**Organic farming:**

**Compromise amendments (CAs) proposed by the rapporteur**

**CA1 - Draft compromise on the scope of the regulation (Art 2 paragraph 1 subparagraph 1)**

*NB: both parts will be voted together for text consistency.*

Replacing AMs: 5, 370-371, 47, 492-502

Based on AMs: 492-494, 496-498, 501, 502

CA 1 - Part I

Proposal for a regulation

Article 2

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| Text proposed by the Commission | Compromise Amendment |
| 1. This Regulation shall apply to ***agricultural*** products ***listed in Annex I to the Treaty*** on the ***Functioning of the European Union (‘the Treaty'***) ***and to some*** ***other products listed in Annex I to this Regulation, insofar as those agricultural products and those other products*** are intended to be produced, prepared, distributed, placed on the market, imported or exported as organic. | 1. This Regulation shall apply to ***the following*** products ***originating from agriculture, including aquaculture and beekeeping, where such products are, or*** are intended to be***,*** produced, prepared, ***labelled,*** distributed, placed on the ***Union*** market, ***or*** imported ***into*** or exported ***from the Union*** as organic: |
|  | ***(a) live or unprocessed agricultural products, including seed and other plant reproductive material;*** |
|  | ***(b) processed agricultural products for food;*** |
|  | ***(c) feed;*** |
|  | ***(d) algae and aquaculture animals;*** |
|  | ***(e) wine;*** |
|  | ***(f) yeast;*** |
|  | ***(g) mushrooms;*** |
|  | ***(h) collected wild plants and parts thereof, and to other products closely linked to agriculture which are intended to be produced, prepared, labelled, distributed, placed on the market, imported or exported.*** |
| The products of hunting and fishing of wild animals shall not be considered ***as*** organic products. | The products of hunting and fishing of wild animals shall not be considered ***to constitute*** organic products. |
| 2. This Regulation shall apply to any operator involved in activities, at any stage of production, preparation and distribution, relating to the products referred to in paragraph 1. | 2. This Regulation shall apply to any operator involved in activities, at any stage of production, preparation***, labelling*** and distribution, relating to the products referred to in paragraph 1. |
| *(The amendment of the word "seaweed " to "algae" applies throughout the text. Adopting it will necessitate corresponding changes throughout.)* | |
| *NB: traditional herbal medicinal products have not been included in the CA as they fall under DG SANTE legislation (not AGRI)* | |

CA1 - Part II

Replacing AMs 5, 370-371

Proposal for a regulation

Recital 9

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| Text proposed by the Commission | Compromise Amendment |
| (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.*** | (9) Experience gained so far with the application of Regulation (EC) No 834/2007 shows a need to clarify the ***production processes and*** products to which this Regulation applies. Primarily, it should cover agricultural ***production methods and*** products, including aquaculture ***and beekeeping*** products. Moreover, it should cover processed agricultural products for use as food or feed because the placing on the market of such products as organic provides a major outlet for agricultural products and ensures visibility to the consumer of the organic nature of the agricultural products from which they are processed. Likewise, this Regulation should cover certain other products which are ***closely*** linked to agricultural products in a similarly close way as processed agricultural products because those other products either constitute a major outlet for agricultural products or form an integral part of the production process. [Finally, 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]. |

*[This part* [...] *will have to be deleted if AM 255 is adopted.]*

**CA2 -****Draft compromise on the definitions (Article 3) - 4 definitions = 4 parts**

*NB: the 3 parts will be voted together for easing the vote*

**CA2 - Part 1 - definition of 'group of operators' (Article 3 - point 7)**

Replacing AMs 55, 517-530 and ENVI 33

Based on 55, 517-526, 528-530 and ENVI 33

CA 2 - Part 1

Proposal for a regulation

Article 3 – point 7

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| Text proposed by the Commission | Compromise Amendment |
| (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; | (7) ‘group of operators' means a group ***fulfilling all of the following conditions***: |
|  | ***(i)*** each ***member of the group*** is a farmer ***or is an operator*** ***producing algae or aquaculture products, and may,*** in addition to producing food and feed, be engaged in ***the*** processing, ***preparation or marketing*** of food or feed; |
|  | ***(ii) the production activities of the members of the group take place in geographical proximity to each other;*** |
|  | ***(iii) a joint marketing system for the organic products produced by the group is established;*** |
|  | ***(iv) the group has legal personality and an internal control system; and*** |
|  | ***(v) the turnover or standard output of organic production of each member of the group does not exceed EUR 15 000 per year, or each member produces on a holding of up to 5 hectares, or, in the case of production under glass or other intensive production under protective cover, on a holding of up to 0.5 hectares, or, in the case of exclusively permanent grassland, on a holding of up to 15 hectares.*** |
|  | ***The conditions set out under point (v) do not apply to group of operators from third countries;*** |

**CA2 - Part 2 - definition of ' organic plant breeding' (Art 3 - point 10 a)**

Replacing AM 56, 533, 534

Based on AM 56, 533, 534

CA2 - Part 2

Proposal for a regulation

Article 3 – point 10 a (new)

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

**CA2 - Part 3 - definition of 'organic animal breeding' (Art. 3 - point 10 e)**

Replacing AM 60, 535, 536

Based on AM 60, 535, 536

CA2 - Part 3

Proposal for a regulation

Article 3 – point 10 e (new)

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| Text proposed by the Commission | Compromise Amendment |
|  | ***(10e) 'organic animal breeding' means the enhancement of genetic diversity coupled with reliance on the natural reproductive ability of the animals concerned. Organic animal breeding shall, with regard to animals, secure the optimum compliance with the requirements of this Regulation, focussing on disease resistance, longevity, breeding value, and adaptation to climatic and natural conditions, and shall promote breeding aimed at slow growth where relevant;*** |

**CA 3 - Draft compromise objectives and principles to organic farming (Article 3a and 4)**

*NB: these 3 parts will be voted together for text consistency.*

Replacing AMs 10, 84-89, 377-381, 561-580, ENVI 4-5, 41-49

Based on AMs 84-89, 561-562, 564-567, 574-575, 577-579, ENVI 43, 45-49

CA 3 - Part 1

Proposal for a regulation

Chapter 2 - title

|  |  |
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| Text proposed by the Commission | Compromise Amendment |
| Principles ***of*** organic production | ***Objectives of, and*** principles ***for,*** organic production |

CA3 - Part 2

**Proposal for a regulation**

**Article 3 a (new)**

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| Text proposed by the Commission | Amendment |
|  | ***Article 3a*** |
|  | ***Objectives*** |
|  | ***In order to establish a sustainable management system for organic production, the following general objectives shall be pursued:*** |
|  | ***(a) respecting nature's systems and cycles and sustaining and enhancing the health of soil, water, plants and animals and the balance between them;*** |
|  | ***(b) establishing appropriate management of biological processes based on ecological systems using natural resources which are internal to the system, by methods that:*** |
|  | ***– maintain the long-term fertility of soils;*** |
|  | ***– contribute to a high level of biological diversity;*** |
|  | ***– make a substantial contribution to a non-toxic environment;*** |
|  | ***– make responsible use of, and contribute to the saving of, energy and water, and preserve natural resources such as water, soil, organic matter and air;*** |
|  | ***– respect high animal welfare standards and, in particular, meet animals' species-specific behavioural needs;*** |

**CA 3 - Part 3**

**Proposal for a regulation**

**Article 4**

|  |  |
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| Text proposed by the Commission | Compromise Amendment |
| Organic production is a sustainable management system ***for agriculture*** that is based on the following general principles: | Organic production is a sustainable management system that is based on the following general principles: |
| (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;*** | (a) ***contribution to protection of the environment, the climate and human health;*** |
| (b) contribution to a high level of biodiversity; | (b) contribution to a high level of biodiversity; |
| (c) responsible use of energy and natural resources, such as water, soil, organic matter and air; | (c) responsible use of energy and natural resources, such as water, soil, organic matter and air; |
| (d) respect of high animal welfare standards and, in particular, fulfilment of animals’ species-specific behavioural needs; | (d) respect of high animal welfare standards and, in particular, fulfilment of animals’ species-specific behavioural needs; |
|  | ***(da) the production of a wide variety of foods and other agricultural and aquacultural products of high quality which benefits the environment, human health, plant health or animal health and welfare;*** |
|  | ***(db) ensuring the quality of organic products at all stages of production, processing and distribution;*** |
|  | ***(dc) encouragement of short distribution channels and local production in the various areas of the Union;*** |
| (e) appropriate design and management of biological processes based on ecological systems using natural resources which are internal to the system by methods that: | (e) appropriate design and management of biological processes based on ecological systems using natural resources which are internal to the system by methods that: |
| (i) use living organisms and mechanical production methods; | (i) use living organisms and mechanical production methods; |
| (ii) practice ***land-related*** crop cultivation and livestock production or ***practice*** aquaculture which complies with the principle of sustainable ***exploitation of*** fisheries; | (ii) practice ***soil-bound*** crop cultivation and ***land-related*** livestock production or aquaculture which complies with the principle of sustainable fisheries. ***Additionally, such practices shall be based on the following principles:*** |
|  | ***– soil protection and cover against wind and water erosion;*** |
|  | ***– protection of the quality of the water;*** |
|  | ***– crop rotation, save in the case of permanent crops;*** |
|  | ***– use of seeds and animals with a high degree of genetic diversity, resistance against diseases and longevity;*** |
| (iii) exclude the use of GMOs and products produced from or by GMOs with the exception of veterinary medicinal products; | (iii) exclude the use of GMOs and products produced from or by GMOs with the exception of veterinary medicinal products; |
| (iv) are based on the use of ***preventive*** measures, when appropriate; | (iv) are based on ***risk assessment as defined in Article 3 of Regulation (EC) No 178/2002 and*** the use of ***precautionary*** measures, when appropriate; |
| (f) restriction of the use of external inputs. Where external inputs are required or the appropriate management practices and methods referred to in point (e) do not exist, these shall be limited to: | (f) restriction of the use of external inputs. Where external inputs are required or the appropriate management practices and methods referred to in point (e) do not exist, these shall be limited to: |
| (i) inputs from organic production; | (i) inputs from organic production***;*** ***in the case of plant reproductive material, priority shall be given to varieties selected for their ability to meet the specific needs and objectives of organic farming where available***; |
| (ii) natural or naturally-derived substances; | (ii) natural or naturally-derived substances; |
| (iii) low solubility mineral fertilisers; | (iii) low solubility mineral fertilisers; |
| (g) adaptation, where necessary, and within the framework of this Regulation, of the production process, taking account of the sanitary status, regional differences in ecological balance, climate and local conditions, stages of development and specific husbandry practices. | (g) adaptation, where necessary, and within the framework of this Regulation, of the production process, taking account of the sanitary status, regional differences in ecological balance, climate and local conditions, stages of development and specific husbandry practices. |

CA 3 - Part 4

Proposal for a regulation

Recital 33 a new

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| Text proposed by the Commission | Compromise Amendment |
|  | ***(33a) The Commission should ensure that Member States adopt measures in order to tackle unfair practices in the food supply chain within the organic sector.*** |

CA 3 - Part 5

Proposal for a regulation

Recital 44 a new

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

CA 3 - Part 6 (only the first part is covered by this CA. The rest is covered by CA6)

Replacing corresponding parts of AMs 10, 377-381, ENVI 4-5

Proposal for a regulation

Recital 15

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| Text proposed by the Commission | Compromise 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. ***[...]*** | (15) As a matter of principle, the general production rules of this Regulation should include a prohibition on the use of ionising radiation and genetically modified organisms (GMOs) and products produced from or by GMOs. ***Efforts should be made in order to develop the market of veterinary medicinal products without GMOs.*** ***[...]*** |

