



EUROPEAN PARLIAMENT

2014 - 2019

Committee on Agriculture and Rural Development

2014/0100(COD)

7.5.2015

*****I**

DRAFT REPORT

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

Committee on Agriculture and Rural Development

Rapporteur: Martin Häusling

Symbols for procedures

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

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

Amendments to a draft act

Amendments by Parliament set out in two columns

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

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

Amendments by Parliament in the form of a consolidated text

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

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

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

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

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2014)0180),
 - having regard to Article 294 (2) and Articles 42 and 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0109/2014),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Austrian Federal Council, asserting that the draft legislative act does not comply with the principle of subsidiarity,
 - having regard to the opinion of the European Economic and Social Committee of 15 October 2014¹,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development and the opinion the Committee on the Environment, Public Health and Food Safety (A8-0000/2015),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C 12, 15.1.2015, p. 75.

Amendment 1

Proposal for a regulation

Recital 2

Text proposed by the Commission

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

¹¹ COM (2009) 234 final.

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

¹³ Regulation (EU) No 228/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in the outermost

Amendment

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

¹¹ COM (2009) 234 final.

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

¹³ Regulation (EU) No 228/2013 of the European Parliament and of the Council of 13 March 2013 laying down specific measures for agriculture in the outermost

regions of the Union and repealing Council Regulation (EC) No 247/2006 (OJ L 78, 20.3.2013, p. 23).

regions of the Union and repealing Council Regulation (EC) No 247/2006 (OJ L 78, 20.3.2013, p. 23).

Or. en

Amendment 2

Proposal for a regulation Recital 3

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 3

Proposal for a regulation Recital 4

Text proposed by the Commission

(4) Furthermore, organic production is a

Amendment

(4) Furthermore, organic production is a

system that contributes to the integration of environmental protection requirements into the CAP, and promotes sustainable agricultural production. That is why, measures financially supporting organic production have been introduced under the CAP, most recently under Regulation (EU) No 1307/2013 of the European Parliament and of the Council¹⁴, and in particular strengthened in the recent reform of the legal framework for rural development policy as established by Regulation (EU) No 1305/2013 of the European Parliament and of the Council¹⁵.

system that contributes to the integration of environmental protection requirements into the CAP, and promotes sustainable agricultural production. That is why, measures financially supporting organic production have been introduced under the CAP, most recently under Regulation (EU) No 1307/2013 of the European Parliament and of the Council¹⁴, and in particular strengthened in the recent reform of the legal framework for rural development policy as established by Regulation (EU) No 1305/2013 of the European Parliament and of the Council¹⁵. ***This Regulation should therefore refer to eligible measures within the national rural development programmes which shall contribute to the support of organic breeding and improved supply of organic seeds and animal feed. Furthermore, there is an urgent need for reliable data on existing gaps of supply of organic seeds, feed and protein sources, and proposals should be put forward and action plans launched to cover those gaps so as to start phasing out existing derogations in respect of these matters.***

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

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

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

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

Or. en

Amendment 4

Proposal for a regulation Recital 8

Text proposed by the Commission

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

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

Amendment

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

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

Or. en

Amendment 5

Proposal for a regulation Recital 9

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 6

Proposal for a regulation Recital 11

Text proposed by the Commission

Amendment

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

deleted

Or. en

Justification

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

Amendment 7

Proposal for a regulation Recital 12

Text proposed by the Commission

Amendment

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

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

Justification

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

Amendment 8

Proposal for a regulation
Recital 13

Text proposed by the Commission

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

Amendment

(13) Research projects have demonstrated that consumer confidence is crucial in the market for organic food. In the long run, rules that are not trustworthy, ***and insufficient implementation of existing rules and controls 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 production rules ***and harmonised implementation at national and Union levels. Past experience has revealed major deficiencies in controls at Union level. It is therefore important to improve data collection, communication, monitoring and coordination of the implementation of the applicable rules in all Member States and at Union level. For this purpose, a EU Organic Agency should be established.***

Justification

Amendment corresponding to rapporteur's amendment introducing a new Article 26d.

Amendment 9

Proposal for a regulation Recital 14

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 10

Proposal for a regulation Recital 15

Text proposed by the Commission

(15) As a matter of principle, the general production rules of this Regulation should include a prohibition on the use of ionising radiation and genetically modified organisms (GMOs) and products produced from or by GMOs. Since consumers are more and more concerned about

Amendment

(15) As a matter of principle, the general production rules of this Regulation should include a prohibition on the use of ionising radiation and genetically modified organisms (GMOs) and products produced from or by GMOs. Since consumers are more and more concerned about

environmental impacts of food processing and transportation, organic operators other than farmers and operators producing **seaweed** or aquaculture animals should be required to **manage** their environmental performance **according to** a harmonised **system**. With the objective of minimising the regulatory burden of micro-enterprises as defined in Commission Recommendation 2003/361/EC²⁷ involved in organic production, it is appropriate to exempt them from this requirement. In order to ensure the correct application of the general production rules, the power to adopt certain acts should be delegated to the Commission in respect of **establishing the criteria to which** the environmental management **system is to correspond**.

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

environmental impacts of food processing and transportation, organic operators other than farmers and operators producing **algae** or aquaculture animals should be required to **improve** their environmental performance **in accordance with** a harmonised **framework**. With the objective of minimising the regulatory burden of micro-enterprises as defined in Commission Recommendation 2003/361/EC²⁷ involved in organic production, it is appropriate to exempt them from this requirement. In order to ensure the correct application of the general production rules, the power to adopt certain acts should be delegated to the Commission in respect of **supplementing certain** criteria **of** the environmental management **framework**.

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

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

Or. en

Justification

Amendment corresponding to rapporteur's amendment to article 7 - paragraph 2.

Amendment 11

Proposal for a regulation **Recital 16**

Text proposed by the Commission

(16) The risk of non-compliance with the organic production rules is considered

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.

higher in agricultural holdings which include units not managed under organic production rules. Therefore, after an appropriate conversion period, all agricultural holdings in the Union which aim to become organic should be entirely managed in compliance with the requirements applicable to organic production. ***However, no conversion 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.

Or. en

Justification

Amendment corresponding to rapporteur's amendments to Article 8 - paragraph 2 - subparagraph 1 and paragraph 6.

Amendment 12

Proposal for a regulation

Recital 17 a (new)

Text proposed by the Commission

Amendment

(17a) The specific requirements of plant and animal breeding have not been sufficiently taken into account in previous Regulations and should be clearly defined and developed in this Regulation. This is specifically necessary in order to solve the problem of existing gaps in the

availability of organic seeds and animals suitable for organic production on the internal market. The Commission should therefore take the necessary steps to enhance organic breeding of plants and animals through respective measures and research programmes.

Or. en

Amendment 13

Proposal for a regulation Recital 20

Text proposed by the Commission

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

²⁸ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and

Amendment

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

²⁸ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and

repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

Or. en

Justification

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

Amendment 14

Proposal for a regulation Recital 21

Text proposed by the Commission

(21) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules ***amending or*** supplementing the specific plant production rules as regards ***cultivation practices***, soil management and fertilisation, plant health and management of pests ***and weeds***, management of mushroom production and other specific plants and plant production systems, ***the production origin of plant reproductive material*** and the collection of wild plants.

Amendment

(21) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the specific plant production rules as regards soil management and fertilisation, plant health and management of pests, ***weeds and diseases***, management of mushroom production and other specific plants and plant production systems and the collection of wild plants.

Or. en

Justification

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

Amendment 15

Proposal for a regulation Recital 23

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 16

Proposal for a regulation
Recital 25

Text proposed by the Commission

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

Amendment

(25) ***All*** mutilations which lead to stress, harm, disease or suffering of animals should be prohibited. ***Attaching elastic bands to the tails of sheep and tail-docking may be authorised by the competent authority for reasons of safety or animal and human health or if they are intended to improve the health, welfare or hygiene of the livestock. Dehorning of***

young mammals should be approved only if adequate anaesthesia and analgesia are applied.

Or. en

Justification

Amendment corresponding to rapporteur's amendment to Annex II - Part II - part 1 - point 1.7 - point 1.7.9.

Amendment 17

Proposal for a regulation
Recital 26

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

Amendment corresponding to rapporteur's amendment to Annex II - Part II - point 1.4.1 -

paragraph 1 - point b.

Amendment 18

Proposal for a regulation

Recital 28

Text proposed by the Commission

(28) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules ***amending or*** supplementing the specific livestock production rules as regards ***the origin of animals***, livestock housing, including minimum surface areas indoors and outdoors and the maximum number of animals per hectare, ***husbandry practices, breeding, feed and feeding***, disease prevention and veterinary treatment.

Amendment

(28) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the specific livestock production rules as regards livestock housing, including minimum surface areas indoors and outdoors and the maximum number of animals per hectare, ***nutrition***, disease prevention and veterinary treatment.

Or. en

Justification

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

Amendment 19

Proposal for a regulation

Recital 32

Text proposed by the Commission

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

Amendment

(32) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the specific ***algae*** production rules as regards the ***harvesting of wild algae and algae***

*of the aquatic medium and the sustainable management plan, the harvesting of wild seaweed, seaweed cultivation, and antifouling measures and cleaning of production equipment and facilities, and in respect of the establishment of rules supplementing the specific production rules for aquaculture animals as regards **the suitability of the aquatic medium and the sustainable management plan**, the origin of aquaculture animals, **aquaculture husbandry, including aquatic containment systems, production systems and maximum stocking density, breeding, management of aquaculture animals, feed and feeding, and disease prevention and veterinary treatment.***

*cultivation, including for different species of algae, and antifouling measures and cleaning of production equipment and facilities, and in respect of the establishment of rules supplementing the specific production rules for aquaculture animals, **including for specific aquaculture species**, as regards the origin of aquaculture animals, **housing conditions and husbandry practices**, management of molluscs, feed and feeding, disease prevention and veterinary **treatments.***

Or. en

Justification

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

Amendment 20

Proposal for a regulation

Recital 37

Text proposed by the Commission

(37) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules **amending or** supplementing the specific production rules for processed **food and feed** as regards **the procedures to be followed, preventive measures to be taken, the composition of processed food and feed, cleaning measures, the placing on the market of processed products including**

Amendment

(37) In order to ensure quality, traceability and compliance with this Regulation and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission in respect of establishing rules supplementing the specific production rules for processed feed as regards **preventive and precautionary measures to be taken and the techniques used in feed processing, and in respect of the specific production rules for processed food as regards preventive and precautionary measures to be taken, the**

their labelling and identification, separation of organic products, agricultural ingredients and feed materials from non-organic products, agricultural ingredients and feed materials, the list of non-organic agricultural ingredients which may exceptionally be used in the production of organic processed products, calculation of the percentage of agricultural ingredients, and the techniques used in food *or feed* processing.

composition and conditions of use of products and substances allowed for use in processed food, the list of non-organic agricultural ingredients which may exceptionally be used in the production of organic processed products, calculation of the percentage of agricultural ingredients, and the techniques used in food processing.

Or. en

Justification

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

Amendment 21

Proposal for a regulation Recital 39

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 22

Proposal for a regulation Recital 41

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 23

Proposal for a regulation Recital 42

Text proposed by the Commission

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

Amendment

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

*Justification**Amendment corresponding to rapporteur's amendment to Article 16.***Amendment 24****Proposal for a regulation
Recital 43***Text proposed by the Commission*

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

Amendment

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

Amendment 25

Proposal for a regulation Recital 44

Text proposed by the Commission

(44) *In order to allow organic production to continue or recommence in cases of catastrophic circumstances, the power to adopt certain acts should be delegated to the Commission in respect of establishing the criteria for qualifying cases of catastrophic circumstances and to lay down specific rules for addressing such cases and for the necessary monitoring and reporting requirements.*

Amendment

(44) *The Commission should be empowered to adopt delegated acts in accordance with Article 36 establishing the criteria by which such situations may be qualified as appropriate to exceptional production rules and the ways of dealing with such situations, and laying down monitoring and reporting requirements.*

Or. en

Justification

Amendment corresponding to rapporteur's amendment to Article 17 - paragraph 1 and introducing new points ba and bb in subparagraph 2.

Amendment 26

Proposal for a regulation Recital 46

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 27

Proposal for a regulation

Recital 47

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 28

Proposal for a regulation

Recital 48

Text proposed by the Commission

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

Amendment

(48) In order to ensure quality, traceability and compliance with this Regulation as regards organic production in general and the production of organic processed food in particular, and adaptation to technical developments, the power to adopt certain acts should be delegated to the Commission ***in respect of authorising or withdrawing*** the authorisation of products and substances ***that may be used*** in organic production in general and ***products and substances that may be used*** in the production of processed ***organic*** food in particular, and ***establishing the procedures to be followed for the authorisation and listing of those products and substances and, where appropriate, their description, compositional requirements and conditions for use.***

Or. en

Justification

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

Amendment 29

Proposal for a regulation
Recital 49

Text proposed by the Commission

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

Amendment

deleted

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

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

Or. en

Justification

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

Amendment 30

Proposal for a regulation

Recital 50

Text proposed by the Commission

Amendment

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

deleted

Justification

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

Amendment 31

Proposal for a regulation

Recital 57

Text proposed by the Commission

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

Amendment

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

Justification

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

Amendment 32

Proposal for a regulation

Recital 58

Text proposed by the Commission

(58) Organic production is only credible if

Amendment

(58) Organic production is only credible if

accompanied by effective verification and controls at all stages of production, processing and distribution. Organic production should be subject to official controls or other official activities carried out in accordance with Regulation (EU) No (XXX/XXXX) of the European Parliament and of the Council³³ to verify compliance with the rules on organic production and labelling of organic products.

³³ Regulation (EU) No XX/XXX of the European Parliament and of the Council of [...] on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health, plant reproductive material, plant protection products and amending Regulations (EC) No 999/2001, 1829/2003, 1831/2003, 1/2005, 396/2005, 834/2007, 1099/2009, 1069/2009, 1107/2009, Regulations (EU) No 1151/2012, [...] /2013 [Office of Publications, please insert number of Regulation laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material], and Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC, 2008/120/EC and 2009/128/EC (Official controls Regulation) (OJ L ...).

accompanied by effective verification and controls at all stages of production, processing and distribution. Organic production should be subject to official controls or other official activities carried out in accordance with Regulation (EU) No (XXX/XXXX) of the European Parliament and of the Council³³ to verify compliance with the rules on organic production and labelling of organic products. ***However, 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.***

³³ Regulation (EU) No XX/XXX of the European Parliament and of the Council of [...] on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health, plant reproductive material, plant protection products and amending Regulations (EC) No 999/2001, 1829/2003, 1831/2003, 1/2005, 396/2005, 834/2007, 1099/2009, 1069/2009, 1107/2009, Regulations (EU) No 1151/2012, [...] /2013 [Office of Publications, please insert number of Regulation laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material], and Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC, 2008/120/EC and 2009/128/EC (Official controls Regulation) (OJ L ...).

