



EUROPEAN PARLIAMENT

2014 - 2019

Committee on Agriculture and Rural Development

20/04/2015

AMENDMENTS 1 - 350

Martin Häusling

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

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

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Amendment 1

Proposal for a regulation

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

Amendment

(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 *plays a leading and pioneering role in establishing more sustainable farming and food systems. In this sense it pursues* 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).

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).

Or. en

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 that European 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.***

Or. en

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

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.

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).

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. ***Parts of this regulation should therefore refer to eligible measures within the national rural development programmes which shall contribute to support 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, as well as for proposals and action plans to cover these gaps so as to start phasing out existing derogations on these 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).

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).

Or. en

Amendment 4

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 substance of Regulation (EC) No 834/2007 should be preserved where it responds to these aims. Furthermore, the new Regulation should mainly improve implementation of current principles and rules and create a dynamic through which the sector can solve 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).

Or. en

Amendment 5

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

(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 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. For reasons of clarity, those other products, not listed in Annex I to the Treaty, should be listed in an Annex to this Regulation.

Or. en

Justification

Amendment corresponding to rapporteur's amendment to Article 2 - paragraph 1 - subparagraph 1 and to Annex I.

Amendment 6

Proposal for a regulation

Recital 11

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

Or. en

Justification

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

Amendment 7

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) 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 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.

Or. en

Justification

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

Amendment 8

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 on the European 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 production rules *and harmonised implementation on national and on European level. From past experience which has revealed major deficiencies of controls on a European level it is important to improve data collection, communication, monitoring and coordination of the implementation of these rules in all Member States and on a European level. For this purpose a European Organic Agency should be established.*

Or. en

Justification

Amendment corresponding to rapporteur's amendment to Article 26d (new).

Amendment 9

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

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, 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 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.

Or. en

Justification

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

Amendment 10

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

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. 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**.

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).

required to **improve** their environmental performance according to 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).

Or. en

Justification

Amendment corresponding to rapporteur's amendments to Article 4 - paragraph 1 - point e - point iii a (new), Article 5 - paragraph 1 - point h a (new) and article 7 - paragraph 2.

Amendment 11

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**

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, no conversion**

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.

period should be necessary in the case of fallow land or when evidence is given 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 the specific conversion rules.

Or. en

Justification

Amendment corresponding to rapporteur's amendments to Article 8 - paragraph 2a (new) and paragraph 6.

Amendment 12

Proposal for a regulation Recital 17

Text proposed by the Commission

(17) Specific production rules should be established with regard to plant, livestock and aquaculture production, including rules for the collection of wild plants and **seaweeds**, and with regard to the production of processed food and feed, as well as of wine and yeast to ensure harmonisation and respect of the objectives and principles of organic production.

Amendment

(17) Specific production rules should be established with regard to plant, livestock and aquaculture production, including rules for the collection of wild plants and **algae**, and with regard to the production of processed food and feed, as well as of wine and yeast to ensure harmonisation and respect of the objectives and principles of organic production.

Or. en

Justification

Amendment corresponding to rapporteur's amendment to Article 12.

Amendment 13

Proposal for a regulation

Recital 17 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 14

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 1107/2009 of the European Parliament and

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

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).

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).

Or. en

Justification

Amendment corresponding to rapporteur's amendment to Annex 2 - section 1 - part 1 - point 1.6 - point 1.6.1 - introductory part and point 1.6.2.

Amendment 15

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 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.

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 supplementing the specific plant production rules as regards soil management and fertilisation, plant health and management of pests and weeds, mushroom production and other specific plants and plant production systems, the production origin of plant reproductive material and the collection of wild plants.

Justification

Amendment corresponding to rapporteur's amendments to Article 10 - paragraph 3 - introductory part and points a, d, da(new) and e.

Amendment 16**Proposal for a regulation****Recital 23***Text proposed by the Commission*

(23) Organic livestock and aquaculture production housing, including where relevant the aquatic medium, should satisfy the behavioural needs of the animals. Specific housing conditions and husbandry practices should be laid down with regard to certain animals, including bees. Those conditions and practices should ensure a high level of animal welfare, which in certain aspects should go beyond the Union animal welfare standards applicable to livestock production in general. In most cases livestock should have permanent access to open air areas for grazing and such open air areas should in principle be organised under an appropriate system of rotation.

Amendment

(23) Organic livestock and aquaculture production housing, including where relevant the aquatic medium, should satisfy the behavioural needs of the animals. Specific housing conditions and husbandry practices should be laid down with regard to certain animals, including bees. Those conditions and practices should ensure a high level of animal welfare, ***as well as site-adapted and land-related livestock production***, which in certain aspects should go beyond the Union animal welfare standards applicable to livestock production in general. In most cases livestock should have permanent access to open air areas ***by taking into account their physiological needs*** for grazing and such open air areas should in principle be organised under an appropriate system of rotation.

Or. en

Justification

Amendment corresponding to rapporteur's amendments to Article 5 - paragraph 1 - point f and Annex 2 - section 2 - part 1 - point 1.6 - point 1.6.2.

Amendment 17

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. ***Attaching elastic bands to the tails of sheep and tail-docking may be authorised by the competent authority for reasons of safety for animal and human or if they are intended to improve the health, welfare or hygiene of the livestock.***

Or. en

Justification

Amendment corresponding to rapporteur's amendment to Annex 2 - section 2 - part 1 - point 1.7 - point 1.7.9.

Amendment 18

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 ***both in terms of quality and quantity. A part of the ration may contain feed from holdings which are in conversion 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 specifically proteins are currently not available on the market in sufficient quantity and are needed to***

ensure animal health in organic production, the Commission should take the necessary measures to support the production of proteins in organic form.

Or. en

Justification

Amendment corresponding to rapporteur's amendment to Annex 2 - section 2 - part 1 - point 1.4 - point 1.4.1 - paragraph 1 - point b.

Amendment 19

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

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 livestock housing, including minimum surface areas indoors and outdoors and the maximum number of animals per hectare, ***nutrition***, disease prevention and veterinary treatment.

Or. en

Justification

Amendment corresponding to rapporteur's amendment to Article 11 - paragraph 2 - introductory part.

Amendment 20

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, 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.***

Or. en

Justification

Amendment corresponding to rapporteur's amendments to Article 12 - paragraph 2 and paragraph 3.

Amendment 21

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

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 ***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.

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 the ***techniques used in feed processing and in respect of the specific production rules for processed food as regards 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.

Or. en

Justification

Amendment corresponding to rapporteur's amendments to Article 13 - paragraph 2 - (introductory part, points a, b, c, d, e, f, g, h and i) and Article 13a (new) - paragraph 3.

Amendment 22

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 23**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.

Or. en

Justification

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

Amendment 24**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,***

Amendment

(42) ***For certain animal species, certain aquatic plants and certain micro algae, where the detailed*** production rules ***are not laid down, the rules provided for labelling and for the controls and certification should apply. Pending the inclusion of detailed production rules in this field, national rules or, in the absence thereof,***

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.

private standards recognised by the Member states should apply and be notified to the Commission.

Or. en

Justification

Amendment corresponding to rapporteur's amendment to Article 16.

Amendment 25

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 a growing offer*** 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 market of inputs*** should be ***created through this regulation so that exceptions can be phased out as soon as possible***.

Amendment 26

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

(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 ***exceptional production*** rules for addressing such cases and for the necessary monitoring and reporting requirements.

Or. en

Justification

Amendment corresponding to rapporteur's amendment to Article 17 - paragraph 1.

Amendment 27

Proposal for a regulation

Recital 46

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.

Or. en

Justification

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

Amendment 28

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.

Or. en

Justification

Amendment corresponding to rapporteur's amendments to Article 19 - paragraph 1 - subparagraph 1 - point da (new) and subparagraph 2 - points ba (new) and bb (new).

Amendment 29

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 ***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.***

Or. en

Justification

Amendment corresponding to rapporteur's amendments to Article 19 - paragraph 3 and paragraph 5.

Amendment 30

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 operators, control authorities and control bodies. It may also entail a different treatment of operators in the Union and

Amendment

deleted

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).*

Or. en

Justification

Amendment corresponding to rapporteur's amendment to Article 20 - paragraph 1.

Amendment 31

**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

Or. en

Justification

Amendment corresponding to rapporteur's amendment to Article 20 - paragraph 2.

Amendment 32

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 the European Union and the rules relating thereto.

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.

Or. en

Justification

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

Amendment 33

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,

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 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 ...).

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. ***However, specific rules for organic production, concerning the control of the production process throughout the organic production chain should remain in 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 ...).

Or. en

Amendment 34

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.

Furthermore, Member States should make dedicated use of measures of cooperation between farmers, especially small farmers being eligible under Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development.

Or. en

Amendment 35

**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 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***

Amendment

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

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.

Or. en

Justification

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

Amendment 36

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

Or. en

Justification

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

Amendment 37

Proposal for a regulation

Recital 65

Text proposed by the Commission

(65) The possibility for organic products to get access to the Union market where such products do not comply with the Union rules on organic production but come from third countries whose organic production and control systems have been recognised as equivalent to those of the Union should be preserved. However, the recognition of equivalence of third countries, as laid down in Regulation (EC) No 834/2007, should only be granted through an international agreement between the Union and those third countries, where a ***reciprocal*** recognition of equivalence ***would be also pursued for the*** Union.

Amendment

(65) The possibility for organic products to get access to the Union market where such products do not comply with the Union rules on organic production but come from third countries whose organic production and control systems have been recognised as equivalent to those of the Union should be preserved. However, the recognition of equivalence of third countries, as laid down in Regulation (EC) No 834/2007, should only be granted through an international agreement between the Union and those third countries, where a recognition of equivalence ***can be substantiated by regional criteria to be certified by competent authorities of the European*** Union.

Or. en

Justification

Amendment corresponding to rapporteur's amendment 30a (new).

Amendment 38

Proposal for a regulation

Recital 67

Text proposed by the Commission

(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

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

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 equivalence and compliance were appropriate***. However, sufficient time should be given to those control authorities and control bodies so that they can prepare themselves for obtaining recognition for the purposes of import of products complying with Union rules.

Or. en

Amendment 39

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

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, ***possible completion of the criteria laid down in annex xxx*** 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

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.

necessary for the supervision of their recognition and the **laying down of provisions of 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 the recognition, and in respect of the controls and other actions to be performed by control authorities and control bodies recognised by the Commission.**

Or. en

Justification

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

Amendment 40

Proposal for a regulation Recital 69 a (new)

Text proposed by the Commission

Amendment

(69 a) The power to adopt certain acts should be delegated to the Commission in respect of the application of measures in relation to cases of non-compliance, or suspicion thereof, affecting the integrity of imported organic products, in respect of the application of measures in relation to cases on non-compliance, or suspicion thereof, 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 suspicion of non compliance, withdrawal

of recognition or suspension of authorisation should be immediately communicated to all competent authorities and control bodies in order to avoid placing on the market of non-authorised products.

Or. en

Justification

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

Amendment 41

**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.

Or. en

Justification

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

Amendment 42

**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.

Or. en

Justification

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

Amendment 43

Proposal for a regulation
Recital 73

Text proposed by the Commission

(73) Furthermore, a date for the expiration of the recognition of control authorities and control bodies for the purpose of equivalence should be set and provisions to address the situation until the expiration of their recognition should be laid down. Provisions should also be laid down regarding applications from third countries for the purpose of equivalence which have been submitted under Regulation (EC) No 834/2007 and which are pending at the time of entry into force of this Regulation.

Amendment

deleted

Amendment 44

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 regards the ***exchange of information***

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 database for the listing of the varieties for which plant reproductive material obtained by the organic production method is available, 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 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, as regards the establishment of a list of third countries recognised under Article 33(2) of Regulation (EC) No 834/2007 as regards the establishment of the list of control authorities and control bodies recognised

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.

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 Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Or. en

Justification

Amendment corresponding to rapporteur's amendments to Article 19 - paragraph 5, Article 26 - paragraph 4, Article 29 - paragraph 8, Article 31 - paragraph 6 and Article 33 - paragraph 2.

Amendment 45

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

Amendment

(77) In order to ensure *that* organic plant reproductive material and animals for *organic* breeding purposes *are available on the EU market in sufficient quantity, a study and data collection from member states is needed so as to evaluate the extent of non-availability of these inputs and gaps of the market for the organic sector. The outcome of the study and data analysis shall be the basis for further reflections and measures to be taken in order to increase the offer of these inputs for organic farms. Exceptions currently in force in Regulation (EC) No 834/2007 and the exception to production rules adopted pursuant to Article 22 of that Regulation* should be phased-out when *availability has been improved.*

Or. en

Amendment 46

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

Amendment

(78) The Commission should consider the situation of the *conditions and support for breeding and* availability of organic plant reproductive material and animals for

this end to the European Parliament and the Council in **2021**.

breeding purposes and present a report to this end to the European Parliament and the Council in **2018**. ***This report should provide the necessary data to identify the reasons for insufficient incentives for breeding of plants and animals for organic farming and missing accessibility of plant and animal reproductive material. It should also provide proposals for an action plan for closing those gaps and measures to be taken to stimulate the market in this field before setting targets of phasing-out and ending exceptions in this field.***

Or. en

Justification

Amendment corresponding to rapporteur's amendment to Article 10 - paragraph 2 and Article 35 - paragraph 1.

Amendment 47

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 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

Amendment

(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 *which need to be addressed in the framework of the organic regulation to better address instances of non-compliance. These include* tasks and responsibilities of competent authorities, the approval and supervision of delegated bodies, official certification, reporting obligations and administrative assistance *and* should be adapted to the specific needs of the organic production sector.

production sector. Regulation (EU) No XXX/XXX [official controls Regulation] should therefore be amended accordingly.

Regulation (EU) No XXX/XXX [official controls Regulation] should therefore be amended accordingly *so as to refer to these specific needs within this regulation.*

Or. en

Justification

Amendment corresponding to rapporteur's amendment to Article 24 concerning the specific control provisions for organic farming.

Amendment 48

Proposal for a regulation Article 1 – paragraph 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 ***its control and certification and*** lays down the rules concerning organic production, ***processing, distribution and its control*** and the use of indications referring thereto in labelling and advertising. ***It provides 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 as well as helping farmers to achieve a fair income and ensuring consumer confidence and protecting consumer interests.***

Or. en

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 49

Proposal for a regulation

Article 2 – paragraph 1 – subparagraph 1

Text proposed by the Commission

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**.

Amendment

This Regulation shall apply to *the following* products *originating from agriculture, including aquaculture, where such products are produced, prepared, distributed, placed on the market, imported or exported or are intended to be placed on the market, imported or exported:*

- (a) live or unprocessed agricultural products, including seed and other plant reproductive material;*
- (b) processed agricultural products for food or human consumption;*
- (c) feed;*
- (d) algae and aquaculture animals;*
- (e) wine;*
- (f) yeast;*
- (g) mushrooms;*
- (h) collected wild plants and parts thereof*
and to 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.

Or. en

Justification

The scope defined in this Article and in Annex I should remain the same as under existing Regulation (EU) No 834/2007.

Amendment 50

Proposal for a regulation

Article 2 – paragraph 2 – subparagraph 2

Text proposed by the Commission

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

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).

Or. en

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 51

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***

Or. en

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 52

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).***

³⁷ [full title] (OJ L,...).

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, including legislation on foodstuffs and animal nutrition.***

³⁷ [full title] (OJ L,...).

Or. en

Justification

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

Amendment 53

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

Or. en

Justification

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

Amendment 54

Proposal for a regulation

Article 3 – paragraph 1 – point 1

Text proposed by the Commission

Amendment

(1) 'organic production' means the use of production **methods** compliant with this Regulation, at all stages of production, preparation and distribution;

(1) 'organic production' means the use of **the** production **method** compliant with **the rules established in** this Regulation, at all stages of production, preparation and distribution;

Or. en

Justification

Adding production methods and rules provides further precision.