**CA 4 - Draft compromise on the exceptions for processed food and feed (Article 6+ article 6a new)**

*NB: the different parts will be voted together for text consistency.*

Replacing AMs 97-99, 104, 602-603, 608

Based on AMs 97-99, 104, 603, 608

CA4 - Part 1

Proposal for a regulation

Article 6 – title

|  |  |
| --- | --- |
| Text proposed by the Commission | Compromise Amendment |
| Specific principles applicable to the processing of organic food ***and feed*** | Specific principles applicable to the processing of organic food |

CA4 - Part 2

Proposal for a regulation

Article 6

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| Text proposed by the Commission | Compromise Amendment |
| Production of processed organic food ***and feed*** shall in particular be based on the following specific principles: | Production of processed organic food shall***,*** in particular***,*** be based on the following specific principles: |
| (a) production of organic food from organic agricultural ingredients; | (a) ***the*** production of organic food from organic agricultural ingredients***, except where an ingredient is not available as an organic product at a certain point in time. In such cases, non-organic ingredients may, exceptionally, be authorised by the competent authority of the Member State concerned. Such authorisation shall be notified to the Commission and published by the Commission in such a way as to make this information accessible***; |
| ***(b) production of organic feed from organic materials;*** |  |
| ***(c) limitation*** of the use of food additives, of non-organic ingredients with mainly technological and sensory functions, and of micronutrients and processing aids, so that they are used to a minimum extent and only in cases of essential technological need or for particular nutritional purposes; | ***(b)*** ***restriction*** of the use of food additives, of non-organic ingredients with mainly technological and sensory functions, and of micronutrients and processing aids, so that they are used to a minimum extent and only in cases of essential technological need or for particular nutritional purposes; |
| ***(d) limitation of the use of feed additives and processing aids to a minimum extent and only in cases of essential technological or zootechnical needs or for particular nutritional purposes;*** |  |
| (e) exclusion of substances and processing methods that might be misleading as regards the true nature of the product; | ***(c)*** exclusion of substances and processing methods that might be misleading as regards the true nature of the product; |
| (f) processing of food ***or feed*** with care, preferably through the use of biological, mechanical and physical methods. | ***(d)*** processing of food with care, preferably through the use of biological, mechanical and physical methods. |

CA4 - Part 3

Proposal for a regulation

Article 6 a (new)

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| Text proposed by the Commission | Compromise Amendment |
|  | ***Article 6a*** |
|  | ***Specific principles applicable to the processing of organic feed*** |
|  | ***Production of processed organic feed shall, in particular, be based on the following specific principles:*** |
|  | ***(a) the production of organic feed from organic feed materials;*** |
|  | ***(b) restriction to a minimum of the use of feed additives and processing aids, and authorisation of the use of such additives and aids only in cases of essential technological or zootechnical needs or for particular nutritional purposes;*** |
|  | ***(c) exclusion of substances and processing methods that might be misleading as regards the true nature of the product concerned;*** |
|  | ***(d) processing of feed with care, preferably through the use of biological, mechanical and physical methods.*** |

**CA 5 - Draft compromise on mixed farms (Art 7.1(a))**

*NB: the 2 parts will be voted together for text consistency.*

*CA5 will be voted together with AM 115.*

Replacing AMs 11, 105-106, 382-388, 609-617, 629-644 and ENVI 6, 55

Based on AMs 105-106, 610, 611, 612, 629-638, 640-643 and ENVI 55

CA5 - Part 1

Proposal for a regulation

Article 7 – paragraph 1 – point a

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| Text proposed by the Commission | Compromise Amendment |
| (a)the entire agricultural holding or aquaculture operation shall be managed in compliance with ***the requirements applicable to organic production***; | (a)the entire agricultural holding or aquaculture operation shall be managed in compliance with ***this Regulation***; |

CA5 - Part 2

Proposal for a regulation

Article 7a (new)

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| Text proposed by the Commission | Compromise Amendment |
|  | ***Article 7a*** |
|  | **Derogation from general production rules** |
|  | ***1. By way of derogation from point (a) of Article 7(1), a holding may be separated into clearly distinct production units which are either in compliance with this Regulation or dedicated to non-organic production, provided that:*** |
|  | ***(a) appropriate measures have been taken to ensure the permanent separation of products obtained from each unit concerned;*** |
|  | ***(b) as regards livestock, different species are involved and feed and stables are clearly separated;*** |
|  | ***(c) as regards plants, cultivated land is clearly separated, different crops and easily distinguishable varieties are produced and harvests are separately stored and processed;*** |
|  | ***(d) as regards aquaculture, production sites, feed and species are clearly separated;*** |
|  | ***(e) as regards perennial crops which have been cultivated over a period of at least three years, varieties which cannot be easily differentiated shall be accepted if they are being produced under a conversion plan not exceeding five years in duration and are subject to specific control procedures.*** |
|  | ***In the case of research and educational centres, nurseries, seed multipliers, hatcheries for aquaculture and algae production and breeding operations, the requirements concerning different species and varieties referred to in points (a) and (e) shall not apply.*** |
|  | ***2. An agricultural holding or aquaculture operation which includes organic and non-organic units may establish a conversion plan for the non-organic part of production to be implemented within a period of time which allows the holding to adapt to the requirements of this Regulation.*** |
|  | ***3. The derogation set out in paragraph 1 shall not apply to units producing products which are not covered by the scope of this Regulation or products for which detailed requirements have not yet been developed.*** |

CA5 - Part 3

Replacing AMs 11, 382-388, ENVI 6

Proposal for a regulation

Recital 16

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| Text proposed by the Commission | Compromise 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. ***Organic agricultural holdings should undergo the same conversion period in all Member States, irrespective of whether they have previously adhered to agri-environmental measures supported by Union funds. However, no conversion*** period ***is necessary in the case of fallow land***. In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the general conversion rules or supplementing ***and amending*** the specific conversion rules. | (16) The risk of non-compliance with the organic production rules is considered higher in agricultural holdings which include units not managed under organic production rules. Therefore, after an appropriate conversion period, all agricultural holdings in the Union which aim to become organic should be entirely managed in compliance with the requirements applicable to organic production. ***However, mixed farms including production units dedicated to non-organic production and production units which are in compliance with this Regulation should be allowed in cases where conventional farming activities are clearly differentiated from organic farming activities. Moreover, no conversion period should be necessary in the case of fallow land or where there is evidence that only substances authorised for organic production have been used on the land concerned for at least the time period required for conversion and provided that other necessary requirements are fulfilled.*** In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the general conversion rules or supplementing the specific conversion rules. |

**CA 6 - Draft compromise on the environmental performance (Article 7.1(d) and 7.2)** *NB: the 3 parts will be voted together for text consistency.*

Replacing AMs 10, 108-109, 377-379, 621-628, 645-648, ENVI 4, 56, 57

Based on AMs 108/109, 628, ENVI 56 and 57

CA 6 - Part 1

Proposal for a regulation

Article 7 – paragraph 1 – point d

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| Text proposed by the Commission | Compromise Amendment |
| (d) organic operators other than micro-enterprises, farmers and operators producing ***seaweed*** or aquaculture animals***,*** shall ***put in place an environmental management system with a view to improving*** their environmental performance. | (d) organic operators other than micro-enterprises, farmers, ***beekeepers, retailers*** and operators producing ***algae*** or aquaculture animals, shall ***improve*** their environmental ***performance*** ***to protect biodiversity and to contribute to climate change mitigation such as carbon sequestration, establishing performance targets***. |

CA 6 - Part 2

Proposal for a regulation

Article 7 – paragraph 2

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

CA6 - Part 3 (only 2nd part covered by CA6)

Replacing AMs 10, 377-379

Proposal for a regulation

Recital 15

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| Text proposed by the Commission | Compromise Amendment |
| (15) ***[...]***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***. | (15) ***[...]***Since consumers are more and more concerned about environmental impacts of food processing and transportation, organic operators other than ***micro-enterprises,*** farmers, ***beekeepers, retailers*** and operators producing ***algae*** or aquaculture animals should be required to ***improve*** their environmental performance ***in accordance with*** a harmonised ***framework***. With the objective of minimising the regulatory burden of micro-enterprises as defined in Commission Recommendation 2003/361/EC27involved 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***. |

**CA 7 - Draft compromise on the conversion period (Art 8 paragraph 2 - new subparagraph)**

*NB: the 2 parts will be voted together for text consistency.*

Replacing AMs 111-113, 267, 649-660, 1010

Based on AMs 111-113, 649-650, 655-660

CA 7 - Part 1

Proposal for a regulation

Article 8 – paragraph 2

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| Text proposed by the Commission | Compromise Amendment |
| 2. The conversion period shall start at the earliest when the farmer or the operator producing ***seaweed*** or aquaculture animals has notified his activity to the competent authorities in accordance with this Regulation. | 2. The conversion period shall start at the earliest when the farmer or the operator producing ***algae*** or aquaculture animals has ***subjected his holding to the certification and control system and*** notified his activity to the competent authorities in accordance with this Regulation. |
|  | ***The competent authorities may decide to recognise retroactively as being part of the conversion period any previous period during which:*** |
|  | ***(a) the land parcels were subject to measures specified in a programme implemented pursuant to Regulation (EC) No 1305/2013, or in any other official programme, provided that the measures concerned ensure that products not authorised for organic production have not been used on those parcels; or*** |
|  | ***(b) evidence can be provided by the operator showing that, over a period of at least three years, the parcels were either natural or agricultural areas which were not treated with products or substances not authorised for organic production.*** |
|  | ***The conversion period may be reduced to one year for pasture and open-air areas used by non-herbivore species. This period may be reduced to six months where the land concerned has not during the last year received any treatment with products not authorised for organic farming.*** |

CA7 - Part 2

Proposal for a regulation

Article 8 – paragraph 3

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| Text proposed by the Commission | Compromise Amendment |
| ***3. No previous period may be recognised retroactively as being part of the conversion period.*** | ***deleted*** |

CA7 - Part 3

Proposal for a regulation

Annex II - Part I - point 1.3.5.2

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| Text proposed by the Commission | Compromise Amendment |
| 1.3.5.2 Notwithstanding point 1.3.5.1, the conversion period may be reduced to one year for pasturages and open air areas used by non-herbivore species. | 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. ***This period may be reduced to six months where the land concerned has not during the last year received any treatment with products not authorised for organic farming.*** |

**CA 8** - **Draft compromise on the database of organic seeds and heterogeneous material (Article 10. 2)**

Replacing AMs 25, 120, 678-687, 689-690, ENVI 17 (688 to be voted separately)

