation with other organic farms or feed operators;

Amendment

(a) at least **20 %** of the feed shall come from the farm itself or, *where* this is not feasible, **shall** be produced in the same region in cooperation with other organic farms or feed operators;

Amendment 132

Proposal for a regulation

Annex II – Part II – point 2.3.2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) clean and fresh water shall always be available in sufficient quantities.

Amendment 133

Proposal for a regulation

Annex II – Part II – point 2.3.3 – point a

Text proposed by the Commission

(a) housing of porcine animals shall have smooth, but not slippery floors. **At least half of the** indoor surface area as specified in the table on minimum surface areas for porcine animals set out in point 2.3.4., shall be solid, that is, not of slatted or *of* grid construction;

Amendment

(a) housing of porcine animals shall have smooth, but not slippery floors. **The entire** indoor surface/**floor** area as specified in the table on minimum surface areas for porcine animals set out in point 2.3.4. shall be solid, that is *to say*, not of slatted or grid construction;

Amendment 134

Proposal for a regulation

Annex II – Part II – point 2.3.3 – point b a (new)

Text proposed by the Commission

Amendment

(ba) there shall always be a straw bed large enough to ensure that all pigs in a pen can lie down at the same time in the most space-consuming way;

Amendment 135

Proposal for a regulation

Annex II – Part II – point 2.3.3 – point c

Text proposed by the Commission

Amendment

(c) sows shall be kept in groups, except in the last stages of pregnancy and during the suckling period;

(c) sows shall be kept in groups, except in the last stages of pregnancy and during the suckling period, ***during which time the sow shall be able to move freely in her pen and shall only be tethered for short times when absolutely necessary.***

Notwithstanding additional requirements for straw, a few days before expected farrowing, sows shall be provided with a quantity of straw or other suitable natural material sufficient to enable them to build nests;

Amendment 136

Proposal for a regulation

Annex II – Part II – point 2.3.3 – point e

Text proposed by the Commission

Amendment

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

(e) exercise areas shall permit dunging and rooting by porcine animals. For the purposes of rooting different substrates can be used. ***The environment shall be provided with enrichment materials, as this contributes positively to the well-***

being of porcine animals.

Amendment 137

Proposal for a regulation

Annex II – Part II– point 2.3.4 – table 2

Text proposed by the Commission

	Indoors area (net area available to animals)		Outdoors area (exercise area, excluding pasturage)
	Live weight minimum (kg)	M2/head	M2/head
Farrowing sows with piglets up to 40 days		7,5 female	2,5
Fattening porcine animals	up to 50	0,8	0,6
	up to 85	1,1	0,8
	up to 110	1,3	1
Piglets	over 40 days and up to 30 kg	0,6	0,4
Brood porcine animals		2,5 female	1,9
		6 male	8,0
		If pens are used for natural service: 10 m2/boar	

Amendment

	Indoors area (net area available to animals)		Outdoors area (exercise area, excluding pasturage)
	Live weight minimum (kg)	M2/head	M2/head
Farrowing sows with piglets up to 40 days		7,5 sow	2,5
Fattening porcine animals	up to 50	0,8	0,6
	up to 85	1,1	0,8
	up to 110	1,3	1
	over 110	1,5	1,2

Piglets	over 40 days and up to 30 kg	0,6	0,4
Brood porcine animals		2,5 female	1,9
Brood porcine animals		2,5 female	1,9
		6 male	8,0
		If pens are used for natural service: 10 m2/boar	

Justification

The category of over 110 kg – indoors area 1,5; outdoors area 1,2 – already included in Regulation (EC) 889/2008, should be restored..

Amendment 138

**Proposal for a regulation
Annex II – Part II – point 2.4.2**

Text proposed by the Commission

Amendment

2.4.2. Origin of poultry

2.4.2. Origin of poultry

Poultry ***shall either be reared until they reach a minimum age or else*** shall come from slow-growing poultry strains ***as defined by the competent authority.***

Fast-growing poultry lines shall be prohibited.