Or. en

Amendment 33

Proposal for a regulation Recital 60

Text proposed by the Commission

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

Amendment

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

Furthermore, Member States should make dedicated use of cooperation measures between farmers, especially small farmers eligible under Regulation (EU) No 1305/2013 .

Or. en

Amendment 34

Proposal for a regulation Recital 61

Text proposed by the Commission

(61) In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the power to adopt certain acts should be delegated to the Commission in respect of the requirements for keeping of records by operators or groups of operators, the requirements for publication of the list of operators, the requirements and procedures to be applied for publication of the fees that may be collected in

Amendment

deleted

relation to the controls for verifying compliance with the organic production rules and for supervision by the competent authorities of the application of those fees, as well as the criteria for defining the groups of products in respect of which operators should be entitled to have only one organic certificate issued by the control authority or control body concerned.

Or. en

Justification

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

Amendment 35

Proposal for a regulation

Recital 62

Text proposed by the Commission

Amendment

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

deleted

Or. en

Justification

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

Amendment 36

Proposal for a regulation

Recital 65

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

Amendment corresponding to rapporteur's amendment introducing a new Article 30a.

Amendment 37

Proposal for a regulation

Recital 67

Text proposed by the Commission

(67) ***The*** experience with the scheme of control authorities and control bodies recognised as competent to carry out controls and issue certificates in third countries for the purpose of import of

Amendment

(67) Experience with the scheme of control authorities and control bodies recognised as competent to carry out controls and issue certificates in third countries for the purpose of import of products providing

products providing equivalent guarantees shows that the rules applied by those authorities and bodies are different and could be difficult to be considered as equivalent to the respective Union rules. Furthermore, multiplication of control authorities and control bodies standards hampers adequate supervision by the Commission. Therefore that scheme of recognition of equivalence should be **abolished**. However, sufficient time should be given to those control authorities and control bodies so that they can prepare themselves for obtaining recognition for the purposes of import of products complying with Union rules.

equivalent 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 equivalence and 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.

Or. en

Amendment 38

Proposal for a regulation Recital 69

Text proposed by the Commission

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

Amendment

(69) In order to ensure the traceability of the imported products intended to be placed on the market within the Union as organic or the transparency of the recognition and supervision procedure for control authorities and control bodies within the context of import of compliant organic products, and in order to ensure the management of the list of third countries recognised for the purpose of equivalence under Regulation (EC) No 834/2007, the power to adopt certain acts should be delegated to the Commission in respect of the documents necessary for the purposes of import, also in electronic form wherever possible, ***in respect of fulfilment of the*** criteria for recognition or withdrawal of the recognition of control authorities and control bodies in the context of import of

import, also in electronic form wherever possible, the criteria for recognition or withdrawal of the recognition of control authorities and control bodies in the context of import of compliant organic products, **and** in respect of the information to be sent by third countries recognised under that Regulation necessary for the supervision of their recognition **and** the exercise of that supervision by the Commission, including on-the-spot examination.

compliant organic products, in respect of the information to be sent by third countries recognised under that Regulation ***which is*** necessary for the supervision of their recognition, ***in respect of laying-down the provisions for the*** exercise of that supervision by the Commission, including on-the-spot examination, ***in respect of the procedure to be followed for the recognition of the control authorities and control bodies, including the content of the technical dossier to be submitted, as well as a withdrawal of the recognition, and in respect of the controls and other actions to be performed by control authorities and control bodies recognised by the Commission. Where serious or repeated infringements of the rules of inspection and certification are detected, recognition of the control bodies concerned should be immediately withdrawn, in the third countries concerned as well as throughout the Union market for national accreditation bodies established in the Union.***

Or. en

Justification

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

Amendment 39

Proposal for a regulation Recital 69 a (new)

Text proposed by the Commission

Amendment

(69a) The power to adopt certain acts should be delegated to the Commission in respect of the application of measures relating to on-compliance, or suspected non-compliance, with the applicable rules, affecting the integrity of organic

products imported from third countries recognised under Article 33(2) of Regulation (EC) No 834/2007 and as regards the system to be used to transmit the information necessary for the implementation and monitoring of this Regulation. All information about suspected non-compliance, withdrawal of recognition or suspension of authorisation should be immediately communicated to all competent authorities and control bodies in order to avoid the placing on the market of non-authorised products.

Or. en

Justification

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

Amendment 40

Proposal for a regulation
Recital 70

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 41

Proposal for a regulation

Recital 72

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 42

Proposal for a regulation

Recital 75

Text proposed by the Commission

(75) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards the technical details for the establishment of the

Amendment

(75) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards the technical details for the establishment of the

database for the listing of the varieties for which ***plant reproductive material*** obtained by the organic production method is available, as regards the ***authorisation or the withdrawal of the authorisation of the products and substances that may be used in organic production in general and in the production of processed organic food in particular, including the procedures to be followed for the authorisation and the lists of those products and substances and, where appropriate, their description, compositional requirement and conditions for use, as regards the*** specific and practical modalities regarding the presentation, composition and size of the indications referring to the code numbers of control authorities and control bodies and of the indication of the place where the agricultural raw materials have been farmed, the assignment of code numbers to control authorities and control bodies and the indication of the place where the agricultural raw materials have been farmed, as regards the details and specifications regarding the content, form and way of notification of the notifications by operators and groups of operators of their activity to the competent authorities and the form of publication of the fees that may be collected for the controls, as regards ***the exchange of information between groups of operators and competent authorities, control authorities and control bodies and between Member States and the Commission, as regards the*** recognition or withdrawal of the recognition of control authorities and control bodies which are competent to carry out controls in third countries ***and the establishment of the list of those control authorities and control bodies and rules to ensure the application of measures in relation to cases of non-compliance, or suspicion thereof, affecting the integrity of imported organic products, as regards*** the establishment of a list of third countries recognised under Article 33(2) of

database for the listing of the varieties for which ***seed and vegetative propagating material*** obtained by the organic production method is available, as regards the specific and practical modalities regarding the presentation, composition and size of the indications referring to the code numbers of control authorities and control bodies and of the indication of the place where the agricultural raw materials have been farmed, the assignment of code numbers to control authorities and control bodies and the indication of the place where the agricultural raw materials have been farmed, as regards the details and specifications regarding the content, form and way of notification of the notifications by operators and groups of operators of their activity to the competent authorities and the form of publication of the fees that may be collected for the controls, as regards the recognition or withdrawal of the recognition of control authorities and control bodies which are competent to carry out controls in third countries, ***following receipt of the assessment by the EU Organic Agency of the technical dossier, and the establishment of the list of those control authorities and control bodies, as regards the establishment of a list of third countries recognised under Article 33(2) of Regulation (EC) No 834/2007, as regards the establishment of the list of control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007 and the amendment of that list. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council***³⁴.

Regulation (EC) No 834/2007 *and the amendment of that list as well as rules to ensure the application of measures in relation to cases of non-compliance, or suspicion thereof, affecting the integrity of organic products imported from those countries, as regards the system to be used to transmit the information necessary for the implementation and monitoring of this Regulation, and* as regards the establishment of the list of control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007 and the amendment of that list. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council³⁴.

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

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

Or. en

Justification

Amendment corresponding to rapporteur's amendments to Article 19 - paragraph 5, Article 26 - paragraph 4, Article 29 - paragraphs 1 and 8, Article 31 - paragraph 6 and Article 33 - paragraph 2.

Amendment 43

Proposal for a regulation Recital 77

Text proposed by the Commission

(77) In order to ensure a smooth transition between on the one hand the rules on the

Amendment

(77) In order to ensure a smooth transition between on the one hand the rules on the

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

organic origin of plant reproductive material and on animals for breeding purposes provided for in Regulation (EC) No 834/2007 and the exception to production rules adopted pursuant to Article 22 of that Regulation, and on the other hand the new production rules for plants and plant products and livestock provided for in this Regulation, the power to adopt certain acts should be delegated to the Commission in respect of the granting of exceptions where exceptions are deemed necessary, in order to ensure access to plant reproductive material and live animals for breeding purposes that may be used in organic production. Since those acts are transitional in nature, they should apply for a limited period of time ***corresponding to the time needed in order to identify and fill gaps in the availability on the market of organic reproductive material for plants and for organic animals raised for breeding purposes.***

Or. en

Justification

Amendment linked to rapporteur's amendments on recital 78 and corresponding amendments to Articles 35 and 40.

Amendment 44

Proposal for a regulation Recital 78

Text proposed by the Commission

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

Amendment

(78) ***In order to ensure that organic plant reproductive material, feed, and animals raised for breeding purposes are available on the market in sufficient quantities, and before submitting any proposals for the phasing-out of exceptions, the Commission should carry out a study based on data collection and on analysis***

of the situation in the Member States. On the basis of that study, the Commission should by the end of 2018 present a report to the European Parliament and the Council identifying the reasons for the insufficient development and lack of organic plant reproductive material, feed and animals for organic breeding and outlining a plan for closing these gaps and possible measures, including support measures to stimulate the market for those products.

Or. en

Justification

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

Amendment 45

Proposal for a regulation
Recital 80

Text proposed by the Commission

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

deleted

accordingly.

Or. en

Justification

Amendment corresponding to rapporteur's amendment to Article 44.

Amendment 46

Proposal for a regulation
Article 1 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

The principles and methods for organic production have to be applied through the whole process of organic farming/organic production. Therefore it is important to keep the process based controls in this Regulation. To control only the product which is foreseen for human or animal consumption is not sufficient. This Regulation does also cover the certification of organic and in conversion products.

Amendment 47

Proposal for a regulation

Article 2 – paragraph 1 – subparagraph 1

Text proposed by the Commission

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

Amendment

This Regulation shall apply to ***the following*** products ***originating from agriculture, including aquaculture, where such products are, or are intended to be, produced, prepared, 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 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.

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

Or. en

Justification

The scope defined in this Article and in Annex I should remain the same as under existing

Regulation (EU) No 834/2007.

Amendment 48

Proposal for a regulation

Article 2 – paragraph 2 – subparagraph 2

Text proposed by the Commission

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

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

Amendment

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

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

Or. en

Justification

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

Amendment 49

Proposal for a regulation

Article 2 – paragraph 2 – subparagraph 3

PE557.122v01-00

44/241

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Text proposed by the Commission

Amendment

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

deleted

Or. en

Justification

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

Amendment 50

Proposal for a regulation Article 2 – paragraph 3

Text proposed by the Commission

Amendment

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

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

³⁶ [full title] (OJ L,...).

³⁷ [full title] (OJ L,...).

Or. en

Justification

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

Amendment 51

Proposal for a regulation

Article 2 – paragraph 5

Text proposed by the Commission

Amendment

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

deleted

Or. en

Justification

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

Amendment 52

Proposal for a regulation

Article 3 – point 3

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 53

Proposal for a regulation Article 3 – point 4

Text proposed by the Commission

(4) 'preventive measures' means measures to be taken in order to ensure **soil** quality as well as **prevention and control of pests and weeds**, and to prevent contamination with products or substances that are not authorised under this Regulation;

Amendment

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

Or. en

Justification

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

Amendment 54

Proposal for a regulation Article 3 – – point 5

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 55

Proposal for a regulation Article 3 – point 7

Text proposed by the Commission

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

Amendment

(7) 'group of ***small*** operators' means a group in which ***the annual turnover of each operator in respect of his agricultural production unit does not exceed EUR 25 000, and in which the operators concerned*** may, in addition to producing food or feed, be engaged in processing, ***preparation or marketing*** of food or feed ***and their production units are close to each other geographically***;

Or. en

Amendment 56

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

Text proposed by the Commission

Amendment

(10a) 'organic plant breeding and variety development' means the enhancement of genetic diversity coupled with reliance on natural reproductive ability. Organic plant breeding shall make plants best comply with the requirements of this Regulation. It is a holistic approach that respects natural crossing barriers and is based on fertile plants that can establish a viable relationship with the living soil. Organic varieties are obtained by an organic plant breeding programme;

Or. en

Amendment 57

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 58

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 59

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 60

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 61

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 62

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

Text proposed by the Commission

Amendment

(16b) 'laying hens or parent stock' means animals of the Gallus gallus species kept for egg production and of a minimum age of 18 weeks;

Or. en

Amendment 63

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 64

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

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

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

Amendment 65

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

Text proposed by the Commission

Amendment

(16e) 'direct environmental aspect' means an environmental aspect associated with activities, products and services of the organisation concerned over which it has direct management control as defined in Regulation (EC) No 1221/2009^{1a};

^{1a} **Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342, 22.12.2009).**

Or. en

Justification

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

Amendment 66

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 67

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

Text proposed by the Commission

Amendment

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

Or. en

Justification

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

Amendment 68

Proposal for a regulation Article 3 – point 20

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

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

Amendment 69

Proposal for a regulation Article 3 – point 24

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 70

Proposal for a regulation
Article 3 – point 24 a (new)

Text proposed by the Commission

Amendment

(24a) 'region' means a NUTS I region or a region which has a common border with a NUTS I region.

Or. en

Justification

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

Amendment 71

Proposal for a regulation
Article 3 – point 28

Text proposed by the Commission

Amendment

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

(28) 'catastrophic circumstances' means circumstances deriving from an 'adverse climatic event', an 'environmental incident', a 'natural disaster', **an 'animal disease'** or a 'catastrophic event' as defined respectively in points (h), **(i)**, (j), (k) and (l) of Article 2(1) of Regulation

Amendment 72

Proposal for a regulation Article 3 – point 33

Text proposed by the Commission

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

Amendment

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

Amendment 73

Proposal for a regulation Article 3 – point 34

Text proposed by the Commission

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

Amendment

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

Amendment 74

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 75

Proposal for a regulation Article 3 – point 36

Text proposed by the Commission

Amendment

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

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

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

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

Or. en

Amendment 76

Proposal for a regulation Article 3 – point 41

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 77

Proposal for a regulation Article 3 – point 43

Text proposed by the Commission

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

Amendment

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

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

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

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

Or. en

Justification

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

Amendment 78

Proposal for a regulation

Article 3 – point 43 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 79

Proposal for a regulation

Article 3 – point 43 b (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 80

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 81

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 82

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

Text proposed by the Commission

Amendment

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

Article 2;

Or. en

Amendment 83

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

Text proposed by the Commission

Amendment

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

Or. en

Justification

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

Amendment 84

Proposal for a regulation
Chapter 2 – title

Text proposed by the Commission

Amendment

Principles *of* organic production

Objectives and principles *for* organic production

Or. en

Amendment 85

Proposal for a regulation
Article 3 a (new)

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;

– improve the environmental performance of processors and traders.