Based on AMs 120, 678, 680-682, 684, 685-686

CA 8

Proposal for a regulation

Article 10 – paragraph 2

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| Text proposed by the Commission | Compromise 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 ***indicative*** listing ***of*** varieties ***including seed potatoes and*** heterogeneous material, ***such as*** ***populations or open pollinated varieties, meaning that they have not been obtained by controlled pollination of inbred lines*** for which ***seeds*** obtained by the organic production method is available on its ***national market. The organically bred varieties or heterogeneous material selected for their ability to meet the specific aims and objectives of organic farming shall be clearly identified in the list.*** |
|  | ***The databases shall be maintained by each Member State and shall be made public by the Commission. In order to ensure a timely overview of the availability of plant reproductive material suitable for organic production at Union level, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down:*** |
|  | * ***the technical minimum requirements for establishing the databases mentioned in this paragraph,*** |
|  | * ***the content of the information to be transmitted to the Commission by Member States, as well as the technical details and frequency of such procedure.*** |
|  | ***For heterogeneous material made available for use in organic agriculture,*** |
|  | ***(a) Council Directive 66/401/EEC1a;*** |
|  | ***(b) Council Directive 66/402/EEC1b;*** |
|  | ***(c) Council Directive 68/193/EEC1c;***  ***(d) Council Directive 98/56/EC1d;***  ***(e) Council Directive 1999/105/EC1e;*** |
|  | ***(d) Council Directive 2002/53/EC1f;*** |
|  | ***(e) Council Directive 2002/54/EC1g;*** |
|  | ***(f) Council Directive 2002/55/EC1h;*** |
|  | ***(g) Council Directive 2002/56/EC1i;*** |
|  | ***(h) Council Directive 2002/57/EC1j;*** |
|  | ***(i) Council Directive 2008/72/EC1k;*** |
|  | ***(j) Council Directive 2008/90/EC1l*** |
|  | ***shall not apply.*** |
|  | ***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*** |
|  | ***1a Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed (OJ 125, 11.7.1966, p. 2298).*** |
|  | ***1b Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed (OJ 125, 11.7.1966, p. 2309).*** |
|  | ***1c Council Directive 68/193/EEC of 9 April 1968 on the marketing of material for the vegetative propagation of the vine (OJ L 93, 17.4.1968, p. 15).*** |
|  | ***1d Council Directive 98/56/EC of 20 July 1998 on the marketing of propagating material of ornamental plants (OJ L 226, 13.8.1998, p. 16–23).*** |
|  | ***1e Council Directive 1999/105/EC of 22 December 1999 on the marketing of forest reproductive material (OJ L 11, 15.1.2000, p. 17–40).*** |
|  | ***1f Council Directive 2002/53/EC of 13 June 2002 on the common catalogue of varieties of agricultural plant species (OJ L 193, 20.7.2002, p. 1).*** |
|  | ***1g Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed (OJ L 193, 20.7.2002, p. 12).*** |
|  | ***1h Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed (OJ L 193, 20.7.2002, p. 33).*** |
|  | ***1i Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes (OJ L 193, 20.7.2002, p. 60).*** |
|  | ***1j Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants (OJ L 193, 20.7.2002, p. 74).*** |
|  | ***1k Council Directive 2008/72/EC of 15 July 2008 on the marketing of vegetable propagating and planting material, other than seed (OJ L 205, 1.8.2008, p. 28).*** |
|  | ***1l Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit propagating material and fruit plants intended for fruit production (OJ L 267, 8.10.2008, p. 10).*** |

**CA 9 - Draft compromise on exceptional production rules (Article 17)**

*NB: both parts will be voted together for text consistency.*

Replacing AMs 25, 164, 729-735, ENVI 17, ENVI 64

Including: AM 164, 729-735

CA 9 - Part 1

Proposal for a regulation

Article 17

|  |  |
| --- | --- |
| Text proposed by the Commission | Compromise Amendment |
| In order to allow organic production to continue or recommence in the event of ***catastrophic*** circumstances ***and subject to the principles laid down in Chapter II, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for the criteria to qualify such situations as catastrophic and laying down specific rules on how to deal with them, on monitoring and on reporting requirements.*** | ***1.*** In order to allow organic production to continue or recommence in the event of circumstances ***resulting from an adverse climatic event, an animal pandemic, a plant disease or pest, an environmental incident or a natural disaster, competent authorities may grant individual authorisations for exceptions, subject to the following criteria:*** |
|  | ***(a) derogations from the production rules laid down in this Chapter shall be subject to the principles laid down in Chapter II;*** |
|  | ***(b) derogations as referred to in point (a) shall be kept to a minimum and, where appropriate, limited in time, and may only be provided for in the following cases:*** |
|  | ***(i) where they are necessary in order to*** ***ensure that organic production*** ***can be initiated or maintained on holdings confronted with climatic, geographical or structural constraints;*** |
|  | ***(ii) where they are necessary in order to ensure access to feed, seed and vegetative propagating material, live animals and other farm inputs, where such inputs are not available on the market in organic form;*** |
|  | ***(iii) where they are necessary in order to ensure access to ingredients of agricultural origin, where such ingredients are not available on the market in organic form;*** |
|  | ***(iv) where they are necessary in order to solve specific problems related to the management of organic livestock;*** |
|  | ***(e) where temporary measures are necessary in order to allow organic production to continue or recommence in cases involving catastrophic circumstances.*** |
|  | ***2. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down the criteria according to which situations are to be categorised as situations requiring exceptional production rules and rules on how to deal with them, as well as rules on monitoring and on reporting requirements, taking into account expertise from the organic sector.*** |
|  | ***3. The competent authorities of the Member States shall be responsible for authorising exceptions on a case-by-case basis.*** |

CA9 - Part 2

Replacing AMs 25, ENVI 17

Proposal for a regulation

Recital 44

|  |  |
| --- | --- |
| Text proposed by the Commission | Compromise 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*** ***specific*** rules ***for addressing such cases and for the necessary*** monitoring and reporting requirements. | (44) ***The Commission should be empowered*** to adopt ***delegated acts in accordance with Article 36 establishing*** the criteria ***by which situations may be categorised as requiring exceptional production*** rules ***and the ways of dealing with such situations, and laying down*** monitoring and reporting requirements, ***taking into account expertise from the organic sector.*** |

**CA 10 - Draft compromise on precautionary measures to be taken to avoid non-compliance with the regulation (Article 20 and Article 20a, b and c new - 4 parts)**

*NB: the different parts will be voted together as they are meant to replace Article 20.*

Replacing AMs 29-30, 177-178, 212, 435-446, 771-812, ENVI 18, 71-72

Based on AM 177-178, 212, 771-776, 778-779, 783, 786, ENVI 71- 72

CA 10 - part 1

Replacing AMs 177, 771-806, ENVI 71

Based on AM 177, 771-774

Proposal for a regulation

Article 20

|  |  |
| --- | --- |
| Text proposed by the Commission | Compromise Amendment |
| ***Article 20*** | ***deleted*** |
| ***Presence of non-authorised products or substances*** |  |
| ***1. Products in which the presence of products or substances that have not been authorised in accordance with Article 19 is detected beyond the levels established taking account in particular of Directive 2006/125/EC, shall not be marketed as organic.*** |  |
| ***2. In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 regarding the specific criteria and conditions for the application of the levels referred to in paragraph 1 and regarding the establishment of those levels and their adaptation in the light of technical developments.*** |  |
| ***3. By way of derogation from Article 211(1) of Regulation (EU) No 1308/2013, and subject to an authorization by the Commission adopted without applying the procedure referred to in Article 37(2) or (3) of this Regulation, Member States may grant national payments to compensate farmers for the losses they have incurred due to the contamination of their agricultural products by non-authorised products or substances which prevents them from marketing those products as organic provided that the farmers have taken all appropriate measures to prevent the risk of such contamination. Member States may also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.*** |  |

CA 10 - part 2

Replacing AMs178, 771-812, ENVI 71-72

Based on AM 178, 778-779, 783, 786, 807-812, ENVI 71- 72

Proposal for a regulation

Article 20 a (new)

|  |  |
| --- | --- |
| Text proposed by the Commission | Compromise Amendment |
|  | ***Article 20 a*** |
|  | ***Precautionary measures to be taken to prevent non-compliance with this Regulation*** |
|  | ***1. In order to ensure compliance with this Regulation, operators shall take all necessary precautionary measures in order to avoid the presence of non-authorised processes, products or substances in organic production.*** |
|  | ***2. In particular, where an operator suspects that a process, product or substance which has been sourced, produced or prepared for use in organic farming does not comply with this Regulation, that operator shall:*** |
|  | ***(a) separate and identify the product;*** |
|  | ***(b) set up a system appropriate to the type and size of the operation for the purpose of verification and assessment, following procedures based on a systematic identification of critical procedural steps;*** |
|  | ***(c) if the operator concludes, after having carried out the assessment provided for in point (b), that the suspicion of non-compliance is substantiated, the operator shall withdraw the product from the market and discontinue its processing. The operator shall immediately inform the competent authorities or control body about his findings.*** |
|  | ***3. The following measures shall be taken by competent authorities, control bodies and authorities:*** |
|  | ***(a) in the event that a control authority or a control body:*** |
|  | ***- detects the presence of a non-authorised process, product or substance in organic production, or*** |
|  | ***- receives from an operator reliable information concerning a suspicion concluded as having been substantiated in accordance with point (c) of paragraph 2, or*** |
|  | ***- is informed that an operator intends to place on the market a product which is not in compliance with the organic production rules but which bears a reference to the organic production method, the control authority or control body concerned shall prohibit the placing of the product on the market with an indication referring to the organic production method until it is satisfied that the suspicion or non-compliance has been eliminated;*** |
|  | ***(b) the control authority or control body shall eliminate the suspicion of non-compliance or confirm that suspicion and the prohibition of marketing as soon as possible, taking into account the durability of the product and in any case within two months. In such a case, the operator concerned shall cooperate fully with the control body or authority. Before confirming a suspicion of non-compliance, the control authority or control body shall allow the operator to comment on its findings;*** |
|  | ***(c) where the non-compliance is confirmed, Article 26a shall apply;*** |
|  | ***(d) where the non-compliance is not confirmed within the period of time laid down under point (b), the decision referred to therein shall be revoked not later than at the expiry of that period of time.*** |
|  | ***4. In order to avoid adventitious contamination with non-authorised products or substances as a result of non-organic farming practices or other non-organic practices in processing, preparation and distribution, which are beyond the control of organic operators, Member States shall establish precautionary measures.*** |
|  | ***5. Where control authorities, control bodies and competent authorities have identified specific risks of non-compliance with this Regulation or specific risks of adventitious contamination of organic products in certain sectors of organic production, Member States shall take adequate precautionary measures against those risks.*** |

CA 10 - part 3

Based on 777, 784 and 791

Proposal for a regulation

Article 20 b (new)

|  |  |
| --- | --- |
| Text proposed by the Commission | Compromise Amendment |
|  | ***Article 20 b*** |
|  | ***Causes of contamination with plant protection products and responsibilities of competent authorities, control authorities and control bodies*** |
|  | ***1. In the event that a control authority or a control body receives reliable information concerning the presence of plant protection products which are non-compliant with Article 19, it shall carry out an appropriate investigation into the cause of the contamination. Investigations must categorise the contamination in one of the following three categories:*** |
|  | ***(a) technically unavoidable;*** |
|  | ***(b) technically avoidable;*** |
|  | ***(c) deliberate or repetitive contamination which is technically avoidable.*** |
|  | ***Contamination shall be considered as avoidable when the operator:*** |
|  | ***- has not put in place or maintained appropriate, proportionate measures to identify and avoid the risks of contamination of organic products with non-authorised products and substances, or;*** |
|  | ***- has not regularly reviewed and adjusted such appropriate measures, while the risk of contamination has clearly been perceptible, or;*** |
|  | ***- has not taken appropriate measures pursuant to previous requests from the competent authorities or, where appropriate, from the control authority or control body, to take steps to avoid contamination, or;*** |
|  | ***- has not complied with relevant requirements of this Regulation or has otherwise failed to take necessary steps in the production process to avoid contamination.*** |
|  | ***2. Products which may possibly be contaminated with plant protection products as referred to in point (a) of paragraph 1 may be considered as marketable after examination by competent authorities.*** |
|  | ***Possible contamination as referred to in point (b) of paragraph 1 shall be investigated by the control authority or control body with regard to the nature of the circumstances which have led to the contamination, in accordance with the procedures laid down in Article 20a.*** |
|  | ***3. In cases of contamination as referred to in point (c) of paragraph 1, the competent authority, control authority or control body shall prohibit the operator concerned from placing on the market products bearing any reference, in the labelling and advertising thereof, to the organic production method.*** |
|  | ***Any production areas or products affected by the non-authorised plant protection products must undergo a new conversion period as defined in Article 8 running from the date of application of the non-allowed plant protection products or, if not verifiable, from the date of detection. This applies without prejudice to any sanctions that may be imposed.*** |
|  | ***4. In order to provide for the best means of detecting and documenting non-compliance with this Regulation, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning:*** |
|  | ***– the methodology to be used in order to detect and evaluate the presence of plant protection products which do not comply with this Regulation, and specifically with Article 19;*** |
|  | ***– the procedures to be followed;*** |
|  | ***– the details to be documented in a common database on non-compliance with this Regulation, including findings of residues of non-authorised plant protection products.*** |