Amendment 55

Proposal for a regulation

Article 3 – paragraph 1 – 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' ***or 'aquacultural raw material'*** means an agricultural ***or aquacultural*** product that has not been subjected to any operation of ***processing and preparation***;

Or. en

Amendment 56

Proposal for a regulation

Article 3 – paragraph 1 – 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 authorised under this Regulation;

Amendment

(4) 'preventive ***and precautionary*** measures' means measures to be taken in order to ensure ***organic production*** quality as well as ***preservation of biodiversity*** and to prevent contamination with products or substances that are not authorised under this Regulation ***at all stages of production, preparation and distribution***;

Or. en

Justification

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

Amendment 57

Proposal for a regulation

Article 3 – paragraph 1 – point 5

Text proposed by the Commission

(5) 'conversion' means the transition from non-organic to organic production within a

Amendment

(5) 'conversion' means the transition from non-organic to organic production within a

given period of time;

given period of time *during which the provisions related to organic production have been applied*;

Or. en

Amendment 58

Proposal for a regulation

Article 3 – paragraph 1 – 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 *small* operators' means a group in which each *operators annual turnover of the food production unit is not exceeding 25.000 EUR*, and who may, in addition to producing food or feed, be engaged in processing, *preparation or marketing* of food or feed *and whose production units are close to each other geographically*;

Or. en

Amendment 59

Proposal for a regulation

Article 3 – paragraph 1 – point 10 a (new)

Text proposed by the Commission

Amendment

(10 a) 'organic plant breeding and variety development' means enhancing genetic diversity and relying on natural reproductive ability. Organic plant breeding shall make plants best comply with the requirements of this regulation. It is 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 varieties are obtained by an organic plant breeding programme;

Or. en

Amendment 60

Proposal for a regulation

Article 3 – paragraph 1 – point 10 b (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 61

Proposal for a regulation

Article 3 – paragraph 1 – point 10 c (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 62

Proposal for a regulation

Article 3 – paragraph 1 – point 10 d (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 63

Proposal for a regulation

Article 3 – paragraph 1 – point 10 e (new)

Text proposed by the Commission

Amendment

(10 e) 'organic animal breeding' means enhancing genetic diversity and relying on the natural reproductive ability of the animals. Organic animal breeding shall make animals best comply with the requirements of this regulation, focussing on disease resistance and longevity and adaptation to climatic and natural conditions;

Or. en

Amendment 64

Proposal for a regulation

Article 3 – paragraph 1 – point 16 a (new)

Text proposed by the Commission

Amendment

(16 a) 'laying pullets' means young animals of the Gallus gallus species intended for egg production and of an age of less than 19 weeks;

Or. en

Amendment 65

Proposal for a regulation

Article 3 – paragraph 1 – point 16 b (new)

Text proposed by the Commission

Amendment

(16 b) 'laying hens or parent stock' means animals of the species gallus gallus kept for egg production from 18 weeks;

Or. en

Amendment 66

Proposal for a regulation

Article 3 – paragraph 1 – point 16 c (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 67

Proposal for a regulation

Article 3 – paragraph 1 – point 16 d (new)

Text proposed by the Commission

Amendment

(16 d) 'usable area' means as defined in Council Directive 1999/74/EC^{38 a} an area (inside the poultry house) at least 30 cm wide with a floor slope not exceeding 14 %, with headroom of at least 45 cm. Nesting areas shall not be regarded as usable areas;

^{38 a} **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. 53–57)**

Or. en

Justification

Art. 2.2 (d) of Council Directive 1999/74/EC

Amendment 68

Proposal for a regulation

Article 3 – paragraph 1 – point 16 e (new)

Text proposed by the Commission

Amendment

(16 e) 'direct environmental aspect' means an environmental aspect associated with activities, products and services of the organisation itself over which it has direct

*management control as defined
in Regulation (EC) No 1221/2009^{38 b} ;*

^{38 b} *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).*

Or. en

Justification

Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) defines in its article 2 paragraph 6 "direct environmental aspect" as "environmental aspect associated with activities, products and services of the organisation itself over which it has direct management control". This amendment is linked to the amendment on Article 7 (1) (d).

Amendment 69

Proposal for a regulation

Article 3 – paragraph 1 – point 16 f (new)

Text proposed by the Commission

Amendment

*(16 f) 'core indicators' means ... as
defined in Regulation (EC) No
1221/2009;*

Or. en

Amendment 70

Proposal for a regulation

Article 3 – paragraph 1 – point 16 g (new)

Text proposed by the Commission

Amendment

*(16 g) 'environmental performance'
means the measurable results of an
organisation's management of its*

Justification

'environmental performance' as defined in point 2 of Article 2 of Regulation (EC) No 1221/2009

Amendment 71

Proposal for a regulation

Article 3 – paragraph 1 – point 20

Text proposed by the Commission

(20) 'preparation' means the operations of preserving or processing of organic products, including slaughter and cutting for livestock products, packaging, labelling or alterations made to the labelling relating to organic production;

Amendment

(20) 'preparation' means the operations of preserving or processing of organic products, including slaughter and cutting for livestock products, packaging, labelling or alterations made to the labelling relating to ***the*** organic production ***method***;

Or. en

Justification

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

Amendment 72

Proposal for a regulation

Article 3 – paragraph 1 – point 21

Text proposed by the Commission

(21) ***'food' means food*** as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council⁴¹ ;

Amendment

(21) ***'food', 'feed' and 'placing on the market' mean 'food', 'feed' and 'placing on the market'*** as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council⁴¹ ;

⁴¹ 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,

⁴¹ 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).

establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

Or. en

Amendment 73

Proposal for a regulation

Article 3 – paragraph 1 – 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, with the exclusion of those harvested in the 12 months following the beginning of the conversion;

Or. en

Amendment 74

Proposal for a regulation

Article 3 – paragraph 1 – point 24 a (new)

Text proposed by the Commission

Amendment

(24 a) region means NUTS I and NUTS I regions which have a common border with that region.

Or. en

Justification

The current regulation has not defined the term of region. Some MS have defined the EU as a region, others have been much more restrictive. Nuts I regions and bordering regions seem to allow for sufficient access to organic feed.

Amendment 75

Proposal for a regulation

Article 3 – paragraph 1 – 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;

Or. en

Amendment 76

Proposal for a regulation

Article 3 – paragraph 1 – 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 conferred, in whole or in part, its competence for the inspection and certification in the field of organic production and labelling in accordance with the provisions set out under this Regulation; it shall also include, where appropriate, the corresponding authority of a third country or the corresponding authority operating in a third country;***

Or. en

Amendment 77

Proposal for a regulation

Article 3 – paragraph 1 – 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***

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***

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;

the provisions set out under this Regulation; it shall also include, where appropriate, the corresponding body of a third country or the corresponding body operating in a third country;

Or. en

Amendment 78

Proposal for a regulation

Article 3 – paragraph 1 – point 35 a (new)

Text proposed by the Commission

Amendment

(35 a) 'compliance' means compliance with this regulation and its annexes, the subsequent delegated and implementing acts and the specific regulations referred to under this Regulation;

Or. en

Amendment 79

Proposal for a regulation

Article 3 – paragraph 1 – point 36

Text proposed by the Commission

Amendment

(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 Council*⁴³ *which is not obtained through the techniques of genetic modifications listed in Annex I.B to that Directive, hereinafter referred to as 'GMO';*

(36) 'genetically modified organism (**GMO**)' means a genetically modified organism as defined *in 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 (9);*

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).

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 80

Proposal for a regulation

Article 3 – paragraph 1 – 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**', **in describing different systems or measures**, means **that they are** meeting the same objectives and principles by applying rules which ensure the same level of assurance of conformity;

Or. en

Amendment 81

Proposal for a regulation

Article 3 – paragraph 1 – 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^{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. 16–23)**

Or. en

Justification

(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 82

Proposal for a regulation

Article 3 – paragraph 1 – point 43 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 83

Proposal for a regulation

Article 3 – paragraph 1 – point 43 b (new)

Text proposed by the Commission

Amendment

(43 b) 'production unit' means all assets to be used for a production sector such as production premises, land, parcels, pastures, open air areas, livestock buildings, ponds, crop storage facilities, crop products, livestock products, raw materials and any other input relevant for the organic production sector;

Or. en

Amendment 84

Proposal for a regulation

Article 3 – paragraph 1 – point 43 c (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 85

Proposal for a regulation

Article 3 – paragraph 1 – point 43 d (new)

Text proposed by the Commission

Amendment

(43 d) '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 sub-soil and bedrock;

Or. en

Amendment 86

Proposal for a regulation

Article 3 – paragraph 1 – point 43 e (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 87

Proposal for a regulation

Article 3 – paragraph 1 – point 43 f (new)

Text proposed by the Commission

Amendment

(43 f) 'pre-packed food' means a pre-packed food as defined in Article 2(2)(e) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council;

Or. en

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 88

Proposal for a regulation Chapter 2 – title

Text proposed by the Commission

Amendment

Principles of organic production

Objectives and principles of organic production

Or. en

Amendment 89

Proposal for a regulation Chapter 2 – title

Text proposed by the Commission

Amendment

Principles ***of*** organic production

Objectives and principles ***for organic production***

Article 3a - Objectives

Organic production shall pursue the following general objective to establish a sustainable management system for organic production that:

(a) respects nature's systems and cycles and sustains and enhances the health of soil, water, plants and animals and the balance between them;

(b) establishes 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 and

- deliver a substantial contribution to a non-toxic environment;

- make a responsible use of and contributes to saving of energy and water and preserves the natural resources, such as water, soil, organic matter and air;

- respect high animal welfare standards and in particular meets animals' species-specific behavioural needs;

- improve environmental performance of processors and traders

Or. en

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 90

Proposal for a regulation

Article 4 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(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;

deleted

Or. en

Justification

This aspect is included in 3a (new) defining objectives

Amendment 91

Proposal for a regulation

Article 4 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(d a) the production of a wide variety of foods and other agricultural and aquacultural products of high quality to enhance a resilient food system and public health;

Or. en

Justification

from Council Regulation (EC) No 834/2007

Amendment 92

Proposal for a regulation

Article 4 – paragraph 1 – point e – point ii

Text proposed by the Commission

Amendment

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

(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 water;**
- crop rotation, except for permanent crops;**
- use of seeds and animals with high degree of genetic diversity resistance**

against diseases and longevity ;

Or. en

Amendment 93

Proposal for a regulation

Article 4 – paragraph 1 – point e – point iv

Text proposed by the Commission

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

Amendment

(iv) are based on **risk assessment and** the use of **precautionary** measures, when appropriate;

Or. en

Amendment 94

Proposal for a regulation

Article 5 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(d a) sustainment of the health of plants and animals;

Or. en

Amendment 95

Proposal for a regulation

Article 5 – paragraph 1 – 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 **as well as site-adapted and land-related livestock production;**

Or. en

Amendment 96

Proposal for a regulation

Article 5 – paragraph 1 – 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, animal cloning, artificially induced polyploidy ***in animal production, production of monosex strains,*** **and** ionising radiation from the whole organic food chain;

Or. en

Justification

Amendment in conformity with Article 15 of Regulation 834/2007.

Amendment 97

Proposal for a regulation

Article 5 – paragraph 1 – point h a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 98

Proposal for a regulation

Article 5 – paragraph 1 – 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) ***biodiversity maintenance of natural aquatic ecosystems,*** the continuing health of the aquatic environment and the quality of surrounding aquatic and terrestrial ecosystems ***in aquaculture production;***

Or. en

Amendment 99

Proposal for a regulation

Article 5 – paragraph 1 – point j a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 100

Proposal for a regulation

Article 5 – paragraph 1 – point j b (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 101

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

Or. en

Justification

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

Amendment 102

Proposal for a regulation

Article 6 – paragraph 1 – introductory part

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 103

Proposal for a regulation

Article 6 – paragraph 1 – point a

Text proposed by the Commission

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

Amendment

(a) **the** production of organic food from organic agricultural ingredients **excepts where an ingredient is temporarily not available in an organic form. In such cases, exceptions shall be authorised by competent authorities subject to notification to the Commission;**

Or. en

Amendment 104

Proposal for a regulation

Article 6 – paragraph 1 – point b

Text proposed by the Commission

(b) **production of organic feed from organic feed materials;**

Amendment

deleted

Or. en

Justification

This issue should be dealt within a new article on organic feed.

Amendment 105

Proposal for a regulation

Article 6 – paragraph 1 – point c

Text proposed by the Commission

(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;

Amendment

(c) **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;

Or. en

Amendment 106

Proposal for a regulation

Article 6 – paragraph 1 – point d

Text proposed by the Commission

(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;

Amendment

deleted

Or. en

Justification

The feed issue should be covered under a new article on specific principles applicable to the processing of organic feed.

Amendment 107

Proposal for a regulation

Article 6 – paragraph 1 – point f

Text proposed by the Commission

(f) processing of food ***or feed*** with care, preferably through the use of biological,

Amendment

(f) processing of food with care, preferably through the use of biological, mechanical

mechanical and physical methods.

and physical methods.

Or. en

Amendment 108

Proposal for a regulation

Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6 a

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) production of organic feed from organic feed materials except where a feed material is not available in an organic form. In such cases, exceptions shall be authorised by competent authorities subject to notification to the Commission;

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

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

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

Or. en

Amendment 109

Proposal for a regulation

Article 7 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(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;

(b) save as otherwise provided ***for in Part I, II or III of Annex II, for purposes specified in paragraph 1 of Article 19***, 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;

Or. en

Amendment 110

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, mass catering operators*** and operators producing ***algae*** or aquaculture animals shall put in place ***methods for identifying and measuring the direct environmental aspects of the operation which are based on an annual target set for the continuous improvement of the environmental performance of the operation, including a documentation and reporting system. Such requirements are part of the organic certification process.***

Or. en

Justification

Improving the environmental performance is needed in the entire organic food chain, therefore mass catering operators should not be excluded. Furthermore, the environmental management system should be part of the organic certification process.

Amendment 111

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 up in Chapter II** providing the criteria to which the **requirements for environmental performance measures taken in organic operations** 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

Or. en

Amendment 112

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. Farmers and operators producing **seaweed** or aquaculture animals shall respect a conversion period. During the whole conversion period they shall apply **the** rules on organic production laid down in this Regulation and, in particular, the specific rules on conversion set out in Annex II.

Amendment

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

Or. en

Justification

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

Amendment 113

Proposal for a regulation

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

Wording from Council Regulation (EC) No 834/2007.

Amendment 114

Proposal for a regulation

Article 8 – paragraph 2 – subparagraph 1

Text proposed by the Commission

By way of derogation from paragraph 2, in cases where the land has been left fallow before the notification referred to in Article 24(1) for at least the time period required for conversion and provided that other necessary requirements are fulfilled, no conversion period shall be necessary for this fallow land

Amendment

By way of derogation from paragraph 2, in cases where the land has been left fallow before the notification referred to in Article 24(1) for at least the time period required for conversion and provided that other necessary requirements are fulfilled, no conversion period shall be necessary for this fallow land.

The 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 defined 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 that the parcels were either natural or agricultural areas which were not treated with products or substances not authorised for organic production for a period of at least three years.

Or. en

Justification

The wording of the existing Commission Regulation (EC) No 889/2008 is lost in the Commission proposal and should be reintroduced.

Amendment 115

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

Or. en

Justification

Article 3 - paragraph 5 as amended by the rapporteur already clarifies that ‘conversion’ means the transition from non-organic to organic production within a given period of time during which the provisions concerning the organic production have been applied.

Amendment 116

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 can be marked as conversion products, provided that such products contain only one crop ingredient of agricultural origin.***

Or. en

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 117

Proposal for a regulation
Article 8 – paragraph 5

Text proposed by the Commission

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.

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.

The farmer or operator shall keep adequate records of the separation.

Or. en

Justification

This addition is to clarify the wording concerning the obligations which have to be fulfilled by operators in line with Article 11 paragraph 2 of Council Regulation (EC) No 834/2007.

Amendment 118

Proposal for a regulation Article 8 – paragraph 6

Text proposed by the Commission

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.

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 the rules set out in Annex II as regards conversion.

Or. en

Amendment 119

Proposal for a regulation Article 9 – paragraph 2

Text proposed by the Commission

2. For the purposes of paragraph 1, with regard to GMOs or products produced from or by GMOs for food and feed, operators **may** rely on the labels of a product or any other accompanying document, affixed or provided pursuant to Directive 2001/18/EC, Regulation (EC) No 1829/2003 of the European Parliament and of the Council⁴⁸ or Regulation (EC) No 1830/2003 of the European Parliament and of the Council⁴⁹.

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

Amendment

2. For the purposes of **the prohibition referred to in** paragraph 1, with regard to GMOs or products produced from or by GMOs for food and feed, operators **shall** rely on the labels of a product or any other accompanying document, affixed or provided pursuant to Directive 2001/18/EC, Regulation (EC) No 1829/2003 of the European Parliament and of the Council or Regulation (EC) No 1830/2003 of the European Parliament and of the Council.

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).

genetically modified organisms and
amending Directive 2001/18/EC (OJ L
268, 18.10.2003, p. 24).

Or. en

Amendment 120

Proposal for a regulation

Article 9 – paragraph 3 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

For the purpose of the prohibition referred to in paragraph 1, with regard to products not being 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.

Or. en

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 121

Proposal for a regulation

Article 10 – paragraph 2

Text proposed by the Commission

Amendment

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

2. Each Member State shall ensure that a computerised database is established for listing the varieties, ***including open pollinated varieties and*** 'heterogeneous material' ***such as as landraces, varieties with no intrinsic value for commercial exploitation or selections thereof, meaning plant reproductive material that does not belong to a variety and is not a mixture of varieties protected by a plant***

breeders right or patent, for which plant reproductive material obtained by the organic production method is available on its territory.

For plant reproductive material made available for use in organic agriculture, the minimum requirements as regards the uniformity, distinctness and stability of a variety, and, where applicable, its value for cultivation and use (VCU), as set out in directives

(a) Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed, Articles 3 (1) and 3 (2);

(b) Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed, Article 3 (1)

(c) Council Directive 68/193/EEC of 9 April 1968 on the marketing of material for the vegetative propagation of the vine, Article 3 (1);

(d) Council Directive 2002/53/EC of 13 June 2002 on the common catalogue of varieties of agricultural plant species, Articles 4 (1) and 4 (2);

(e) Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed, Article 3 (1);

(f) Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed, Article 3 (1);

(g) Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes, Article 3 (1);

(h) Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants, Articles 3 (1) and 3 (2);

(i) Council Directive 2008/72/EC of 15 July 2008 on the marketing of vegetable propagating and planting material, other than seed, Articles 9 (1) and 9 (2);

(j) Council Directive 2008/90/EC of 29

September 2008 on the marketing of fruit propagating material and fruit plants intended for fruit production, Articles 3 (1) and 7 (1)

shall not apply.

To provide for an up-to-date overview of the demand - supply ratios regarding plant reproductive material for organic farming the Commission assesses the status of availability of organic plant reproductive material until 2019 and thereafter at least every two years, informing the European Parliament and the Council on its results.

The study shall assess for each sub-market the availability of organic plant reproductive material ; the diversity of that material and the actors offering it; the actual demand for plant reproductive material and the forecasted demand for plant reproductive material for the next 5 years.

A sub-market for the realm of those studies is defined as the tuple of a crop (defined as a botanical species or sub-species (i.e. for Brassica oleracea) and a region, whereas the region cannot be larger than a Member State; one Member State shall be divided into as many regions as necessary in view of different growing conditions based on climate, soil types, altitude or land use characteristics resulting in demand for plant reproductive material that is different from one region to another, with a view to compare the regional markets in a fair and non-discriminating manner.

