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*Committee on the Environment, Public Health and Food Safety*

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**2014/0100(COD)**

4.2.2015

## **DRAFT 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

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## 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 CAP, most recently under Regulation (EU) No 1307/2013 of the European Parliament and of the Council<sup>14</sup>, 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 Council<sup>15</sup>.

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<sup>14</sup> 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

*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 Council<sup>14</sup>, 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 Council<sup>15</sup>. ***However, in the next revision of the CAP, better incentives and increased financial resources should be secured for farmers in organic or in-transition production.***

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<sup>14</sup> 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).

<sup>15</sup> 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).

L 347, 20.12.2013, p. 608).

<sup>15</sup> 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).

Or. en

## Amendment 2

### 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/EC<sup>27</sup> 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, genetically modified organisms (GMOs) and products produced from or by GMOs, ***animal cloning including products and descendants derived from it, 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/EC<sup>27</sup> 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.

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

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<sup>27</sup>Commission 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).

Or. en

### *Justification*

*In relation to the specific principles of organic production, the use of ionising radiation, genetically modified organisms (GMOs) and products produced from or by GMOs, animal cloning including products and descendants derived from it as well as artificially induced polyploidy should be prohibited (linked to AM 12 on Article 5).*

### **Amendment 3**

#### **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

##### *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 in cases where conventional farming activities are small-scale and clearly differentiated from the organic farming activities, where conventional farming activities are taking place geographically far from the organic farming activities in order to avoid contamination by non-authorized products, or where the agricultural holding or aquaculture operation is in the***

or supplementing and amending the specific conversion rules.

**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.

Or. en

#### *Justification*

*In specific and well-defined situations, mixed farms should continue to be allowed in the future. This should, in particular, be the case where conventional farming is only small-scale and clearly differentiated, where conventional farming is geographically far from organic farming activities or during the conversion period (transition from non-organic to organic production). This amendment is linked to AM 13 on Article 7 paragraph 1.*

#### **Amendment 4**

##### **Proposal for a regulation Recital 18 a (new)**

*Text proposed by the Commission*

*Amendment*

***(18a) As under Council Regulation (EC) No 834/2007<sup>1a</sup>, organic production in greenhouses and in herb pots should also be allowed in the future.***

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***<sup>1a</sup> 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 5

### 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<sup>1a</sup> and to take other requisite action in such a way as to further incentivise the use of biologically active pesticides that pose a lower risk to human health.***

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***<sup>1a</sup>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 6

### Proposal for a regulation Recital 26

*Text proposed by the Commission*

*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-

(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.

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 is to ensure animal welfare through high-quality nutrition, including in those geographical conditions where selenium does not appear naturally in the soil.*

Or. en

### *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 7**

### **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*

(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. *However, 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 are to apply the polluter-pays principle or reserve budgetary resources to compensate for the losses incurred by organic farmers.***

Or. en

*Justification*

*It is important to establish the polluter-pays principle where operators risk contaminating organic products with non-authorised products or substances due to their establishment next to an organic farm and where the origin of such contamination can be traced (linked to AM 16 on Article 20 paragraph 3).*

**Amendment 8**

**Proposal for a regulation  
Recital 58 a (new)**

*Text proposed by the Commission*

*Amendment*

***(58a) All organic operators in the Union, and those 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. The Commission is to take the necessary preparatory and legislative action in order for this self-control and external auditing system to be in place by the end of 2020.***

Or. en

*Justification*

*The introduction of a self-control system that is audited by a financially liable third party guarantees a level-playing field for all actors and ensures a better control system for products deriving from third countries.*

## Amendment 9

### 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.***

Or. en

## Amendment 10

### 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.***

Or. en

### *Justification*

*As for plant reproductive material, a computerised and transparent database should also be established in relation to the availability of reproductive material obtained by the organic production method for breeds.*

## Amendment 11

### 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 5 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.***

Or. en

*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 12

### 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 the use of descendants derived from it,*** artificially induced polyploidy and ionising radiation from the whole organic food chain;

Or. en

*Justification*

*In relation to the specific principles of organic production and the exclusion of genetic engineering, the wording should be broadened in order to make sure that all types of genetic engineering are excluded from organic production. In addition, animal cloning (including the*

*use of descendants derived from this production method) should be excluded from the whole organic food chain*

### **Amendment 13**

#### **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 that fulfil one of the following conditions:***

***(i) conventional farming activities are small-scale and clearly differentiated from the organic farming activities;***

***(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.***

Or. en

##### *Justification*

*In specific and well-defined situations, mixed farms should continue to be allowed in the future. This should, in particular, be the case where conventional co-farming is only small-scale and clearly differentiated, where conventional farming activities are taking place geographically far from the organic farming activities or during the conversion period (transition from non-organic to organic production).*

## **Amendment 14**

### **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***

Or. en

#### *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 15**

### **Proposal for a regulation**

#### **Article 10 – paragraph 3 – point f**

*Text proposed by the Commission*

*Amendment*

***(f) the collection of wild plants.*** ***deleted***

Or. en

#### *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 16**

### **Proposal for a regulation**

#### **Article 20 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. By way of derogation from Article 211(1) of Regulation (EU) No 1308/2013, and subject to an authorization by the Commission adopted without applying the

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-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.