Or. en

Justification

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

Amendment 86

Proposal for a regulation Article 4 – point a

Text proposed by the Commission

Amendment

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

Or. en

Justification

This aspect is included in 3a defining objectives

Amendment 87

Proposal for a regulation Article 4 – point d a (new)

Text proposed by the Commission

Amendment

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

Or. en

Justification

Existing provision taken from Council Regulation (EC) No 834/2007

Amendment 88

Proposal for a regulation Article 4 – point e – point ii

Text proposed by the Commission

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

Amendment

(ii) practice **soil-bound** crop cultivation and **land-related** livestock production or aquaculture which complies with the principle of sustainable **fisheries**.
Additionally, such practices shall be based on the following principles:

- **soil protection and cover against wind and water erosion;**
- **protection of the quality of water;**
- **crop rotation, save in the case of permanent crops;**
- **use of seeds and animals with a high degree of genetic diversity, resistance against diseases and longevity;**

Or. en

Amendment 89

Proposal for a regulation
Article 4 – point e – point iv

Text proposed by the Commission

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

Amendment

(iv) are based on **risk assessment as defined in Article 3 of Regulation (EC) No 178/2002** and the use of **precautionary** measures, when appropriate;

Or. en

Amendment 90

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

Text proposed by the Commission

Amendment

(da) sustaining the health of plants and

animals;

Or. en

Amendment 91

Proposal for a regulation Article 5 – point f

Text proposed by the Commission

(f) observance of a high level of animal welfare respecting species-specific needs;

Amendment

(f) observance of a high level of animal welfare, respecting species-specific needs, *as well as site-adapted and land-related livestock production;*

Or. en

Amendment 92

Proposal for a regulation Article 5 – point h

Text proposed by the Commission

(h) exclusion of genetic engineering, animal cloning, artificially induced polyploidy *and* ionising radiation from the whole organic food chain;

Amendment

(h) exclusion of genetic engineering, animal cloning, artificially induced polyploidy *in animal production, production of monosex strains, and* ionising radiation from the whole organic food chain;

Or. en

Justification

Amendment corresponding to existing Article 15 of Regulation 834/2007.

Amendment 93

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 94

Proposal for a regulation Article 5 – point i

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 95

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 96

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 97

Proposal for a regulation Article 6 – title

Text proposed by the Commission

Amendment

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

Specific principles applicable to the processing of organic food

Or. en

Justification

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

Amendment 98

Proposal for a regulation Article 6 – introductory part

Text proposed by the Commission

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:

Or. en

Amendment 99

Proposal for a regulation Article 6 – point a

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 100

Proposal for a regulation Article 6 – point b

Text proposed by the Commission

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

Amendment

deleted

Or. en

Justification

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

Amendment 101

Proposal for a regulation Article 6 – point c

Text proposed by the Commission

(c) ***limitation*** of the use of food additives, of non-organic ingredients with mainly technological and sensory functions, and of micronutrients and processing aids, so that they are used to a minimum extent and

Amendment

(c) ***restriction*** of the use of food additives, of non-organic ingredients with mainly technological and sensory functions, and of micronutrients and processing aids, so that they are used to a minimum extent and

only in cases of essential technological
need or for particular nutritional purposes;

only in cases of essential technological
need or for particular nutritional purposes;

Or. en

Amendment 102

Proposal for a regulation Article 6 – point d

Text proposed by the Commission

Amendment

*(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;*

deleted

Or. en

Justification

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

Amendment 103

Proposal for a regulation Article 6 – point f

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 104

Proposal for a regulation Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6 a

Specific principles applicable to the processing of organic feed

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

- (a) production of organic feed from organic feed materials except where a feed material is not available in an organic form. In such cases, exceptions shall be authorised by competent authorities subject to notification to the Commission;***
- (b) restriction of the use of feed additives and processing aids to a minimum, and permitting 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.***

Or. en

Amendment 105

Proposal for a regulation

Article 7 – paragraph 1 – point a

Text proposed by the Commission

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, except for production which is not organic. Such non-organic production shall be clearly***

separated from organic production of the holding;

Or. en

Amendment 106

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(aa) a holding which does not entirely comply with this Regulation shall be split up into clearly separated agricultural production units or aquaculture production sites which are either fully managed under organic production, or fully managed under conventional production for a maximum period of 10 years from the conversion date, provided the following conditions are met:

(i) there is a conversion plan for the entire holding in respect of which the producer gives a firm undertaking and which provides for the last part of the area concerned to be converted to organic production within the shortest possible period;

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

(iii) the control authority or control body is notified of the harvest of each of the products concerned at least 48 hours in advance;

(iv) upon completion of the harvest, the producer informs the control authority or control body of the exact quantities harvested on the units concerned and of the measures applied to separate the products;

(v) the conversion plan and the control measures have been approved by the competent authority. Such approval shall be confirmed each year after the start of the conversion;

As regards animals, different species shall be involved. As regards plants, different varieties that can be easily differentiated shall be involved.

As regards the production of organic fruit trees, no time limit shall apply to the separation of the holding into organic and non-organic parts.

Where, in accordance with this subparagraph, not all units of a holding are used for organic production, the operator shall keep the land, animals and products used for, or produced by, the organic units separate from those used for, or produced by, the non-organic units, and shall keep adequate records showing this separation.

Or. en

Amendment 107

Proposal for a regulation Article 7 – paragraph 1 – point b

Text proposed by the Commission

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

Amendment

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

law;

Or. en

Amendment 108

Proposal for a regulation

Article 7 – paragraph 1 – point d

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 109

Proposal for a regulation

Article 7 – paragraph 2

Text proposed by the Commission

2. In order to ensure the correct application of the general production rules, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 *providing* the criteria to which the

Amendment

2. In order to ensure the correct application of the general production rules, the Commission shall be empowered to adopt delegated acts in accordance with Article 36, *based on the principles set out in*

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.

Chapter II, laying down the criteria to which the **requirements for** environmental **performance measures taken in organic operations** 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.

Or. en

Amendment 110

Proposal for a regulation Article 8 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 111

Proposal for a regulation Article 8 – paragraph 2 – subparagraph 1

Text proposed by the Commission

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

Amendment

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

Regulation.

authorities in accordance with this
Regulation.

Or. en

Justification

Wording from Regulation (EC) No 834/2007.

Amendment 112

Proposal for a regulation

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

Text proposed by the Commission

Amendment

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

(a) the land parcels were subject to measures specified in a programme implemented pursuant to Regulation (EC) No 1305/2013, or in any other official programme, provided that the measures concerned ensure that products not authorised for organic production have not been used on those parcels; or

(b) evidence can be provided by the operator showing that, over a period of at least three years, the parcels were either natural or agricultural areas which were not treated with products or substances not authorised for organic production.

Or. en

Justification

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

Amendment 113

Proposal for a regulation Article 8 – paragraph 3

Text proposed by the Commission

Amendment

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

Or. en

Justification

Amendment linked to amendment on Article 8 paragraph 2 subparagraph 1.

Amendment 114

Proposal for a regulation Article 8 – paragraph 4

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

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

Amendment 115

Proposal for a regulation Article 8 – paragraph 5

Text proposed by the Commission

Amendment

5. By way of derogation from Article 7(1)(a), during the conversion period, the agricultural holding may be split into clearly separated units which are not all managed under organic production. As regards livestock, different species shall be involved in organic production during the conversion period. As regards aquaculture, the same species may be involved, provided that there is adequate separation between the production sites. As regards plants, different varieties that can easily be distinguished shall be involved in organic production during the conversion period.

deleted

Or. en

Amendment 116

Proposal for a regulation Article 8 – paragraph 6

Text proposed by the Commission

Amendment

6. In order to ensure quality, traceability and compliance with this Regulation as regards organic production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the rules laid down in this Article or supplementing **and amending** the rules set out in Annex II as regards conversion.

6. In order to ensure quality, traceability and compliance with this Regulation as regards organic production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the rules laid down in this Article or supplementing the rules set out in Annex II as regards conversion.

Or. en

Amendment 117

Proposal for a regulation

Article 9 – paragraph 2

Text proposed by the Commission

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

⁴⁸ Regulation (EC) 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed (OJ L 268, 18.10.2003, p. 1).

⁴⁹ Regulation (EC) 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC (OJ L 268, 18.10.2003, p. 24).

Amendment

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

⁴⁸ Regulation (EC) 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed (OJ L 268, 18.10.2003, p. 1).

⁴⁹ Regulation (EC) 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC (OJ L 268, 18.10.2003, p. 24).

Or. en

Amendment 118

Proposal for a regulation

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

Text proposed by the Commission

Amendment

For the purposes of the prohibition

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

Or. en

Justification

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

Amendment 119

Proposal for a regulation Article 10 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 120

Proposal for a regulation Article 10 – paragraph 2

Text proposed by the Commission

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

Amendment

2. Each Member State shall ensure that a computerised database is established for listing the varieties, *including open pollinated varieties and 'heterogeneous material' such as landraces, varieties with no intrinsic value for commercial exploitation or selections thereof, meaning plant reproductive material that*

its territory.

does not belong to a variety and is not a mixture of varieties protected by a plant breeders right or patent, for which plant reproductive material obtained by the organic production method is available on its territory.

The minimum requirements as regards the uniformity, distinctness and stability of a variety, and, where applicable, its value for cultivation and use (VCU), set out in the following provisions:

(a) Article 3(1) and (2) of Council Directive 66/401/EEC^{1a};

(b) Article 3(1) of Council Directive 66/402/EEC^{1b};

(c) Article 3(1) of Council Directive 68/193/EEC^{1c};

(d) Article 4(1) and (2) of Council Directive 2002/53/EC^{1d};

(e) Article 3(1) of Council Directive 2002/54/EC^{1e};

(f) Article 3(1) of Council Directive 2002/55/EC^{1f};

(g) Article 3(1) of Council Directive 2002/56/EC^{1g};

(h) Article 3(1) and (2) of Council Directive 2002/57/EC^{1h};

(i) Article 9(1) and (2) of Council Directive 2008/72/EC¹ⁱ;

(j) Articles 3(1) and 7(1) of Council Directive 2008/90/EC^{1j}

shall not apply for plant reproductive material for use in organic agriculture.

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

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

^{1c} *Council Directive 68/193/EEC of 9 April 1968 on the marketing of material for the vegetative propagation of the vine (OJ L 93, 17.4.1968, p. 15).*

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

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

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

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

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

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

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

Or. en

Justification

The offer of seeds for organic production is still low. The existing Regulation 834/2007 has not sufficiently stimulated this offer. This amendment suggests to create a dynamic based on data collection and to set up a market driven approach for stimulating the production and the use of organic seeds and other reproductive material. See also rapporteur's amendment on Article 35 requesting a study on this issue.

Amendment 121

Proposal for a regulation

Article 10 – paragraph 3 – introductory part

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 122

Proposal for a regulation

Article 10 – paragraph 3 – point a

Text proposed by the Commission

(a) cultivation practices;

Amendment

deleted

Or. en

Amendment 123

Proposal for a regulation

Article 10 – paragraph 3 – point b

Text proposed by the Commission

(b) soil management and fertilisation;

Amendment

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

Or. en

Amendment 124

Proposal for a regulation

Article 10 – paragraph 3 – point c

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 125

Proposal for a regulation

Article 10 – paragraph 3 – point e

Text proposed by the Commission

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

Amendment

deleted

Or. en

Amendment 126

Proposal for a regulation

Article 10 – paragraph 3 – point f

Text proposed by the Commission

(f) the collection of wild plants.

Amendment

(f) the collection of wild plants, ***as laid
down in point 2.2. of Part I of Annex II.***

Or. en

Amendment 127

Proposal for a regulation

Article 11 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 128

Proposal for a regulation

Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

This is a transitional rule for new species.

Amendment 129

Proposal for a regulation

Article 11 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. In order to ensure quality, traceability and compliance with this Regulation as regards organic livestock production and adaptation to technical developments, the Commission shall be empowered to adopt

2. In order to ensure quality, traceability and compliance with this Regulation as regards organic livestock production and adaptation to technical developments, the Commission shall be empowered to adopt

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

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

Or. en

Amendment 130

Proposal for a regulation

Article 11 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) the origin of animals;

deleted

Or. en

Amendment 131

Proposal for a regulation

Article 11 – paragraph 2 – point b

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 132

Proposal for a regulation

Article 11 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) husbandry practices;

deleted

Amendment 133

Proposal for a regulation

Article 11 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) breeding;

deleted

Amendment 134

Proposal for a regulation

Article 11 – paragraph 2 – point e

Text proposed by the Commission

Amendment

(e) feed and feeding;

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

Amendment 135

Proposal for a regulation

Article 11 – paragraph 2 – point f

Text proposed by the Commission

Amendment

(f) disease prevention and veterinary treatment.

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

Amendment 136

Proposal for a regulation Article 12 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 137

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

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 138

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

Text proposed by the Commission

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

Amendment

deleted

Or. en

Amendment 139

Proposal for a regulation

Article 12 – paragraph 2 – point c

Text proposed by the Commission

(c) *seaweed* cultivation;

Amendment

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

Or. en

Amendment 140

Proposal for a regulation

Article 12 – paragraph 3 – introductory part

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 141

Proposal for a regulation

Article 12 – paragraph 3 – point a

Text proposed by the Commission

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

Amendment

deleted

Amendment 142

Proposal for a regulation

Article 12 – paragraph 3 – point b

Text proposed by the Commission

(b) the origin of aquaculture animals;

Amendment

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

Or. en

Amendment 143

Proposal for a regulation

Article 12 – paragraph 3 – point c

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 144

Proposal for a regulation

Article 12 – paragraph 3 – point d

Text proposed by the Commission

(d) breeding;

Amendment

deleted

Or. en

Amendment 145

Proposal for a regulation

Article 12 – paragraph 3 – point e

Text proposed by the Commission

(e) management of *aquaculture animals*;

Amendment

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

Or. en

Amendment 146

Proposal for a regulation

Article 12 – paragraph 3 – point f

Text proposed by the Commission

(f) feed and feeding;

Amendment

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

Or. en

Amendment 147

Proposal for a regulation

Article 12 – paragraph 3 – point g

Text proposed by the Commission

(g) disease prevention and veterinary *treatment*.