Where a study performed pursuant to this article reveals that, for some sub-markets, the supply-demand ratio is below 80%, the Commission shall provide for adequate and effective incentives to operators willing to offer organic plant reproductive material.

Such incentives shall be outlined in detail in the relevant Organic Action Plan and shall include support for necessary investments by private operators into production facilities, quality control measures, distribution systems and pre-marketing research and development, marketing support through websites run by the Commission and Member States, or associations of organic farmers or organic control bodies, participatory capital for SMEs dedicated to offering organic plant reproductive material, project grants for breeding new varieties suitable for organic agriculture.

Or. en

Justification

The offer of seeds for organic production is still low. The current regulation has not sufficiently stimulated this offer. This amendment suggests to create a dynamic based on data collection and to set up a market driven approach for stimulating the production and the use of organic seeds and other reproductive material

Amendment 122

Proposal for a regulation

Article 10 – paragraph 3 – introductory part

Text proposed by the Commission

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:

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 supplementing the specific plant production rules as regards:

Or. en

Amendment 123

Proposal for a regulation

Article 10 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) cultivation practices;

deleted

Or. en

Amendment 124

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;*

Or. en

Amendment 125

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;*

Or. en

Amendment 126

Proposal for a regulation

Article 10 – paragraph 3 – point d a (new)

Text proposed by the Commission

Amendment

(d a) other specific plants and plant production systems;

Or. en

Amendment 127

Proposal for a regulation

Article 10 – paragraph 3 – point e

Text proposed by the Commission

(e) the origin of plant reproductive material;

Amendment

deleted

Or. en

Amendment 128

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 2.2. of Part I of Annex II.*

Or. en

Amendment 129

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.

Or. en

Amendment 130

Proposal for a regulation

Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. New species-specific rules incorporated into this Regulations shall be prepared and agreed at least 2 years before the obligation to follow these new species rules are coming into force. These rules must be designed to meet all physiological and behavioural needs of the species.

Cages shall not be permitted for any vertebrate species except fish.

Or. en

Justification

This is a transitional rule for new species.

Amendment 131

Proposal for a regulation

Article 11 – paragraph 2 – introductory part

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 132

Proposal for a regulation

Article 11 – paragraph 2 – point a

Text proposed by the Commission

(a) the origin of animals;

Amendment

deleted

Amendment 133

Proposal for a regulation

Article 11 – paragraph 2 – point b

Text proposed by the Commission

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

Amendment

(b) livestock housing, including minimum surface areas indoors and outdoors and the maximum number of animals per hectare *as laid down in points 2.1.3., 2.1.4., 2.2.3., 2.2.4., 2.3.3., 2.3.4., 2.4.4., 2.4.5., 2.4.6., 2.5.5. and 2.5.6. of Part II of Annex II;*

Or. en

Amendment 134

Proposal for a regulation

Article 11 – paragraph 2 – point c

Text proposed by the Commission

(c) husbandry practices;

Amendment

deleted

Or. en

Amendment 135

Proposal for a regulation

Article 11 – paragraph 2 – point d

Text proposed by the Commission

(d) breeding;

Amendment

deleted

Or. en

Amendment 136

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*;

Or. en

Amendment 137

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*.

Or. en

Amendment 138

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

Or. en

Amendment 139

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.

Or. en

Amendment 140

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:

Or. en

Amendment 141

Proposal for a regulation

Article 12 – paragraph 2 – point a

Text proposed by the Commission

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

Amendment

deleted

Or. en

Amendment 142

Proposal for a regulation

Article 12 – paragraph 2 – point b

Text proposed by the Commission

(b) the harvesting of wild *seaweed*;

Amendment

(b) the harvesting of wild *algae*;

Or. en

Amendment 143

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***;

Or. en

Amendment 144

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:

Or. en

Amendment 145

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

Or. en

Amendment 146

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 *as laid down in point 4.1.2. of Part III of Annex II*;

Or. en

Amendment 147

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*;

Or. en

Amendment 148

Proposal for a regulation

Article 12 – paragraph 3 – point d

Text proposed by the Commission

(d) *breeding*;

Amendment

deleted

Or. en

Amendment 149

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*;

Or. en

Amendment 150

Proposal for a regulation

Article 12 – paragraph 3 – point f

Text proposed by the Commission

(f) feed and feeding;

Amendment

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

Or. en

Amendment 151

Proposal for a regulation

Article 12 – paragraph 3 – point g

Text proposed by the Commission

(g) disease prevention and veterinary *treatment.*

Amendment

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

Or. en

Amendment 152

Proposal for a regulation

Article 13 – title

Text proposed by the Commission

Production rules for processed *food and* feed

Amendment

Production rules for processed feed

Or. en

Justification

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

Amendment 153

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.

Or. en

Justification

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

Amendment 154

Proposal for a regulation

Article 13 – paragraph 2 – introductory part

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 155

Proposal for a regulation

Article 13 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) procedures to be followed;

deleted

Or. en

Amendment 156

Proposal for a regulation

Article 13 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) preventive measures to be taken;

deleted

Or. en

Amendment 157

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

Or. en

Amendment 158

Proposal for a regulation

Article 13 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) cleaning measures;

deleted

Or. en

Amendment 159

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*

Or. en

Amendment 160

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*

Or. en

Amendment 161

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*

Or. en

Amendment 162

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 *deleted*

Article 21(3)(a)(ii) and (b);

Or. en

Amendment 163

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.

Or. en

Amendment 164

Proposal for a regulation

Article 13 a (new)

Text proposed by the Commission

Amendment

Article 13 a

Production rules for processed food

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

2. In addition to the general production rules laid down in Article 6, 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 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; in order to determine 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, as well as 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) 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;

(b) the lists, as laid down in points 2.2.4. and 2.2.5. of Part IV of Annex II, of non-organic agricultural ingredients which may exceptionnally be used for the production of organic processed products;

(c) the rules for the calculation of the percentage of agricultural ingredients referred to in Article 21(3)(a)(ii) and (b) as laid down in point 2.2.3. of Part IV of Annex II;

Justification

This amendment is taking substance from basic text of the current regulation into the basic act in order to be more specific on basic rules.

Amendment 165

Proposal for a regulation

Article 14 – paragraph 2

Text proposed by the Commission

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

Amendment

2. In order to ensure quality, traceability and compliance with this Regulation as regards organic wine production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific wine production rules as regards oenological practices and restrictions ***as laid down in points 3.2., 3.3., 3.4. and 3.5. of Part V of Annex II.***

Or. en

Amendment 166

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 IV of Annex II.***

Amendment 167

Proposal for a regulation

Article 16 – paragraph 1

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 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.

Amendment

For certain animal species, certain aquatic plants and certain micro algae, where the detailed production rules are not laid down, the rules provided for labelling in chapter IV and for the controls and certification in chapter V shall apply. Pending the inclusion of detailed production rules in this field, national rules or, in the absence thereof, private standards recognised by Member States shall apply and be notified to the Commission.

Or. en

Amendment 168

Proposal for a regulation

Article 17 – paragraph 1

Text proposed by the Commission

In order to allow organic production to continue or recommence in the event of catastrophic circumstances and subject to the principles laid down in Chapter II, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for the criteria to qualify such situations as catastrophic and laying down *specific* rules on how to deal with them, on monitoring and on reporting requirements.

Amendment

In order to allow organic production to continue or recommence in the event of catastrophic circumstances and subject to the principles laid down in Chapter II, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for the criteria to qualify such situations as catastrophic and laying down *exceptional production* rules on how to deal with them, on monitoring and on reporting requirements.

or :

1. Exceptions from the production rules laid down in Chapter III have to be subject to the principles laid down in Chapter II. 2. Exceptions as referred to in paragraph 1 shall be kept to a minimum and, where appropriate, limited in time and may only be provided for in the following cases:

(a) where they are necessary in order to ensure that organic production can be initiated or maintained on holdings confronted with climatic, geographical or structural constraints;

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

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

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

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

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

Or. en

Justification

The specific rules of Regulation 834/2007 are reintroduced because they are more precise.

Amendment 169

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.

Or. en

Amendment 170

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(d a) as substances for use in animal health other than those mentioned under d and e;

Or. en

Justification

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

Amendment 171

Proposal for a regulation

Article 19 – paragraph 1 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

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

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

micro-nutrients;

Or. en

Justification

Clarification of restricted list of nutrients

Amendment 172

Proposal for a regulation

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

Text proposed by the Commission

Amendment

*(b a) as products and substances for
oenological practices;*

Or. en

Amendment 173

Proposal for a regulation

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 174

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 (bb) of the first
subparagraph of paragraph 1, the following
shall apply:

Or. en

Amendment 175

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;

Or. en

Amendment 176

Proposal for a regulation

Article 19 – paragraph 2 – subparagraph 2 – point b

Text proposed by the Commission

(b) it would be impossible to produce or preserve ***the*** food or to fulfil given dietary requirements provided for on the basis of the Union legislation, without having recourse to those products and substances;

Amendment

(b) it would be impossible to produce or preserve ***those types of*** food or to fulfil given dietary requirements provided for on the basis of the Union legislation, without having recourse to those products and substances;

Or. en

Amendment 177

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 from other categories as mentioned under Article 4(f) for application as mentioned in paragraph 1 of this Article*** shall be strictly limited to cases where the use of external inputs referred to in Article 4 (f) would contribute to unacceptable impacts ***to the environment, animal or human health or product quality.***

Amendment 178

Proposal for a regulation

Article 19 – paragraph 3

Text proposed by the Commission

3. In order to ensure quality, traceability and compliance with this Regulation as regards organic production in general and the production of processed organic food in particular, and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for additional criteria for the authorisation or withdrawal of the authorisation of products and substances referred to in paragraph 1 for use in organic production in general and in the production of organic processed food in particular, ***and other requirements and conditions for the use of such authorised products and substances.***

Amendment

3. In order to ensure quality, traceability and compliance with this Regulation as regards organic production in general and the production of processed organic food in particular, and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for additional criteria for the authorisation or withdrawal of the authorisation of products and substances referred to in paragraph 1 for use in organic production in general and in the production of organic processed food in particular.

Or. en

Amendment 179

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 for amendment or withdrawal shall be published by Member States ***and the Commission.***

Or. en

Amendment 180

Proposal for a regulation

Article 19 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. The list referred to under paragraph 1 shall be reviewed every 4 years.

Or. en

Justification

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

Amendment 181

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.

Or. en

Amendment 182

Proposal for a regulation Article 20 – title

Text proposed by the Commission

Amendment

Presence of non-authorised products or

Precautionary measures, action taken in

substances

*case of suspicions and non-compliance
and compensation for adventitious
contamination*

Or. en

Amendment 183

Proposal for a regulation

Article 20 – paragraph 1

Text proposed by the Commission

Amendment

*1. Products in which the presence of
products or substances that have not been
authorised in accordance with Article 19
is detected beyond the levels established
taking account in particular of Directive
2006/125/EC, shall not be marketed as
organic.*

deleted

Or. en

Justification

The proposal to introduce a threshold for decertification of organic products in case of the presence of non authorized substances contradicts the overall process approach of this regulation and does not take into account adventitious contamination from conventional production. This approach of focussing reasons for decertification on a final products based on findings of residues, excludes the need of controls of the entire production process and possible reasons for non compliance within this process. Amendment 20a (new) establishes procedures for all types of non-compliance along the entire production process.

Amendment 184

Proposal for a regulation

Article 20 – paragraph 2

Text proposed by the Commission

Amendment

*2. In order to ensure the effectiveness,
efficiency and transparency of the organic
production and labelling system, the
Commission shall be empowered to adopt
delegated acts in accordance with Article
36 regarding the specific criteria and
conditions for the application of the levels*

deleted

referred to in paragraph 1 and regarding the establishment of those levels and their adaptation in the light of technical developments.

Or. en

Amendment 185

Proposal for a regulation Article 20 a (new)

Text proposed by the Commission

Amendment

Article 20 a

Precautionary measures and actions to be taken in case of suspicions and irregularities

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

Where an operator suspects a non-compliance with this regulation of a process, product or input material which has been sourced, produced or prepared, the operator shall separate and identify the product and assess the case based on the procedures established in accordance to the requirements of Annex II Part IV 1.2-1.4 (old 889 26 (2) to (5)) of this regulation within the operation.

If the suspicion is substantiated, the operator shall initiate withdrawal of this product from being processed or marketed and shall inform immediately the competent authorities or control body.

The operator may only process, pack or place it on the market after elimination of that suspicion, unless it is placed on the market without indication referring to the organic production method. The operator shall set up a system appropriate to the type and the size of the operation of internal verification and assessment of suspicion following procedures based on a systematic identification of critical

procedural steps.

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

(a) Where a control authority or control body is informed by an operator on a substantiated suspicion or has the information that an operator intends to place on the market a product that is not in compliance with the organic production rules but bearing a reference to the organic production method, this control authority or control body may require that the product cannot be placed on the market with indication referring to the organic production method for a time period, or until it is satisfied that the suspicion has been eliminated. The time period between the prohibition of placing on the market and tfinal decision shall be as short as possible, taking into account the durability of goods, and shall not exceed two months.

(b) In cases of such a substantiated suspicion, non-compliance and non conform behaviour the administrative co-operation between Member States, control or competent authorities shall be based on the requirements laid down in Title 4 of EU Reg. XXX (former Reg. 882).

(c) The control authority or control body shall use this time period to confirm or eliminate the suspicion. The operators involved shall cooperate fully in such a case with the control body or authority.

Before taking a final decision, the control authority or control body shall allow the operators to comment.

(d) Where a case of non-compliance is confirmed, the control authority or control body shall ensure that no reference to the organic production method is made in the labelling and advertising of the entire lot or production

run affected by this irregularity, where this would be proportionate to the relevance of the requirement that has been violated and to the nature and particular circumstances of the irregular activities.

(e) Where fraudulent behaviour by an operator is confirmed or a severe or where repeated infringement or non-compliance with prolonged effect is confirmed, 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.

(f) However, if the suspicion or substantiated suspicion is not confirmed within the said time period, the decision referred to in the first subparagraph shall be cancelled not later than the expiry of that time period set up in accordance with point (a) of this paragraph.

3. Substantiated suspicions and withdrawal of marketing authorisations shall be communicated as follows:

Cases of substantiated suspicions and non-compliance affecting the organic status of a product shall be immediately communicated between the control bodies, control authorities, competent authorities, operators and Member States involved, the Commission and the operators affected. The level of communication shall depend on the severity and the extent of the substantiated suspicion or non-compliance confirmed.

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

4. National schemes for precautionary measures and compensation schemes for

unintended contamination shall be established as follows:

In order to avoid 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.

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

By way of derogation from Article 211(1) of Regulation (EU) No 1308/2013 Member States shall establish schemes for compensating farmers for losses incurred due to the unintended contamination of their agricultural products by non-authorised substances and the impossibility to market those products as organic. Compensation shall apply provided that the farmers have taken all appropriate measures to prevent the risk of such contamination.

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

Or. en

Justification

The amendment aims to set up harmonised procedures in case of suspicion of non compliance with this regulation. It proposes precautionary measures, increased responsibility of operators and improved follow-up procedures in case of suspicion of possible non-compliance. It also suggests measures to improve communication between competent authorities, control bodies and control authorities and includes national schemes of compensation for market losses due to adventitious contamination.

Amendment 186

Proposal for a regulation

Article 21 – paragraph 1

Text proposed by the Commission

1. For the purposes of this Regulation, a product shall be regarded as bearing terms referring to organic production where, in the labelling, advertising material or commercial documents, such a product, its ingredients or feed materials are described in terms suggesting to the purchaser that the product, its ingredients or feed materials have been obtained in accordance with this Regulation. In particular, the terms listed in Annex IV, their derivatives or diminutives, such as 'bio' and 'eco', alone or combined, may be used throughout the Union and in any language listed in that Annex for the labelling and advertising of products which comply with this Regulation.

Amendment

1. For the purposes of this Regulation, a product shall be regarded as bearing terms referring to organic production where, in the labelling, advertising material or commercial documents, such a product, its ingredients or feed materials are described in terms suggesting to the purchaser that the product, its ingredients or feed materials have been obtained in accordance with this Regulation. In particular, the terms listed in Annex IV, 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. ***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, all the ingredients of that product have also been produced in accordance with the requirements laid down in this Regulation.***

Or. en

Justification

This wording comes from existing Article 23 paragraph 1 subparagraph 2 of Regulation (EC) No 834/2007

Amendment 187

Proposal for a regulation

Article 21 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. For the 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.

Or. en

Amendment 188

Proposal for a regulation

Article 21 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 189

Proposal for a regulation

Article 21 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(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.

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

Or. en

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 190

Proposal for a regulation

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

Text proposed by the Commission

Amendment

As regards plant breeds, the terms referred to in paragraph 1 may be used:

(a) in the sales description, provided that:

(i) the breed complies with the production rules set up in annex 2 - 4.1.3 a ;

(ii) the term "organic breed" is used ;

Or. en

Amendment 191

Proposal for a regulation

Article 21 – paragraph 4

Text proposed by the Commission

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 *and concerning the establishment of specific labelling and compositional requirements applicable to feed and ingredients thereof.*

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.

Or. en

Amendment 192

Proposal for a regulation

Article 22 – paragraph 2 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

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:***

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.

Or. en

Amendment 193

Proposal for a regulation

Article 22 – paragraph 2 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) ‘EU Agriculture’, where the agricultural raw material has been farmed in the Union;

deleted

Or. en

Justification

For improvement and specification of labelling requirements, this amendment and the following amendments concerning labelling of origin are transferred to annex 2 section 4 part 2 point 2 2 5 new.