Poultry shall come from slow-growing poultry strains ***which meet set limited daily growth rates that are compatible with the minimum rearing ages for each species. The Commission shall establish those growth rates in accordance with Article 11(2).***

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

- (a) 81 days for chickens;
- (b) 150 days for capons;
- (c) 49 days for Peking ducks;
- (d) 70 days for female Muscovy ducks;
- (e) 84 days for male Muscovy ducks;
- (f) 92 days for Mallard ducks;
- (g) 94 days for guinea fowl;

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

- (a) 81 days for chickens;
- (b) 150 days for capons;
- (c) 49 days for Peking ducks;
- (d) 70 days for female Muscovy ducks;
- (e) 84 days for male Muscovy ducks;
- (f) 92 days for Mallard ducks;
- (g) 94 days for guinea fowl;

(h) 140 days for male turkeys and roasting geese; and

(i) 100 days for female turkeys.

(h) 140 days for male turkeys and roasting geese; and

(i) 100 days for female turkeys.

Amendment 139

Proposal for a regulation

Annex II – Part II – point 2.4.3 – point a

Text proposed by the Commission

(a) at least **60 %** of the feed shall come from the farm itself or ***in case*** this is not feasible, be produced in the same region in cooperation with other organic farms or feed operators;

Amendment

(a) at least **20 %** of the feed shall come from the farm itself or, ***where*** this is not feasible, ***shall*** be produced in the same region in cooperation with other organic farms or feed operators;

Amendment 140

Proposal for a regulation

Annex II – Part II – point 2.4.4 – point c

Text proposed by the Commission

(c) poultry shall have access to an open air area for at least ***one third*** of their life. Open air areas for poultry shall be mainly covered with vegetation ***and*** be provided with protective facilities and permit fowl to have easy access to adequate numbers of drinking troughs;

Amendment

(c) poultry shall have access to an open air area, ***including pasture and/or woodland***, for at least ***half*** of their life, ***and permanently from when they are fully feathered***. Open air areas for poultry shall be mainly covered with ***annual or perennial*** vegetation, ***and shall*** be provided with protective facilities ***allowing animals to hide and to scratch around***, and ***shall*** permit fowl to have easy access to adequate numbers of drinking troughs;

Amendment 141

Proposal for a regulation

Annex II – Part II – point 2.4.4 – point d

Text proposed by the Commission

(d) where poultry are kept indoors due to

Amendment

(d) where poultry are kept indoors,

restrictions or obligations imposed on the basis of Union legislation, they shall permanently **have access** to sufficient quantities of roughage and suitable material in order to meet their ethological needs;

including due to restrictions or obligations imposed on the basis of Union legislation, they shall **have access to a veranda (outdoor run) as well as**, permanently, to sufficient quantities of roughage and suitable material in order to meet their ethological needs;

Amendment 142

Proposal for a regulation

Annex II – Part II – point 2.4.4 – point e – point vi

Text proposed by the Commission

Amendment

(vi) multi-layer systems shall have no more than three levels of usable area including the ground floor. There shall be no more than 1 m between levels or intermediate areas, such as nesting areas. Higher tiers shall be capable of having manure removed by an automated system;

deleted

Justification

Multi-layer systems are not in keeping with the principles of organic farming and should be banned.

Amendment 143

Proposal for a regulation

Annex II – Part II – point 2.4.4 – point g

Text proposed by the Commission

Amendment

(g) buildings shall be emptied of livestock between each batch of poultry reared. The buildings and fittings shall be cleaned and disinfected during this time. In addition, when the rearing of each batch of poultry has been completed, runs shall be left empty during a period to be established by the Member States in order to allow vegetation to grow back. These requirements shall not apply where poultry are not reared in batches, are not kept in

(g) buildings shall be emptied of livestock between each batch of poultry reared. The buildings and fittings shall be cleaned and disinfected during this time. In addition, when the rearing of each batch of poultry has been completed, runs shall be left empty during a period to be established by the Member States in order to allow vegetation to grow back. These requirements shall not apply where poultry are not reared in batches, are not kept in

runs and are free to roam, throughout the day.

runs and are free to roam throughout the day. ***Poultry can be kept in open areas with at least 50 % coverage of annual or perennial vegetation. A mixture of trees and open spaces shall be allowed.***