Amendment

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

Or. en

Amendment 148

Proposal for a regulation

Article 13 – title

Text proposed by the Commission

Amendment

Production rules for processed **food and**
feed

Production rules for processed feed

Or. en

Justification

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

Amendment 149

Proposal for a regulation Article 13 – paragraph 1

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

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

Amendment 150

Proposal for a regulation Article 13 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. In order to ensure quality, traceability
and compliance with this Regulation as
regards organic processed **food and** feed
production and adaptation to technical
developments, the Commission shall be
empowered to adopt delegated acts in

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

accordance with Article 36 *amending or* supplementing the specific production rules for processed *food and* feed as regards:

Article 36 supplementing the specific production rules for processed feed as regards:

Or. en

Amendment 151

Proposal for a regulation

Article 13 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) procedures to be followed;

deleted

Or. en

Amendment 152

Proposal for a regulation

Article 13 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) preventive measures to be taken;

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

Or. en

Amendment 153

Proposal for a regulation

Article 13 – paragraph 2 – point c

Text proposed by the Commission

Amendment

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

deleted

Or. en

Amendment 154

Proposal for a regulation

Article 13 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) cleaning measures;

deleted

Or. en

Amendment 155

Proposal for a regulation

Article 13 – paragraph 2 – point e

Text proposed by the Commission

Amendment

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

deleted

Or. en

Amendment 156

Proposal for a regulation

Article 13 – paragraph 2 – point f

Text proposed by the Commission

Amendment

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

deleted

Or. en

Amendment 157

Proposal for a regulation

Article 13 – paragraph 2 – point g

Text proposed by the Commission

Amendment

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

deleted

Or. en

Amendment 158

Proposal for a regulation

Article 13 – paragraph 2 – point h

Text proposed by the Commission

Amendment

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

deleted

Or. en

Amendment 159

Proposal for a regulation

Article 13 – paragraph 2 – point i

Text proposed by the Commission

Amendment

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

(i) techniques used in feed processing.

Or. en

Amendment 160

Proposal for a regulation

Article 13 a (new)

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Article 13a

Production rules for processed food

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

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

(a) the preparation of processed organic food shall be kept separate in time or space from that of non-organic food.

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

(i) the product shall be produced mainly from ingredients of agricultural origin; for the purposes of determining whether a product is produced mainly from ingredients of agricultural origin, added water and cooking salt shall not be taken into account;

(ii) only additives, processing aids, flavourings, water, salt, preparations of micro-organisms and enzymes, minerals, trace elements, vitamins, and amino acids and other micronutrients may be used, and only in so far as they have been authorised for use in organic production in accordance with Article 19;

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

(iv) an organic ingredient shall not be present together with the same ingredient in non-organic form or an ingredient in conversion;

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

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

(a) precautionary and preventive measures to be taken;

(b) the composition and conditions of use of products and substances allowed for use in processed food, as laid down in point 2.2.2. of Part IV of Annex II;

(c) the lists of non-organic agricultural ingredients which may exceptionally be used for the production of organic processed products;

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

(e) techniques used in food processing.

Or. en

Justification

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

Amendment 161

Proposal for a regulation Article 14 – paragraph 2

Text proposed by the Commission

2. In order to ensure quality, traceability and compliance with this Regulation as regards organic wine production and adaptation to technical developments, the

Amendment

2. In order to ensure quality, traceability and compliance with this Regulation as regards organic wine production and adaptation to technical developments, the

Commission shall be empowered to adopt delegated acts in accordance with Article 36 **amending or** supplementing the specific wine production rules as regards oenological practices and restrictions.

Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific wine production rules as regards oenological practices and restrictions, **as laid down in points 3.2., 3.3., 3.4. and 3.5. of Part V of Annex II.**

Or. en

Amendment 162

Proposal for a regulation Article 15 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 163

Proposal for a regulation Article 16

Text proposed by the Commission

In order to take account of any future need to have specific production rules for products other than those referred to in Articles 10 to 15, and in order to ensure quality, traceability and compliance with this Regulation as regards organic production of those additional other products and adaptation to technical

Amendment

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

developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending or supplementing Annex II with regard to specific production rules for those products.

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

Or. en

Amendment 164

Proposal for a regulation Article 17

Text proposed by the Commission

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

Amendment

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

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

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

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

(c) where they are necessary in order to ensure access to ingredients of

agricultural origin, where such ingredients are not available on the market in organic form;

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

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

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

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 **laying down** the criteria **according to which** situations **may be qualified as situations requiring exceptional production rules and** rules on how to deal with them, **as well as rules** on monitoring and on reporting requirements.

Or. en

Justification

The specific rules of Council Regulation (EC) No 834/2007 should be reintroduced because they are more precise.

Amendment 165

Proposal for a regulation Article 18 – paragraph 2

Text proposed by the Commission

2. In order to ensure the integrity of organic production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 **amending or**

Amendment

2. In order to ensure the integrity of organic production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36

supplementing the rules set out in Annex III.

supplementing the rules set out in **points 2, 3, 4 and 6 of** Annex III.

Or. en

Amendment 166

Proposal for a regulation

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

Text proposed by the Commission

Amendment

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

Or. en

Justification

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

Amendment 167

Proposal for a regulation

Article 19 – paragraph 1 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

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

Amendment 168

Proposal for a regulation

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

Text proposed by the Commission

Amendment

***(ba) as products and substances for
oenological practices;***

Or. en

Amendment 169

Proposal for a regulation

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 170

Proposal for a regulation

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

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 171

Proposal for a regulation

Article 19 – paragraph 2 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 172

Proposal for a regulation

Article 19 – paragraph 2 – subparagraph 3

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

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

Amendment 173

Proposal for a regulation

Article 19 – paragraph 3

Text proposed by the Commission

Amendment

3. In order to ensure quality, traceability and compliance with this Regulation as regards organic production in general and the production of processed organic food in particular, and adaptation to technical

3. In order to ensure quality, traceability and compliance with this Regulation as regards organic production in general and the production of processed organic food in particular, and adaptation to technical

developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for additional criteria for the authorisation or withdrawal of the authorisation of products and substances referred to in paragraph 1 for use in organic production in general and in the production of organic processed food in particular, ***and other requirements and conditions for the use of such authorised products and substances.***

developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for additional criteria for the authorisation or withdrawal of the authorisation of products and substances referred to in paragraph 1 for use in organic production in general and in the production of organic processed food in particular.

Or. en

Amendment 174

Proposal for a regulation

Article 19 – paragraph 4 – subparagraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 175

Proposal for a regulation

Article 19 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Justification

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

Amendment 176

Proposal for a regulation

Article 19 – paragraph 5

Text proposed by the Commission

5. The Commission shall adopt ***implementing acts*** authorising or withdrawing the authorisation of products and substances that may be used in organic production in general and products and substances that may be used in the production of processed organic food in particular, and establishing the procedures to be followed for the authorisation and the lists of those products and substances and, where appropriate, their description, compositional requirements and conditions for use. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).***

Amendment

5. The Commission shall ***be empowered to*** adopt ***delegated acts in accordance with Article 36*** authorising or withdrawing the authorisation of products and substances that may be used in organic production in general and products and substances that may be used in the production of processed organic food in particular, and establishing the procedures to be followed for the authorisation and the lists of those products and substances and, where appropriate, their description, compositional requirements and conditions for use.

Or. en

Amendment 177

Proposal for a regulation

Article 20

Text proposed by the Commission

Article 20

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

Amendment

deleted

taking account in particular of Directive 2006/125/EC, shall not be marketed as organic.

2. In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 regarding the specific criteria and conditions for the application of the levels referred to in paragraph 1 and regarding the establishment of those levels and their adaptation in the light of technical developments.

3. By way of derogation from Article 211(1) of Regulation (EU) No 1308/2013, and subject to an authorization by the Commission adopted without applying the procedure referred to in Article 37(2) or (3) of this Regulation, Member States may grant national payments to compensate farmers for the losses they have incurred due to the contamination of their agricultural products by non-authorised products or substances which prevents them from marketing those products as organic provided that the farmers have taken all appropriate measures to prevent the risk of such contamination. Member States may also use the instruments of the Common Agricultural Policy to cover totally or partially such losses.

Or. en

Justification

The proposal to introduce a threshold for de-certification of organic products in case of the presence of non-authorised substances contradicts the overall approach of this Regulation and does not take into account adventitious contamination from conventional production. It also excludes the need for controls on the entire production process and possible reasons for non-compliance. Article 20a establishes procedures for all types of non-compliance along the entire production process.

Amendment 178

Proposal for a regulation Article 20 a (new)

Text proposed by the Commission

Amendment

Article 20a

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

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

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

(b) in order to assess cases in which non-compliance is suspected, the operator concerned shall set up a system appropriate to the type and size of the operation for the purpose of verification and assessment following procedures based on a systematic identification of critical procedural steps in accordance with the requirements laid down in points 1.2, 1.3 and 1.4 of Part IV of Annex II;

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

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

(a) where a control authority or control body is informed by an operator of a substantiated suspicion in accordance with point (c) of paragraph 1 or is informed that an operator intends to place on the market a product which is not in

compliance with the organic production rules but which bears a reference to the organic production method, the control authority or control body may prohibit the placing of the product on the market with an indication referring to the organic production method, either for a specified period of time or until it is satisfied that the suspicion has been eliminated. The period of time between such prohibition and the confirmation of the suspicion shall be as short as possible, taking into account the durability of goods, and shall not exceed two months;

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

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

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

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

4. Adequate precautionary measures shall be taken where control bodies and competent authorities have identified

specific risks of adventitious contamination as a result of non-organic practices.

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

Member States shall use the instruments of the CAP to totally or partially cover such losses.

Or. en

Justification

This amendment aims to set up harmonised procedures in case of suspicion of non-compliance with this Regulation. Instead of establishing a specific threshold for organic products which focuses only on an end product and does not differentiate between adventitious or fraudulent presence of non-authorized substances it proposes precautionary measures, increased responsibility of operators and improved follow-up procedures in case of suspicion of possible non-compliance. It also suggests measures to improve communication between competent authorities, control bodies and control authorities in Article 26a as part of the organic control, system and includes national schemes of compensation for market losses due to adventitious contamination.

Amendment 179

Proposal for a regulation Article 21 – paragraph 1

Text proposed by the Commission

1. For the purposes of this Regulation, a product shall be regarded as bearing terms referring to organic production where, in the labelling, advertising material or commercial documents, such a product, its

Amendment

1. For the purposes of this Regulation, a product shall be regarded as bearing terms referring to organic production where, in the labelling, advertising material or commercial documents, such a product, its

ingredients or feed materials are described in terms suggesting to the purchaser that the product, its ingredients or feed materials have been obtained in accordance with this Regulation. In particular, the terms listed in Annex IV, their derivatives or diminutives, such as 'bio' and 'eco', alone or combined, may be used throughout the Union and in any language listed in that Annex for the labelling and advertising of products which comply with this Regulation.

ingredients or feed materials are described in terms suggesting to the purchaser that the product, its ingredients or feed materials have been obtained in accordance with this Regulation. In particular, the terms listed in Annex IV, their derivatives or diminutives, such as 'bio' and 'eco', alone or combined, may be used throughout the Union and in any language listed in that Annex for the labelling and advertising of products which comply with this Regulation. ***In the labelling and advertising of live or unprocessed agricultural products, terms referring to the organic production method may be used only where, in addition, the entire product has also been produced in accordance with the requirements laid down in this Regulation.***

Or. en

Justification

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

Amendment 180

Proposal for a regulation

Article 21 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 181

Proposal for a regulation

Article 21 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 182

Proposal for a regulation

Article 21 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

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

Amendment 183

Proposal for a regulation

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

Text proposed by the Commission

Amendment

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

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

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

Or. en

Amendment 184

Proposal for a regulation Article 21 – paragraph 4

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 185

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

Text proposed by the Commission

2. Where the organic production logo of the European Union is used, an indication of the place where the agricultural raw materials of which the product is composed have been farmed shall also appear in the same visual field as the logo *and shall take one of the following forms, as*

Amendment

2. Where the organic production logo of the European Union is used, an indication of the place where the agricultural raw materials of which the product is composed have been farmed shall also appear in the same visual field as the logo.

appropriate:

Or. en

Amendment 186

Proposal for a regulation

Article 22 – paragraph 2 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

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

Or. en

Justification

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

Amendment 187

Proposal for a regulation

Article 22 – paragraph 2 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

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

Or. en

Amendment 188

Proposal for a regulation

Article 22 – paragraph 2 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) ‘EU/non-EU Agriculture’, where a part of the agricultural raw materials has been farmed in the Union and a part of it has been farmed in a third country. *deleted*

Or. en

Amendment 189

Proposal for a regulation

Article 22 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

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

Or. en

Amendment 190

Proposal for a regulation

Article 22 – paragraph 2 – subparagraph 3

Text proposed by the Commission

Amendment

The indication ‘EU’ or ‘non-EU’ may be replaced or supplemented by the name of a country if all agricultural raw materials of which the product is composed have been farmed in that country. *deleted*

Or. en

Amendment 191

Proposal for a regulation

Article 22 – paragraph 2 – subparagraph 4

Text proposed by the Commission

Amendment

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

deleted

Or. en

Amendment 192

Proposal for a regulation

Article 22 – paragraph 2 – subparagraph 5

Text proposed by the Commission

Amendment

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

deleted

Or. en

Amendment 193

Proposal for a regulation

Article 22 – paragraph 5 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

Typing error in Commission proposal.

Amendment 194

Proposal for a regulation

Article 23 – paragraph 2

Text proposed by the Commission

Amendment

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

Or. en

Justification

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

Amendment 195

Proposal for a regulation

Chapter V – title

Text proposed by the Commission

Amendment

Organic certification

Organic ***controls and*** certification

Or. en

Justification

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

Amendment 196

Proposal for a regulation

Article 23 a (new)

Article 23a

Control system

1. Member States shall set up a system of controls and shall designate one or more competent authorities to be responsible for monitoring compliance with the obligations laid down by this Regulation, in accordance with Article 3 of Regulation (EU) No XX/XXXX (the Official controls Regulation OCR).

2. In addition to the conditions laid down in the Official controls Regulation, the control system set up under this Regulation shall comprise at least the application of the precautionary measures provided for by Article 20a and the control measures provided for by this Chapter.

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

All operators and groups of operators shall be subject to a process of verification of their compliance with the applicable rules. Such verification shall be based on an annual audit and on inspection, screening and targeted screening, depending on the likelihood of non-compliance.

The criteria for risk assessments used by control authorities to identify the most risky parts of the food chain are laid down in Annex Vf. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the detailed elements of the risk assessment, the rates of control and the proportion of random controls. However, operators dealing only with pre-packaged products

and operators selling to the final consumer or user as described in Article 24a(2) shall not be subject to the control system as provided for in this Regulation.