CA 10 - part 4

Based on 783 and 790

Proposal for a regulation

Article 20 c (new)

|  |  |
| --- | --- |
| Text proposed by the Commission | Compromise Amendment |
|  | ***Article 20 c*** |
|  | ***Database on non-compliance with this Regulation and database on findings of non-authorised plant protection products*** |
|  | ***The Commission shall establish a database on cases of non-compliance with this Regulation, based on national databases established by Member States. The databases shall be used to facilitate the formulation of best practices to avoid contamination. In collecting the data, the Member States and the Commission shall apply a risk-based approach revealing the reasons for, and categories of, non-compliance or contamination as laid down in points (a), (b) and (c) of Article 20b(1). The database shall be accessible to operators, control bodies, the control authority and competent authorities. Member States shall provide an annual report to the Commission.*** |
|  | ***A database of analyses carried out by control bodies and control authorities, including the detection of non-authorised plant protection products, shall be established by Member States. The database shall be accessible to operators, control bodies, control and competent authorities. Member States shall report on an annual basis to the Commission on the findings collected in their national database.*** |

CA 10 - part 5

Based on 212

Proposal for a regulation

Article 26 a (new)

|  |  |
| --- | --- |
| Text proposed by the Commission | Amendment |
|  | ***Article 26a*** |
|  | ***Duties of competent authorities in the event of non-compliance*** |
|  | ***Competent authorities shall:*** |
|  | ***(a) ensure, in the event of non-compliance affecting the status of organic products throughout any of the stages of production, preparation and distribution and export, in particular arising from the use of prohibited or non-authorised substances and techniques or commingling with non-organic products, that no reference is made to organic production in the labelling and advertising of the entire lot or production run concerned;*** |
|  | ***(b) ensure, in the event of repetitive, continued or fraudulent non-compliance, that the operators or group of operators concerned, as defined in points (6) and (7) of Article 3, in addition to being subjected 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 is suspended or withdrawn as appropriate.*** |

CA10 - Part 6

Replacing AMs 29, 435-440

Proposal for a regulation

Recital 49

|  |  |
| --- | --- |
| Text proposed by the Commission | Compromise Amendment |
| ***(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 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/EC1 on processed cereal-based foods and baby foods for infants and young children.*** | ***deleted*** |
| ***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*** |  |
| ***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).*** |  |

CA10 - Part 7

Replacing AMs 30, 441-443

Proposal for a regulation

Recital 50

|  |  |
| --- | --- |
| Text proposed by the Commission | Compromise 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*** |

CA10 - Part 8

Replacing AMs 444-446, ENVI 18

Proposal for a regulation

Recital 51

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

**CA 11 - Draft compromise on imports of organic products (Article 28)**

Replacing AMs 36-38, 217-219, 473-478, 904-914

Based on AMs 217, 218, 906, 907, 909, 910, 913, 914

CA 11 - Part 1

Proposal for a regulation

Article 28 – paragraph 1

|  |  |
| --- | --- |
| Text proposed by the Commission | Compromise Amendment |
| 1. A product may be imported from a third country in order to be placed on the market within the Union as organic if the following conditions are met: | 1. A product may be imported from a third country in order to be placed on the market within the Union as organic ***or as a plant product in conversion*** if the following conditions are met: |
| (a) the product is an organic product as referred to in Article 2(1); | (a) the product is an organic product as referred to in Article 2(1); |
| (b) the product: | (b) the product: |
| (i) complies with Chapters II, III and IV and all operators, including ***the*** exporters in the third country concerned, have been subject to the control of control authorities or control bodies recognised in accordance with Article 29; or | (i) complies with Chapters II, III and IV ***and*** ***with*** ***all relevant implementing rules*** and all operators, including ***groups of operators,* *and*** exporters in the third country concerned, have been subject to the control of control authorities or control bodies recognised in accordance with Article 29 ***and the product, upon being imported, is provided by those authorities or control bodies with a certificate of inspection confirming that all operators and their products are in compliance with this Regulation*;** or |
| (ii) comes from a third country which is recognised in accordance with: | (ii) comes from a third country which is recognised in accordance with: |
| * Article 30; or | * Article 30; or |
| * Article 31; | * Article 31; |
| (c) the ***operators*** in third countries are able to provide at any time, to the importers ***or*** the national authorities information ***allowing the identification of the operator who carried out the last operation*** with a view to ensuring the traceability of the organic product. | (c) the ***exporters*** in third countries are able to provide at any time, to ***their control bodies,*** the importers ***and*** the national authorities*,* information ***enabling all operators***who carried out ***operations to be identified, including the respective control authority or control body****,* with a view to ensuring the traceability of the organic product ***back to all operators involved. Such information shall also be made available to the control bodies or control authorities of the importers****.* |
|  | ***After (a date, to be inserted which corresponds to 5 years following the date of application of this Regulation), by way of derogation from point (b) (i) of paragraph 1, when a product cannot comply with Chapters II, III and IV in a given third country because of specific climate and local conditions, and in order to avoid a supply disruption of the internal market for that specific product, the Commission shall be empowered to adopt delegated acts laying down specific conditions according to which the product may be imported from the third country in order to be placed on the market within the Union as an organic product. Such specific conditions shall apply for a maximum of (2) years. Such specific conditions shall also apply from the date of application of the Regulation to the outermost regions of the Union where the product concerned is also produced.*** |

**CA 11 - Part 2**

Replacing AMs 36, 473-474

Proposal for a regulation

Recital 65

|  |  |
| --- | --- |
| Text proposed by the Commission | Compromise 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 reciprocal recognition of equivalence would be also pursued for the Union. | (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. |

**CA 11 - Part 3**

Replacing AMs 37, 475

Proposal for a regulation

Recital 67

|  |  |
| --- | --- |
| Text proposed by the Commission | Compromise 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. | (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 ***modified so as to introduce a new system of adapted compliance where appropriate.*** However, sufficient time should be given to those control authorities and control bodies so that they can prepare themselves for obtaining recognition for the purposes of import of products complying with Union rules. |

**CA 12 - Draft compromise on the control system (Chapter IV a, Art 23 (a) - Art 24-26 f) - 6 parts**

*NB: the different parts will be voted together as they introduce a system which is meant to replace Article 44*

Replacing AMs 32, 45, 195-204, 214, 241, 456-461, 841-878, 967-970, ENVI 20-21, 76-79, 87

Based on AMs 196, 214, 241, 841-847, 849-852, 871, 875, 967, 969-970

*To facilitate the reading as this is a long compromise only made of new text to be added to the Commission proposal, the new Articles included in this compromise will be formatted into columns at a later stage.*

**CA12 - part 1**

Based on AMs 195, ENVI 76

Proposal for a regulation

Chapter V - title

|  |  |
| --- | --- |
| Text proposed by the Commission | Compromise Amendment |
| Organic certification | Organic ***controls and*** certification |

**CA12 - part 2**

Based on 196, 841 first part, 842-846, 850-852, ENVI 78

**Article 23a (new)**

|  |  |
| --- | --- |
| Text proposed by the Commission | Compromise Amendment |
|  | ***Control system*** |
|  | ***1. Member States shall set up a system of controls and shall designate one or more competent authorities to be responsible for monitoring compliance with the obligations laid down by this Regulation, in accordance with Article 3 of Regulation (EU) No XX/XXXX (the Official Controls Regulation (OCR)).*** |
|  | ***2. In addition to the conditions laid down in the OCR, the control system set up under this Regulation shall comprise [at least the application of the precautionary measures provided for by Article 20a and][[1]](#footnote-2) the control measures provided for by this Chapter.*** |
|  | ***3. The nature and frequency of the controls shall be determined on the basis of an assessment of the risk of occurrence and the seriousness of non-compliance with the requirements laid down in this Regulation. All operators and groups of operators shall be subject at least to an annual physical on-site control of their compliance with the applicable rules. Such controls shall be based on inspection, screening and targeted screening, depending on the likelihood of non-compliance.*** |
|  | ***[The criteria for risk assessments used by control authorities to identify the most risky parts of the food chain are laid down in Annex Vf][[2]](#footnote-3). The Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the detailed elements of the risk assessment, the rates of control and the proportion of random controls.*** |
|  | ***4. The competent authority may:*** |
|  | ***(a) delegate its control competences to one or more other control authorities for organic products as defined in point (39) of Article 2 of the OCR. Control authorities shall offer adequate guarantees of objectivity and impartiality, and shall have at their disposal the qualified staff and resources necessary to carry out their functions;*** |
|  | ***(b) delegate control tasks to one or more control bodies for organic products as defined in point (39) of Article 2 of the OCR. In such cases, the Member States shall designate authorities responsible for approving and supervising such bodies.*** |
|  | ***5. The competent authority may delegate control tasks to a particular control body or control authority only if the conditions laid down in Article 26 of the OCR are satisfied, and in particular where:*** |
|  | ***(a) there is an accurate description of the tasks that the control body or control authority is to carry out, and of the conditions under which it may carry them out;*** |
|  | ***(b) the control body or control authority:*** |
|  | ***(i) has the expertise, equipment and infrastructure required to carry out the tasks delegated to it;*** |
|  | ***(ii) has a sufficient number of suitable qualified and experienced staff; and*** |
|  | ***(iii) is impartial and free from any conflict of interest as regards the exercise of the tasks delegated to it;*** |
|  | ***(c) the control body or control authority is accredited in accordance with the most recently notified version, by a publication in the C series of the Official Journal of the European Union, of European Standard EN 17065 or ISO Guide 65 (General requirements for bodies operating product certification systems), and is approved by the competent authorities;*** |
|  | ***(d) the control body or control authority communicates the results of the controls carried out to the competent authority on a regular basis and whenever the competent authority so requests. If the results of the controls show serious non-compliance, the control body shall immediately inform the competent authority;*** |
|  | ***(e) there is effective and documented coordination between the delegating competent authority and the control body or control authority.*** |
|  | ***6. In addition to the provisions of paragraph 5, the competent authority shall take into account the following criteria when approving a control body or control authority:*** |
|  | ***(a) the standard control procedure to be followed, containing a detailed description of the control measures and precautions that the control body or control authority undertakes to apply to operators subject to its control;*** |
|  | ***(b) the measures that the control body intends to apply where non-compliance is found.*** |
|  | ***7. The competent authority may not delegate to the control bodies or control authorities the following tasks:*** |
|  | ***(a) the supervision and audit of other control bodies or control authorities;*** |
|  | ***(b) the competence to grant derogations, as referred to in Article 17, unless this is provided for in the exceptional production rules;*** |
|  | ***8. In accordance with Article 29 of the OCR, competent authorities delegating control tasks to control bodies or control authorities shall organise audits or inspections of the control bodies or control authorities in question, as necessary. If, as a result of an audit or an inspection, it appears that such bodies are failing to carry out properly the tasks delegated to them, the delegating competent authority may withdraw the delegation. It shall withdraw it without delay if the control body or control authority fails to take appropriate and timely remedial action.*** |
|  | ***9. In addition to complying with the provisions of paragraph 8, the competent authority shall:*** |
|  | ***(a) ensure that the controls carried out by the control body or control authority are objective and independent;*** |
|  | ***(b) verify the effectiveness of controls carried out by the control body or control authority;*** |
|  | ***(c) take cognisance of any irregularities or infringements found and corrective measures applied;*** |
|  | ***(d) withdraw approval of any control body or control authority which fails to satisfy the requirements laid down in points (a) and (b) or which no longer fulfils the criteria indicated in paragraphs 5 or 6, or which fails to satisfy the requirements laid down in paragraphs 11, 12 and 14.*** |
|  | ***10. Member States shall assign a code number to each control authority or control body performing control tasks as referred to in paragraph 4.*** |
|  | ***11. Control bodies and control authorities shall give the competent authorities access to their offices and facilities, and shall provide any information and assistance deemed necessary by the competent authorities for the fulfilment of their obligations pursuant to this Article.*** |
|  | ***12. Control bodies and control authorities shall ensure that at least the precautionary and control measures referred to in paragraph 2 are applied to operators subject to their control.*** |
|  | ***13. Member States shall ensure that the control system set up allows for the traceability of each product at all stages of production, preparation and distribution in accordance with Article 18 of Regulation (EC) No 178/2002 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 the traceability of organic products are responded to as quickly as possible, and not later than four working days per production step after receipt of the corresponding request.*** |
|  | ***14. By 31 January in each year, the control authorities and control bodies shall transmit to the competent authorities a list of the operators which were subject to their controls on 31 December of the previous year. A summary report of the control activities carried out during the previous year shall be provided by 31 March in each year.*** |