Amendment 194

Proposal for a regulation

Article 22 – paragraph 2 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) ‘non-EU Agriculture’, where the agricultural raw material has been farmed in third countries;

deleted

Or. en

Amendment 195

Proposal for a regulation

Article 22 – paragraph 2 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(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. *deleted*

Or. en

Amendment 196

Proposal for a regulation

Article 22 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

The word ‘Agriculture’ may be replaced by ‘Aquaculture’ where appropriate. *deleted*

Or. en

Amendment 197

Proposal for a regulation

Article 22 – paragraph 2 – subparagraph 3

Text proposed by the Commission

Amendment

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. *deleted*

Or. en

Amendment 198

Proposal for a regulation

Article 22 – paragraph 2 – subparagraph 4

Text proposed by the Commission

Amendment

For the indication ‘EU’ or ‘non-EU’ small quantities by weight of ingredients may be disregarded provided that the total quantity of the disregarded ingredients does not exceed 5% of the total quantity by weight of agricultural raw materials.

deleted

Or. en

Amendment 199

Proposal for a regulation

Article 22 – paragraph 2 – subparagraph 5

Text proposed by the Commission

Amendment

The indication ‘EU’ or ‘non-EU’ shall not appear in a colour, size and style of lettering more prominent than the name of the food.

deleted

Or. en

Amendment 200

Proposal for a regulation

Article 22 – paragraph 5 – subparagraph 1 – point c

Text proposed by the Commission

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 232(3).

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

Or. en

Justification

Typing error of COM proposal.

Amendment 201

Proposal for a regulation Article 23 – paragraph 2

Text proposed by the Commission

Amendment

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]. **deleted**

Or. en

Justification

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

Amendment 202

Proposal for a regulation Chapter 5 – title

Text proposed by the Commission

Amendment

Organic certification

Organic **controls and** certification

Or. en

Justification

This chapter covers controls as well as certification: establishing the control system in each MS, responsibilities of the MS and control authorities/bodies and responsibilities of the producers/operators.

Amendment 203

Proposal for a regulation Article -24 (new)

Text proposed by the Commission

Amendment

Article -24

Establishing a Control System

1. Member States shall set up a system of controls and designate one or more competent authorities responsible for controls of the obligations established by this Regulation, in conformity with Article 3 of Regulation (EU) No XX/XXXX (official controls Regulation OCR).

2. In addition to the conditions laid down in Regulation (EU) No XX/XXXX (OCR), the control system set up under this Regulation shall comprise at least the application of precautionary measures as outlined in article 20(a) (new) of this regulation and control measures.

3. The nature and frequency of the controls shall be determined on the basis of an assessment of the risk of occurrence and severity of non-compliance with the requirements laid down in this Regulation.

In any case, all operators and groups of operators shall be subject to a verification of compliance. This verification shall be based on an annual audit and on inspection, screening and targeted screening depending on the likelihood of non-compliance.

Criteria for risk assessments used by the control authorities to target the most risky parts of the food chain are in Annex YYY. Details of the risk assessment, and rates of control (and proportion of random controls), shall be defined in delegated acts. However, operators dealing only with pre-packaged products and operators selling to the final consumer or user as described in Article X shall not be subject to the control system as outlined in this regulation.

4. The competent authority as defined in Art.2 (5) of OCR may:

(a) confer its control competences to one or more other control authorities for

organic products as defined in art.2(39) of OCR. 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 for organic products as defined in art.2(39) of OCR. In that case, the 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 or control authority only if the conditions laid down in Article 26 of Regulation (EU) OCR are satisfied, and in particular where:

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

(b) the control body:

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

(ii) has a sufficient number of suitable qualified and experienced staff; and

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

(c) the control body or control authority is accredited to the most recently notified version, by a publication in the C series of the Official Journal of the European Union, of European Standard EN 17065 or ISO Guide 65 (General requirements for bodies operating product certification systems), and is approved by the competent authorities;

(d) the control body or control authority

communicates the results of the controls carried out to the competent authority on a regular basis and whenever the competent authority so requests. If the results of the controls show severe non-compliances, the control body shall immediately inform the competent authority;

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

6. In addition to the provisions of paragraph 5, the competent authority shall take into account the following criteria whilst 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 impose on operators subject to its control;

(b) the measures that the control body intends to apply where non-compliances are found.

7. The competent authorities may not delegate the following tasks to the control bodies or control authorities;

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

(b) the competence to grant exceptions, as referred to in Article 17, unless this is provided for in the exceptional production rules;

(c) cases of non-compliance affecting the organic status of a product in accordance to Article 26a and Art. 134, 135 and 136 of the draft OCR XX/XXXX.

8. In accordance with Article 29 of Regulation (EU) No XX/XXXX (OCR, competent authorities delegating control tasks to control bodies or control

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

9. In addition to 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 its controls; (c) take cognisance of any irregularities or infringements found and corrective measures applied; (d) withdraw approval of those bodies where it fails to satisfy the requirements referred to in (a) and (b) or no longer fulfils the criteria indicated in paragraph 5, 6 or fails to satisfy the requirements laid down in paragraphs 11, 12 and 14.

10. Member States shall attribute a code number to each control authority or control body performing control tasks as referred to in paragraph 4. The format of this code is outlined in Art. 58 of Reg.889/2008.

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 according to this Article.

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

13. Member States shall ensure that the control system as set up allows for the traceability of each product at all stages of production, preparation and distribution in accordance with Article 18 of Regulation (EC) No 178/2002 or, 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 traceability of organic products are responded to as quickly as possible, not later than 4 working days per production step after receipt of the request.

14. By 31 January each year at the latest, the control authorities and control bodies shall transmit to the competent authorities a list of the operators which were subject to their controls on 31 December of the previous year. A summary report of the control activities carried out during the previous year shall be provided by 31 March each year.

Or. en

((1) This is taken from Art.27 (1) of the existing organic regulation 834/2007, with updated references to Official Controls Regulation. (2) This is taken from Art.27 (2) of the existing organic regulation 834/2007, with updated references to Official Controls Regulation and precautionary measures. (3) Clarification has been added on verification (of compliance) audit approach, in which producers pay for the right to be controlled and value the controllers' feedback on how well they are complying with the rules. Currently 100% of producers are controlled and they overwhelmingly want that to remain. In addition to "verification audits" of 100% of producers, risk-based investigative inspections would target highest risk operators (currently 10%) ; these serve to investigate risky points in the production and supply chain so as to maintain high consumer confidence in the whole sector. Exemption for retail of pre-packaged goods is maintained from the status quo. (A certain number of random inspections are needed to check if the risk criteria and weightings used in the risk analyses are tuned correctly.) "Screening" and "targetted screening" are both defined in Art.2 of the Official Controls Reg. (4) This is taken from Art.27 (4) of the existing organic regulation 834/2007, with updated references to Official Controls Regulation. (5) This is taken from Art.27 (5) of the existing organic regulation 834/2007, with updated references to Official Controls Regulation, plus addition of "or control authority" after "control body". European Standard EN 17045 is the updated version of EN 45011 cited in Reg.732/2007, and ISO Guide 65 is the "General requirements for bodies operating product certification systems".)

Justification

(6) This is taken from Art.27 (6) of the existing organic regulation 834/2007, with updated terminology as per the Official Controls Regulation for "non-compliance", replacing "irregularities and/or infringements", plus "or control authority".(7) Reference to Art. 134 - 136 of Official Controls Reg. draft make very clear that the responsibility lies with the control authorities and that a wide range of measures are available depending on the case to be resolved.(8) This is taken from Art.27 (8) of the existing organic regulation 834/2007, with updated references to Official Controls Regulation, plus addition of "or control authorities".(9) This is taken from Art.27 (9) of the existing organic regulation 834/2007, plus addition of "or control authority".(10) This is taken from Art.27 (10) of the existing organic regulation 834/2007, and is also the same as Art.25 (4) of Official Controls Reg. draft. Ref. to Art. 58 of R.889/2008 is added.(11) This is taken from Art.27 (11) of the existing organic regulation 834/2007.(12) This is taken from Art.27 (12) of the existing organic regulation 834/2007.(13) This is taken from Art.27 (13) of the existing organic regulation 834/2007. 13a is introduced to ensure fast reaction time to investigate breaches of the system (important when determining fraud etc.), improving on the status quo.(14) This is taken from Art.27 (14) of the existing organic regulation 834/2007.

Amendment 204

Proposal for a regulation

Article 24 – paragraph 1

Text proposed by the Commission

Amendment

1. Operators or groups of operators that produce, prepare or store organic products, who import such products from a third country or export such products to a third country or who place such products on the market shall, prior to the placing on the market as organic or prior to conversion, notify their activity to the competent authorities of the Member State(s) where the activity is carried out. ***deleted***

Or. en

Justification

This is covered in what is inserted above from Article 28(1)(a) and 28(1) 2nd paragraph of the existing organic Reg. 834/2007.

Amendment 205

Proposal for a regulation Article 24 – paragraph 2

Text proposed by the Commission

Amendment

2. Where operators or groups of operators subcontract any of their activities to a third party, both the operators and groups of operators and the third party to whom activities have been subcontracted shall comply with paragraph 1. ***deleted***

Or. en

Justification

This is covered in what is inserted above from Article 28(1) third paragraph of the existing organic Reg. 834/2007.

Amendment 206

Proposal for a regulation Article 24 – paragraph 3

Text proposed by the Commission

Amendment

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

3. Operators and groups of operators shall keep records on the different activities they engage in, in accordance with this Regulation. ***A list of situations where operators and groups of operators are required to keep records is provided in annex XX, production rules are also detailed in annexes XX-XY. (add when fixed)***

Or. en

Amendment 207

Proposal for a regulation Article 24 – paragraph 4

Text proposed by the Commission

Amendment

4. Competent authorities shall keep an updated list containing the names and addresses of operators and groups of operators that have notified their activities in accordance with paragraph 1 and shall make that list public, together with the information relating to their organic certificates as referred to in Article 25(1). The competent authorities shall respect the requirements of the protection of personal data under Directive 95/46/EC of the European Parliament and of the Council⁵⁰. *deleted*

⁵⁰ *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).*

Or. en

Justification

This has been moved to Article 24a (new), §5

Amendment 208

Proposal for a regulation Article 24 – paragraph 5

Text proposed by the Commission

Amendment

5. Member States shall ensure that the fees that may be collected by the competent authorities, control authorities or control bodies in accordance with Article 76 of Regulation (EU) No XX/XXXX (official controls Regulation) are made public. *deleted*

Justification

Mandatory fees are not applicable for Organic controls; they are out of the scope for fees under Article 77(3) b of the Official Controls Regulation. Also, the relevant part of Article 76(2) of the Official Controls Regulation (on additional fees to cover costs) has been deleted in the EP 1st reading position. So it is deleted here too to support that position.

Amendment 209**Proposal for a regulation****Article 24 – 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 requirements for keeping records, the requirements for publication of the list referred to in paragraph 4 of this Article and the requirements and procedures to be applied for publication of the fees referred to in paragraph 5 of this Article and for supervision by the competent authorities of the application of those fees. *deleted*

Or. en

Justification

- Record keeping: see §3, the rapporteur proposes to bring a list into annex X (ref.s to existing R.889/2008 rules);- Publication of beneficiaries: see Art. 24a (new) §4, brought into annex with existing R.889/2008 rules. Therefore, there is no need for delegated acts on the issues. - Fees (see §5 above): mandatory fees are not applicable for Organic controls, being out of the scope for the fees article 77(3)b Official Controls Reg., & "additional" fees mentioned in OCR art.76(2) was deleted in the EP 1st reading position.

Amendment 210

Proposal for a regulation Article 24 – paragraph 7

Text proposed by the Commission

7. The Commission may adopt implementing acts to provide details and specifications regarding the content, form and way of notification referred to in ***paragraph 1 and the form of publication of the fees referred to in paragraph 5.*** Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).

Amendment

7. The Commission may adopt implementing acts to provide details and specifications regarding the content, form and way of notification referred to in ***Article 24a (new)***, paragraph ***1***. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).

Or. en

Justification

Mandatory fees are not applicable for Organic controls, being out of the scope for the fees article 77(3) b of the Official Controls Reg. , while "additional" fees mentioned in OCR art. 76(2) was deleted in the EP 1st reading position.

Amendment 211

Proposal for a regulation Article 24 a (new)

Text proposed by the Commission

Amendment

Article 24 a

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 of any products 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 -24a (new).

Where an operator or group of operators contracts out any of the activities to a third party, that operator or group of operators 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. Operators dealing only with pre-packed products are exempted from the application of this Article, provided they do not produce, prepare, store other than in connection with the point of sale, or import such products from a third country, or have not contracted out such activities to another operator.

3. Member States shall designate an authority or approve a body to receive notifications under paragraph 1(a) of this article.

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

5. Competent authorities shall keep an updated list containing the names and addresses of operators and groups of operators that have notified their activities in accordance with paragraph 1(a) and shall make that list public in an appropriate manner including 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 XXX to this Regulation. The competent authorities shall respect the requirements of the protection of personal data under

Justification

This article is based on Art.28 of the existing organic Reg. 834/2007, plus updated references. Deviations from the existing reg. are noted per paragraph below:(1) Part (a) was covered in art.24 of the proposed regulation, but Part (b) onwards was not covered in art.24 of the proposed regulation. Taken from Art. 28(1) of current Organic Reg. 834/2007, plus "groups of operators" is added in line with the Commission proposal.(2) The principle is based on Art. 28(2) of current Organic Reg. 834/2007, but it is not reproduced verbatim, as there were clarifications needed on traders dealing only with pre-packaged food (where we assume controls to be carried out earlier in the chain) and sub-contracting of activities. Some farmers make direct sales, yet the production side of their operation should still be subject to control.(3) Taken from Art. 28(3) of current Organic Reg. 834/2007.(4) Taken from Art. 28(4) of current Organic Reg. 834/2007, plus "group of operators" added in line with Commission proposal.(5) This text is from Art.24 (4) of the Commission proposal, so it is moved from article 24 below. A similar provision existed in art28 (5) of R.834/2007.

Amendment 212

**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 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

1. Operators and groups of operators that have notified their activity in accordance with Article **24a(new)** (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.

(formerly Article 29 (1) of R. 834/2007, but without reference to those being "subject to controls" being entitled a certificate, and including the "groups of operators".)

Amendment 213

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**

Or. en

Justification

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

Amendment 214

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 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. ***The groups of products are defined in annex Y.***

Or. en

(annex XII of Reg. 889/2008)

Justification

Defining the groups of products in annex removes the need for a delegated act later in point (6).

Amendment 215

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

Or. en

Justification

see amendment of point (3): "groups of products" have already been defined in Annex XII of reg.889/2008,

Amendment 216

Proposal for a regulation

Article 26 – paragraph 2

Text proposed by the Commission

Amendment

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.

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 ***, may depending on severity or the extent and consequences of the non-compliance*** result in the withdrawal of the organic certification for the whole group.

Or. en

Justification

There is no definition of "integrity", and it is thus difficult to control "integrity" by control body/authority.

Amendment 217

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 is outlined in Annex XXX.

Or. en

(Guidelines on imports of organic products into the European Union (15.12.2008, Rev. 1), conceived as a working document of the Commission Services and elaborated in co-operation with the Member States. Section 8, point C. "Scope: who can be considered as a group ?" See http://ec.europa.eu/agriculture/organic/documents/eu-policy/guidelines_for_imports_en.pdf)

Justification

These criteria already exist and have been used in the guidelines for groups of producers in Third countries.

Amendment 218

Proposal for a regulation

Article 26 – paragraph 4

Text proposed by the Commission

4. The Commission may adopt implementing acts concerning the

Amendment

deleted

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).

Or. en

Justification

This is covered in a general article on infringements and subsequent communication of information from the current regulation, which has been moved to a new general article 26a below, applying to individual operators as well as groups.

Amendment 219

Proposal for a regulation Article 26 a (new)

Text proposed by the Commission

Amendment

Article 26 a

Duty of Competent Authorities in the event of non-compliance

Competent authorities shall:

- (a) in the event of non-compliance that affects the status of organic products throughout any of the stages of production, preparation and distribution and export, in particular due to the use of prohibited or non-authorised substances and techniques or commingling with non-organic products, ensure that no reference is made to organic production in the labelling and advertising of the entire lot or production run concerned;***
- (b) in the event of repetitive or continued non-compliance, ensure that the operators or the group of operators concerned, as defined in points (6) and (7) of Article 3 of this Regulation, in addition to the measures referred to in point (a) of this***

paragraph, are prohibited from marketing products which refer to organic production, and that their organic certificate be suspended or withdrawn as appropriate.

Or. en

Justification

This is moved from Official Controls Reg. Art 23(1) paras a) and b), i.e. moved from art.44(3) of this Reg. (which amended the official controls Reg.). "Integrity" (of organic products) has been replaced by "status" due to difficulty in defining integrity.

Amendment 220

Proposal for a regulation
Article 26 b (new)

Text proposed by the Commission

Amendment

Article 26 b

Exchange of information

Upon a request duly justified by the necessity to guarantee that a product has been produced in accordance with this Regulation, the competent authorities, control authorities and the control bodies shall exchange relevant information on the results of their controls with other competent authorities, control authorities and control bodies. They may also exchange such information on their own initiative.