4. The competent authority may:

(a) delegate its control competences to one or more other control authorities for organic products as defined in point (39) of Article 2 of the Official controls Regulation. Control authorities shall offer adequate guarantees of objectivity and impartiality, and shall have at their disposal the qualified staff and resources necessary to carry out their functions;

(b) delegate control tasks to one or more control bodies for organic products as defined in point (39) of Article 2 of the Official controls Regulation. In such cases, the Member States shall designate authorities responsible for approving and supervising such bodies.

5. The competent authority may delegate control tasks to a particular control body or control authority only if the conditions laid down in Article 26 of the Official controls Regulation are satisfied, and in particular where:

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

(b) the control body or control authority:

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

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

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

(c) the control body or control authority is accredited to the most recently notified

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

(d) the control body or control authority communicates the results of the controls carried out to the competent authority on a regular basis and whenever the competent authority so requests. If the results of the controls show serious non-compliance, the control body shall immediately inform the competent authority;

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

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

(a) the standard control procedure to be followed, containing a detailed description of the control measures and precautions that the control body or control authority undertakes to apply to operators subject to its control;

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

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

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

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

(c) the monitoring of non-compliance affecting the organic status of a product in accordance with Article 26a and Articles 134, 135 and 136 of the Official controls Regulation.

8. In accordance with Article 29 of the Official controls Regulation, competent authorities delegating control tasks to control bodies or control authorities shall organise audits or inspections of control bodies or control authorities, as necessary. If, as a result of an audit or an inspection, it appears that such bodies are failing to carry out properly the tasks delegated to them, the delegating competent authority may withdraw the delegation. It shall withdraw it without delay if the control body or control authority fails to take appropriate and timely remedial action.

9. In addition to complying with the provisions of paragraph 8, the competent authority shall:

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

(b) verify the effectiveness of controls carried out by the control body or control authority ;

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

(d) withdraw approval of any control body or control authority which fails to satisfy the requirements laid down in points (a) and (b) or no longer fulfils the criteria indicated in paragraphs 5 or 6, or fails to satisfy the requirements laid down in paragraphs 11, 12 and 14.

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

Or. en

Justification

Existing provisions taken from Organic Regulation (EC) No 834/2007 and Official Controls Regulation.

Amendment 197

Proposal for a regulation Article 24 – paragraph 1

Text proposed by the Commission

Amendment

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

Or. en

Justification

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

Amendment 198

Proposal for a regulation Article 24 – paragraph 2

Text proposed by the Commission

Amendment

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

Or. en

Justification

This is covered in what is inserted above from Article 28(1) third subparagraph of the existing Organic Regulation 834/2007.

Amendment 199

Proposal for a regulation Article 24 – paragraph 3

Text proposed by the Commission

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

Amendment

3. Operators and groups of operators shall keep records on 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.***

Or. en

Justification

The rapporteur proposes to bring a list of situations where operators are required to keep records into a new annex Vb based on existing rules in Regulation 889/2008.

Amendment 200

Proposal for a regulation Article 24 – paragraph 4

Text proposed by the Commission

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

Amendment

deleted

⁵⁰ ***Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of***

individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31).

Or. en

Justification

This has been moved to Article 24a, paragraph 5

Amendment 201

Proposal for a regulation
Article 24 – paragraph 5

Text proposed by the Commission

Amendment

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

Or. en

Justification

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

Amendment 202

Proposal for a regulation
Article 24 – paragraph 6

Text proposed by the Commission

Amendment

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

Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the requirements for keeping records, the requirements for publication of the list referred to in paragraph 4 of this Article and the requirements and procedures to be applied for publication of the fees referred to in paragraph 5 of this Article and for supervision by the competent authorities of the application of those fees.

Or. en

Justification

See amendment to Article 24 (3), the rapporteur proposes to bring a list of situations where operators are required to keep records into a new annex Vb based on existing rules in Regulation 889/2008.

Amendment 203

Proposal for a regulation
Article 24 – paragraph 7

Text proposed by the Commission

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

Amendment

7. The Commission may adopt implementing acts to provide details and specifications regarding the content, form and **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).

Or. en

Justification

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

Amendment 204

Proposal for a regulation Article 24 a (new)

Text proposed by the Commission

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. Operators dealing only with pre-packed products shall be exempted from the application of this Article, provided they do not produce, prepare, store other than in connection with the point of sale, or import such products from a third country, or have not subcontracted such activities to another operator.

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. 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 publication on the internet, together with the information relating to their organic certificates as referred to in Article 25(1), and using the model set out in Annex Vd to this Regulation. The competent authorities shall respect the requirements of the protection of personal data under Directive 95/46/EC of the European Parliament and of the Council^{1a}.

^{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).

Or. en

Justification

This article is based on Article 28 of the existing Organic Regulation 834/2007 with some adaptations.

Amendment 205

Proposal for a regulation Article 25 – paragraph 1

Text proposed by the Commission

Amendment

1. Operators and groups of operators that

1. Operators and groups of operators that

have notified their activity in accordance with Article 24(1) and comply with this Regulation shall be entitled to be provided with an organic certificate. The organic certificate, issued in electronic form wherever possible, shall at least allow the identification of the operator or group of operators, the type or range of products covered by the certificate and its period of validity.

have notified their activity in accordance with Article 24a(1) and comply with this Regulation shall be entitled to be provided with an organic certificate. The organic certificate, issued in electronic form wherever possible, shall at least allow the identification of the operator or group of operators, the type or range of products covered by the certificate and its period of validity.

Or. en

Justification

This amendment corresponds to former Article 29 (1) of Regulation 834/2007 with some adaptations.

Amendment 206

Proposal for a regulation
Article 25 – paragraph 2

Text proposed by the Commission

Amendment

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

deleted

Or. en

Justification

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

Amendment 207

Proposal for a regulation
Article 25 – paragraph 3

Text proposed by the Commission

Amendment

3. Operators and groups of operators shall not be entitled to be provided with an

3. Operators and groups of operators shall not be entitled to be provided with an

organic certificate by different control authorities or control bodies for the same group of products, including when those operators and groups of operators engage in different stages of production, preparation and distribution.

organic certificate by different control authorities or control bodies for the same group of products, including when those operators and groups of operators engage in different stages of production, preparation and distribution. ***The groups of products are set out in Annex Vd.***

Or. en

Justification

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

Amendment 208

Proposal for a regulation Article 25 – paragraph 6

Text proposed by the Commission

Amendment

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

deleted

Or. en

Justification

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

Amendment 209

Proposal for a regulation Article 26 – paragraph 2

Text proposed by the Commission

Amendment

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

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

Or. en

Justification

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

Amendment 210

**Proposal for a regulation
Article 26 – paragraph 3**

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 211

Proposal for a regulation Article 26 – paragraph 4

Text proposed by the Commission

Amendment

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

deleted

Or. en

Justification

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

Amendment 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.

Or. en

Justification

These provisions are moved from Article 23(1) point a) and b) of the Official Controls Regulation (OCR) which correspond to Article 44(3) of this Commission proposal for an Organic Regulation (which amends the OCR). "Integrity" (of organic products) has been replaced by "status" due to difficulty in defining integrity.

Amendment 213

Proposal for a regulation Article 26 b (new)

Text proposed by the Commission

Amendment

Article 26b

Exchange of information and administrative cooperation

1. Administrative cooperation between Member States, control bodies, control authorities and competent authorities, including for the purposes of applying Article 20a(2), shall be based on the requirements laid down in Title 4 of the Official controls Regulation.

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

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

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

Or. en

Justification

This is taken from Article 31 of existing Regulation (EC) No 834/2007.

Amendment 214

Proposal for a regulation
Article 26 c (new)

Text proposed by the Commission

Amendment

Article 26c

Delegated powers with regard to the control system

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

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

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

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

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

(f) specific criteria and conditions for the

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

Or. en

Justification

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

Amendment 215

Proposal for a regulation Article 26 d (new)

Text proposed by the Commission

Amendment

Article 26 d

EU Organic Agency (EOA)

*By ... *, the Commission shall establish an EU Organic Agency (EOA) ('the Agency'). The Agency shall be provided with the resources it needs in order to fulfil its responsibilities with regard to better communication between Member States and with the Union's Institutions, improved functioning of the internal market, and improved implementation of rules concerning controls within the Union and imports from third countries. The Agency shall recruit staff possessing the necessary competence, expertise and capacity to perform those tasks.*

The process for the establishment, mission, tasks and functioning of the

Agency is set out in Annex Va.

*** OJ: Please insert the date of application of this Regulation.**

Or. en

Justification

The Organic Regulation foresees wide responsibilities for the Commission and competent authorities which cannot be implemented due to a lack of data, rules, structures. The impact assessment, the Court of Auditors' report and stakeholders point at missing data, lacking identification of risk points for fraud, insufficient communication between Member States and with Third countries, lacking supervision for control bodies, insufficient FVO controls. This proposal is based on the existing Agency for Fisheries.

Amendment 216

Proposal for a regulation

Article 27

Text proposed by the Commission

Amendment

Article 27

deleted

Export of organic products

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

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

2. In order to avoid creating unequal conditions for operators when exporting to third countries, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning specific rules for exports of organic products to a third country which is

recognised in accordance with Article 31.

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

Or. en

Justification

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

Amendment 217

Proposal for a regulation

Article 28 – paragraph 1 – point b – point i

Text proposed by the Commission

(i) complies with Chapters II, III and IV and all operators, including ***the*** exporters in the third country concerned, have been subject to the control of control authorities or control bodies recognised in accordance with Article 29; or

Amendment

(i) complies with Chapters II, III and IV and all operators ***and groups of operators***, including 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 accompanied by a certificate of inspection issued by the recognised control bodies confirming compliance with production rules laid down in this Regulation;*** or

Or. en

Amendment 218

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(iia) has been produced in accordance with production rules approved by the Commission as equivalent to those laid down in Chapters II, III and IV in accordance with Article 30b and all operators, including the third-country exporters concerned, have been subject to the control of control bodies recognised in accordance with Article 29, and the product, upon being imported, is accompanied by a certificate of inspection issued by control bodies confirming compliance with production rules laid down in this Regulation.

Or. en

Amendment 219

Proposal for a regulation

Article 28 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(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 operators in third countries are able to provide at any time, to the importers ***and*** the national authorities, information ***enabling all operators*** who carried out ***operations to be identified***, 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.***

Or. en

Amendment 220

Proposal for a regulation Article 29 – title

Text proposed by the Commission

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

Amendment

Recognition of control bodies

Or. en

Amendment 221

Proposal for a regulation Article 29 – paragraph 1

Text proposed by the Commission

1. The Commission may adopt implementing acts recognising, or withdrawing the recognition of control authorities and control bodies which fulfil the criteria set out in a delegated act adopted pursuant to paragraph 7 and which are competent to carry out controls in third countries, and establishing a list of those control authorities and control bodies. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).

Amendment

1. The Commission may, ***after receiving the Agency's assessment of the technical dossier referred to in paragraph 4***, adopt implementing acts recognising, or withdrawing the recognition of control authorities and control bodies which fulfil the criteria set out in a delegated act adopted pursuant to paragraph 7 and which are competent to carry out controls in third countries, and establishing a list of those control authorities and control bodies. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).

Or. en

Amendment 222

Proposal for a regulation Article 29 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The control bodies shall be authorised to perform control functions in respect of

the categories of products listed in points (a) to (g) of the first subparagraph of Article 2(1) for defined countries and pursuant to this Regulation or to a standard recognised by the Commission, after it has received the Agency's assessment, as being equivalent in accordance with Article 30b.

Or. en

Justification

Each control body wishing to operate in Third countries should be recognised by the Commission, after having received the assessment of the Agency, on the basis of a country, standard and category of product.

Amendment 223

Proposal for a regulation

Article 29 – paragraph 3 – point b

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 224

Proposal for a regulation

Article 29 – paragraph 4 – subparagraph 2

Text proposed by the Commission

The recognised control bodies or control authorities shall provide the certificate issued by the accreditation body or

Amendment

Control bodies shall submit to the Commission a request for recognition consisting of a technical dossier

respectively the assessment report issued by the *competent authority*, and, as appropriate, reports on the regular on-the-spot evaluation, surveillance and multiannual re-assessment of their activities.

containing all the information needed in order to ensure that the criteria set out in paragraph 1a are met. When examining requests for recognition, the Commission shall request the control body to supply all necessary information.

Recognised control bodies shall provide the Commission with the accreditation certificate issued by the *accreditation body*, and, as appropriate, *up-to-date* reports on the regular on-the-spot evaluation, surveillance and multiannual re-assessment of their activities.

The Agency shall ensure effective coordination with the accreditation bodies concerned so as to ensure that the conditions laid down in Article 28(1) and in this Article are met for organic products intended for import into the Union.

Or. en

Justification

Wording comes from existing Commission Regulation (EC) No 1235/2008.

Amendment 225

Proposal for a regulation Article 29 – paragraph 5

Text proposed by the Commission

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

Amendment

5. ***On the basis of*** the information referred to ***in paragraphs 1 and 4 and any other relevant information relating to the control body, the Agency*** shall ensure appropriate supervision of the recognised control bodies by ***continuously*** reviewing their ***performance and*** recognition. For the purposes of that supervision, the ***Agency*** may request additional information from the accreditation bodies or, as appropriate, ***from*** the competent authorities.

Amendment 226

Proposal for a regulation

Article 29 – paragraph 7

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 227

Proposal for a regulation

Article 29 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 228

Proposal for a regulation

Article 29 – paragraph 7 b (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 229

Proposal for a regulation

Article 29 – paragraph 8

Text proposed by the Commission

Amendment

8. The Commission *may* adopt ***implementing acts to ensure*** the application of measures in relation to cases

8. The Commission ***shall be empowered to*** adopt ***delegated acts in accordance with Article 36 concerning*** the application of

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

measures in relation to cases of non-compliance affecting the integrity of organic products imported under the recognition provided for in this Article or suspicion of such cases. Such measures may consist in particular in the verification of the integrity of the organic products before placing the products on the market within the Union and, where appropriate, the suspension of the authorisation of placing on the market within the Union of such products as organic.

Or. en

Amendment 230

Proposal for a regulation Article 29 – paragraph 9

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 231

Proposal for a regulation Article 30

Text proposed by the Commission

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

Amendment

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

The Commission shall publish, and shall provide the European Parliament and the Council with, regular status reports on all ongoing negotiations on such trade agreements. The final results of the negotiations shall be presented to the European Parliament and the Council, and shall be published, listing in detail any differences between the production rules and control measures applied in the third country concerned and those applied in the Union. The Commission shall publish a list of the differences between the production and control provisions contained in all existing trade agreements covered by this Article.