**CA12 - part 3**

Based on AMs 197-198, 200-202, 854, 870, ENVI 77

Proposal for a regulation

Article 24

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| Text proposed by the Commission | Compromise Amendment |
| ***[...]*** | ***deleted*** |

*NB: the content of this article and of AMs 854-877 is moved to the new Article 24a (part 4 of this CA)*

**CA12 - part 4**

Based on AMs 199, 203-204, 856-869 (pre-packed products), 871, 872, 875, ENVI 79

Proposal for a regulation

**Article 24 a (new)**

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| Text proposed by the Commission | Compromise Amendment |
|  | ***Article 24a*** |
|  | ***Adherence to the control system*** |
|  | ***1. Any operator or group of operators which produces, prepares or stores organic products, which imports such products from a third country or exports such products to a third country, or which places such products on the market shall, prior to placing on the market any products characterised as 'organic' or 'in conversion to organic':*** |
|  | ***(a) notify their activity to the competent authorities of the Member State where the activity is carried out;*** |
|  | ***(b) submit their undertaking to the control system referred to in Article 23a.*** |
|  | ***Where an operator or group of operators subcontracts any of its activities to a third party, that operator or group of operators shall none the less be subject to the requirements laid down in points (a) and (b), and the subcontracted activities shall be subject to the control system.*** |
|  | ***2. Member States shall exempt from the application of this Article organic operators who sell pre-packed products directly to the final consumer or user, provided that they do not produce, process, prepare or store such products other than in connection with the point of sale and they do not import such products from a third country and have not subcontracted such activities to another operator.*** |
|  | ***Member States may exempt from the application of point (b) of paragraph 1 of this Article operators who sell less than a limited quantity per year of unpacked organic products to the final consumer or user, provided that they notify their activity to the responsible authorities and do not produce, prepare, store other than in connection with the point of sale, organic products or import such products from a third country or have not contracted out such activities to a third party.*** |
|  | ***3. Member States shall designate an authority or approve a body to receive notifications under point (a) of paragraph 1 of this Article.*** |
|  | ***4. Member States shall ensure that any operator or group of operators who complies with this Regulation, and who pays a reasonable fee by way of contribution to the control expenses, is entitled to be covered by the control system.*** |
|  | ***5. Operators and groups of operators shall keep records of the different activities in which they engage, in accordance with this Regulation. [The situations in which operators and groups of operators are required to keep records are listed in Annex Vb] [[3]](#footnote-4).*** |
|  | ***6. Competent authorities shall keep an updated list containing the names and addresses of operators and groups of operators that have notified their activities in accordance with point (a) of paragraph 1 of this Article, and shall make that list public in an appropriate manner, including by means of publication on the internet, together with the information relating to their organic certificates as referred to in Article 25(1), [and using the model set out in Annex Vd to this Regulation][[4]](#footnote-5). The competent authorities shall respect the requirements of the protection of personal data laid down by Directive 95/46/EC of the European Parliament and of the Council1a.*** |
|  | ***7. The Commission may adopt implementing acts to provide details and specifications regarding the content, form and method of notification referred to in Article 24a(1), and the model referred to in Article 24a(5). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).*** |
|  | ***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*** |
|  | ***1a 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).*** |

**CA 12 - part 5**

Replacing AM 214

Based on AMs 214, 969-970

**Article 26 c (new)**

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| Text proposed by the Commission | Compromise Amendment |
|  | ***Article 26c*** |
|  | ***Delegated powers with regard to the control system*** |
|  | ***In order to supplement the rules relating to the control system set up in Article 23a, and to ensure their full compatibility with the OCR, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down rules on the following:*** |
|  | ***(a) the specific responsibilities and tasks of the competent authorities and control authorities, in addition to those provided for in this Chapter and in Articles 4, 8, 9, 10(1), 11 to 13, 34(1) and (2) and 36 of the OCR,*** |
|  | ***(b) risk assessment requirements additional to those referred to in this Chapter and in Article 8(1) of the OCR, taking into account the risk of non-compliance;*** |
|  | ***(c) the conditions under which certain operators are to be exempted from certain controls;*** |
|  | ***(d) methods and techniques for controls additional to those referred to in Article 13 and Article 33(1) of the OCR, and specific requirements for the carrying-out of controls designed to ensure the traceability of organic products at all stages of production, preparation and distribution;*** |
|  | ***(e) actions and measures additional to those provided for in Article 20a and Chapter V of this Regulation and in Article 134(2) and (3) of the OCR in cases of suspected non-compliance, criteria additional to those referred to in the second subparagraph of Article 135(1) of the OCR, and criteria and measures additional to those provided for in Article 135(2) of the OCR and in Article 26a of this Regulation in the event of non-compliance;*** |
|  | ***(f) specific criteria and conditions for the activation and functioning of the administrative assistance mechanisms provided for in Title IV of the OCR, including the exchange of information between competent authorities, control authorities and control bodies concerning instances of non-compliance or the likelihood of non-compliance.*** |

**CA12 - part 6**

Replacing AMs 24, 967-970, ENVI 87

Based on AMs 241, 967

Proposal for a regulation

Article 44

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| Text proposed by the Commission | Compromise Amendment |
| ***[...]*** | ***deleted*** |

*NB: this Article is not needed anymore as all provisions moved into the new articles above*

**CA 12 - Part 7**

Replacing AMs 32, 456-461, ENVI 20-21

Proposal for a regulation

Recital 58

|  |  |
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| Text proposed by the Commission | Compromise 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 Council5*** to verify compliance with the rules on organic production and labelling of organic products. | (58) Organic production is only credible if accompanied by effective verification and controls at all stages of production, processing and distribution. Organic production should be subject to official controls or other official activities carried out in accordance with ***this*** Regulation to verify compliance with the rules on organic production and labelling of organic products. ***Therefore, specific rules for organic production, concerning the control of the production process throughout the organic production chain, should remain within the scope of this Regulation.*** |
| ***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*** |  |
| ***5 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 …).*** |  |

**CA 12 - Part 8**

Replacing AM 45

Proposal for a regulation

Recital 80

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

**CA 13 - Draft compromise on Commission report to EP and Council (Article 35)**

*NB: both parts will be voted together for text consistency.*

Replacing AMs 44, 240, 485-489, 942-951 and ENVI 85

Based on AMs 240, 942-951

CA 13 - Part 1

Proposal for a regulation

Article 35 – paragraph 1

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| Text proposed by the Commission | Compromise Amendment |
| By 31 December ***2021***, the Commission shall present a report to the European Parliament and the Council on the availability of organic plant reproductive material ***and*** animals for breeding purposes. | ***1.*** By 31 December***2020****,* the Commission shall present a report to the European Parliament and the Council***based on a foresight study including data collected and******analysis carried out in all Member States, and dealing specifically with the following items****:* |
|  | ***(a) an analytical part on the state of development of organic farming and progress made as regards:*** |
|  | ***– identification of the causes of limited access to organic plant and animal reproductive material as well as organic input in general on the European market;*** |
|  | ***– specific data on the availability of organic plant reproductive material and feed;*** |
|  | ***– specific data on the availability of animals for breeding purposes;*** |
|  | ***– the availability of young poultry and parent animals for poultry production, including stocking density criteria, feeding, health care, animal welfare and disease management;*** |
|  | ***– the selection of species and sub-species arising from differences in climate, soil, altitude and geography;*** |
|  | ***– the situation of organic pig farming and poultry farming, including stocking density criteria, feeding, health care, animal welfare, and disease management;*** |
|  | ***– the availability of aquaculture juveniles on the Union market;*** |
|  | ***(b) a strategic part on measures applied or needed to improve the performance of organic farming and its institutional framework, including:*** |
|  | ***– support measures established or still needed in order to close the identified gaps;*** |
|  | ***– a development plan including measures aimed at providing support to operators who have committed to developing organic plant or animal reproductive material. Such measures may include support for necessary investment by private operators in production facilities, quality control measures, distribution systems and pre-marketing research and development.*** |
|  | ***2. In relation to the availability of organic plant reproductive material, the study referred to in paragraph 1 shall also evaluate, for each relevant sub-market, the diversity of available material and the operators providing them, the actual demand for such material and the demand forecast for the next five years.*** |
|  | ***For the purposes of the study, a sub-market shall mean the tuple of a crop (defined as a botanical species or subspecies, e.g. Brassica oleracea) and a region, the region in question not being larger than a Member State. A Member State shall be divided into as many regions as may be necessary in terms of different growing conditions based on climate, soil types, and altitude or land use characteristics resulting in demand for plant reproductive material that differs from one region to another, with a view to comparing the regional markets in a fair and non-discriminatory manner. The study shall also consider project grants for the breeding of new varieties suitable for organic agriculture, participatory capital for small and medium-sized enterprises dedicated to offering organic plant reproductive material and marketing support through websites run by the Commission and Member States.*** |
|  | ***3. If appropriate, the report shall be accompanied by a legislative proposal.*** |
|  | ***4. By 31 December 2020 at the latest, the Commission shall present a report to the European Parliament and the Council on the presence of products or substances not authorised in accordance with Article 19 which had been detected in organic products including on exchanges of information between competent authorities, control authorities and control bodies and exchanges of relevant information on the results of controls. The report may be accompanied, where appropriate, by a legislative proposal establishing the levels of unauthorised products or substances to be applied to organic products and the systems for compensating operators for losses in connection with contamination where they have taken proper measures which may reasonably be implemented to prevent the risk of contamination.*** |