Amendment 144

Proposal for a regulation

Annex II – Part II – point 2.4.5 – table 2

Text proposed by the Commission

	Breeders/ parents	Young stock		Fattening birds		Capons	Layers
Age	Breeding birds	Pullets 0-8 weeks	Pullets 9-18 weeks	Starter 0-21 days	Finisher 22 to 81 days	22-150 days	Laying hens from 19 weeks
In house stocking rate (birds per m ² of usable area) for fixed and mobile houses	6 birds	<i>24 birds with a maximum of 21 kg liveweight/ m²</i>	<i>15 birds with a maximum of 21 kg liveweight/ m²</i>	20 birds with a maximum of 21 kg liveweight /m ²	10 birds with a maximum of 21 kg liveweight/ m ²	10 birds with a maximum of 21 kg liveweight/ m ²	6 birds
Perch space (cm)							18
Multi-layer systems additional limits/m ² of ground floor area (including veranda if 24h access) 9 birds	9	36 birds excluding veranda area	22 birds	Not normally applicable			9 birds
<i>Flock size limits</i>	3 000 including males	10 000*	3 300	10 000*	4 800	2 500	3 000
Open-air run stocking rates (m ² /bird), provided that the limit of 170 kg of N/ha/year is not exceeded	4	1	4	1	4	4	4

* sub-dividable to produce 3x3000 or 2x4800 batches

Amendment

	Breeders/ parents	Young stock		Fattening birds		Capons	Layers
Age	Breeding birds	Pullets 0-8 weeks	Pullets 9-18 weeks	Starter 0-21 days	Finisher 22 to 81 days	22-150 days	Laying hens from 19 weeks
In house stocking rate (birds per m2 of usable area) for fixed and mobile houses	6 birds	<i>maximum 14 kg liveweight/ m²</i>	<i>maximum 14 kg liveweight/ m²</i>	20 birds with a maximum of 21 kg liveweight /m ²	10 birds with a maximum of 21 kg liveweight/ m ²	10 birds with a maximum of 21 kg liveweight/m ²	6 birds
Perch space (cm)							18
Multi-layer systems additional limits/m2 of ground floor area (including veranda if 24h access)	9 birds	36 birds excluding veranda area	22 birds	Not normally applicable			9 birds
'Production Unit'	3 000 including males	10 000*	3 300	10 000*	4 800	2 500	3 000
Open-air run stocking rates (m2/bird), provided that the limit of 170 kg of N/ha/year is not exceeded	4	1	4	1	4	4	4

sub-dividable to produce 3x3000 or 2x4800 batches

Justification

Reference to a 'Production Unit' helps to avoid the risk that a production unit may be divided into several flocks, thereby leading to a large industrial livestock farm, which would be incompatible with the principles of organic animal husbandry.

Amendment 145

Proposal for a regulation Annex II – Part II – point 2.4.6 – point a

Text proposed by the Commission

(a) poultry shall have access to an open air area for at least **one third** of their life. In particular, continuous daytime open air access shall be provided from as early an age as practically possible, whenever physiological and physical conditions allow, except in the case of temporary restrictions imposed on the basis of Union legislation;

Amendment

(a) poultry shall have access to an open air area, **including pasture and/or woodland**, for at least **half** of their life. In particular, continuous daytime open air access shall be provided from as early an age as practically possible, whenever physiological and physical conditions allow, except in the case of temporary restrictions imposed on the basis of Union legislation;

Amendment 146

Proposal for a regulation Annex II – Part II – point 2.4.6 – point b

Text proposed by the Commission

(b) open air areas for poultry shall be mainly covered with vegetation composed of a diverse range of plants **and** be provided with protective facilities and permit fowl to have easy access to adequate numbers of drinking troughs. The vegetation on the open-air area must be harvested and removed at regular intervals to reduce the potential for nutrient surpluses. The open air areas shall not extend beyond a radius of 150 m from the nearest pop-hole of the poultry house. However an extension of up to 350 m from the nearest pop-hole of the poultry house **is** permissible provided that a sufficient number of shelters and drinking troughs are evenly distributed throughout the whole open-air area with at least four shelters per hectare;