Or. en

Amendment 232

Proposal for a regulation Article 30 a (new)

Text proposed by the Commission

Amendment

Article 30a

Import of products providing equivalent guarantees

According to point (b) (iia) of Article 28 a product imported from a third country may be placed on the Union market as an organic product provided that:

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

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

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

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

(d) the product has been produced in accordance with production rules equivalent to those laid down in Chapters III and IV.

Or. en

Justification

This amendment establishes a transitional rule for establishing full equivalency.

Amendment 233

Proposal for a regulation
Article 30 b (new)

Article 30b

Recognition of equivalent production rules

1. The Commission shall establish, by means of implementing acts, a list of recognised equivalent production rules and their geographical and product scope. The equivalent production rules shall meet the same objectives, principles and level of technical requirements as those prescribed by Union law. The Commission may withdraw particular production rules from the list. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 establishing detailed methodology and criteria for the recognition of equivalent production rules and for the identification of the geographical and product scope of such approval in accordance with paragraph 1.

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 establishing criteria for the equivalence approval. Those criteria shall include priority criteria to determine which standards applications are to define:

– the extent to which the standard in question is being used by various control bodies and control authorities or its potential for use by various control bodies in different regions;

– the relevance of the standard in question as regards products imported into the Union.

4. Countries, communities of countries or other standard owners may apply for their standards to be recognised by the Agency

as equivalent in accordance with paragraph 1.

5. When examining requests for recognition, the Agency shall request the applicant to supply all necessary information, for example concerning the procedure for modifying the standard concerned.

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

6. On the basis of the information referred to in paragraph 5, the Commission shall regularly review the recognition of equivalent production rules. For the purposes of that review, the Commission may request additional information from the accreditation bodies or the standard owner concerned.

7. The Commission shall establish a list of differences between the provisions contained in all equivalent standards covered by this Article, and shall publish that list electronically.

Or. en

Amendment 234

Proposal for a regulation Article 30 c (new)

Text proposed by the Commission

Amendment

Article 30c

Delegated acts with regard to the equivalence system

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 establishing and where necessary amending a list of exceptions to the rules applying in third countries referred to in point (b)(ii) of Article 28(1).

The Commission shall also make an up-to-date list of those exceptions available on its website. The Commission shall also be empowered to adopt delegated acts in accordance with Article 36 establishing means to facilitate stakeholder consultation, including consultation with organic control bodies operating in third countries and representatives of non-EU organic operators.

2. The release for free circulation in the Union of a consignment of products imported in accordance with points (b)(i) and (b)(iia) of Article 28(1) shall be conditional on:

(a) the submission of an original certificate of inspection to the relevant Member State's authority; and

(b) verification of the consignment by the relevant Member State's authority and endorsement of the certificate of inspection in accordance with paragraphs 3, 4 and 5 of this Article.

3. In order to be accepted, the certificate of inspection must have been issued by the competent authority or control body recognised by the Agency in accordance with Article 29.

4. The authority or body issuing the certificate of inspection shall not issue the certificate of inspection until:

(a) it has carried out a documentary check on the basis of all relevant inspection documents, including in particular the production plan for the product or products concerned, transport documents and commercial documents;

(b) it has either carried out a physical check of the consignment, or has received an explicit declaration by the exporter stating that the consignment concerned has been produced and/or prepared in accordance with Article 28. It shall carry out a risk-oriented verification of the

credibility of that declaration; and

(c) it has, in addition, assigned a serial number to each issued certificate.

It shall keep a register, in chronological order, of the certificates issued.

5. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down specific rules on the procedure for the release of products imported in accordance with Article 28 for free circulation in the Union, including the content of the certificate of inspection and special customs procedures.

Or. en

Amendment 235

Proposal for a regulation

Article 31 – paragraph 1 – subparagraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 236

Proposal for a regulation

Article 31 – paragraph 2

Text proposed by the Commission

2. On the basis of annual reports to be sent

Amendment

2. On the basis of annual reports to be sent

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

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

Or. en

Amendment 237

Proposal for a regulation Article 31 – paragraph 6

Text proposed by the Commission

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

Amendment

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

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

market within the Union as organic ***products.***

Or. en

Justification

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

Amendment 238

**Proposal for a regulation
Article 32 – paragraph 2**

Text proposed by the Commission

Amendment

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

deleted

Or. en

Amendment 239

**Proposal for a regulation
Article 33 – paragraph 2**

Text proposed by the Commission

Amendment

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

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

Amendment 240

**Proposal for a regulation
Article 35 – paragraph 1**

Text proposed by the Commission

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

Amendment

1. By 31 December 2018, the Commission shall present a report to the European Parliament and the Council on the availability of organic plant reproductive material, feed, animals for breeding purposes, and aquaculture juveniles on the Union market, identifying potential gaps and the reasons for those gaps and outlining a plan and possible measures for closing those gaps, including support measures designed to stimulate the market. That report shall be based on a study including data collection and analysis in Member States.

2. In relation to 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, 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.

Where the study establishes that, for some sub-markets, the supply-demand ratio is below 80%, the Commission shall set out in its report a development plan which shall include appropriate and effective measures aimed at providing support to operators who have committed to developing organic plant 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, marketing support through websites run by the Commission and Member States, or associations of organic farmers or organic control bodies, participatory capital for small and medium-sized enterprises dedicated to offering organic plant reproductive material, and project grants for the breeding of new varieties suitable for organic agriculture.

Or. en

Justification

The Commission should collect data on the availability of organic seeds, feed, etc. and take the necessary steps to encourage the production of these lacking organic inputs, so that existing gaps can be closed as soon as possible. A special emphasis should be put on the offer of organic seeds which is still low. A dynamic based on data collection and a market driven approach for stimulating the breeding, production and use of organic seeds and other reproductive material should be set.

Amendment 241

Proposal for a regulation Article 44

Text proposed by the Commission

Amendment

[...]

deleted

Or. en

Justification

Rules specific to organics should be in the Organic Regulation and amendable through that Regulation only. Any more detailed rules for application should also be defined in this Organic Regulation and the content of Article 23 of the Official Controls Regulation (OCR) (paragraphs 2 and 3) should be inserted here.

Amendment 242

**Proposal for a regulation
Article 45 – paragraph 2**

Text proposed by the Commission

Amendment

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

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

⁵² At least 6 months after ***enter*** into force.

⁵² At least 6 months after ***entry*** into force.

Or. en

Amendment 243

**Proposal for a regulation
Annex I – indent 1**

Text proposed by the Commission

Amendment

– yeasts used as food or feed,

deleted

Or. en

Justification

This is already covered by Article 1.

Amendment 244

Proposal for a regulation Annex I – indent 2

Text proposed by the Commission

Amendment

– beer,

deleted

Or. en

Justification

This is already covered by the definition of food.

Amendment 245

Proposal for a regulation Annex I – indent 4

Text proposed by the Commission

Amendment

**– extracts, essences and concentrates of
coffee, tea and maté and preparations
with a basis of those products or with a
basis of coffee, tea and maté; roasted
chicory and other roasted coffee
substitutes, and extracts, essences and
concentrates thereof,**

deleted

Or. en

Justification

This is already covered by the definition of food.

Amendment 246

Proposal for a regulation Annex I – indent 5

Text proposed by the Commission

Amendment

– fruit nectars,

deleted

Justification

This is already covered by the definition of food.

Amendment 247

Proposal for a regulation

Annex I – indent 6

Text proposed by the Commission

Amendment

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

Justification

This is already covered by the definition of food.

Amendment 248

Proposal for a regulation

Annex I – indent 7

Text proposed by the Commission

Amendment

– sugar confectionery, *deleted*

Justification

This is already covered by the definition of food.

Amendment 249

Proposal for a regulation

Annex I – indent 8

Text proposed by the Commission

Amendment

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

Or. en

Justification

This is already covered by the definition of food.

Amendment 250

Proposal for a regulation Annex I – indent 9

Text proposed by the Commission

Amendment

– soups, ***deleted***

Or. en

Justification

This is already covered by the definition of food.

Amendment 251

Proposal for a regulation Annex I – indent 10

Text proposed by the Commission

Amendment

– sauces, ***deleted***

Or. en

Justification

This is already covered by the definition of food.

Amendment 252

Proposal for a regulation Annex I – indent 11

Text proposed by the Commission

Amendment

– cooked meals, *deleted*

Or. en

Justification

This is already covered by the definition of food.

Amendment 253

Proposal for a regulation Annex I – indent 12

Text proposed by the Commission

Amendment

– ice cream, *deleted*

Or. en

Justification

This is already covered by the definition of food.

Amendment 254

Proposal for a regulation Annex I – indent 13

Text proposed by the Commission

Amendment

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

Or. en

Justification

This is already covered by the definition of food.

Amendment 255

**Proposal for a regulation
Annex I – indent 14**

Text proposed by the Commission

Amendment

– *sea salt*,

deleted

Or. en

Justification

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

Amendment 256

**Proposal for a regulation
Annex I – indent 15**

Text proposed by the Commission

Amendment

– natural gums *and resins*,

– natural gums,

Or. en

Justification

Resins are already covered by the definition of food.

Amendment 257

**Proposal for a regulation
Annex I – indent 19**

Text proposed by the Commission

Amendment

– *spirit drinks, provided that the ethyl alcohol used for the production of the*

deleted

spirit drinks is exclusively of agricultural origin.

Or. en

Justification

This is already covered by the definition of food.

Amendment 258

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

Text proposed by the Commission

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

Amendment

1.1. Hydroponic ***production*** is prohibited.

Or. en

Amendment 259

**Proposal for a regulation
Annex II – Part I – point 1.1 – paragraph 1a (new)**

Text proposed by the Commission

Amendment

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 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.

Or. en

Justification

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

Amendment 260

Proposal for a regulation

Annex II – Part I – point 1.3.3 – paragraph 1

Text proposed by the Commission

1.3.3. In the case of treatment with a product not authorised for organic production, the competent authority shall require a new conversion period in accordance with point 1.3.1.

Amendment

1.3.3. In the case of treatment with a product not authorised for organic production, the competent authority shall require a new conversion period ***for treated parts of the parcels*** in accordance with point 1.3.1.

Or. en

Amendment 261

Proposal for a regulation

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

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 262

Proposal for a regulation

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

Text proposed by the Commission

(a) ***treatment*** with a product not authorised for organic production as part of a compulsory control measure for pests or

Amendment

(a) ***parcels treated*** with a product not authorised for organic production as part of a compulsory control measure for pests or

weeds, including quarantine organisms or invasive species, imposed by the competent authority of the Member State;

weeds, including quarantine organisms or invasive species, imposed by the competent authority of the Member State;

Or. en

Amendment 263

Proposal for a regulation

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

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 264

Proposal for a regulation

Annex II – Part I – point 1.3.4 – point b

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 265

Proposal for a regulation

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

Text proposed by the Commission

Amendment

Member States shall inform other Member States and the Commission of

*any decision by them laying down
compulsory measures;*

Or. en

Amendment 266

Proposal for a regulation

Annex II – Part I – point 1.3.4 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 267

Proposal for a regulation

Annex II – Part I – point 1.3.5.2

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 268

Proposal for a regulation

Annex II – Part I – point 1.4.1

Text proposed by the Commission

Amendment

1.4.1. For the production of plants and
plant products only organically produced

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.

plant reproductive material shall be used. To this end, the plant intended for plant reproductive material production and, where relevant, the mother plant shall have been produced in accordance with this Regulation for at least one generation, or, in the case of perennial crops, during two growing seasons.

Plant reproductive material coming from a production unit during the second year of conversion may be used for the production of organic plants and organic plant products.

Or. en

Amendment 269

Proposal for a regulation Annex II – Part I – point 1.4.1 a (new)

Text proposed by the Commission

Amendment

1.4.1a. For the production of organic 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. Organic plant breeding shall develop organic varieties only on the basis of genetic material that has not been exposed to genetic engineering.

Or. en

Amendment 270

Proposal for a regulation Annex II – Part I – point 1.4.2 – introductory part

Text proposed by the Commission

Amendment

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

1.4.2. Use of **seed or vegetative propagating** material not obtained from organic production

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 in research and development, for tests in small-scale field trials or for genetic resources conservation purposes agreed by the competent control body.

Or. en

Justification

The production of seedlings / young plants in organic quantity is already possible today. Exceptions should only be possible for seed or vegetative propagating material.

Amendment 271

Proposal for a regulation

Annex II – Part I – point 1.4.2 a (new)

Text proposed by the Commission

Amendment

1.4.2a. Organic plant breeders shall disclose the applied breeding techniques. For the production of an organic variety, genetic engineering and irradiation shall be prohibited and only the following methods of breeding shall be used:

	<i>Variation induction techniques</i>	<i>Selection techniques</i>	<i>Maintenance and multiplication</i>
<i>Suitable and permitted for</i>	<i>Combination</i>	<i>Mass selection</i>	<i>Generative propagation</i>

<i>organic plant breeding</i>	<i>breeding</i>		
	<i>Crossing varieties</i>	<i>Pedigree selection</i>	<i>Vegetative propagation</i> – <i>partition tubers</i> – <i>scales, husks</i> – <i>partitioned bulbs, brood bulbs, bulbils, offset bulbs etc.</i> – <i>layer, cut and graft shoots</i> – <i>rhizomes</i>
	<i>Bridge crossing</i>	<i>Site-determined selection</i>	
	<i>Backcrossing</i>	<i>Change in surroundings</i>	
	<i>Hybrids with fertile F1</i>	<i>Change in sowing time</i>	
	<i>Temperature treating</i>	<i>Ear bed method</i>	
	<i>Grafting style</i>	<i>Test crossing</i>	
	<i>Cutting style</i>	<i>Indirect selections</i>	<i>Meristem culture</i>
	<i>Untreated mentor pollen</i>	<i>DNA diagnostic methods</i>	

Or. en

Amendment 272

Proposal for a regulation

Annex II – Part I – point 1.4.2 b (new)

Text proposed by the Commission

Amendment

1.4.2b. Breeding of organic varieties

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

- selecting and breeding under organic conditions that comply with the requirements of this Regulation;***
- developing organic varieties only on the basis of genetic material that has not been genetically modified;***
- disclosure of the applied breeding techniques and making publically available the information about the***

methods used to develop an organic variety;

– respecting the genome as an impartible entity (technical interventions in the genome of plants are not allowed, e.g. ionising radiation; transfer of isolated DNA, RNA, or proteins);

– respecting cells as an impartible entity (technical interventions in an isolated cell on an artificial medium are not allowed, e.g. genetic engineering techniques; destruction of cell walls and disintegration of cell nuclei through cytoplasm fusion);

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

Or. en

Amendment 273

Proposal for a regulation

Annex II – Part I – point 1.5.2

Text proposed by the Commission

1.5.2. The fertility and biological activity of the soil shall be maintained and increased by multiannual crop rotation including **legumes** and other green manure crops, and by the application of livestock manure or organic material, both preferably composted, from organic production.