**CA 13 - Part 2**

Replacing AMs 44, 485-489

Proposal for a regulation

Recital 78

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| Text proposed by the Commission | Compromise Amendment |
| (78) The Commission should ***consider*** the situation ***of the availability*** of organic plant reproductive material and animals for ***breeding purposes and present a report to this end to the European Parliament and the Council in*** ***2021***. | (78) ***In order to ensure that organic plant reproductive material, feed, and animals raised for breeding purposes are available on the market in sufficient quantities, and before submitting any proposals for the phasing-out of exceptions,*** the Commission should ***carry out a study based on data collection and on analysis of*** the situation ***in the Member States. On the basis of that study, the Commission should by the end of 2020 present a report to the European Parliament and the Council comprising an analytical part on the state of development of organic farming and progress made, and a strategic part on measures applied or needed to improve the performance of organic farming and its institutional framework.*** |

CA 14 - Draft compromise on growing plants in pots + Nordic countries (Annex II – Part I – point 1.1)

*To be voted together with AM 80 for text consistency (corresponding definition).*

*NB: this amendment will be voted together with AM 80 for text consistency (corresponding definition).*

Replacing AMs 258-259, 1004, 1005, 1006, 1007

Based on AMs 258-259, 1005, 1006

CA 14

Proposal for a regulation

Annex II – Part I – point 1.1

|  |  |
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| Text proposed by the Commission | Compromise Amendment |
| 1.1. Hydroponic ***production, which is a method of growing plants with their roots in a nutrient solution only or in an inert medium to which a nutrient solution is added, is*** prohibited. | 1.1. Hydroponic ***production is*** prohibited. |
|  | ***1.1.a By way of derogation from point 1.1,*** ***growing plants in pots as an exception to soil-bound plant production as defined in point (e)(ii) of Article 4 shall only be allowed for seedlings or for the production of ornamentals and herbs if the ornamentals and herbs in question are sold in pots to the final consumer.*** |
|  | ***Only mixtures of soil and/or soil improvers which are approved for use in organic farming shall be used.*** |

**CA 15 - Draft compromise on organic PRM and breeding (Annex II - part I - point 1.4.1)**

Replacing AMs 268-269, 1011-1016, ENVI 90

Based on AMs 269, 1011-1014, 1016, 1028-1029

Proposal for a regulation

Annex II – part I – point 1.4.1

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| Text proposed by the Commission | Compromise 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, ***for at least one generation*** during two growing seasons. | 1.4.1. For the production of plants and plant products only organically produced plant reproductive material shall be used. ***As referred to in Article 10.2.,*** ***a database shall list the corresponding*** plant reproductive material. ***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 during the second year of conversion which is run in accordance with this Regulation may be used for the production of organic plants and organic plant products.*** |
|  | ***Operators may, in order to foster genetic resources adapted to the special conditions of organic production, use traditional crop varieties obtained from their own farm.*** |
|  | ***1.4.1a. Varieties bred shall be used in accordance with the breeding rules laid down in this Regulation except in the event that such material is not available.*** |
|  | ***Plant reproductive material selected for its ability to meet the specific needs and aims of organic agriculture shall be increasingly used and may include local breeds or varieties of population or open pollinated varieties, namely material not obtained by controlled pollination or by the hybridisation of inbred lines.*** |
|  | ***1.4.1b For the production of organically bred varieties, the varieties in question shall be bred and selected under organic conditions that comply with the requirements of this Regulation. All multiplication practices except meristem culture shall be under certified organic management.*** |

**CA 16 - Draft compromise on derogations for non-organic seeds (Annex II -part I - point 1.4.2)**

Replacing AMs 270, 1017-1031, and ENVI 91

Based on 269-270, 1017 -1021, 1028-1029 and ENVI 91

Proposal for a regulation

Annex II – part I – point 1.4.2

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| Text proposed by the Commission | Compromise Amendment |
| 1.4.2. Use of ***plant reproductive*** material not obtained from organic production. | 1.4.2. Use of ***seeds or*** ***vegetative propagating*** material not obtained from organic production |
| ***Plant reproductive material not obtained from organic production may be used only when it comes from a production unit in conversion to organic production or where it is justified for use in research, test in small-scale field trials or for genetic resources conservation purposes agreed by the competent authority of the Member State.*** |  |
|  | ***1.4.2.1. In order to ensure access to seed and vegetative propagating material where such organic inputs are not available:*** |
|  | ***(a) seed or vegetative propagating material not obtained from organic production may be used only in accordance with Article 40 if such products come from a production unit in conversion to organic production, or where such material is justified for use and research and development, for tests in small-scale field trials or for genetic resources conservation purposes agreed by the competent control authority.*** |
|  | ***(b) where seed or vegetative propagating material from organic production referred to in point (a) is not available, Member States may authorise the use of non-organic seed or vegetative propagating material . In that case, points 1.4.2.2 to 1.4.2.8 shall apply.*** |
|  | ***1.4.2.2 Non-organic seed and seed potatoes may be used, provided that the seed or seed potatoes are not treated with plant protection products other than those authorised for treatment of seed in accordance with Article 19(1) of this Regulation, unless chemical treatment is prescribed in accordance with Council Directive 2000/29/EC for phytosanitary purposes by the competent authority of the Member State concerned for all varieties of a given species in the area where the seed or seed potatoes are to be used.*** |
|  | ***1.4.2.3 Member States may delegate responsibility for granting the authorisation referred to in point (b) of point 1.4.2.1 to other public administrations or to the control authorities or bodies referred to in points 33 and 34 of Article 3.*** |
|  | ***1.4.2.4 Authorisation to use seed or vegetative propagating material or plants not obtained using organic*** production methods can ***only be granted in the following cases:*** |
|  | ***(a) where no variety of the species which the user wishes to obtain is listed in the database referred to in Article 10;*** |
|  | ***(b) where no supplier, meaning an operator selling seed or vegetative propagating material or plants to other operators, is in a position to deliver the seed or vegetative propagating material or plants before sowing or planting, when the user has ordered them in good time;*** |
|  | ***(c) where the variety which the user wants to obtain is not listed in the database referred to in Article 10, and the user can show that none of the listed varieties of the same species is appropriate and therefore authorisation is important for his production.*** |
|  | ***1.4.2.5 Authorisation shall be granted before the sowing takes place.*** |
|  | ***1.4.2.6 Authorisation can only be granted individually for one season at a time and the authority or body responsible for granting authorisations shall list the quantities of seed or vegetative propagating material or plants authorised.*** |
|  | ***1.4.2.7 Authorisation can only be granted at times when the database is annually updated by each Member State.*** |
|  | ***1.4.2.8 In order to improve the use of organic seed within the Union, each Member State shall publish on the database website a national list of seeds and vegetative propagating material and plants that can only be used in organic form. That list must specify the species and subspecies for which it is established that the seed and propagating material or plants obtained from organic production are available in sufficient quantities and are therefore to be used only in an organic form.*** |

*NB: point a) of 1.4.2.1 will fall if Article 40 is deleted.*

CA 17 - Draft compromise on organic livestock (Annex II – Part II – point 1.3.1)

Replacing AMs 286, 699, 1046-1049, 1212, 1213

Based on AMs 286, 699, 1047-1049, 1212, 1213

Proposal for a regulation

Annex II – Part II – point 1.3.1

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| Text proposed by the Commission | Compromise Amendment |
| 1.3.1. Organic livestock shall be born and raised on organic agricultural holdings. | 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 the prior authorisation of the competent authority, the following conditions shall apply:*** |
|  | ***(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;*** |
|  | ***Such livestock and products derived from them may be considered as organic provided that the conversion period specified in point 2.4.1 of Part II of this Annex is respected;*** |

**CA 18 - Draft compromise on preservation of rare breeds and breeding rules (Annex II - Part II - Points 1.3.3-1.3.4)**

*NB: these parts will be voted together for easing the vote.*

Replacing AMs 288, 1052-1056, ENVI 93-94

Based on AMs 288, 1052 -1056, ENVI 94

**CA18 - Part 1**

**Proposal for a regulation**

**Annex II – Part II – point 1.3.3 - d**

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| *Text proposed by the Commission* | *Compromise Amendment* |
| (d) the choice of breeds shall be appropriate and shall contribute to the prevention of any suffering and to avoiding the need for the mutilation of animals.. | (d) the choice of breeds shall be appropriate ***to ensure a high standard of*** ***animal welfare*** and shall contribute to the prevention of any suffering and to avoiding the need for the mutilation of animals. |
| **CA 18 - Part 2**  **Proposal for a regulation**  **Annex II – Part II – point 1.3.4** |  |
| 1.3.4. In the choice of breeds or strains, account shall be taken of the capacity of animals to adapt to local conditions, without impairment of their welfare, their vitality and their resistance to disease. In addition, breeds or strains of animals shall be selected to avoid specific diseases or health problems associated with some breeds or strains used in intensive production, such as porcine stress syndrome, pale-soft-exudative (PSE) syndrome, sudden death, spontaneous abortion and difficult births requiring caesarean operations. Preference shall be given to indigenous breeds and strains. | 1.3.4. In the choice of breeds or strains, account shall be taken of the capacity of animals to adapt to local conditions, without impairment of their welfare, their vitality and their resistance to disease. In addition, breeds or strains of animals shall be selected to avoid specific diseases or health problems associated with some breeds or strains used in intensive production, such as porcine stress syndrome, pale-soft-exudative (PSE) syndrome, sudden death, spontaneous abortion and difficult births requiring caesarean operations. Preference shall be given to indigenous breeds and strains.  ***The preservation of rare and/or native breeds in danger of extinction shall be encouraged.*** |
|  | ***1.3.4(a) Average growth and production rates shall be determined by the Commission in accordance with Article 11(2) for all fattening animals, including broilers and turkeys. Indicators shall be used where appropriate to assess and affirm the robustness and suitability of breeds in organic farming. Such indicators shall include average growth rates for all breeds and average production rates for all egg- and m ilk-producing breeds that are compatible with farming duration rules for each species (i.e. days until slaughter for poultry).*** |
|  | ***1.3.4(b) Information on breeds used in organic farming shall be kept in a dedicated database that shall be set up to support transparency on the use of and information on the availability of breeds, including their adaptability to local conditions.*** |
|  | ***1.3.4(c) Proper application and enforcement of proper breeding rules shall be facilitated, where appropriate, through rural development support and the Action plan for the future of Organic Production in the Union.*** |

CA 19 - Draft compromise on non-organically raised animals (Annex II – Part II – point 1.3.5)