Or. en

Justification

This is taken from Article 31 of existing Regulation 834/2007

Amendment 221

Proposal for a regulation
Article 26 c (new)

Article 26 c

***Implementing rules for Organic controls -
scope of delegated acts***

In relation to the rules referred to in point (j) of Article 1(2) of OCR (XXXX/XXX), the delegated acts shall lay down rules on:

(a) the specific responsibilities and tasks of the competent authorities, in addition to those provided for in Articles 4, 8, 9, 10(1), 11 to 13, 34(1) and (2), and 36 of OCR (XXX/XXX), and in addition to Articles 25, 26, 28, 29, 30 and 32 of OCR (XXX/XXX) for the approval and supervision of delegated bodies, and to Articles 85 to 90 of OCR (XXX/XXX) concerning official certification;

(b) requirements additional to those referred to in Article 8(1) of OCR (XXX/XXX) for risk assessment and for establishing the frequency of controls, and of sampling as appropriate, taking into account the risk of the occurrence of non-compliance;

(c) the frequency of controls on operators, and the cases where and conditions under which certain such 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 OCR (XXX/XXX), and specific requirements for the performance of controls aimed at ensuring the traceability of organic products at all stages of production, preparation and distribution, and at providing assurances as to compliance with the rules referred to in point (j) of Article 1(2) of OCR (XXX/XXX);

(e) actions and measures additional to those provided for in Article 134(2) and

(3) of OCR (XXX/XXX) in case of suspicion of non-compliance, criteria additional to those referred to in the second subparagraph of Article 135(1) of OCR (XXX/XXX), and criteria and measures additional to those provided for in Article 135(2) of OCR (XXX/XXX) and in Article YYYY of this regulation in the event of non-compliance;

(f) requirements additional to those provided for in point (f) of Article 4(1) in relation to the facilities and equipment necessary to carry out controls and specific and additional conditions and obligations to those referred to in Articles 25, 26, 28, 29, and 30 to 32 of OCR (XXX/XXX) for the delegation of official control tasks and other official activities to delegated bodies;

(g) reporting obligations additional to those referred to in Articles 12, 28 and 31 of OCR (XXX/XXX) for the competent authorities, the control authorities and the delegated bodies in charge of official controls and other official activities;

(h) specific criteria and conditions for the activation and the functioning of the mechanisms of administrative assistance provided for in Title IV of OCR (XXX/XXX), including the exchange of information concerning instances of non-compliance or the likelihood of non-compliance between competent authorities, control authorities and delegated bodies.

Or. en

Justification

Rules specific to organics should be in the organic regulation and amendable through that regulation only. Consequently any more detailed implementing rules should also be defined in this organic regulation. So, these subject areas for delegated acts have been deleted from the Official Controls Reg. and so also moved here from art.44 of the draft regulation. So, Art.23, points 2 and 3 have been merged and references to the OCR added, and moved into this organic regulation. Consequently "official controls" has been replaced by "controls" in (b), (c), (d) and (f).

Amendment 222

Proposal for a regulation

Article 26 d (new)

Text proposed by the Commission

Amendment

Article 26 d

EU Organic Agency (EOA)

Before the entering into force of this regulation, the Commission establishes an EU Organic Agency (EOA) - hereunder called The Agency. The Agency shall be provided with resources needed to tackle responsibilities defined hereafter so as to perform its tasks related to better communication between Member States and with the Union's Institutions, improved functioning of the internal market, improved implementation of rules for controls within the Union and on imports from third countries. The Agency shall recruit staff with the necessary competence, expertise and capacity to fulfil these tasks.

The process for the establishment, mission, tasks and functioning of the Agency are included in Annex 5 A (NEW)

Or. en

Justification

The Organic Regulation foresees a wide range of responsibilities for the COM and competent authorities which are currently insufficiently implemented due to missing data, rules, structures and staff for implementation. This conclusion can be drawn from the impact assessment, report of the court of auditors and stakeholder consultation. In its impact assessment the COM points at missing data and identification of risk points for fraud; insufficient communication between MS and with 3. countries; missing criteria for accreditation of control bodies and their efficient control etc. The tasks defined for the FVO are limited to random controls which do not cover the necessary scope of data exchange and controls across the EU. The proposal for the Agency is based on the existing Agency for Fisheries, created upon the initiative of the COM in 2009.

Amendment 223

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.

Or. en

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 224

Proposal for a regulation

Article 28 – paragraph 1 – point b – point i

Text proposed by the Commission

(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

(i) complies with Chapters II, III and IV and all operators, ***and groups of 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 ***and are provided by these authorities or bodies with a certificate confirming that all operators or groups of operators are in compliance with this Regulation;*** or

Or. en

Amendment 225

Proposal for a regulation

Article 28 – paragraph 1 – point b – point ii a (new)

Text proposed by the Commission

Amendment

(ii a) has been produced in accordance with production rules approved by the Commission as equivalent to those referred to in Chapter II, III and IV as per article 30b (new) and all operators, including the exporters in third countries concerned have been subject to the control of control bodies recognised in accordance with article 29 and are imported with a certificate of inspection issued by the recognised competent authorities, control bodies confirming compliance with these production rules.

Amendment 226

Proposal for a regulation

Article 28 – paragraph 1 – point c

Text proposed by the Commission

(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.

Amendment

(c) the operators in third countries are able to provide at any time, to the importers **and** the national authorities information allowing the identification of **all operators** who carried out **operations** with a view to ensuring the traceability of the organic product **back to all operators involved. This information shall be made available also to the control bodies or the control authorities of the importers.**

Or. en

Amendment 227

Proposal for a regulation

Article 29 – title

Text proposed by the Commission

Recognition of control **authorities and control** bodies

Amendment

Recognition of control bodies

Or. en

Amendment 228

Proposal for a regulation

Article 29 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. The control bodies shall be authorised for the control of the categories of products as listed in Article 25(2) for defined countries and with reference to this regulation or to a standard recognized by the Commission

as being equivalent according to art 30 b (new).

Or. en

Justification

Each control body wishing to operate in third countries should be recognized by the Commission on the basis of a country, standard and category of product

Amendment 229

Proposal for a regulation

Article 29 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1 b. In order to receive recognition by the European Organic Agency, the control bodies shall fulfil the criteria set out in this article adopted pursuant to paragraph 7.

Or. en

Amendment 230

Proposal for a regulation

Article 29 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

1 c. Control bodies shall be accredited according to the relevant harmonised standard for 'Conformity assessment – requirements for bodies certifying products, processes and services', the reference of which has been published in the Official Journal of the European Union.

Or. en

Amendment 231

Proposal for a regulation

Article 29 – paragraph 2

Text proposed by the Commission

Amendment

2. The control bodies shall be accredited to the relevant harmonised standard for ‘Conformity assessment – Requirements for bodies certifying products, processes and services’, the reference of which has been published in the Official Journal of the European Union.

2. delete

Or. en

Amendment 232

Proposal for a regulation

Article 29 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) an accreditation body outside the Union that is a signatory of a multilateral recognition arrangement under the auspices of the International Accreditation Forum.

(b) an accreditation body outside the Union that is a signatory of a multilateral recognition arrangement **for product certification** under the auspices of the International Accreditation Forum **or its regional bodies, and which have proved competence in accreditation of organic certification**.

Or. en

Amendment 233

Proposal for a regulation

Article 29 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Amendment

The recognised control bodies or control authorities shall provide the certificate issued by the accreditation body or respectively the assessment report issued by the **competent authority**, and, as appropriate, reports on the regular on-the-spot evaluation, surveillance and multiannual re-assessment of their activities.

Control bodies shall submit to the Commission a request for recognition consisting of a technical dossier containing all the information needed to ensure that the criteria set out in paragraph 1a are met. When examining requests for recognition, the Commission shall invite the control authority or control body to supply all the necessary

information.

The recognised control bodies shall provide the accreditation certificate issued by the accreditation body, and, as appropriate, latest reports on the regular on-the-spot evaluation, surveillance and multiannual re-assessment of their activities.

The Commission shall ensure effective coordination with the accreditation bodies concerned so as to ensure that the conditions set out in Article 28 (1)(a),(b) (i and ii) and (c) and those laid down in this article are met for organic products intended for import into the EU.

Or. en

Justification

Formulation comes from reg 1235/2008

Amendment 234

Proposal for a regulation Article 29 – paragraph 5

Text proposed by the Commission

5. Based on the information referred to under paragraph 4, the Commission shall ensure appropriate supervision of the recognised control **authorities and control** bodies by regularly reviewing their recognition. For the purposes of that supervision, the Commission may request additional information from the accreditation bodies or, as appropriate, the competent authorities.

Amendment

5. Based on the information referred to under paragraph **1 and** 4, the Commission shall ensure appropriate supervision of the recognised control bodies by regularly reviewing their **performance and** recognition. For the purposes of that supervision, the Commission may request additional information from the accreditation bodies or, as appropriate, the competent authorities.

Or. en

Amendment 235

Proposal for a regulation Article 29 – paragraph 5

Text proposed by the Commission

5. Based on the information referred to under paragraph 4, the Commission shall ensure appropriate supervision of the recognised control **authorities and control** bodies by **regularly** reviewing their recognition. For the purposes of that supervision, the Commission may request additional information from the accreditation bodies or, as appropriate, the competent authorities.

Amendment

5. Based on the information referred to under paragraph 4 **and on any other relevant information related to the control body**, the Commission shall ensure appropriate supervision of the recognised control bodies by **continuously** reviewing their recognition. For the purposes of that supervision, the Commission may request additional information from the accreditation bodies or, as appropriate, the competent authorities.

Or. en

Amendment 236

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 concerning **possible completion of** the criteria **laid down in annex xxx** 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 examination.

Or. en

Amendment 237

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

Text proposed by the Commission

Amendment

7 a. 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 the recognition.

Or. en

Justification

wording - Legal service

Amendment 238

Proposal for a regulation

Article 29 – paragraph 7 b (new)

Text proposed by the Commission

Amendment

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

Or. en

Justification

legal service - implementing power

Amendment 239

Proposal for a regulation

Article 29 – paragraph 8

Text proposed by the Commission

8. The Commission ***may adopt implementing acts to ensure*** the application of measures in relation to cases of non-compliance affecting the integrity of organic products imported under the recognition provided for in this Article or suspicion of such cases. Such measures may consist in particular in the verification of the integrity of the organic products before placing the products on the market within the Union and, where appropriate, the suspension of the authorisation of placing on the market within the Union of such products as organic. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).***

Amendment

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 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. ***All information about suspicion of non compliance, withdrawal of recognition or suspension of authorisation shall be immediately communicated to all control authorities and control bodies in order to avoid placing on the market of non-authorized products.***

Or. en

Amendment 240

Proposal for a regulation

Article 29 – paragraph 9 a (new)

Text proposed by the Commission

Amendment

9 a. In the case of detected severe or repeated infringements of the rules of inspection and certification, recognition of concerned control bodies shall be immediately withdrawn, in concerned third countries as well as for the entire market of the European Union for national accreditation bodies established

Justification

This amendment shall provide for a sanction in case of repeated intentional infringements committed by accreditation bodies)

Amendment 241

**Proposal for a regulation
Article 30 – paragraph 1**

Text proposed by the Commission

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

Amendment

A recognised third country referred to of Article 28(1)(b)(ii) is a third country which the Union has recognised under a trade agreement as having a system of production meeting the same objectives and principles by applying rules which ensure the same level of assurance of conformity as those of the Union.

The Commission shall publish and provide the EU Council and the European Parliament with a regular status report on all ongoing negotiations on such trade agreements. The final results of the negotiations shall be presented to the EU Council and the European Parliament shall be published with special regard to the detailed list of differences in production rules and control measures applied in that third country from the ones of the Union. The Commission shall, by means of a delegated act, publish a list a list of differences in production and control provisions for all existing trade agreements covered by this Article.

Amendment 242

Proposal for a regulation

Article 30 a (new)

Text proposed by the Commission

Amendment

Article 30 a

Import of products providing equivalent guarantees

A product imported from a third country may also be placed on the Community market as organic provided that:

(a) the operators have been subject to control measures of equivalent effectiveness to those referred to in Title V and such control measures have been permanently and effectively applied;

(b) the operators at all stages of production, preparation and distribution in the third country have submitted their activities to a recognized control system or control body

(c) the product is covered by a certificate of inspection issued by the competent authorities or control bodies of the third country recognised by the Commission, which confirms that the product satisfies the conditions set out in this paragraph.

The original of the certificate referred to in this paragraph shall accompany the goods to the premises of the first consignee; thereafter the importer must keep the certificate at the disposal of the control authority or the control body for not less than two years.

(d) the product has been produced in accordance with production rules equivalent to those referred to in Titles III and IV;

Article 30b (new)

Recognition of equivalent production

rules

1. The Commission may adopt delegated acts recognising or withdrawing production rules meeting the same objectives, principles and level of technical requirements as those of the Union and establishing a list of those equivalent production rules and their geographical and product scope.

2. The Commission shall adopt and publish detailed methodology and criteria for the recognition of equivalent production rules and for the identification of the geographical and product scope of such approval according to paragraph 1

3. The Commission shall establish criteria for the equivalence approval. The criteria shall include priority criteria for which standards applications would define:

- the extent to which the standard is being used by various control bodies and control authorities or its potential of being used by various control bodies in different regions;

- the relevance of the standard in terms of products imported into the EU.

4. Countries, communities of countries or other standard owners can apply for their standards to be recognised as equivalent according to paragraph 1.

5. When examining requests for recognition, the EOA shall invite the applicant to supply all the necessary information e.g. on the procedure for modifications of the standard.

The applicant shall provide the latest assessment report issued by the accreditation body.

6. Based on the information referred to under paragraph 4, the Commission shall regularly review their recognition. For the purposes of that review, the Commission may request additional information from

the accreditation bodies or the standard owner.

7. The Commission shall, by means of a delegated act, establish a list of differences in provisions for all equivalent standards covered by this Article and publish it electronically.

Art 30 c (new)

The Commission shall by means of delegated acts establish and publish a list of exceptions to the rules for application in third countries referring to art 28 1 b (i) and may amend that list by means of delegated acts (art 36). The Commission shall establish means for stakeholder consultation, including organic control bodies operating in third countries and representatives of non-EU organic operators.

Or. en

Justification

This amendment establishes a transitional rule for establishing full equivalency.

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 referred to in 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.

Or. en

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 that third country, 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 Council on the outcome of the review.**

Or. en

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

Amendment

6. The Commission **shall be empowered to** adopt **delegated acts in accordance with Article 36 concerning** the application of **common** measures **and procedures of sanctions** in relation to cases of non-compliance affecting the **status** of organic products imported from third countries referred to in this Article or suspicion of

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

such cases. Such measures may consist in particular in the verification of the **status** 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.

Or. en

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

Or. en

Amendment 247

Proposal for a regulation Article 33 – paragraph 2

Text proposed by the Commission

Amendment

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

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

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).*

information to be transmitted, and the date by which that information is to be transmitted.

Or. en

Amendment 248

Proposal for a regulation Article 35 – paragraph 1

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

By 31 December **2020**, the Commission shall present a report to the European Parliament and the Council on *progress made in implementing this regulation, specifically on organic breeding*, the availability of organic *seeds, organic* plant reproductive material, *feed, organic young poultry, aquaculture juveniles* and animals for breeding purposes *on the European market*.

Or. en

Amendment 249

Proposal for a regulation Article 44 – title

Text proposed by the Commission

Amendments to Regulation (EU) No [...] [on official controls]

Amendment

Amendments to Regulation (EU) No [...] [on official controls]

**ART 44 WILL BE
DELETED (INCLUDING ALL
FOLLOWING AMS on 44; - IF
CONTROL PROVISIONS RETURN TO
THIS ORGANIC REGULATION**

Or. en

Amendment 250

Proposal for a regulation

Article 44 – paragraph 1 – point 1

Official Controls Regulation

art. 23

Text proposed by the Commission

38. 'delegated body' means **a** third party to which the competent authorities have delegated specific official control tasks or other official activities;

Amendment

38. 'delegated body' means **an independent** third party to which the competent authorities have delegated specific official control tasks or other official activities;

(Note: the Commission is using this draft regulation to update article 23 of the Official Controls Regulation, which is still at the end of the 1st reading: it has partially taken up the EP position voted by plenary on the OCR.)

Or. en

Justification

this is what remains of the EP position on the OCR, i.e. that which was not taken up by the Commission

Amendment 251

Proposal for a regulation

Article 44 – paragraph 1 – point 3

Official Controls regulation

Art. 23. Specifically art.s 4, 8

Text proposed by the Commission

Specific rules on official controls and on action to be taken by the competent authorities in relation to **organic products and to** protected designations of origin, protected geographical indications and traditional specialties guaranteed

Amendment

Specific rules on official controls and on action to be taken by the competent authorities in relation to protected designations of origin, protected geographical indications and traditional specialties guaranteed

Or. en

Justification

This art. of the Official Controls Reg. currently groups many of the general rules relevant for Organic production. However, many feel that, although general rules on all kinds of official controls belong in the Official Controls Reg., detailed rules on organic controls belong in the Organic regulation. So the scope of appropriate delegated acts should be defined in this Organic regulation and not in the Official Controls Reg. Hence these are moved to other parts of this regulation.

Amendment 252

Proposal for a regulation

Article 44 – paragraph 1 – point 3

Official Controls Reg.

Art. 23(1) , points a) and b)

Text proposed by the Commission

1. ***In relation to the*** rules referred to in point (j) of Article 1(2), ***competent authorities shall:***

Amendment

1. ***Specific*** rules referred to in point (j) of Article 1(2) ***are elaborated in the Regulation on Organic Production and Labelling of Organic Products No. XXX/XXX (insert the number of this regulation).***

Or. en

Justification

Rules specific to organics should be in the organic regulation and amendable through that regulation only. Consequently any more detailed implementing rules should also be defined in this organic regulation. The two points for competent authorities in case of a) any non-compliance and b) repeated non-compliance from Art. 23(1) Official Controls Reg. are moved and added to another place XXXXX in this organic regulation.