Amendment

1.5.2. The fertility and biological activity of the soil shall be maintained and increased by ***the use of soil engineering, by*** multiannual crop rotation including ***mandatory leguminous crops as the main or cover crop for rotating crops*** and other green manure crops, and by the application of livestock manure or organic material, both preferably composted, from organic production.

Or. en

Amendment 274

Proposal for a regulation

Annex II – Part I – point 1.5.4

Text proposed by the Commission

1.5.4. The total amount of livestock manure, as defined in Council Directive 91/676/EEC⁶⁷, applied on the **agricultural** holding, shall not exceed 170 kg of nitrogen per year/hectare of agricultural area used. That limit shall only apply to the use of farmyard manure, dried farmyard manure and dehydrated poultry manure, composted animal excrements, including poultry manure, composted farmyard manure and liquid animal excrements.

⁶⁷ Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1).

Amendment

1.5.4. The total amount of livestock manure, as defined in Council Directive 91/676/EEC⁶⁷, **with regard to the protection of waters against pollution caused by nitrates from agricultural sources** applied on the holding, shall not exceed 170 kg of nitrogen per year/hectare of agricultural area used. That limit shall only apply to the use of farmyard manure, dried farmyard manure and dehydrated poultry manure, composted animal excrements, including poultry manure, composted farmyard manure and liquid animal excrements.

⁶⁷ Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (OJ L 375, 31.12.1991, p. 1).

Or. en

Amendment 275

Proposal for a regulation

Annex II – Part I – point 1.5.8 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 276

Proposal for a regulation

Annex II – Part I – point 1.6.1 – introductory part

Text proposed by the Commission

1.6.1. The prevention of damage caused by pests **and weeds** shall rely primarily on the protection by:

Amendment

1.6.1. The prevention of damage caused by pests **weeds and diseases** shall rely primarily on the protection by:

Or. en

Amendment 277

Proposal for a regulation

Annex II – Part I – point 1.6.1 – indent 5

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

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

Amendment 278

Proposal for a regulation

Annex II – Part I – point 1.6.2

Text proposed by the Commission

1.6.2. Where plants cannot be protected adequately from pests by measures provided for in point 1.6.1. or in the case of an established threat to a crop, only products authorised for use in organic production pursuant to Article 19 may be

Amendment

1.6.2. Where plants cannot be protected adequately from pests, **weeds and diseases** by measures provided for in point 1.6.1. or in the case of an established threat to a crop, only products authorised for use in organic production pursuant to Article 19 may be used, and only to the extent

used and only to the extent necessary.

necessary. *Operators shall keep documentation proving the need for the use of such products.*

Or. en

Amendment 279

Proposal for a regulation Annex II – Part I – point 1.6.3

Text proposed by the Commission

1.6.3. **The** traps or dispensers **of products** other than pheromones shall prevent the substances from being released into the environment and prevent contact between the substances and the crops being cultivated. **The** traps shall be collected after use and disposed of **safely**.

Amendment

1.6.3. **In relation to products used in** traps or dispensers other than pheromones, **the traps and/or dispensers** shall prevent the substances from being released into the environment and **shall** prevent contact between the substances and the crops being cultivated. **All traps including pheromone traps** shall be collected after use and **safely** disposed of.

Or. en

Amendment 280

Proposal for a regulation Annex II – Part I – point 1.7 – paragraph 1

Text proposed by the Commission

With regard to cleaning and disinfection, **only the products for cleaning and disinfection** in plant production authorised for use in organic production pursuant to Article 19 **shall be used**.

Amendment

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

Or. en

Amendment 281

Proposal for a regulation

Annex II – Part I – point 2.2 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 282

Proposal for a regulation

Annex II – Part II – point 1.1

Text proposed by the Commission

Amendment

1.1. ***Where the farmer producing*** livestock does not manage agricultural land and has not ***established*** a written cooperation agreement with another ***farmer, landless livestock production*** shall be prohibited.

1.1. ***Landless livestock production, by which the operator of the*** livestock does not manage agricultural land and/or has not ***concluded*** a written cooperation agreement with another ***operator in accordance with Annex II, Part I, point 1.5.4.,*** shall be prohibited ***with the exception of beekeeping.***

Or. en

Amendment 283

Proposal for a regulation

Annex II – Part II – point 1.2.1

Text proposed by the Commission

Amendment

1.2.1. The conversion period shall start at the earliest when the farmer has notified his activity to the competent authorities and subjected his holding to the control system in accordance with this Regulation.

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

Justification

e.g. for operators producing aquaculture.

Amendment 284

**Proposal for a regulation
Annex II – Part II – point 1.2.2**

Text proposed by the Commission

1.2.2. Conversion periods specific to the type of animal production **are** set out in point 2.

Amendment

1.2.2. ***In the case of non-simultaneous conversion of pasturage/land used for animal feed and animals, the*** periods specific to the type of animal production set out in point 2 ***shall be applied.***

Or. en

Amendment 285

**Proposal for a regulation
Annex II – Part II – point 1.2.4**

Text proposed by the Commission

1.2.4. ***Animals and animal products may be considered organic at the end of the conversion period if there is simultaneous conversion of the complete production unit, including livestock, pasturage or any land used for animal feed.***

Amendment

1.2.4. ***The total combined conversion period for both existing animals and their offspring, pasturage and/or any land used for animal feed, may be reduced to 24 months if the animals are mainly fed with products from the production unit in conversion.***

Or. en

Justification

Wording taken from existing Commission Regulation (EC) No 889/2008.

Amendment 286

Proposal for a regulation Annex II – Part II – point 1.3.1

Text proposed by the Commission

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

Amendment

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

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

(b) parent production should be established within five years after revised poultry standards have entered into force.

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

Or. en

Amendment 287

Proposal for a regulation Annex II – Part II – point 1.3.2

Text proposed by the Commission

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

Amendment

deleted

to in point 2.

Or. en

Justification

Amendment in line with amendment on Annex II - Part II – point 1.2.2

Amendment 288

Proposal for a regulation

Annex II – Part II – point 1.3.3 – point d

Text proposed by the Commission

(d) the choice of breeds shall ***be appropriate and shall*** contribute to the prevention of any suffering and to avoiding the need for the mutilation of animals.

Amendment

(d) ***appropriate breeds shall be chosen.***
The choice of breeds shall ***also*** contribute to the prevention of any suffering and to avoiding the need for the mutilation of animals.

Or. en

Justification

Clearer wording taken from existing Council Regulation (EC) No 834/2007.

Amendment 289

Proposal for a regulation

Annex II – Part II – point 1.3.4

Text proposed by the Commission

1.3.4. In the choice of breeds or strains, account shall be taken of the capacity of animals to adapt to local conditions, without impairment of their welfare, their vitality and their resistance to disease. In addition, breeds or strains of animals shall be selected to avoid specific diseases or health problems associated with some breeds or strains used in intensive production, such as porcine stress syndrome, pale-soft-exudative (PSE)

Amendment

1.3.4. In the choice of breeds or strains, account shall be taken of the capacity of animals to adapt to local conditions, without impairment of their welfare, their vitality and their resistance to disease. In addition, breeds or strains of animals shall be selected to avoid specific diseases or health problems associated with some breeds or strains used in intensive production, such as porcine stress syndrome, pale-soft-exudative (PSE)

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

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

Or. en

Amendment 290

Proposal for a regulation

Annex II – Part II – point 1.3.5 a (new)

Text proposed by the Commission

Amendment

1.3.5a. Non-organic young mammals, when a herd or flock is constituted for the first time, shall be reared in accordance with the organic production rules immediately after they are weaned. Moreover, the following restrictions shall apply at the date on which the animals enter the herd:

(a) buffalo, calves and foals shall be less than six months old;

(b) lambs and kids shall be less than 60 days old;

(c) piglets shall weigh less than 35 kg.

This derogation shall be phased out in accordance with the availability of bred organic animals.

Or. en

Justification

Specifications taken from existing Commission Regulation (EC) No 889/2008.

Amendment 291

Proposal for a regulation

Annex II – Part II – point 1.3.5 b (new)

Text proposed by the Commission

Amendment

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.

This derogation shall be phased out in accordance with the availability of bred organic animals.

Or. en

Amendment 292

Proposal for a regulation Annex II – Part II – point 1.3.5 c (new)

Text proposed by the Commission

Amendment

1.3.5c. The percentages referred to in point 1.3.5.b 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;

(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^{1a}.

^{1a} *Commission Regulation (EC) No 1974/2006 of 15 December 2006 laying down detailed rules for the application of Council Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 368, 23.12.2006, p. 15).*

Or. en

Amendment 293

Proposal for a regulation
Annex II – Part II – point 1.3.5 d (new)

Text proposed by the Commission

Amendment

1.3.5d. For the renovation of apiaries, 10% per year of the queen bees and swarms may be replaced by non-organic queen bees and swarms in the organic production unit provided that the queen bees and swarms are placed in hives with combs or comb foundations coming from organic production units. In any case, one swarm or queen bee can be replaced per year.

Or. en

Amendment 294

Proposal for a regulation
Annex II – Part II – point 1.4.1 – point b

Text proposed by the Commission

(b) livestock shall be fed with organic feed that meets the animal's nutritional requirements at the various stages of its development. Restricted feeding shall not be permitted in livestock production;

Amendment

(b) livestock shall be fed with organic feed that meets the animal's nutritional requirements at the various stages of its development, ***in terms of both quality and quantity***. Restricted feeding shall not be permitted in livestock production. ***A part of the ration may contain feed from holdings which are in conversion to organic farming. By way of exception to the production rules relating to non-availability of organic farm input in accordance with point (b) of the first subparagraph of Article 17(2), where farmers are unable to obtain protein feed exclusively from organic production for porcine and poultry species, the maximum percentage of non-organic protein feed authorised per period of 12 months for those species shall not exceed 5 % and shall be decreased in line with its availability. The percentage of the dry matter of feed from agricultural origin shall be calculated.***

Or. en

Amendment 295

Proposal for a regulation

Annex II – Part II – point 1.4.1 – point d

Text proposed by the Commission

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

Amendment

(d) force-feeding is forbidden;

Or. en

Amendment 296

Proposal for a regulation

Annex II – Part II – point 1.4.1 – point g

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

Wording taken from existing Council Regulation (EC) No 834/2007 as the Commission proposal also allows milk substitute.

Amendment 297

Proposal for a regulation

Annex II – Part II – point 1.4.1 – point h a (new)

Text proposed by the Commission

Amendment

(ha) non-organic feed materials from plant origin, feed materials from animal and mineral origin, feed additives, certain products used in animal nutrition and processing aids shall be used only if they have been authorised for use in organic production pursuant to Article 19 and in duly justified cases.

Or. en

Amendment 298

Proposal for a regulation

Annex II – Part II – point 1.4.2.1 – point a

Text proposed by the Commission

(a) the ***common land is fully managed in***

Amendment

(a) the ***land has not been treated with products not authorised for organic***

accordance with this Regulation;

production for at least three years;

Or. en

Amendment 299

Proposal for a regulation

Annex II – Part II – point 1.4.2.2

Text proposed by the Commission

1.4.2.2. During the period of transhumance animals may graze on non-organic land when they are being moved on foot from one grazing area to another. The uptake of non-organic feed, in the form of grass and other vegetation on which the animals graze, shall ***be allowed for a maximum of 35 days covering both the outward and return journeys.***

Amendment

1.4.2.2. During the period of transhumance animals may graze on non-organic land when they are being moved on foot from one grazing area to another. The uptake of non-organic feed, in the form of grass and other vegetation on which the animals graze, shall ***not exceed 10 % of the total feed ration per year. This figure shall be calculated as a percentage of the dry matter of feeding stuffs from agricultural origin.***

Or. en

Justification

Wording taken from Article 17 point 4 of existing Commission Regulation (EC) No 889/2008.

Amendment 300

Proposal for a regulation

Annex II – Part II – point 1.4.2.2 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Operators shall keep documentary evidence of the use of provisions referred to in point 1.4.2.

Or. en

Amendment 301

Proposal for a regulation

Annex II – Part II – point 1.4.3.1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 302

Proposal for a regulation

Annex II – Part II – point 1.4.3.2

Text proposed by the Commission

1.4.3.2. *For organic agricultural holdings, up to 20 % on average of the feed formula of rations may comprise in-conversion feed, namely feed from the second year of conversion. For in-conversion agricultural holdings, when the in-conversion feed come from the holding itself, this percentage may be increased to 100.*

Amendment

1.4.3.2. Up to 20 % **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 are part of the holding itself and have not been part of an organic production unit of that holding in the last five years. When both in-conversion feedingstuffs and feedingstuffs**

from parcels in their first year of conversion are being used, the total combined percentage of such feedingstuffs shall not exceed the maximum percentages fixed in point 1.4.3.1.

Or. en

Amendment 303

Proposal for a regulation

Annex II – Part II – point 1.4.3.2 a (new)

Text proposed by the Commission

Amendment

1.4.3.2a. Feed from own holding and other sources

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

In the case of pigs and poultry, at least 40% of the feed shall come from the farm unit itself or, where this is not feasible, shall be produced in cooperation with other organic farms or feed business operators in the same region.

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

Or. en

Justification

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

Amendment 304

Proposal for a regulation

Annex II – Part II – point 1.4.4 – paragraph 1

Text proposed by the Commission

Only organic feed materials of animal origin as well as feed materials and feed additives authorised for use in organic production pursuant to Article 19 may be used in the processing of organic feed and in the feeding of organic animals.

Amendment

Only organic feed materials of ***plant and animal origin, feed materials of invertebrate origin and fermentative products from organic origin***, as well as feed materials and feed additives authorised for use in organic production pursuant to Article 19 may be used in the processing of organic feed and in the feeding of organic animals.

Non-organic protein feed may be used provided that:

(i) it is not available in organic form;

(ii) it is produced or prepared without chemical solvents; and

(iii) its use is limited to porcine and poultry species and to specific stages of development (piglets up to 35kg and young poultry) and specific protein compounds.

This is an exception to the production rules relating to non-availability of organic farm input in accordance with point (b) of Article 17(2). Where farmers are unable to obtain protein feed exclusively from organic production for porcine and poultry species, the maximum percentage of non-organic protein feed authorised per period of 12 months for those species shall not exceed 5 % and shall be decreased in line with the availability of organic protein feed.