Amendment

(b) open air areas for poultry shall be mainly covered with vegetation composed of a diverse range of plants, **shall** be provided with protective facilities and **shall** permit fowl to have easy access to adequate numbers of drinking troughs. **Protective facilities shall also be provided in an appropriate number, allowing animals to take shelter and hide.** The vegetation on the open-air area must be harvested and removed at regular intervals to reduce the potential for nutrient surpluses. The open air areas shall not extend beyond a radius of 150 m from the nearest pop-hole of the poultry house. However an extension of up to 350 m from the nearest pop-hole of the poultry house **shall be** permissible provided that a sufficient number of shelters and drinking troughs are evenly distributed throughout

the whole open-air area with at least four shelters per hectare;

Amendment 147

Proposal for a regulation Annex II – Part II – point 2.4.7

Text proposed by the Commission

2.4.7. Animal welfare
Live plucking of poultry shall be prohibited.

Amendment

2.4.7. Animal welfare
Forced feeding and live plucking of poultry shall be prohibited.

Amendment 148

Proposal for a regulation Annex II – Part II – point 2.4 a (new)

Text proposed by the Commission

Amendment

2.4a. Production of rabbits

All herbivores, including rabbits, shall have permanent access to pasture, whenever weather conditions and the state of the ground allow. Whenever weather conditions and the state of the ground do not allow access to pasture, rabbits shall have permanent access to open-air areas, except when temporary restrictions and obligations related to the protection of human and animal health are imposed on the basis of Union legislation. Rabbits shall at all times have sufficient space to reach their full height, standing up on their hind legs, and to engage in forms of natural behaviour, such as hopping and jumping without hitting the roof of the enclosure. The Commission shall be empowered to adopt detailed rules in accordance with Article 11(2) on production of rabbits.

Amendment 149

Proposal for a regulation Annex II – Part III – title

Text proposed by the Commission

Production rules for *seaweed* and aquaculture animals

Amendment

Production rules for *algae* and aquaculture animals

Amendment 150

Proposal for a regulation Annex II – Part III – point 4.1.3.3 – point e a (new)

Text proposed by the Commission

Amendment

(ea) astaxanthin derived primarily from organic sources, such as organic crustacean shells, may be used in the feed ration for salmon and trout within the limit of their physiological needs. If organic sources are not available, natural sources of astaxanthin (such as Phaffia yeast) may be used.

Justification

To meet the physiological needs of, primarily, carnivorous aquaculture animals, natural derived astaxanthin should be permitted under specific conditions. The existing regulation on this area should be maintained.

Amendment 151

Proposal for a regulation Annex II – Part III – point 4.1.4.2 – point d

Text proposed by the Commission

(d) the use of allopathic treatments shall be limited to two courses of treatment per year, with the exception of vaccinations and compulsory eradication schemes. However, in the *cases* of a production cycle of less than a year a limit of one allopathic treatment *applies*. If the

Amendment

(d) the use of allopathic treatments shall be limited to two courses of treatment per year, with the exception of vaccinations, *parasite treatments* and compulsory eradication schemes. However, in the *case* of a production cycle of less than a year, a limit of one allopathic treatment *shall*

indicated limits for allopathic treatments are exceeded the aquaculture animals concerned shall not be sold as organic products;

apply. If the indicated limits for allopathic treatments are exceeded, the aquaculture animals concerned shall not be sold as organic products;

Justification

Parasites are often treated with products categorized as allopathic treatments. For this reason and to ensure coherence with 4.1.4.2.(e), an exemption is needed in 4.1.4.2 (d).

Amendment 152

**Proposal for a regulation
Annex II – Part III – point 4.1.5.-1 (new)**

Text proposed by the Commission

Amendment

4.1.5.-1. Organic aquaculture shall be restricted to species that are fit to be kept in aquaculture and about which sufficient knowledge is available to define, and to ensure the application of, species standards.

In any case, only the most suitable species and breeds shall be used. The farming of solitary and predatory fish species, for which solitude and hunting requirements cannot be met in captivity, shall be prohibited.