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. ***In cases where operators with a high risk of contamination are established next to an organic farm and where the origin of contamination can be traced, Member States shall apply the polluter-pays principle or reserve budgetary resources to compensate for the losses incurred by organic farmers.***

Or. en

#### *Justification*

*Organic farmers should be compensated 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. 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 17**

##### **Proposal for a regulation Article 24 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. Member States may exempt from the application of this Article operators with verification systems who sell products directly to the final consumer or user, provided that:***

***– those operators do not produce, prepare, store other than in connection with the***

*point of sale, or import such products from a third country; and*

*– they have not contracted out such activities to a third party.*

Or. en

## Amendment 18

### Proposal for a regulation

#### Annex II – Part I – paragraph 1 – point 4 – point 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.

Or. en

## Amendment 19

### Proposal for a regulation

#### Annex II – Part I – paragraph 1 – point 4 – point 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***

*Amendment*

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:



*genetic resources conservation purposes agreed by the competent authority of the Member State.*

- if organic material is not available;*
- if its use is considered necessary for the regional conservation of biodiversity or a sufficiently wide genetic pool;*
- if it comes from a production unit which is in the course of conversion to organic production; or*
- where its use is justified for research or testing in small-scale field trials.*

Or. en

## **Amendment 20**

### **Proposal for a regulation**

#### **Annex II – Part II – paragraph 1 – point 3 – point 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 and raised on organic agricultural holdings.

*Livestock meant for reproductive purposes but born on a conventional farm shall also be regarded as organic after a transition period of 15 years from the date of entry into force of this Regulation.*

*Conventional chicks acquired during the first three weeks of their lives but raised organically shall also be regarded as organic.*

Or. en

## Amendment 21

### Proposal for a regulation

#### Annex II – Part II – paragraph 1 – point 3 – point 4

##### *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.

***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).***

Or. en

## Amendment 22

### Proposal for a regulation

#### Annex II – Part II – paragraph 1 – point 3 – point 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. ***In addition to the general farm production rules laid down in Article 7, for breeding purposes, non-organically raised animals may be brought onto a holding under specific conditions. Such animals and their products may be deemed organic after completion of the conversion period referred to in point 1.2.***

For breeding purposes, non-organically raised animals may ***also*** 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.

Or. en

## Amendment 23

### Proposal for a regulation

#### Annex II – Part II – paragraph 1 – point 6 – point 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

##### *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, ***including*** 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

conditions.

weather conditions. ***Closed confinement systems shall not be permitted in organic farming.***

Or. en

## Amendment 24

### Proposal for a regulation

#### Annex II – Part II – paragraph 1 – point 7 – point 3

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

1.7.3. The livestock shall have permanent access to ***open air areas***, 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. The livestock 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, livestock shall have permanent access to open-air areas allowing the animals to exercise, save where this is not conducive to the welfare of the animal or where temporary restrictions and obligations related to the protection of human and animal health are imposed on the basis of Union legislation.***

***In cases where existing organic farming installations need to be adapted in order to meet these criteria, such adaptation shall take place within a transitional period of 15 years from the date of entry into force of this Regulation.***

Or. en

## Amendment 25

### Proposal for a regulation

#### Annex II – Part II – paragraph 1 – point 7 – point 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, unless 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.

Or. en

## Amendment 26

### Proposal for a regulation

#### Annex II – Part II – paragraph 1 – point 7 – point 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 minimised ***to a maximum of 8 hours for mammals and 4 hours for poultry. Special attention shall be paid when transporting fragile or cull animals.***

Or. en

## Amendment 27

### Proposal for a regulation

#### Annex II – Part II – paragraph 1 – point 7 – point 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. Any ***avoidable*** suffering shall be ***prevented*** during the entire life of the animal, including at the time of ***transport and*** slaughter. ***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 waterbaths for broiler chickens and turkeys, asphyxia, and exsanguination without stunning, shall be prohibited.***

Or. en

## Amendment 28

### Proposal for a regulation

#### Annex II – Part II – paragraph 1 – point 7 – point 9

*Text proposed by the Commission*

1.7.9. Mutilation of animals shall be prohibited.

*Amendment*

1.7.9. Mutilation of animals shall be prohibited. ***Examples of such mutilation include, but are not limited to, castration, tail docking, dehorning, beak trimming, hot branding, cutting teeth, de-toeing and nose ringing.***

Or. en

## Amendment 29

### Proposal for a regulation

#### Annex II – Part II – paragraph 1 – point 7 – point 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. ***Dehorning 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 safety grounds.***

***Whenever a surgical intervention is deemed necessary for veterinary reasons,*** any suffering to the animals shall be reduced to a minimum by applying adequate anaesthesia and ***prolonged*** analgesia and by carrying out the operation only at the most appropriate age by authorised and qualified personnel.