Replacing AMs 290-293, 1057-1068, ENVI 96

Based on AMs 290-293, 1057, 1058, 1064-1068

Proposal for a regulation

Annex II – Part II – point 1.3.5

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| Text proposed by the Commission | Compromise Amendment |
| 1.3.5 For breeding purposes, non-organically raised animals may be brought onto an agricultural holding when breeds are in danger of being lost to farming in accordance with Annex IV to Commission Regulation (EC) No 1974/200628 and in that case animals of those breeds must not necessarily be nulliparous. | 1.3.5 For breeding purposes, non-organically raised animals may be brought onto an agricultural holding when breeds are in danger of being lost to farming in accordance with Annex IV to Commission Regulation (EC) No 1974/200628 and in that case animals of those breeds must not necessarily be nulliparous. |
|  | ***1.3.5a. By way of derogation from point 1.3.1, non-organic young mammals, when a herd or flock is constituted for the first time, shall be reared in accordance with the organic production rules immediately after they are weaned. Moreover, the following restrictions shall apply as at the date on which the animals enter the herd:*** |
|  | ***(a) buffalo, calves and foals shall be less than six months old;*** |
|  | ***(b) lambs and kids shall be less than 60 days old;*** |
|  | ***(c) piglets shall weigh less than 35 kg.*** |
|  | ***The derogation provided for in this point shall be phased out in accordance with the availability of bred organic animals.*** |
|  | ***1.3.5b. Non-organic adult male and nulliparous female mammals, introduced into a herd or flock with a view to its renewal, shall be reared subsequently in accordance with the organic production rules. Moreover, the number of female mammals is subject to the following restrictions per year:*** |
|  | ***(a) up to a maximum of 10 % of adult equine or bovine livestock, including bubalus and bison species, and 20 % of the adult porcine, ovine and caprine livestock, as female animals ;*** |
|  | ***(b) for units with fewer than 10 equine or bovine animals, or with fewer than five porcine, ovine or caprine animals, any renewal as mentioned above shall be limited to a maximum of one animal per year.*** |
|  | ***The derogation provided for in this point shall be phased out in accordance with the availability of bred organic animals;*** |
|  | ***(c) when a new livestock specialisation is initiated;*** |
|  | ***(d) when breeds are in danger of being lost to farming as provided for in Annex IV to Commission Regulation (EC) No 1974/2006.*** |
|  | ***Such livestock and products derived from them may be considered as organic provided that the conversion period specified in point 1.2 of Part II of this Annex is respected.*** |
|  | ***1.3.5c. The percentages referred to in point 1.3.5b may be increased up to 40 %, subject to prior authorisation by the competent authority, in the following cases:*** |
|  | ***(a) when a major extension of the farm is undertaken;*** |
|  | ***(b) when a breed is changed.*** |
|  | ***1.3.5d. For the renovation of apiaries, 20 % per year of the queen bees and swarms may be replaced by non-organic queen bees and swarms in the organic production unit, provided that the queen bees and swarms are placed in hives with combs or comb foundations coming from organic production units. In any case, one swarm or queen bee can be replaced per year.*** |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| 28 Commission Regulation (EC) No 1974/2006 of 15 December 2006 laying down detailed rules for the application of Council Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 368, 23.12.2006, p. 15). | 28 Commission Regulation (EC) No 1974/2006 of 15 December 2006 laying down detailed rules for the application of Council Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 368, 23.12.2006, p. 15). |

CA 20- Draft compromise on grazing on common land (Annex II – Part II – point 1.4.2.1 – point a)

Replacing AMs 298, 1074-1076, ENVI 99

Based on AMs 298, 1074, 1076

Proposal for a regulation

Annex II – Part II – point 1.4.2.1 – point a

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| Text proposed by the Commission | Compromise Amendment |
| (a) the common land ***is fully managed in accordance with this Regulation***; | (a) the common land ***on which grazing is taking place has not been treated with products not authorised for organic production for at least two years;*** |
|  | ***This shall not apply to extensive pastures which are not used by animals for more than 150 days in a year;*** |

CA 21 - Draft compromise on in-conversion feed (Annex II – Part II – points 1.4.3.1 and 1.4.3.2)

*NB: the different parts will be voted together.*

Replacing AMs 301, 302, 1082-1085, ENVI 101-102

CA 21 - Part 1

Replacing AMs 301, 1082-1083, ENVI 101

Based on AMs 301, 1082-1083

Proposal for a regulation

Annex II – Part II – point 1.4.3.1

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| Text proposed by the Commission | Compromise Amendment |
| 1.4.3.1. ***For in-conversion agricultural holdings, up to*** ***15*** % of the ***total average amount of*** feed fed to livestock may ***originate from the grazing or harvesting of permanent pastures, perennial forage parcels or protein crops, sown under organic management on lands in their first year of conversion, provided that they are part of the holding itself. Feed in their first year of conversion may not be used for the production of organic processed feed.*** When ***both*** in-conversion feed ***and feed from parcels in their first year of conversion are being used, the total combined*** percentage ***of such feed shall not exceed the maximum percentages fixed in point 1.4.3.2***. | 1.4.3.1. ***Up to*** ***25 % on average*** of thefeedfed to livestock may ***be made up of in-conversion feed.*** When ***the*** in-conversion feed ***comes from a unit of in-conversion of the holding itself, this proportion may be increased to 100 %***. |

CA 21 - Part 2

Replacing AMs 302, 1084-1085, ENVI 102

Based on AMs 302, 1084-1085, ENVI 102

Proposal for a regulation

Annex II – Part II – point 1.4.3.2

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| Text proposed by the Commission | Compromise Amendment |
| 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***. | 1.4.3.2. Up to ***30 % of the total*** average ***amount of feedingstuffs fed to livestock may originate from the grazing or harvesting of permanent pastures, perennial forage parcels or protein crops, sown under organic management on lands in their first*** year of conversion***, provided that they form part of the holding itself and have not been part of an organic production unit of that holding in the last five years. When both*** in-conversion ***feedingstuffs and feedingstuffs from parcels in their first year of conversion are being used, the total combined*** percentage ***of such feedingstuffs shall not exceed the maximum percentages fixed in point 1.4.3.1***. |

CA 22 - Draft compromise on housing for livestock (Annex II – Part II – point 1.6.5)

Replacing AMs 306-307, 1107-1109, 1230, ENVI 104

Based on AMs 307, 1107, 1109

Proposal for a regulation

Annex II – Part II – point 1.6.5

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| Text proposed by the Commission | Compromise Amendment |
| 1.6.5. Open air areas may be partially covered. Verandas shall ***not*** be considered as open air areas. | 1.6.5. Open air areas may be partially covered. Verandas shall ***only*** be considered as open air areas ***for breeding birds*** ***and for pullets aged under 18 weeks***. |

CA 23 - Draft compromise on permanent access to open air areas (Annex II – Part II – point 1.7.3)

Replacing AMs 308, 1111-1112, ENVI 107

Based on AMs 308, 1111, ENVI 107

Proposal for a regulation

Annex II – Part II – point 1.7.3

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| Text proposed by the Commission | Compromise 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. | 1.7.3. ***Herbivores*** shall have permanent access to open air areas ***during daytime***, ***including open-air pens and*** pasture ***as appropriate to the species concerned***, whenever weather conditions and the state of the ground allow this***,*** unless restrictions and obligations related to the protection of human and animal health are imposed ***pursuant to*** Union legislation. |
|  | ***Whenever weather and seasonal conditions and the state of the ground do not allow access to pasture, livestock shall, as appropriate, have access during daytime to open-air areas allowing the animals to exercise, save where this is not conducive to the welfare of the animals concerned or where temporary restrictions and obligations related to the protection of human and animal health are imposed pursuant to Union legislation.*** |

CA 24 - Draft compromise on tethering or isolation of livestock (Annex II – Part II – point 1.7.6)

Replacing AMs 309, 1113-1120, 1162, ENVI 108

Based on AMs 309, 1115-1119

Proposal for a regulation

Annex II – Part II – point 1.7.6

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| Text proposed by the Commission | Compromise 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 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. | 1.7.6. Tethering or isolation of livestock shall be prohibited, ***save*** for individual animals for a limited period of time, and in so far as this is justified ***on grounds of safety or animal protection or*** for veterinary reasons. ***Isolation of livestock may be authorised, for a limited period of time, only when workers' safety is compromised and for animal welfare reasons.*** Competent authorities may authorise cattle in micro-enterprises ***~~with less than 35 animals (excluding young animals)~~ and undertakings located in disadvantaged areas*** to be tethered, provided they have access to pastures during the grazing period ***whenever weather conditions and the state of the ground allow this during daytime, unless restrictions and obligations relating to the protection of human and animal health are imposed pursuant to Union legislation***, and at least twice a week access to open air areas when grazing is not possible. |

CA 25 - Draft compromise on transport and mutilations (Annex II – Part II – point 1.7.6)

*NB: Parts 1, 2, 4 and 5 will be voted together.*

*Part 3 (with the corresponding recital on Part 6) will be voted separately.*

Replacing AMs 16, 310, 400-410, 1123-1139, 1147, 1164, 1259-1260, ENVI 14, 111-114, 117, 124

CA 25 - Part 1

Replacing AMs 1123-1125, ENVI 111

Based on AMs 1123 and ENVI 111

**Proposal for a regulation**

**Annex II – Part II – point 1.7.8**

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| *Text proposed by the Commission* | *Compromise Amendment* |
| 1.7.8. Any suffering shall be kept to a minimum during the entire life of the animal, including at the time of slaughter. | 1.7.8. ***When organic production is carried out in accordance with this Regulation, its effect on animal welfare, understood in the light of Article 13 TFEU, should be considered in order to spare the animals any avoidable pain, distress or suffering. Animal welfare legislation such as Regulation (EC) No 1/2005 and Regulation (EC) No 1099/2009 should necessarily continue to apply and be properly implemented.  The rules in this Regulation should not duplicate or overlap them.*** |

CA 25 - Part 2

Replacing AMs 1126, ENVI 112

Based on AMs 1126 and ENVI 112

**Proposal for a regulation**

**Annex II – part II – point 1.7.8a**

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| *Text proposed by the Commission* | *Compromise Amendment* |
|  | ***1.7.8a. All persons handling organic animals during transport and slaughter shall receive adequate training to ensure proper application of the rules set out in this Regulation, as supported by regular inspections to ensure compliance.*** |

CA 25 - Part 3 – TO BE VOTED SEPARATELY WITH PART 6 (RECITAL)

Replacing AMs 310, 1127-1139, 1259-1260, ENVI 113-114

Based on AMs 310, 1127, 1129-1132, 1134-1138, ENVI 113

Proposal for a regulation

Annex II – Part II – point 1.7.9

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| Text proposed by the Commission | Compromise Amendment |
| 1.7.9. Mutilation of animals shall be prohibited. | 1.7.9. Mutilation of animals shall be prohibited. ***The trimming of the beaks of poultry, when undertaken in the first three days of life,***  ***attaching elastic bands to the tails of sheep and tail-docking may be authorised by the competent authority for reasons of safety or animal and human health or if they are intended to improve the health, welfare or hygiene of the livestock concerned. Dehorning and castration of young mammals shall be approved only if adequate anaesthesia and/or analgesia are applied.*** |

CA 25 - Part 4

Replacing AMs 1147, ENVI 117

Based on AMs 1147, ENVI 117

Proposal for a regulation

Annex II – Part II – point 1.7.12

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| *Text proposed by the Commission* | *Compromise Amendment* |
| 1.7.12. Loading and unloading of animals shall be carried out without the use of any type of electrical stimulation to coerce the animals. The use of allopathic tranquillisers, prior to or during transport, shall be prohibited. | 1.7.12. Loading and unloading of animals shall be carried out without the use of any type of electrical stimulation to coerce the animals***, except in exceptional circumstances and in accordance with the provisions of point 1.9 of Annex III to Regulation (EC) No 1099/20091a. Mixing of animals which are unfamiliar which each other during transport or lairage and unnecessary overnight lairage shall be avoided. Social animals shall be kept in groups and shall be able to move and turn around in the pens***. The use of allopathic tranquillisers, prior to or during transport, shall be prohibited. |
|  | ***\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*** |
|  | ***1a Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing (OJ L 303, 18.11.2009, p. 1).*** |

CA 25 - Part 5

Replacing AMs 1164, ENVI 124

Based on AMs 1164, ENVI 124

Proposal for a regulation

Annex II – Part II – point 2.1.3 - point c a (new)

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| *Text proposed by the Commission* | *Compromise Amendment* |
|  | ***(ca) when a calf is treated individually for veterinary reasons it shall be kept in spaces that have a solid floor and must be provided with straw bedding. The calf should be able to turn around easily and to lie down in full length (comfortably).*** |

**CA 25 - Part 6**

Replacing AMs 16, 400-410, ENVI 14

Proposal for a regulation

Recital 25

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| Text proposed by the Commission | Compromise Amendment |
| (25) Mutilations which lead to stress, harm, disease or suffering of animals should be prohibited. | (25) ***All*** mutilations which lead to stress, harm, disease or suffering of animals should be prohibited. ***The trimming of the beaks of poultry, when undertaken in the first three days of life,***  ***attaching elastic bands to the tails of sheep and tail-docking may be authorised by the competent authority for reasons of safety or animal and human health or if they are intended to improve the health, welfare or hygiene of the livestock concerned. Dehorning and castration of young mammals shall be approved only if adequate anaesthesia and/or analgesia are applied.*** |