Amendment 153

**Proposal for a regulation
Annex II – Part III – point 4.1.6.1**

Text proposed by the Commission

Amendment

4.1.6.1. All persons involved in keeping aquaculture animals shall possess the necessary **basic** knowledge and skills as regards the health and the welfare needs of the animals

4.1.6.1. All persons involved in keeping aquaculture animals shall possess the necessary knowledge and skills as regards the health and the welfare needs of the animals.

Amendment 154

Proposal for a regulation Annex II – Part III – point 4.1.6.6

Text proposed by the Commission

4.1.6.6. Appropriate measures shall be taken to keep the duration of transport of aquaculture animals to a minimum.

Amendment

4.1.6.6. Appropriate measures shall be taken to keep the duration of transport of **live** aquaculture animals to a minimum **and to ensure that such duration does not exceed six hours, with some exceptions taking into account geographical conditions in the outermost regions, sparse road networks, remote location or the option of longer transport of some animal species confirmed by scientific research results, provided that the rules on animal welfare are complied with.**

Amendment 155

Proposal for a regulation Annex II – Part III – point 4.1.6.7

Text proposed by the Commission

4.1.6.7. Any suffering shall be **kept to a minimum during** the **entire** life of the animal, including at the time of slaughter.

Amendment

4.1.6.7. Any suffering shall be **avoided throughout** the entire life of the animal, including at the time of **transport and** slaughter.

Amendment 156

Proposal for a regulation Annex II – Part III – point 4.1.6.8

Text proposed by the Commission

4.1.6.8. Slaughter techniques shall render fish immediately unconscious and insensible to pain. Handling prior to slaughter shall be performed in a way that avoids injuries while keeping suffering and stress **at** a minimum. Differences in harvesting sizes, species, and production

Amendment

4.1.6.8. Slaughter techniques shall render fish immediately unconscious and insensible to pain. Handling prior to slaughter shall be performed in a way that avoids injuries while keeping suffering and stress **to** a minimum. Differences in harvesting sizes, species, and production

sites must be taken into account when considering optimal slaughtering methods.

sites must be taken into account when considering optimal slaughtering methods.

Slaughter through bleeding of fish and exposure to carbon dioxide shall be prohibited. Crustaceans shall only be killed by methods which use electrical stunning/killing equipment.

Amendment 157

Proposal for a regulation Annex II – Part III – point 4.1.6.8 a (new)

Text proposed by the Commission

Amendment

4.1.6.8a. The selling of live organic fish shall be prohibited.

Amendment 158

Proposal for a regulation Annex II – Part IV – point 2.2.4 – point b – point iii – indent 1

Text proposed by the Commission

Amendment

– algae, including seaweed;

– algae, including seaweed ***and Lithothamnium;***

Justification

By virtue of its high calcium content, the alga Lithothamnium is already used in the production of organic plant-based milk drinks, without any further additives being required. This should also be possible at EU level.

PROCEDURE

Title	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
References	COM(2014)0180 – C7-0109/2014 – 2014/0100(COD)
Committee responsible Date announced in plenary	AGRI 2.4.2014
Opinion by Date announced in plenary	ENVI 2.4.2014
Rapporteur Date appointed	Sirpa Pietikäinen 5.9.2014
Discussed in committee	24.2.2015
Date adopted	6.5.2015
Result of final vote	+: 43 –: 16 0: 6
Members present for the final vote	Marco Affronte, Margrete Auken, Pilar Ayuso, Zoltán Balczó, Catherine Bearder, Ivo Belet, Biljana Borzan, Lynn Boylan, Nessa Childers, Birgit Collin-Langen, Mireille D’Ornano, Miriam Dalli, Angélique Delahaye, Jørn Dohrmann, Ian Duncan, Stefan Eck, Bas Eickhout, Eleonora Evi, José Inácio Faria, Karl-Heinz Florenz, Francese Gambús, Iratxe García Pérez, Elisabetta Gardini, Gerben-Jan Gerbrandy, Jens Gieseke, Sylvie Goddyn, Françoise Grossetête, Andrzej Grzyb, Jytte Guteland, György Hölvényi, Anneli Jäätteenmäki, Jean-François Jalkh, Josu Juaristi Abaunz, Karin Kadenbach, Kateřina Konečná, Giovanni La Via, Peter Liese, Norbert Lins, Susanne Melior, Miroslav Mikolášik, Massimo Paolucci, Gilles Pargneaux, Piernicola Pedicini, Pavel Poc, Marcus Pretzell, Michèle Rivasi, Daciana Octavia Sârbu, Annie Schreijer-Pierik, Davor Škrlec, Dubravka Šuica, Tibor Szanyi, Claudiu Ciprian Tănăsescu, Damiano Zoffoli
Substitutes present for the final vote	Renata Briano, Nicola Caputo, Mark Demesmaecker, Esther Herranz García, Jan Huitema, Merja Kyllönen, James Nicholson, Aldo Patriciello, Sirpa Pietikäinen, Gabriele Preuß, Bart Staes
Substitutes under Rule 200(2) present for the final vote	Arne Gericke