Or. en

## Amendment 30

### Proposal for a regulation

#### Annex II – Part II – paragraph 1 – point 7 – point 11

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

1.7.11. Physical castration shall be ***allowed in order to maintain the quality of 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.***

##### *Amendment*

1.7.11. Physical castration shall be ***prohibited except where it is unavoidable. In such situations, interventions shall be carried out with anaesthesia and prolonged analgesia.***

Or. en

## Amendment 31

### Proposal for a regulation

#### Annex II – Part II – paragraph 2 – point 1 – point 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;

Or. en

## Amendment 32

### Proposal for a regulation

#### Annex II – Part II – paragraph 2 – point 1 – point 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;***

Or. en

## Amendment 33

### Proposal for a regulation

#### Annex II – Part II – paragraph 2 – point 1 – point 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***

*Amendment*

***deleted***



*winter-housing system gives freedom of movement to the animals, the obligation to provide open air areas during the winter months may be waived;*

Or. en

#### Amendment 34

##### Proposal for a regulation

##### Annex II – Part II – paragraph 2 – point 1 – point 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/EC<sup>4</sup>, 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.

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<sup>4</sup>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/EC<sup>4</sup>, ***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.

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<sup>4</sup>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)

Or. en

#### Amendment 35

##### Proposal for a regulation

##### Annex II – Part II – paragraph 2 – point 2 – point 2 – point b

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

***(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;***

###### *Amendment*

***deleted***

### Amendment 36

#### Proposal for a regulation

#### Annex II – Part II – paragraph 2 – point 3 – point 3 – point c

*Text proposed by the Commission*

(c) sows shall be kept in groups, except in the last stages of pregnancy and during the suckling period;

*Amendment*

(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 must be provided with a quantity of straw or other suitable natural material sufficient to enable them to build nests.***

### Amendment 37

#### Proposal for a regulation

#### Annex II – Part II – paragraph 2 – point 4 – point 2

*Text proposed by the Commission*

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.***

Where slow-growing poultry strains are not

*Amendment*

2.4.2. Origin of poultry

***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;
- (h) 140 days for male turkeys and roasting geese; and
- (i) 100 days for female turkeys.

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.

Or. en

## Amendment 38

### Proposal for a regulation

#### Annex II – Part II – paragraph 2 – point 4 – point 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. Open air areas for poultry shall be mainly covered with 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;

Or. en

## Amendment 39

### Proposal for a regulation

#### Annex II – Part II – paragraph 2 – point 4 – point 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;

Or. en

## Amendment 40

### Proposal for a regulation

#### Annex II – Part II – paragraph 2 – point 4 – point 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 and **shall** be provided with protective facilities and permit fowl to have easy access to adequate numbers of drinking troughs. **Protective facilities shall also be provided, allowing animals to 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 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;

Or. en

#### **Amendment 41**

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

##### **Annex II – Part II – paragraph 2 – point 4 – point 7**

*Text proposed by the Commission*

*Amendment*

2.4.7. Animal welfare

2.4.7. Animal welfare

Live plucking of poultry shall be prohibited.

***Forced feeding and*** live plucking of poultry shall be prohibited.

Or. en

#### **Amendment 42**

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

##### **Annex II – Part II – paragraph 2 – point 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 establish detailed rules on production of***

*rabbits in accordance with Article 11(2).*

Or. en

#### **Amendment 43**

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

**Annex II – Part II – paragraph 4 – point 1 – point 5 – point -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.***

Or. en

#### **Amendment 44**

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

**Annex II – Part II – paragraph 4 – point 1 – point 6 – point 6**

*Text proposed by the Commission*

*Amendment*

4.1.6.6. Appropriate measures shall be taken to keep the duration of transport of aquaculture animals to a minimum.

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 in any event that such duration does not exceed six hours.***

Or. en

## Amendment 45

### Proposal for a regulation

#### Annex II – Part II – paragraph 4 – point 1 – point 6 – point 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*** during the entire life of the animal, including at the time of ***transport and*** slaughter.

Or. en

## Amendment 46

### Proposal for a regulation

#### Annex II – Part II – paragraph 4 – point 1 – point 6 – point 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 sites must be taken into account when considering optimal slaughtering methods.

##### *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 at a minimum. Differences in harvesting sizes, species, and production 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.***

Or. en

**Amendment 47**

**Proposal for a regulation**

**Annex II – Part II – paragraph 4 – point 1 – point 6 – point 8 a (new)**

*Text proposed by the Commission*

*Amendment*

***4.1.6.8a. The selling of live fish shall be prohibited.***

Or. en