CA 26 - Draft compromise on feed from the farm itself (Annex II – Part II – point 2.1.2 - point d)

*NB: the different parts will be voted together for easing the vote.*

Replacing AMs 311, 312, 314, 317, 1153-1157, 1167-1171, 1178-1188, 1214-1222, ENVI 121, 128, 131, 139

CA 26 - Part 1 (bovine, ovine and caprine animals)

Replacing AMs 311, 1153-1157, ENVI 121

Based on AMs 311, 1153-1157, ENVI 121

Proposal for a regulation

Annex II – Part II – point 2.1.2 - point d

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| Text proposed by the Commission | Compromise Amendment |
| (d) except during the period each year when the animals are under transhumance referred to in point 1.4.2.2., at least ***90*** % of the feed shall come from the farm itself or ***in case*** this is not feasible, be produced in cooperation with other organic farms in the same region; | (d) except during the period each year when the animals are under transhumance ***as*** referred to in point 1.4.2.2., at least ***60*** % of the feed shall come ***primarily*** from the farm itself or***, where*** this is not feasible, ***shall to the extent possible*** be produced in cooperation with other organic farms ***established within a radius of 150 km of the farm itself and be produced in the Union***. ***For the purposes of calculating the distance in the case of farms located on islands and coastal areas, that part of the distance which consists of stretches of water shall not be taken into account. This condition as to distance shall not apply to farms in the outermost regions.*** |
|  | ***Local production of organic feed shall be encouraged. To that end, Member States may increase this percentage depending on the availability of organic feed in the farms and the region****;* |

CA 26 - Part 2 (equine animals)

Replacing AMs 312, 1167-1171, ENVI 128

Based on AMs 312, 1167-1171, ENVI 128

Proposal for a regulation

Annex II – Part II – point 2.2.2 - point c

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| Text proposed by the Commission | Compromise Amendment |
| (c) except during the period each year when the animals are under transhumance as mentioned in point 1.4.2.2., at least ***90*** % of the feed shall come from the farm itself or ***in case*** this is not feasible, be produced in cooperation with other organic farms in the same region; | (c) except during the period each year when the animals are under transhumance as mentioned in point 1.4.2.2., at least ***60*** % of the feed shall come ***primarily*** from the farm itself or***, where*** this is not feasible, ***shall to the extent possible*** be produced in cooperation with other organic farms ***established within a radius of 150 km of the farm itself and be produced in the Union***. ***For the purposes of calculating the distance in the case of farms located on islands and coastal areas, that part of the distance which consists of stretches of water shall not be taken into account. This condition as to distance shall not apply to farms in the outermost regions.*** |
|  | ***Local production of organic feed shall be encouraged. To that end, Member States may increase this percentage depending on the availability of organic feed in the farms and the region****;* |

CA 26 -Part 3 (porcine animals)

Replacing AMs 314, 1178-1188, ENVI 131

Based on AMs 314, 1086-1089, 1178, 1180-1181, 1183-1188, ENVI 131

Proposal for a regulation

Annex II – Part II – point 2.3.2 - point a

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| Text proposed by the Commission | Compromise Amendment |
| (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; | (a) at least ***30*** % of the feed shall come ***primarily*** from the farm itself or***, where*** this is not feasible, ***shall to the extent possible*** be produced in cooperation with other organic farms ***established within a radius of 150 km of the farm itself and be produced in the Union***. ***For the purposes of calculating the distance in the case of farms located on islands and coastal areas, that part of the distance which consists of stretches of water shall not be taken into account. This condition as to distance shall not apply to farms in the outermost regions.*** |
|  | ***Local production of organic feed shall be encouraged. To that end, Member States may increase this percentage depending on the availability of organic feed in the farms and the region****;* |

CA 26 - Part 4 (poultry)

Replacing AMs 317, 1214-1222, ENVI 139

Based on AMs 317, 1086-1089, 1214, 1217-1222, ENVI 139

Proposal for a regulation

Annex II – Part II – point 2.4.3 - point a

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| Text proposed by the Commission | Compromise Amendment |
| (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; | (a) at least ***30*** % of the feed shall come ***primarily*** from the farm itself or***, where*** this is not feasible, ***shall to the extent possible*** be produced in cooperation with other organic farms ***established within a radius of 150 km of the farm itself and be produced in the Union***. ***For the purposes of calculating the distance in the case of farms located on islands and coastal areas, that part of the distance which consists of stretches of water shall not be taken into account. This condition as to distance shall not apply to farms in the outermost regions.*** |
|  | ***Local production of organic feed shall be encouraged. To that end, Member States may increase this percentage depending on the availability of organic feed in the farms and the region****;* |

CA 27 - Draft compromise on sows (Annex II – Part II - point 2.3.3 - paragraph 1 - point c)

Replacing AMs 1191, ENVI 135

Based on AMs 1191, ENVI 135

CA 27

Proposal for a regulation

Annex II – Part III – point 2.3.3 - point c

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| *Text proposed by the Commission* | *Compromise Amendment* |
| (c) sows shall be kept in groups, except in the last stages of pregnancy and during the suckling period; | (c) sows shall be kept in groups, except in the last stages of pregnancy and during the suckling period***,*** ***during which time the sow shall be able to move freely in her pen and shall only be tethered for short times.*** |
|  | ***Notwithstanding additional requirements for straw, a few days before expected farrowing, sows must be provided with a quantity of straw or other suitable natural material sufficient to enable them to build nests***; |

CA 28 - Draft compromise on slow-growing poultry (Annex II – Part III – point 2.4.2)

Replacing AMs 316, 1200-1204, ENVI 138

Based on AMs 316, 1201-1203

CA 28

Proposal for a regulation

Annex II – Part III – point 2.4.2 – introductory part

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| Text proposed by the Commission | Compromise Amendment |
| Poultry ***shall either be reared until they reach a minimum age or else shall come*** from slow-growing poultry strainsas 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 ***for meat production must be derived*** from slow-growing poultry strains ***adapted for outdoor rearing,*** as defined by the competent authority**.** |
|  | ***Poultry shall come from slow-growing poultry strains which meet set limited daily growth rates that are compatible with the minimum rearing ages for each species. The Commission shall establish those growth rates in accordance with Article 11(2).*** |
|  | ***Where slow-growing poultry is not available, competent authorities shall, by way of exception, authorise the use of poultry*** ***reared until they reach a minimum age as defined by the competent authority.*** Where slow-growing poultry strains are not used by the farmer the minimum age at slaughter shall be as follows: |

CA 29 - Draft compromise on wild caught or non-organic aquaculture animals (Annex II – Part III – point 4.1.2.1 – point d)

Replacing AMs 321, 716, 1274, 1276-1279, ENVI 63

Based on AMs 321, 1274, 1276, 1279

CA 29

Proposal for a regulation

Annex II – Part III – point 4.1.2.1 – point d

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| Text proposed by the Commission | Compromise Amendment |
| (d) wild caught or non-organic aquaculture animals may be brought into a holding with a view to improving genetic stock. Such animals shall be kept under organic management for at least three months before they may be used for breeding. | (d) wild caught or non-organic aquaculture animals may be brought into a holding ***only in duly justified cases where no organic breed is available or where new genetic stock for breeding purposes is brought into the production unit after the authorisation has been granted by the competent authority,*** with a view to improving ***the suitability of*** genetic stock. Such animals shall be kept under organic management for at least three months before they may be used for breeding. |
|  | ***Each Member State shall ensure that a computerised database is established for listing the aquaculture species for which organic juveniles are available on its territory and the production capacity among certified aquaculture farms.*** |
|  | ***In any case no authorisation shall be granted to catch wild fish, which is on the red list of endangered species.*** |
|  | ***The Commission shall adopt implementing acts laying down the technical details for establishing the database referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).*** |

CA 30 - Draft compromise on tasks to be carried out by Member States, the European Commission and other competent authorities in order to improve implementation of this regulation (Article 26d new, Annex Va new)

*The 3 parts will be voted together for text consistency*

Replacing AMs 8, 215, 348, 375-376, 1322, ENVI 3

Based on AMs 8, 215, 348, 375-376, 1322, ENVI 3

CA 30 - Part 1

Proposal for a regulation

Article 26d (new)

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| Text proposed by the Commission | Compromise Amendment  **Article 26d**  **Implementation of the Regulation** |
|  | ***By 2020, the Commission shall establish the necessary administrative structures within competent European authorities so as to fulfil its responsibilities with regard to improved harmonisation and implementation of this Regulation in Member States, specifically concerning controls within the Union and imports from third countries, and improved communication between Member States and with the Union's Institutions.*** |
|  | ***The process for the establishment, mission, tasks and functioning of those structures and means is set out in Annex Va.*** |

CA 30 - Part 2

Proposal for a regulation

Annex V a (new)

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| Text proposed by the Commission | Compromise Amendment |
|  | ***ANNEX Va*** |
|  | ***Specific tasks of the Commission, Member States and competent European authorities:*** |
|  | ***– continuous exchange of relevant information between operators and responsible authorities to ensure the smooth functioning and development of the organic sector;*** |
|  | ***– identification and analysis of gaps and deficiencies in the supply of inputs (organically bred seeds, feed and livestock);*** |
|  | ***– identification of those areas in which there is a particular risk of non-compliance with this Regulation;*** |
|  | ***– monitoring of the organic sector, scientific findings and consultations with stakeholders in the sector and other interested parties;*** |
|  | ***– assessment concerning the amendment or supplementation of the provisions contained in this Regulation or the Annexes hereto;*** |
|  | ***– collection, analysis and hosting of relevant scientific and technical data as specified in and relevant for the implementation of this Regulation in Member States and in third countries;*** |
|  | ***- setting-up of communication procedures and tools, data exchange and information exchange between the competent European authorities, Member States and accreditation bodies as required by this Regulation;*** |
|  | ***– facilitation of the requirements for controls by competent authorities and bodies and for supervision of the recognition of control bodies and control authorities within the Union and in third countries;*** |
|  | ***– coordination of harmonised implementation of controls and of procedures for the exchange of information and activities in cases of suspected non-compliance where more than one Member State or third country is involved [as referred to in Articles 20a and 26b;]*** |
|  | ***– management and regular updating of all relevant directories of recognised control bodies and control authorities authorised for third countries pursuant to Article 29(4);*** |
|  | ***– facilitation and coordination of equivalent standards [in accordance with Article 30b] and revision of lists of authorised procedures and substances in accordance with Article 19;*** |
|  | ***– monitoring and coordination of the European organic action plan, including development of the organic seed sector and the market for organic feed;*** |
|  | ***– facilitation of exchanges with the organic sector on the implementation of this Regulation, proposed changes and demands from the sector.*** |

*NB: References to Articles 20a, 26b and 30b will be removed if corresponding amendments introducing those new Articles are not adopted*

CA 30- Part 3

Replacing AMs 8, 375-376, ENVI 3

**Proposal for a regulation**

**Recital 13**

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

1. Adoption of this part subject to adoption of CA12 part 2. [↑](#footnote-ref-2)
2. Adoption of this part subject to adoption of Annex Vf. [↑](#footnote-ref-3)
3. Adoption of this part subject to the adoption of Annex Vb. [↑](#footnote-ref-4)
4. Adoption of this part subject to the adoption of Annex Vd. [↑](#footnote-ref-5)