PROCEDURE – COMMITTEE RESPONSIBLE

Title	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
References	COM(2014)0180 – C7-0109/2014 – 2014/0100(COD)
Date submitted to Parliament	24.3.2014
Committee responsible Date announced in plenary	AGRI 2.4.2014
Committees asked for opinions Date announced in plenary	ENVI 2.4.2014
Rapporteurs Date appointed	Martin Häusling 3.9.2014
Discussed in committee	4.9.2014
Date adopted	13.10.2015
Result of final vote	+ : 33 - : 4 0 : 7
Members present for the final vote	John Stuart Agnew, Clara Eugenia Aguilera García, Eric Andrieu, Richard Ashworth, José Bové, Paul Brannen, Daniel Buda, Nicola Caputo, Viorica Dăncilă, Michel Dantin, Paolo De Castro, Albert Deß, Diane Dodds, Herbert Dorfmann, Norbert Erdős, Edouard Ferrand, Luke Ming Flanagan, Beata Gosiewska, Martin Häusling, Anja Hazekamp, Esther Herranz García, Jan Huitema, Peter Jahr, Jarosław Kalinowski, Elisabeth Köstinger, Zbigniew Kuźmiuk, Philippe Loiseau, Giulia Moi, Ulrike Müller, James Nicholson, Maria Noichl, Marijana Petir, Laurențiu Rebegea, Jens Rohde, Bronis Ropè, Jordi Sebastià, Jasenko Selimovic, Lidia Senra Rodríguez, Czesław Adam Siekierski, Marc Tarabella, Janusz Wojciechowski, Marco Zullo
Substitutes present for the final vote	Julie Girling, Ivan Jakovčić, Norbert Lins, Stanislav Polčák, Hannu Takkula
Date tabled	5.11.2015

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

33	+
ALDE Group	Jan Huitema, Ivan Jakovčić, Ulrike Müller, Jasenko Selimovic
ECR	Beata Gosiewska, Zbigniew Kuźmiuk, Janusz Wojciechowski
EFDD	Giulia Moi, Marco Zullo
PPE	Daniel Buda, Michel Dantin, Albert Deß, Herbert Dorfmann, Norbert Erdős, Esther Herranz García, Jarosław Kalinowski, Elisabeth Köstinger, Norbert Lins, Marijana Petir, Stanislav Polčák, Czesław Adam Siekierski
S&D	Clara Eugenia Aguilera García, Eric Andrieu, Paul Brannen, Nicola Caputo, Paolo De Castro, Viorica Dăncilă, Maria Noichl
Verts/ALE	José Bové, Martin Häusling, Bronis Ropè, Jordi Sebastià

4	-
ECR	James Nicholson
EFDD	John Stuart Agnew
ENF	Edouard Ferrand
NI	Diane Dodds

7	0
ECR	Richard Ashworth
ENF	Philippe Loiseau, Laurențiu Rebegea
GUE/NGL	Luke Ming Flanagan, Anja Hazekamp, Lidia Senra Rodríguez
PPE	Peter Jahr

Key to symbols:

+ : in favour

- : against

0 : abstention