Amendment 253

Proposal for a regulation

Article 44 – paragraph 1 – point 3

Official Controls Reg.

Art. 23(1) a

Text proposed by the Commission

(a) in the event of non-compliance that

Amendment

deleted

affects the integrity of organic products throughout any of the stages of production, preparation and distribution and export, in particular due to the use of prohibited or non-authorised substances and techniques or commingling with non-organic products, ensure that no reference is made to organic production in the labelling and advertising of the entire lot or production run concerned;

Or. en

Justification

Rules specific to organics should be in the organic regulation and amendable through that regulation only. Consequently any more detailed implementing rules should also be defined in this organic regulation. The two points for competent authorities in case of a) any non-compliance and b) repeated non-compliance from Art. 23(1) Official Controls Reg. are moved and added to another place XXXXX in this organic regulation.

Amendment 254

Proposal for a regulation

Article 44 – paragraph 1 – point 3

Official Controls Reg.

Art. 23(1)

Text proposed by the Commission

Amendment

(b) in the event of repetitive or continued non-compliance, ensure that the operators or the group of operators concerned, as defined in points (6) and (7) of Article 3 of Regulation (EU) No [organic production] of the European Parliament and of the Council, in addition to the measures referred to in point (a) of this paragraph, are prohibited from marketing products which refer to organic production, and that their organic certificate be suspended or withdrawn as appropriate.*

deleted

Or. en

Justification

Rules specific to organics should be in the organic regulation and amendable through that regulation only. Consequently any more detailed implementing rules should also be defined in this organic regulation. The two points for competent authorities in case of a) any non-compliance and b) repeated non-compliance from Art. 23(1) Official Controls Reg. are moved and added to another place XXXXX in this organic regulation.

Amendment 255

Proposal for a regulation

Article 44 – paragraph 1 – point 3

Official Controls Reg.

art. 23 (2)

Text proposed by the Commission

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 139 concerning rules for the performance of official controls and other official activities to verify compliance with the rules referred to in *points (j) and (k)* of Article 1(2), and on action to be taken by the competent authorities following such official controls and other official activities.

Amendment

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 139 concerning rules for the performance of official controls and other official activities to verify compliance with the rules referred to in *point (k)* of Article 1(2), and on action to be taken by the competent authorities following such official controls and other official activities.

Or. en

Justification

Rules specific to organics should be in the organic regulation and amendable through that regulation only. Consequently any more detailed implementing rules should also be defined in this organic regulation. (Point (j) of the official Control reg. refers to organics, hence that reference is deleted.). So the content of Art.23 OCR (points 2 and 3) which describes scope of implementing rules is inserted in the controls section of this regulation.

Amendment 256

Proposal for a regulation

Article 44 – paragraph 1 – point 3

Official Controls reg.

art 23(3)

Text proposed by the Commission

Amendment

3. [...]

deleted

Or. en

Justification

Rules specific to organics should be in the organic regulation and amendable through that regulation only. Consequently any more detailed implementing rules should also be defined in this organic regulation. So the content of Art.23 OCR (points 2 and 3) which describes scope of implementing rules is inserted in the controls section of this regulation.

Amendment 257

Proposal for a regulation Article 45 – paragraph 2

Text proposed by the Commission

Amendment

It shall apply from 1 July **2017**⁵².

It shall apply from 1 July **2019**⁵².

⁵² At least 6 months after enter into force.

⁵² At least 6 months after enter into force.

Or. en

Amendment 258

Proposal for a regulation Annex 1 – indent 1

Text proposed by the Commission

Amendment

– yeasts used as food or feed,

deleted

Or. en

Justification

This is already covered by Article 1.

Amendment 259

Proposal for a regulation

Annex 1 – indent 2

Text proposed by the Commission

Amendment

– beer,

deleted

Or. en

Justification

This is already covered by the definition of food.

Amendment 260

Proposal for a regulation

Annex 1 – 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
chicory and other roasted coffee
substitutes, and extracts, essences and
concentrates thereof,*

deleted

Or. en

Justification

This is already covered by the definition of food.

Amendment 261

Proposal for a regulation

Annex 1 – indent 5

Text proposed by the Commission

Amendment

– fruit nectars,

deleted

Or. en

Justification

This is already covered by the definition of food.

Amendment 262

Proposal for a regulation

Annex 1 – indent 6

Text proposed by the Commission

Amendment

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

Or. en

Justification

This is already covered by the definition of food.

Amendment 263

Proposal for a regulation

Annex 1 – indent 7

Text proposed by the Commission

Amendment

– sugar confectionery, *deleted*

Or. en

Justification

This is already covered by the definition of food.

Amendment 264

Proposal for a regulation

Annex 1 – indent 8

Text proposed by the Commission

Amendment

– preparations of cereals, flour, starch or *deleted*

milk; pastrycooks' products,

Or. en

Justification

This is already covered by the definition of food.

Amendment 265

Proposal for a regulation
Annex 1 – indent 9

Text proposed by the Commission

Amendment

– soups,

deleted

Or. en

Justification

This is already covered by the definition of food.

Amendment 266

Proposal for a regulation
Annex 1 – indent 10

Text proposed by the Commission

Amendment

– sauces,

deleted

Or. en

Justification

This is already covered by the definition of food.

Amendment 267

Proposal for a regulation
Annex 1 – indent 11

Text proposed by the Commission

Amendment

– cooked meals,

deleted

Or. en

Justification

This is already covered by the definition of food.

Amendment 268

Proposal for a regulation

Annex 1 – indent 12

Text proposed by the Commission

Amendment

– ice cream,

deleted

Or. en

Justification

This is already covered by the definition of food.

Amendment 269

Proposal for a regulation

Annex 1 – indent 13

Text proposed by the Commission

Amendment

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

deleted

Or. en

Justification

This is already covered by the definition of food.

Amendment 270

Proposal for a regulation Annex 1 – indent 14

Text proposed by the Commission

Amendment

– *sea salt,*

deleted

Or. en

Justification

Sea salt is originated from natural sources but it can't be produced under organic production rules.

Amendment 271

Proposal for a regulation Annex 1 – indent 15

Text proposed by the Commission

Amendment

– natural gums *and resins,*

– natural gums.

Or. en

Justification

Resins are already covered by the definition of food.

Amendment 272

Proposal for a regulation Annex 1 – 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

Or. en

Justification

This is already covered by the definition of food.

Amendment 273

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.1

Text proposed by the Commission

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.

Amendment

1.1. **1.1.** Hydroponic **productions are** prohibited.

Or. en

Amendment 274

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.1 – point i (new)

Text proposed by the Commission

Amendment

i) Growing plants in pots as an exception to the soil bound plant production as defined in Art. 4(e) ii shall only be allowed for seedlings or the production of ornamentals and herbs if the ornamentals and herbs are sold in pots to the final consumer. Only mixtures of soil and/or soil improvers which are approved for the use in organic farming shall be used.

Or. en

Justification

In addition to soil only substrates of natural origin can be used as mentioned in current Annex I of Reg. EC No 889/2008

Amendment 275

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.3 – point 1.3.3 – introductory part

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 require a new conversion period in accordance with point 1.3.1.

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 ***for treated parts of the parcels*** in accordance with point 1.3.1.

Or. en

Amendment 276

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.3 – point 1.3.3 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

That period may be shortened in the following two cases:

The competent authority may decide, that the period may be shortened in the following two cases:

Or. en

Amendment 277

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.3 – point 1.3.3 – paragraph 1 – 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;

Or. en

Amendment 278

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.3 – 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.

Or. en

Amendment 279

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.3 – point 1.3.4 – point b

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 280

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.3 – point 1.3.4 – point b – point i (new)

Text proposed by the Commission

Amendment

i) for 1.3.4. and b)

The Member State concerned shall inform the other Member States and the Commission of its decision to require compulsory measures.

Or. en

Amendment 281

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.3 – point 1.3.4 – point b a (new)

Text proposed by the Commission

Amendment

(b a) In the case of treatments with a product not authorised for organic

production, the provisions of point 1.3.5.2 shall not apply.

Or. en

Amendment 282

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.3 – point 1.3.5 – point 1.3.5.2

Text proposed by the Commission

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.

Amendment

1.3.5.2. Notwithstanding point 1.3.5.1., the ***competent authority may reduce the conversion period*** to one year for pasturages and open air areas used by non-herbivore species.

Or. en

Amendment 283

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.4 – 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 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, ***during two growing seasons***.

Plant reproductive material coming from

a production unit at the second year of conversion can be used for the production of organic plants and organic plant products.

Or. en

Amendment 284

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.4 – point 1.4.1 a (new)

Text proposed by the Commission

Amendment

1.4.1 a. To produce organic varieties, the breeding and selection of the varieties shall be made under organic conditions that comply with the requirements of this regulation.

All multiplication practices except meristem culture shall be under certified organic management. Organic plant breeding shall develop organic varieties only on the basis of genetic material that has not been exposed to genetic engineering.

Or. en

Amendment 285

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.4 – point 1.4.2 – introductory part

Text proposed by the Commission

Amendment

1.4.2. Use of plant reproductive material not obtained from organic production

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 in line with Article 40; if 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

control body of the respective operator.

Or. en

Amendment 286

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.4 – point 1.4.2 a (new)

Text proposed by the Commission

Amendment

1.4.2 a. add table with breeding techniques

Or. en

Amendment 287

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.4 – point 1.4.2 b (new)

Text proposed by the Commission

Amendment

1.4.2 b. Breeding of organic varieties

Breeding of organic varieties shall be based on the following requirements:

- selecting and breeding their varieties under organic conditions that comply with the requirements of this regulation;***
- developing organic varieties only on the basis of genetic material that has not been genetically modified or contaminated by products of genetic modification;***
- disclosure of the applied breeding techniques and make the information about the methods, which were used to develop an organic variety, publically available;***
- respecting the genom as an impartible entity, (technical interventions into the genome of plants are not allowed: e.g. ionizing radiation; transfer of isolated DNA, RNA, or proteins;***
- respecting cells as an impartible entity (technical interventions into an isolated***

cell on an artificial medium are not allowed, e.g. genetic engineering techniques; destruction of cell walls and disintegration of cell nuclei through cytoplasm fusion);

- respecting and maintaining the natural reproductive ability of a plant variety (this excludes techniques that reduce or inhibit the germination capacities, e.g. terminator technologies).

Or. en

Amendment 288

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.5 – 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 uses soil engineering, multiannual crop rotation including mandatory leguminous crops as main or cover crop*** and other green manure crops, and by the application of livestock manure or organic material, both preferably composted, from organic production.

Or. en

Amendment 289

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.5 – 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,

Amendment

1.5.4. The total amount of livestock manure, as defined in Council Directive 91/676/EEC¹, ***concerning the protection of waters against pollution caused by nitrates from agricultural sources*** applied on the holding, shall not exceed 170 kg of nitrogen per year/hectare of agricultural area used. That limit shall only

composted animal excrements, including poultry manure, composted farmyard manure and liquid animal excrements.

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).

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).

Or. en

Amendment 290

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.5 – point 1.5.8 a (new)

Text proposed by the Commission

Amendment

1.5.8 a. The use of biodynamic preparations shall be allowed.

Or. en

Amendment 291

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.6 – 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:

Or. en

Amendment 292

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.6 – point 1.6.1 – indent 5

Text proposed by the Commission

Amendment

– thermal processes such as solarisation and shallow steam treatment of the soil (*to a maximum depth of 10 cm*).

– thermal processes such as solarisation and, ***exclusively for protected crops***, shallow steam treatment of the soil.

Or. en

Justification

Steam treatment should be allowed only in protected crops. 10-cm depth is very difficult to control, shallow is enough.

Amendment 293

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.6 – point 1.6.2

Text proposed by the Commission

Amendment

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.

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 of the need to the use of this product.***

Or. en

Amendment 294

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.6 – point 1.6.3

Text proposed by the Commission

Amendment

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 cultivated. ***The*** traps shall be collected

1.6.3. ***For 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 prevent contact between the substances and the crops being

after use and *disposed of safely*.

cultivated. *All traps including pheromone traps* shall be collected after use and *safely disposed*

Or. en

Amendment 295

Proposal for a regulation

Annex 2 – section 1 – part 1 – point 1.7 – paragraph 1

Text proposed by the Commission

Amendment

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*.

For cleaning and disinfection, only products *shall be used* in plant production *if they are* authorised for use in organic production pursuant to Article 19.

Or. en

Amendment 296

Proposal for a regulation

Annex 2 – section 1 – part 2 – point 2.2 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the collection does not affect the stability of the natural habitat or the maintenance of the species in the collection area.

(b) the collection does not affect the stability of the natural habitat or the maintenance of the species in the collection area.

The operator shall keep a documentary on the parcels concerned and the amount of the harvest.

Or. en

Amendment 297

Proposal for a regulation

Annex 2 – section 2 – paragraph 1

Text proposed by the Commission

Amendment

In addition to the production rules laid down in Articles 7, 8, 9 and 11, the rules

In addition to the production rules laid down in Articles 7, 8, 9 and 11, the rules

laid down in this Part shall apply to livestock production.

laid down in this Part shall apply to livestock production.

Or. en

Amendment 298

Proposal for a regulation

Annex 2 – section 2 – part 1 – 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 established a written cooperation agreement with another ***operator according to Annex II I 1.5.4.*** shall be prohibited ***with the exception of beekeeping.***

Or. en

Amendment 299

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.2 – 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.

Or. en

Justification

e.g. for operators producing aquaculture.

Amendment 300

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.2 – 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 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 ***are to be applied.***

Or. en

Amendment 301

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.2 – 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.***

Or. en

Justification

wording from 889/2008

Amendment 302

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.3 – point 1.3.1

Text proposed by the Commission

1.3.1. Organic livestock shall be born and raised on organic ***agriculturalholdings***.

Amendment

1.3.1. Organic livestock shall be born ***or hatched*** and raised on organic ***agricultural holdings***.

Where the conditions laid down in Article 11 apply, and with prior authorisation of the competent authority,

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

b) Parent production should be established within 5 years after revised poultry standards have entered into force.

Member States should draw up a plan to fulfil the above obligation within 1 year after the revised poultry standards have entered into force.

Or. en

Amendment 303

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.3 – point 1.3.2

Text proposed by the Commission

Amendment

1.3.2. Animals existing on the agricultural holding at the beginning of the conversion period and their products may be deemed organic after compliance with the applicable conversion period referred to in point 2.

deleted

Or. en

Justification

in accordance with Annex 2 - section 2 - part 1 - point 1.2 - point 1.2.2

Amendment 304

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.3 – 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) ***appropriate breeds shall be chosen.***
The choice of breeds shall ***also*** contribute to the prevention of any suffering and to avoiding the need for the mutilation of animals;

Or. en

Justification

wording in 834/2008 was clear.

Amendment 305

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.3 – point 1.3.4

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, ***lameness***, sudden death, spontaneous abortion and difficult births requiring caesarean operations. Preference shall be given to indigenous breeds and strains.

Or. en

Amendment 306

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.3 – point 1.3.5 a (new)

Text proposed by the Commission

Amendment

1.3.5 a. 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 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.

Or. en

Justification

from current regulation 889/2008

Amendment 307

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.3 – point 1.3.5 b (new)

Text proposed by the Commission

Amendment

1.3.5 b. Non-organic adult male and nulliparous female mammals, for the renewal of a herd or flock, 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) up to a maximum of 10 % of adult equine or bovine, including bubalus and bison species, livestock and 20 % of the adult porcine, ovine and caprine livestock,

as female animals;

(b) for units with less than 10 equine or bovine animals, or with less than five porcine, ovine or caprine animals any renewal as mentioned above shall be limited to a maximum of one animal per year.

Or. en

Amendment 308

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.3 – point 1.3.5 c (new)

Text proposed by the Commission

Amendment

1.3.5 c. The percentages referred to in paragraph 3 may be increased up to 40%, subject to prior authorisation by the competent authority, in the following special cases:

(a) when a major extension to the farm is undertaken;

(b) when a breed is changed;

(c) when a new livestock specialisation is initiated;

(d) when breeds are in danger of being lost to farming as laid down in Annex IV to Commission Regulation (EC) No 1974/2006 (1).

Or. en

Amendment 309

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.3 – point 1.3.5 d (new)

Text proposed by the Commission

Amendment

1.3.5 d. For the renovation of apiaries, 10% 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 1 swarm or queen bee can be replaced per year.

Or. en

Amendment 310

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.4 – point 1.4.1 – paragraph 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 ***both in 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.

Where farmers are unable to obtain protein feed exclusively from organic production a maximum percentage of 5 % of non-organic protein feed for porcine and poultry species of the dry matter of feed from agricultural origin shall be allowed.

Or. en

Amendment 311

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.4 – point 1.4.1 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) ***fattening practices shall be reversible at any stage of the rearing process.*** Force-feeding is forbidden;

(d) Force-feeding is forbidden;

Or. en

Amendment 312

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.4 – point 1.4.1 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) suckling animals shall be fed in preference ***on maternal milk*** for a minimum period;

(g) suckling animals shall be fed ***on maternal milk*** in preference ***to natural milk***, for a minimum period

Or. en

Justification

from 834/2007 as COM proposal would even allow milk substitute.

Amendment 313

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.4 – point 1.4.1 – paragraph 1 – point h – point i (new)

Text proposed by the Commission

Amendment

i) 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 pursuant to Article 19 and in duly justified cases.

Or. en

Amendment 314

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.4 – point 1.4.2 – point 1.4.2.1 – point a

Text proposed by the Commission

Amendment

(a) the *common land is fully managed in accordance with this Regulation*;

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

Or. en

Amendment 315

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.4 – point 1.4.2 – point 1.4.2.2

Text proposed by the Commission

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*.

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 *not exceed 10 % of the total feed ration per year. This figure shall be calculated as a percentage of the dry matter of feed-ingstuffs from agricultural origin*.

Or. en

Justification

taken from 889/2008 Article 17 point 4

Amendment 316

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.4 – point 1.4.2 – point 1.4.2.2 – point i (new)

Text proposed by the Commission

Amendment

i) Operators shall keep documentary evidence of the use of provisions referred

to in point 1.4.2.

Or. en

Amendment 317

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.4 – point 1.4.3 – point 1.4.3.1

Text proposed by the Commission

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 fixed in point 1.4.3.2.*

Amendment

1.4.3.1. up to 30 % of the *feed formula of rations on average may comprise in-conversion feedingstuffs. When the in-conversion feedingstuffs come from a unit of in-conversion of the holding itself, this percentage may be increased to 100 %.*

Or. en

Amendment 318

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.4 – point 1.4.3 – 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 20 % *of the total average amount of feedingstuffs fed to livestock may originate from the grazing or harvesting of ermanent pastures, perennial forage parcels or protein crops, sown under organic management on lands in their first year of conversion, provided that they are part of the holding itself and have not been part of an*

organic production unit of that holding in the last five years. When 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.

Or. en

Amendment 319

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.4 – point 1.4.3 – point 1.4.3.2 a (new)

Text proposed by the Commission

Amendment

1.4.3.2 a. Feed from own holding and other sources

1.4.3a.1 In case of herbivores, except during the period each year when the animals are under transhumance subject to point 1.4.2.2, at least 60 % of the feed shall come from the farm unit itself or in case this is not feasible, be produced in cooperation with other organic farms in the same region.

1.4.3a.2 In case of pigs and poultry, at least 20 % of the feed shall come from the farm unit itself or in case this is not feasible, be produced in the same region in cooperation with other organic farms or feed business operators.

1.4.3a.3 In the case of bees, at the end of the production season hives shall be left with sufficient reserves of honey and pollen to survive the winter. The feeding of bee colonies shall only be permitted where the survival of the hives is endangered due to climatic conditions. Feeding shall be with organic honey, organic sugar syrups, or organic sugar.

Or. en

Justification

The obligation of a certain self-sufficiency for feed should be re-inserted – current Article 19 of Regulation (EC) No 889/2008.

Amendment 320

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.4 – 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 animal origin, ***feed materials of invertebrate origin and fermentative products from 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 can be used provided that:

- (i) their organic form is not available;***
- (ii) they are produced or prepared without chemical solvents; and***
- (iii) their 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.***

The maximum percentage of non-organic protein feed authorised per period of 12 months for those species shall be 5 %.

The figures shall be calculated annually as a percentage of the dry matter of feed from agricultural origin;

Non-organic spices, herbs, and molasses may be used, provided that:

- (i) their organic form is not available;***
- (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;

Products from sustainable fisheries, 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;

Or. en

Amendment 321

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.5 – point 1.5.2 – 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 an **chemically synthesised** 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 **9** of Directive 2001/82/EC **and at least** 48 hours.

Or. en

Amendment 322

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.6 – 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

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 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.

live outdoors. Livestock shall have permanent access to open air areas, preferably pasture ***as appropriate to the species***, 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 ***by taking into account their physiological needs***.

Or. en

Justification

Amendment 323

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.6 – 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***.

Or. en

Justification

The consequences when a group of breeding birds become infected are greater because of the pyramidal supply chain to the farms. Therefore verandas should be exclusively seen as an open air area for breeding birds.

Amendment 324

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.7 – point 1.7.3

Text proposed by the Commission

1.7.3. The livestock shall have permanent

Amendment

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.

access to open air areas, ***including open air pens and pasture as appropriate to the species***, 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.

Or. en

Justification

Species appropriate open air areas should be mentioned

Amendment 325

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.7 – 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, 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 ***small holdings*** to be tethered ***provided they have access to pastures during the grazing period 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***, and at least twice a week access to open air areas when grazing is not possible.

Or. en

Amendment 326

Proposal for a regulation

Annex 2 – section 2 – part 1 – point 1.7 – 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. *Attaching elastic bands to the tails of sheep and tail-docking may be authorised by the competent authority for reasons of safety for animal and human or if they are intended to improve the health, welfare or hygiene of the livestock. Dehorning of young mammals shall only be approved by applying adequate anaesthesia and/or analgesia.*

Or. en

Justification

Many of old races especially cows have horns. If dehorning would be prohibited many of this old races would be endangered to disappear.

Amendment 327

Proposal for a regulation

Annex 2 – section 2 – part 2 – point 2.2 a (new)

Text proposed by the Commission

Amendment

2.2 a. Production of rabbits

2.2 a. 1. Conversion

For rabbits and their products to be considered organic, the production rules of this Regulation must have been applied for at least 12 months.

2.2 a. 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 ad lib when grass is not sufficient. Forage should comprise at least 60% of the diet;

(d) must be fed with natural milk until weaning at a minimum age of four weeks.

2.2 a. 3. Specific housing conditions

With regard to the 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 to a doe;

(b) farms should use robust breeds adapted to outdoor conditions;

(c) the housing shall be provided with a comfortable, clean and dry laying/rest areas 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 ;

(ii) an outdoor run with vegetation, preferably pasture, with a minimum area of 5 m² (or a minimum length of 1.8 m² and a minimum area 2.4

m² for mobile runs);

(iii) These minimum areas must have a minimum height of 60 cm;

(iv) a raised platform they can sit on either inside or out;

(v) nesting material for all nursing does.

2.2 a. 4. Stocking density

The number of rabbits per hectare shall respect the following limits:

(insert table)

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 parcs):

(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 parcs):

(i) adult rabbits including, bucks, gestating and nursing does – 5 m² ;

(ii) fattening rabbits - 5 m² ;

(c) minimum space outside per rabbits kept in mobile parcs:

(i) adult rabbits including, bucks, gestating and nursing does – 5 m² ;

(ii) fattening rabbits – 0.4 m² .

Or. en

Justification

Specific rules should be set in place for rabbits.

Amendment 328

Proposal for a regulation

Annex 2 – section 2 – part 2 – point 2.3 – point 2.3.4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The size of pigs production units is 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.

Or. en

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 329

Proposal for a regulation

Annex 2 – section 2 – part 2 – point 2.4 – point 2.4.2 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

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:

Poultry shall ***come from slow-growing poultry strains as defined by the competent authority.***

Where slow-growing poultry is not available, exceptions shall be authorised by competent authorities to use 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:

Or. en

Amendment 330

Proposal for a regulation

Annex 2 – section 2 – part 2 – point 2.4 – point 2.4.3 – paragraph 1 – 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 **50** % 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;

Or. en

Justification

The definition of a region for the purpose of defining the access to organic feed is more restrictive in art 3 (definitions)

Amendment 331

Proposal for a regulation

Annex 2 – section 2 – part 2 – point 2.4 – point 2.4.4 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(d a) The total usable surface area of poultry buildings for fattening poultry of any production unit shall not exceed 1,600 m².

Or. en

Justification

For a sustainable production a production ceiling per unit is needed.

Amendment 332

Proposal for a regulation

Annex 2 – section 2 – part 2 – point 2.4 – point 2.4.4 – paragraph 1 – point d b (new)

Text proposed by the Commission

Amendment

(d b) The total number of laying hens shall not exceed 12.000 hens in a production unit. In one poultry house not more than 3.000 laying hens shall be allowed. For young poultry specific rules apply;

Or. en

Justification

For a sustainable production a production ceiling per unit is needed.

Amendment 333

Proposal for a regulation

Annex 2 – section 4 – part 1 – point 1.4 a (new)

Text proposed by the Commission

Amendment

1.4 a. Operators shall ensure the traceability of each product in accordance with Article 18 of Regulation (EC) No 178/2002 within 2 days.

Or. en

Justification

Regulation on 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 334

Proposal for a regulation

Annex 2 – section 4 – part 1 – 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***

Or. en

Justification

This wording does not correspond to a production rule and its content is already covered by Article 6 especially points e) and d).

Amendment 335

Proposal for a regulation

Annex 2 – section 4 – part 2 – 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; ***deleted***

Or. en

Justification

Deleted points a) to d): this content is included in Article 13 as amended.

Amendment 336

Proposal for a regulation

Annex 2 – section 4 – part 2 – point 2.1 – point b

Text proposed by the Commission

Amendment

(b) only those food additives, processing aids, flavourings, water, salt, preparations of micro-organisms and food enzymes, minerals, trace elements, vitamins, as well as amino acids and other micronutrients in foodstuffs for particular nutritional uses authorised for use in organic production pursuant to Article 19 may be used; *deleted*

Or. en

Amendment 337

Proposal for a regulation

Annex 2 – section 4 – part 2 – 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*

Or. en

Amendment 338

Proposal for a regulation

Annex 2 – section 4 – part 2 – point 2.1 – point d

Text proposed by the Commission

Amendment

(d) food produced from in-conversion crops shall contain only one crop ingredient of agricultural origin. *deleted*

Or. en

Amendment 339

Proposal for a regulation

Annex 2 – section 4 – part 2 – point 2.2 – point 2.2.3 – point b

Text proposed by the Commission

(b) preparations and substances referred to in point 2.2.2. shall not be calculated as agricultural ingredients;

Amendment

(b) preparations and substances referred to in point 2.2.2.e) shall not be calculated as agricultural ingredients;

Or. en

Amendment 340

Proposal for a regulation

Annex 2 – section 4 – part 2 – point 2.2 – point 2.2.4

Text proposed by the Commission

2.2.4. The following non-organic agricultural ingredients may be used in the processing of organic food:

(a) animal products:

(i) aquatic organisms, not originating from aquaculture, and permitted in non-organic foodstuffs preparation;

(ii) gelatin;

(iii) casings;

(b) unprocessed vegetable products as well as products derived therefrom by processing:

(i) edible fruits, nuts and seeds:

– cola nuts *Cola acuminata*;

(ii) edible spices and herbs:

– horseradish seeds *Armoracia rusticana*;

– safflower flowers *Carthamus tinctorius*;

– watercress herb *Nasturtium officinale*;

(iii) miscellaneous:

– algae, including seaweed;

(c) processed vegetable products:

Amendment

deleted

(i) sugars, starches and other products from cereals and tubers:

– rice paper;

– starch from rice and waxy maize, not chemically modified;

(ii) miscellaneous:

– rum, only obtained from cane sugar juice.

Or. en

Justification

the availability of substances on the market varies. Substances listed in this paragraph might be already available in the nearer future also in organic quality.

Amendment 341

Proposal for a regulation

Annex 2 – section 4 – part 2 – point 2.2 – point 2.2.4 – point a

Text proposed by the Commission

Amendment

(a) animal products:

deleted

(i) aquatic organisms, not originating from aquaculture, and permitted in non-organic foodstuffs preparation;

(ii) gelatin;

(iii) casings;

Or. en

Justification

The availability of substances on the market varies. Substances listed in this paragraph might be already available in the nearer future also in organic quality.

Amendment 342

Proposal for a regulation

Annex 2 – section 4 – part 2 – point 2.2 – point 2.2.4 – point b

Text proposed by the Commission

Amendment

(b) unprocessed vegetable products as well as products derived therefrom by processing:

deleted

(i) edible fruits, nuts and seeds:

– cola nuts *Cola acuminata*;

(ii) edible spices and herbs:

– horseradish seeds *Armoracia rusticana*;

– safflower flowers *Carthamus tinctorius*;

– watercress herb *Nasturtium officinale*;

(iii) miscellaneous:

– algae, including seaweed;

Or. en

Amendment 343

Proposal for a regulation

Annex 2 – section 4 – part 2 – point 2.2 – point 2.2.4 a (new)

Text proposed by the Commission

Amendment

2.2.4 a. 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 organic that ingredient may only be used under the following conditions:

(a) the operator has notified to the competent authority of the Member State all the requisite evidence showing that the ingredient concerned is not produced in sufficient quantity or quality in the Union in accordance with the organic production rules or cannot be imported from third countries;

(b) the competent authority of the Member State has provisionally authorised, the use 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 ensure himself of the unavailability of the ingredients concerned with the required quality requirements;

(c) the agriculture ingredient meets the following conditions:

- it is a mono ingredient product; and/or*
- the specific quality characteristics cannot be fulfilled by similar products.*

The Member State may prolong the authorisation provided for in point (b) if needed.

2. Where an authorisation as referred to in paragraph 1 has been granted, the Member State shall immediately notify to the other Member States and to the Commission, the following information:

(a) the date of the authorisation and in case of a prolonged authorisation, the date of the first authorisation;

(b) the name, address, telephone, and where relevant, fax and e-mail 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 period of, the shortage;

(g) the date on which the Member State sends this notification to the other

Member States and 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 comments to the Commission and to the Member State which granted the authorisation, which show that supplies are available during the period of the shortage, the Member State shall consider the withdrawal of the authorisation or reducing the envisaged period of 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 information.

4. At the request of a Member State or at the Commission's initiative, the matter shall be re-evaluated

It may be decided, in accordance with the procedure laid down in paragraph 2 of that Article, that a previously granted authorisation shall be withdrawn or its period of validity amended.

Or. en

Justification

There should be only the permissions to use ingredient in non-organic form if they are not available on the market; the approach by the Commission to permit for some agricultural products their use in a non organic form does not take into account a development of the organic market.

Amendment 344

Proposal for a regulation

Annex 2 – section 4 – part 2 – point 2.2 – point 2.2.5

Text proposed by the Commission

Amendment

2.2.5. Fats and oils whether or not refined, but not chemically modified, may be used in their non-organic form if they are derived from plants other than:

deleted

- *cocoa Theobroma cacao*;
- *coconut Cocos nucifera*;
- *olive Olea europaea*;
- *sunflower Helianthus annuus*;
- *palm Elaeis guineensis*;
- *rape Brassica napus, rapa*;
- *safflower Carthamus tinctorius*;
- *sesame Sesamum indicum*;
- *soya Glycine max*.

Or. en

Amendment 345

Proposal for a regulation

Annex 2 – section 4 – part 2 – point 2.2 – point 2.2.5 a (new)

Text proposed by the Commission

Amendment

2.2.5 a. Additional to the requirements laid down in this Regulation, the following additional requirements for the processing of organic flavours shall be fulfilled:

1. Only flavouring extracts and natural flavourings as defined in Article 16 (4) and 16 (5) of Regulation (EC) No 1334/2008 shall be considered as organic flavourings.

2. For organic flavourings, all flavour components shall be organic.

3. Only organic carriers shall be allowed and included in the calculation of the percentage of agricultural ingredients.

4. As long as glycerol and sodium alginate are not available in organic quality, they should be allowed as conventional carriers and shall not be considered as part of the percentage calculation of agricultural ingredients. In this case the majority of the ingredients shall be from

organic origin.

5. Additives, solvents and processing aids must be used in organic form when available.

Or. en

Justification

As an example for paragraph 2: a lemon organic natural flavouring shall contain only flavouring ingredients derived from organic lemon plants.

Amendment 346

Proposal for a regulation

Annex 2 – section 5 – part 1 – point 1.1

Text proposed by the Commission

1.1. In addition to the general production rules laid down in Articles 7, 8, 9 and **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

1.1. In addition to the general production rules laid down in Articles 7, 8, 9 and **13a**, 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.

Or. en

Amendment 347

Proposal for a regulation

Annex 2 – section 6 – paragraph 1

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 and 13 a**, the rules laid down in this Part shall apply to organic yeast used as food or feed.

Or. en

Part VI a(new): 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 the 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 of point 1. shall not apply in following cases:

- *where in the ingredients list the origin of all ingredients is specified, referring to the place of agricultural production ;*
- *where labelling of origin is required by Regulation (EC) No 1269/211, Regulation (EC) No 1580/2007, or 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.*

Or. en

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 349

Proposal for a regulation Annex 5 a (new)

Text proposed by the Commission

Amendment

Specific rules for the European Organic Agency (EOA)

Section 1

MISSION AND TASK

1. Mission of the Agency

In a fast growing market for organic products the Agency shall establish a level playing field for all operators and fair competition between European organic operators and producers in third countries. The Agency shall monitor the development of the sector, especially providing data on best practices and market opportunities, but also on deficiencies in the supply of inputs and risk points for compliance with this regulation. The Agency shall also guarantee continuous exchange of

relevant information between operators and competent authorities and carry out the necessary controls for a smooth functioning of the sector. Upon requests from the Commission, the Agency shall propose initiatives for supplementing rules or annexes of this regulation. based on the results of monitoring, scientific findings and consultation processes with stakeholders of the organic sector and other interested parties.

2. Tasks of the Agency

The tasks of the Agency shall be the following:

- a) provide scientific advice and technical support for improved implementation and necessary monitoring of this regulation;*
- b) collect, analyse, host and summarize scientific and technical data as specified in and relevant for the implementation of this regulation in member states and in third countries;*
- c) establish communication procedures and tools , data exchange and information exchange between the agency, member states and accreditation bodies as required by this regulation;*
- d) facilitate the control requirements of the competent authorities and bodies, supervising the recognition of control bodies and control authorities within the Union, as well as in third countries;*
- e) coordinate the development of harmonised control implementation and, coordinate information and activities in cases of suspicion were more than one Member State and/or Third countries are involved . (Art XX)*
- f) manage and update all relevant lists of recognised control bodies and control authorities authorised for third countries according to ArtXXX;*

g) facilitate and coordinate the approval of equivalent standards according to Art. X and manage and update the list of equivalent standards accordingly including the publication of the deviations in comparison to EU organic regulation;

h) facilitate and coordinate substance evaluation processes and revisions of lists of authorized procedures and substances in accordance with art XXX (19);

i) monitor and coordinate the implementation of the European organic action plan, including the development of the organic seed sector and the market for organic feed;

j) facilitate the exchange with the organic sector on the implementation, proposed changes and demands from the sector

SECTION 2

ORGANISATION

Bodies of the Agency

The Agency shall comprise:

(a) a Board;

(b) an Executive Director with staff;

(c) a Scientific Committee and Scientific Panels (EGTOP)

(d) a Stakeholder Committee.

a. Board

1. The Board shall be composed of 9 members appointed by the European Parliament and the Council from a list drawn up by the Commission which includes a number of candidates substantially higher than the number of members to be appointed, plus one representative each of the Commission, the European Parliament and the Council. Two of the members shall have their background in organisations representing consumers, animal welfare,

research and environmental stakeholders: At least four members shall have their background in the organic sector (farming, processing, controls and trading). The chair of the stakeholder committee (as described below) is automatically part of the board with observation status only.

2. The Board shall advise the Executive Director in the performance of his duties under this Regulation, in particular in drawing up a proposal for the Agency's work programme.

The members of the Board shall be appointed in such a way as to secure the highest standards of competence, a broad range of relevant expertise and, consistent with these shall represent the geographic aspects of the Union.

4. Members' term of office shall be four years, and may be renewed once. However, for the first mandate, this period shall be six years for half of the members.

5. The Board shall adopt the Agency's internal rules on the basis of a proposal by the Executive Director. These rules shall be made public.

6. The Board shall elect one of its members as its Chair for a two-year period, which shall be renewable.

7. The Board shall adopt its rules of procedure. Unless otherwise provided, the Board shall act by a majority of its members.

8. The Board shall meet at the invitation of the Chair or at the request of at least a third of its members.

9. The Board shall ensure that the Authority carries out its mission and performs the tasks assigned to it under the conditions laid down in this Regulation.

10. Before 31 January each year, the

Board shall adopt the Agency's programme of work for the coming year. It shall also adopt a revisable multi-annual programme. The Board shall ensure that these programmes are consistent with the Union's legislative and policy priorities in the area of food safety.

11. The Board, having received the Commission's approval and the opinion of the Court of Auditors, shall adopt the Agency's financial regulation which specifies in particular the procedure for drawing up and implementing the Agency's budget, in accordance with Article 142 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities(26) and with the legislative requirements concerning investigations conducted by the European Anti-Fraud Office.

12. The Executive Director shall take part in the meetings of the Board, without voting rights, and shall provide the Secretariat. The Board shall invite the Chair of the Scientific Committee to attend its meetings without voting rights.

b. Executive Director and support staff

1. The Executive Director shall be appointed by the Commission after an open competition, following publication in the Official Journal of the European Union and elsewhere of a call for expressions of interest, for a period of five years which shall be renewable. Before appointment the candidate nominated by the Board shall be invited without delay to make a statement before the European Parliament and answer questions put by members of this institution. The Executive Director may be removed from office by a majority of the Board.

2. The Executive Director shall be the legal representative of the Agency and

shall be responsible for:

(a) the day-to-day administration of the Agency;

(b) drawing up a proposal for the Agency's work programmes in consultation with the Commission;

(c) implementing the work programmes and the decisions adopted by the Board;

(d) ensuring the provision of appropriate scientific, technical and administrative support for the Scientific Committee and the Scientific Panels;

(e) ensuring that the Agency carries out its tasks in accordance with the requirements of its users, in particular with regard to the adequacy of the services provided and the time taken;

(f) the preparation of the statement of revenue and expenditure and the execution of the budget of the Authority;

(g) all staff matters;

(h) developing and maintaining contact with the European Parliament, and for ensuring a regular dialogue with its relevant committees.

3. Each year, the Executive Director shall submit to the Board for approval:

(a) a draft general report covering all the activities of the Agency in the previous year;

(b) draft programmes of work;

(c) the draft annual accounts for the previous year;

(d) the draft budget for the coming year.

The Executive Director shall, following adoption by the Board, forward the general report and the programmes to the European Parliament, the Council, the Commission and the Member States, and shall have them published.

4. The Executive Director shall approve all financial expenditure of the Agency and report on the Authority's activities to the Board.

c. Scientific Committee and Scientific Panels (former EGTOP)

1. The Scientific Committee and permanent Scientific Panels shall be responsible for providing the scientific opinions of the Authority, each within their own spheres of competence, and shall have the possibility, where necessary, of organizing public hearings. It is based on the current EGTOP process (Commission decision 2009/427).

2. The Scientific Committee shall be responsible for the general coordination necessary to ensure the consistency of the scientific opinion procedure, in particular with regard to the adoption of working procedures and harmonisation of working methods. It shall provide opinions on multisectoral issues falling within the competence of more than one Scientific Panel, and on issues which do not fall within the competence of any of the Scientific Panels.

Where necessary, and particularly in the case of subjects which do not fall within the competence of any of the Scientific Panels, the Scientific Committee shall set up working groups. In such cases, it shall draw on the expertise of those working groups when establishing scientific opinions.

The number and names of the Scientific Panels may be adapted in the light of technical and scientific development by the Commission, at the Authority's request, in accordance with the procedure referred to in Article XXXX.

3. The Scientific Committee and the Scientific Panels shall each choose a Chair and two Vice-Chairs from among

their members.

4. The representatives of the Commission's departments shall be entitled to be present in the meetings of the Scientific Committee, the Scientific Panels and their working groups. If invited to do so, they may assist for the purposes of clarification or information but shall not seek to influence discussions.

5. The procedures for the operation and cooperation of the Scientific Committee and the Scientific Panels shall be laid down in the Agency's internal rules.

d. Stakeholder Committee

The Stakeholder Committee shall provide the view of the organic sector, representing organic farmers organisations, organic processors and organic traders. The Stakeholder Committee needs to be consulted on every proposed amendments of the organic regulation, provides position of the sector on request of the board and can adopt opinions on all issues related to the tasks of the EUOA at any time. The Stakeholder shall choose a Chair and two Vice-Chairs from among their members.

4. The representatives of the Commission's departments shall be entitled to be present in the meetings of the Stakeholder Committee and their working groups. If invited to do so, they may assist for the purposes of clarification or information but shall not seek to influence discussions.

5. The procedures for the operation and cooperation of the Stakeholder Committee shall be laid down in the Agency's internal rules.

Or. en

Amendment 350

Proposal for a regulation
Annex V b (new)

Text proposed by the Commission

Amendment

Annex XX

Responsibilities of the operators to keep records in the event of exceptional circumstances to justify exemption from or provide assurance for the following production rules:

- Soil management and fertilisation (Reg. 889/2008 article 3(1))***
- Pest, disease and weed management (Reg. 889/2008 article 5(1))***
- Sustainable harvesting of wild seaweed (Reg. 889/2008 article 6c(1) and (4))***
- Simultaneous production of organic and non-organic livestock (Reg. 889/2008 article 17(5))***
- Disease prevention (Reg. 889/2008 article 23(5))***
- Veterinary treatment (Reg. 889/2008 article 24(4))***
- Simultaneous production of organic and non-organic aquaculture animals (Reg. 889/2008 article 25c(3))***
- Origin of organic aquaculture animals (Reg. 889/2008 article 25d(1))***
- General aquaculture husbandry rules (Reg. 889/2008 article 25f(5))***
- Management of aquaculture animals (R.889/2008 article 25h(4))***
- Specific rules on feeds for certain aquaculture animals (Reg. 889/2008 article 25l(2))***

- *Sourcing of seed (R.889/2008 article 25o(1))*
- *Packaging and transport of products to other operators or units (R.889/2008 article 31(2)(c))*
- *Special rules for transporting feed to other production/preparation units or storage premises (R. 889/2008 article 32(b)(iii) and (d))*
- *Transport of live fish (R.889/2008 article 32a (4))*
- *Reception of products from other units and other operators (R.889/2008 article 33)*
- *Storage of products (R.889/2008 article 35(3+4))*
- *Management of beekeeping units for the purpose of pollination (R.889/2008 article 41 last paragraph)*
- *Use of non-organic feed of agricultural origin (R.889/2008 article 43 last paragraph)*
- *Catastrophic circumstances (R.889/2008 article 47 last paragraph)*

R 889/2008 article 66: Documentary accounts

1. Stock and financial records shall be kept in the unit or premises and shall enable the operator to identify and the control authority or control body to verify:

- (a) the supplier and, where different, the seller, or the exporter of the products;***
- (b) the nature and the quantities of organic products delivered to the unit and, where relevant, of all materials bought and the use of such materials, and, where relevant, the composition of the compound feedingstuffs;***

(c) the nature and the quantities of organic products held in storage at the premises;

(d) the nature, the quantities and the consignees and, where different, the buyers, other than the final consumers, of any products which have left the unit or the first consignee's premises or storage facilities;

(e) in case of operators who do not store or physically handle such organic products, the nature and the quantities of organic products bought and sold, and the suppliers, and where different, the sellers or the exporters and the buyers, and where different, the consignees.

2. The documentary accounts shall also comprise the results of the verification at reception of organic products and any other information required by the control authority or control body for the purpose of proper control. The data in the accounts shall be documented with appropriate justification documents. The accounts shall demonstrate the balance between the input and the output.

3. Where an operator runs several production units in the same area, the units for non organic products, together with storage premises for input products must also be subject to the minimum control requirements.

R. 889/2008 article 72: Plant production records

Plant production records shall be compiled in the form of a register and kept available to the control authorities or bodies at all times at the premises of the holding. In addition to Article 71 such records shall provide at least the following information:

(a) as regards the use of fertiliser: date of application, type and amount of fertiliser, parcels concerned;

(b) as regards the use of plant protection products: reason and date of treatment, type of product, method of treatment;

(c) as regards purchase of farm inputs: date, type and amount of purchased product;

(d) as regards harvest: date, type and amount of organic or in conversion crop production.

R. 889/2008 article 73b: Seaweed Production Records

1. Seaweed production records shall be compiled in the form of a register by the operator and kept available for the control authorities or control bodies at all times at the premises of the holding. It shall provide at least the following information:

(a) list of species, date and quantity harvested;

(b) date of application, type and amount of fertiliser used.

2. For collection of wild seaweeds the register shall also contain:

(a) history of harvesting activity for each species in named beds;

(b) harvest estimate (volumes) per season;

(c) sources of possible pollution for harvest beds;

(d) sustainable annual yield for each bed.

R 889/2008 article 76: Livestock records

Livestock records shall be compiled in the form of a register and kept available to

the control authorities or bodies at all times at the premises of the holding. Such records shall provide a full description of the herd or flock management system comprising at least the following information:

(a) as regards animals arriving at the holding: origin and date of arrival, conversion period, identification mark and veterinary record;

(b) as regards livestock leaving the holding: age, number of heads, weight in case of slaughter, identification mark and destination;

(c) details of any animals lost and reasons thereof;

(d) as regards feed: type, including feed supplements, proportions of various ingredients of rations and periods of access to free-range areas, periods of transhumance where restrictions apply;

(e) as regards disease prevention and treatment and veterinary care: date of treatment, details of the diagnosis, the posology; type of treatment product, the indication of the active pharmacological substances involved method of treatment and veterinary prescription for veterinary care with reasons and withdrawal periods applying before livestock products can be marketed labelled as organic.

R 889/2008 article 79b: Aquaculture animal production records

The following information shall be provided by the operator in the form of a register which shall be kept up to date and made available for the control authorities or control bodies at all times at the premises of the holding

(a) the origin, date of arrival and conversion period of animals arriving at

the holding:

(b) the number of lots, the age, weight and destination of animals leaving the holding;

(c) records of escapes of fish;

(d) for fish the type and quantity of feed and in the case of carp and related species a documentary record of the use additional feed;

(e) veterinary treatments giving details of the purpose, date of application, method of application, type of product and withdrawal period;

(f) disease prevention measures giving details of fallowing, cleaning and water treatment.

R 889/2008 article 83: Documentary accounts

The importer and the first consignee shall keep separate stock and financial records, unless where they are operating in one single unit.

On request of the control authority or control body, any details on the transport arrangements from the exporter in the third country to the first consignee and, from the first consignee's premises or storage facilities to the consignees within the Community shall be provided.

R 889/2008 article 89: Documentary accounts

For the purposes of proper control of the operations, the documentary accounts referred to in Article 66 shall include information on the origin, nature and quantities of feed materials, additives, sales and finished products.

ANNEX V c (new)

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 maintain:

(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 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 be part of a quality system as 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 a possible subcontractor. In addition, this 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, the enforcement of the measures of the organic production rules;

(c) to undertake to inform in writing the buyers of the product in order to ensure that the indications referring to the organic production method are removed

from this production;

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

(e) to accept, in cases where the operator and/or the subcontractors of that operator change their control authority or control body, the transmission of their control files to the subsequent control authority or control body;

(f) to accept, in cases where the operator withdraws from the control system, to inform without delay the relevant competent authority and control authority or control body;

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

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

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

1.3. For the application of Article 24a (new)(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 has implemented the control system by approving such bodies.*

2. Modification of control arrangements

The operator responsible shall notify any change in the description or of the measures referred to in 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) submit, when requested by the control authority or control body, the results of its own quality assurance programmes.*

3.2. In addition to the requirements set out in point 3.1., importers and first consignees shall submit 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 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 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 and 4.1.-4.2. and the provisions with regard to Documentary accounts and records of Annex 5b(new).

5. Specific control requirements for seaweed

When the control system applying specifically to seaweed is first implemented, the full description of the site 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 point 2.4. and 2.5. of Annex II part III where applicable;

(d) for wild seaweed a full description and a map of shore and sea collection areas and land areas where post collection activities take place shall be drawn up.

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 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, the premises for the storage, packaging and processing of livestock, livestock products, raw materials and inputs;

(b) a full description of the installations 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 point 1.5.5. of part I of Annex II complying with the provisions of 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 on 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; individually, or by batch, or by hive, in the case of poultry, small animals and bees.

6.4. Specific control measures on 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 if necessary, that the areas accessible to his colonies meet the conditions required 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 the 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 to comply with this requirement shall be recorded.*

6.4.6. *The 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 as laid down in points 1, 2, 3 and 6.1.-6.4. and the provisions with regard to Documentary accounts and records of Annex 5b(new).

7. *Specific control requirements for 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 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 point 2.3. of Annex II part III where applicable;

(c) the sustainable management plan as outlined in 2.4. and 2.5. . of Annex II part III where applicable.

7.2. Several production units run by the same operator

When an operator manages several production units the units which produce non-organic aquaculture animals shall also be subject to the control system as laid down in points 1, 2, 3 and 7.1. and the provisions with regard to Documentary accounts an records of Annex 5b(new).

8. Specific control requirements for units for preparation of plant, seaweed, livestock and aquaculture animal products and foodstuffs composed thereof

8.1. Control arrangements

In the case of a unit involved in the preparation for its own account or for account of a third party, and including in particular units involved in packaging and/or re-packaging of such products or units involved in labelling and/or re-labelling of such products, the full description of the unit referred to in point 1.1.(a) shall show the facilities used for the reception, the processing, packaging, labelling and storage of agricultural products before and after the operations concerning them, as well as the procedures for the transport of the products.

9. Specific control requirements for imports of organic products from third countries

9.1. Scope

The provisions of point 9 apply to any operator involved, as importer and/or as first consignee, in the import and/or reception, for its own account or for account of another operator, of organic products.

9.2. Control arrangements

9.2.1. In the case of the importer, the full description of the unit referred to in point 1.1.(a) shall include the importer's premises and of his import activities, indicating the points of entry of the products into the Community and any other facilities the importer intends to use for the storage of the imported products pending their delivery to the first consignee.

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 control authority or, when these storage facilities are situated in another Member State or region, by a control body or authority approved for control in that Member State or region.

9.2.3. In the case of the first consignee, the full description of the unit referred to in point 1.1.(a) shall show the facilities used for the 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 subparagraph of point 1.2 may be formalised within one single report.

9.3. Information on imported consignments

The importer shall, in due time, inform the control body or control authority of

each consignment to be imported into the Community, providing:

(a) the name and address of the first consignee;

(b) any details the control body or authority may reasonably require,

(i) in case of products imported in accordance with Article [32 of Regulation (EC) No 834/2007 – to be checked the right reference], the documentary evidence referred to in that Article;

(ii) in case of products imported in accordance with Article [33 of Regulation (EC) No 834/2007 - to be checked the right reference], a copy of the certificate of inspection referred to in that Article.

On the request of the control body or control authority of the importer, the latter shall forward the information referred to in the first paragraph to the control body or control authority of the first consignee.

9.4. Control visits

Where the importer performs the import operations by different units or premises, he shall make available on request the reports referred to in the second subparagraph of point 1.2 of this Regulation for each of these facilities.

10. Specific control requirements for units involved in the production, preparation or import of organic products and which have contracted out to third parties in part or in total the actual operations concerned

10.1. Control arrangements

With regard to the operations, which are contracted out to third parties, the full description of the unit 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 of Chapter V (Article 24 (new) – 26);

(c) all the practical measures, including inter alia an appropriate system of documentary accounts, to be taken at the level of the unit to ensure that the products the operator places on the market can be traced to, as appropriate, their suppliers, sellers, consignees and buyers.

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 Article 2(1)(c) 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 referred to 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, the description of the compound feedingstuff that 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 Point 1 of part IV of Annex II.

3. The control authority or control body shall use these measures to carry out a general evaluation of the risks attendant on each preparation unit and to draw up a control plan. This control plan shall provide for a minimum number of random samples depending on the potential risks.

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Justification

First part : New annex Vb (new) linked to article 24(new) and article 20a (new)Second part: These specific precautionary and control measures are extracted from art 63 of 889/2007)