Non-organic spices, herbs and molasses

may be used, provided that:

(i) they are not available in organic form;

(ii) they are produced or prepared without chemical solvents; and

(iii) their use is limited to 1 % of the feed ration of a given species, calculated annually as a percentage of the dry matter of feed from agricultural origin. This is an exception to the production rules relating to non-availability of organic farm input in accordance with point (b) of Article 17(2), where farmers are unable to obtain spices, herbs, and molasses exclusively from organic production. The percentage shall be decreased in line with the availability of organic spices, herbs and molasses;

Products from sustainable fisheries may be used, provided that:

(i) they are produced or prepared without chemical solvents;

(ii) their use is restricted to non-herbivores; and

(iii) the use of fish protein hydrolysate is restricted solely to young animals;

This is an exception to the production rules relating to non-availability of organic farm input in accordance with point (b) of Article 17(2), where farmers are unable to obtain products from sustainable fisheries exclusively from organic production. The percentage shall be decreased in line with the availability of organic fisheries.

Or. en

Amendment 305

Proposal for a regulation

Annex II – Part II – point 1.5.2.5

Text proposed by the Commission

1.5.2.5. The withdrawal period between the last administration of **an** allopathic veterinary medicinal product to an animal under normal conditions of use, and the production of organically produced foodstuffs from such animals, **is to** be twice the withdrawal period as referred to in Article **11** of Directive 2001/82/EC **or, in a case in which this period is not specified**, 48 hours.

Amendment

1.5.2.5. The withdrawal period between the last administration of **a chemically synthesised** allopathic veterinary medicinal product to an animal under normal conditions of use, and the production of organically produced foodstuffs from such animals, **shall** be twice the withdrawal period as referred to in Article **9** of Directive 2001/82/EC **and at least** 48 hours.

Or. en

Amendment 306

Proposal for a regulation
Annex II – Part II – point 1.6.2

Text proposed by the Commission

1.6.2. Housing for livestock shall not be mandatory in areas with appropriate climatic conditions to enable animals to live outdoors. Livestock shall have permanent access to open air areas, preferably pasture, whenever weather conditions and the state of the ground allow this, unless restrictions and obligations related to the protection of human and animal health are imposed **on the basis of** Union legislation. Animals shall have access to shelters or shady areas to protect them from adverse weather conditions.

Amendment

1.6.2. Housing for livestock shall not be mandatory in areas with appropriate climatic conditions to enable animals to live outdoors. Livestock shall have permanent access to open air areas, preferably pasture **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. Animals shall have access to shelters or shady areas to protect them from adverse weather conditions, **taking into account their physiological needs**.

Or. en

Amendment 307

Proposal for a regulation Annex II – Part II – point 1.6.5

Text proposed by the Commission

1.6.5. Open air areas may be partially covered. Verandas shall **not** be considered as open air areas.

Amendment

1.6.5. Open air areas may be partially covered. Verandas shall **only** be considered as open air areas **for breeding birds**.

Or. en

Justification

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

Amendment 308

Proposal for a regulation Annex II – Part II – point 1.7.3

Text proposed by the Commission

1.7.3. The livestock shall have permanent access to open air areas, **preferably** pasture, whenever weather conditions and the state of the ground allow this unless restrictions and obligations related to the protection of human and animal health are imposed **on the basis of** Union legislation.

Amendment

1.7.3. The livestock shall have permanent access to open air areas, **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.

Or. en

Justification

Species appropriate open air areas should be mentioned

Amendment 309

Proposal for a regulation Annex II – Part II – point 1.7.6

Text proposed by the Commission

1.7.6. Tethering or isolation of livestock shall be prohibited, ***unless*** for individual animals for a limited period of time, and in so far as this is justified for veterinary reasons. Competent authorities may authorise cattle in ***micro-enterprises*** to be tethered ***if it is not possible to keep the cattle in groups appropriate to their behaviour requirements***, provided they have access to pastures during the grazing period, and at least twice a week access to open air areas when grazing is not possible.

Amendment

1.7.6. Tethering or isolation of livestock shall be prohibited, ***save*** for individual animals for a limited period of time, and in so far as this is justified for veterinary reasons. Competent authorities may authorise cattle in ***small holdings*** to be tethered, provided they have access to pastures during the grazing period ***whenever weather conditions and the state of the ground allow this, unless restrictions and obligations 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.

Or. en

Amendment 310

Proposal for a regulation Annex II – Part II – point 1.7.9

Text proposed by the Commission

1.7.9. Mutilation of animals shall be prohibited.

Amendment

1.7.9. Mutilation of animals shall be prohibited. ***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. Dehorning of young mammals shall be approved only if adequate anaesthesia and/or analgesia are applied.***

Or. en

Justification

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

Amendment 311

Proposal for a regulation

Annex II – Part II – point 2.1.2 – point d

Text proposed by the Commission

(d) except during the period each year when the animals are under transhumance referred to in point 1.4.2.2., at least **90** % of the feed shall come from the farm itself or ***in case*** this is not feasible, be produced in cooperation with other organic farms in the same region;

Amendment

(d) except during the period each year when the animals are under transhumance ***as*** referred to in point 1.4.2.2., at least **60** % of the feed shall come from the farm itself or, ***where*** this is not feasible, ***shall*** be produced in cooperation with other organic farms in the same region;

Or. en

Amendment 312

Proposal for a regulation

Annex II – Part II – point 2.2.2 – point c

Text proposed by the Commission

(c) except during the period each year when the animals are under transhumance as mentioned in point 1.4.2.2., at least **90** % of the feed shall come from the farm itself or ***in case*** this is not feasible, be produced in cooperation with other organic farms in the same region;

Amendment

(c) except during the period each year when the animals are under transhumance as mentioned in point 1.4.2.2., at least **60** % of the feed shall come from the farm itself or, ***where*** this is not feasible, ***shall*** be produced in cooperation with other organic farms in the same region;

Or. en

Amendment 313

Proposal for a regulation

Annex II – Part II – point 2.2 a (new)

Amendment

2.2a. Production of rabbits

2.2a.1. Conversion

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

2.2a.2. Nutrition

With regard to nutrition, the following rules shall apply:

- (a) rabbits shall have access to pasturage for grazing whenever conditions allow;***
- (b) rearing systems for rabbits shall be based on maximum use of grazing pasturage according to the availability of pastures in the different periods of the year;***
- (c) fibrous food such as straw and/or hay must be provided when grass is not sufficient. Forage shall comprise at least 60% of the diet;***
- (d) in the case of rabbits, at least 60 % of the feed shall come from the farm unit itself or, where this is not feasible, shall be produced in cooperation with other organic farms in the same region;***
- (e) rabbits must be fed with natural milk until weaning at a minimum age of four weeks.***

2.2a.3. Specific housing conditions

With regard to housing conditions, the following rules shall apply:

- (a) all rabbits shall be kept in groups. Where does are kept individually to protect their welfare, they must be able to contact each other or a buck through the wire at the side of the pen (i.e. if in moveable pens, two need to be placed next to each other). Bucks must be able to make similar contact with a doe;***
- (b) farms shall use robust breeds adapted to outdoor conditions;***
- (c) the housing shall be provided with a comfortable, clean and dry laying/rest area of sufficient size, consisting of a solid construction which is not slatted. Ample dry bedding strewn with litter material shall be provided in the rest area. The litter shall comprise straw or other suitable natural material. The litter may be improved and enriched with any mineral product authorised as fertiliser or soil conditioner for use in organic production pursuant to Article 19;***
- (d) all rabbits shall have access to:***
 - (i) covered shelter including dark hiding places with a minimum area of 0.4 m² having a minimum height of 60 cm;***
 - (ii) an outdoor run with vegetation, preferably pasture, with a minimum area of 5 m² (or a minimum length of 1.8 m² and a minimum area of 2.4 m² for mobile runs).;***

- (iii) a raised platform on which they can sit, either inside or out;
- (iv) nesting material for all nursing does.

2.2a.4. Stocking density

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

<i>Class or species</i>	<i>Maximum number of animals per ha equivalent to 170 kg N/ha/year</i>
<i>Does and their offspring</i>	<i>25</i>
<i>Growing rabbits</i>	<i>100</i>
<i>Bucks</i>	<i>25</i>

The minimum surface areas indoors and outdoors and other characteristics of housing of rabbits shall be as follows:

(a) minimum space inside per rabbit (including those kept in mobile pens:

(i) adult rabbits including bucks, gestating and nursing does: 0.4 m²;

(ii) fattening rabbits: 0.15 m²;

(b) minimum space outside per rabbit (excluding those kept in mobile pens:

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

(ii) fattening rabbits: 5 m²;

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

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

(ii) fattening rabbits: 0.4 m².

Or. en

Justification

Specific rules should also be set in place for rabbits.

Amendment 314

Proposal for a regulation

Annex II – Part II – point 2.3.2 – point a

Text proposed by the Commission

(a) at least **60** % of the feed shall come from the farm itself or **in case** this is not feasible, be produced in the same region in

Amendment

(a) at least **40** % of the feed shall come from the farm itself or, **where** this is not feasible, **shall** be produced in the same

cooperation with other organic farms or
feed operators;

region in cooperation with other organic
farms or feed operators;

Or. en

Amendment 315

Proposal for a regulation

Annex II – Part II – point 2.3.4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The size of pig production units shall be limited in all cases to 1,500 slaughter pigs per year or 200 sows or their equivalent in the case of farrowing-fattening units. These maximum figures for each production unit may be exceeded where 100 % of the feed is produced on the holding.

Or. en

Justification

This is taken from French Ministry of Agriculture "Specifications concerning organic production and preparation of animals and animal products defining the implementation arrangements for amended Council Regulation (EEC) No 2092/91 and/or supplementing the provisions of amended Council Regulation No 2092/91.

Amendment 316

Proposal for a regulation

Annex II – Part II – point 2.4.2 – introductory part

Text proposed by the Commission

Amendment

Poultry shall ***either be reared until they reach a minimum age or else*** shall come from slow-growing poultry strains as defined by the competent authority. Where slow-growing poultry strains are not used by the farmer the minimum age at slaughter shall be as follows:

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

Where slow-growing poultry is not available, exceptions shall be authorised by competent authorities to use poultry reared until they reach a minimum age as defined by the competent authority. Where slow-growing poultry strains are not used by the farmer, the minimum age at slaughter shall be as follows:

Or. en

Amendment 317

Proposal for a regulation

Annex II – Part II – point 2.4.3 – point a

Text proposed by the Commission

(a) at least **60** % of the feed shall come from the farm itself or ***in case*** this is not feasible, be produced in the same region in cooperation with other organic farms or feed operators;

Amendment

(a) at least **40** % of the feed shall come from the farm itself or, ***where*** this is not feasible, ***shall*** be produced in the same region in cooperation with other organic farms or feed operators;

Or. en

Justification

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

Amendment 318

Proposal for a regulation

Annex II – Part II – point 2.4.4 – point d a (new)

Text proposed by the Commission

Amendment

(da) the total usable surface area of poultry buildings for fattening poultry of any production unit shall not exceed 1,600 m²;

Or. en

Justification

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

Amendment 319

Proposal for a regulation

Annex II – Part II – point 2.4.4 – point d b (new)

Text proposed by the Commission

Amendment

(db) the total number of laying hens shall not exceed 12 000 hens in a production unit. In one poultry house not more than 3 000 laying hens shall be allowed. For young poultry, specific rules shall apply;

Or. en

Justification

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

Amendment 320

Proposal for a regulation

Annex II – Part II – point 2.4.5 – paragraph 2

<i>Text proposed by the Commission</i>							
The minimum surface area indoors and outdoors and other characteristics of housing for birds of the species <i>Gallus gallus</i> shall be as follows:							
	Breeders/ parents	Young stock		Fattening birds		Capons	Layers
Age	Breeding birds	Pullets 0-8 weeks	Pullets 9-18 weeks	Starter 0-21 days	Finisher 22 to 81 days	22-150 days	Laying hens from 19 weeks
In house stocking rate (birds per m ² of usable area) for fixed and mobile	6 birds	24 birds <i>with a maximum of 21 kg liveweight/m²</i>	15 birds <i>with a maximum of 21 kg liveweight/m²</i>	20 birds with a maximum of 21 kg liveweight/m ²	10 birds with a maximum of 21 kg liveweight/m ²	10 birds with a maximum of 21 kg liveweight/m ²	6 birds

houses							
Perch space (cm)							18
Multi-layer systems additional limits/m ² of ground floor area (including veranda if 24h access)	9 birds	36 birds excluding veranda area	22 birds	Not normally applicable			9 birds
Flock size limits	3,000 including males	10,000*	3,300	10,000*	4,800	2,500	3,000
Open-air run stocking rates (m ² /bird), provided that the limit of 170 kg of N/ha/year is not exceeded	4	1	4	1	4	4	4
Amendment							
The minimum surface area indoors and outdoors and other characteristics of housing for birds of the species <i>Gallus gallus</i> shall be as follows:							
	Breeders/parents	Young stock		Fattening birds		Capons	Layers
Age	Breeding birds	Pullets 0-7 weeks	Pullets 8-18 weeks	Starter 0-21 days	Finisher 22 to 81 days	22-150 days	Laying hens from 19 weeks
In-house stocking rate (birds per m ² of usable area) for fixed and mobile houses	6 birds	24 birds	12 birds	20 birds with a maximum of 21 kg liveweight/m ²	10 birds with a maximum of 21 kg liveweight/m ²	10 birds with a maximum of 21 kg liveweight/m ²	6 birds
Minimum length of perch (cm)		4/animal	12/animal				18
Multi-layer systems additional	9 birds	36 birds excluding veranda	22 birds	Not normally applicable			9 birds

limits/m ² of ground floor area (including veranda if 24h access)		area					
Flock size limits	3 000 including males	10,000*	3,300	10,000*	4,800	2,500	3,000
Open-air run stocking rates (m ² /bird), provided that the limit of 170 kg of N/ha/year is not exceeded	4		<i>1</i>	1	4	4	4

Or. en

Amendment 321

Proposal for a regulation

Annex II – Part III – point 4.1.2.1 – point d

Text proposed by the Commission

(d) wild caught or non-organic aquaculture animals may be brought into a holding with a view to improving genetic stock. Such animals shall be kept under organic management for at least three months before they may be used for breeding.

Amendment

(d) wild caught or non-organic aquaculture animals may be brought into a holding ***only in duly justified cases where organic breed is not available or 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 genetic stock. Such animals shall be kept under organic management for at least three months before they may be used for breeding.

Or. en

Amendment 322

Proposal for a regulation

Annex II – Part III – point 4.1.3.1 – point d

Text proposed by the Commission

(d) in the case of non-organic feed materials from ***plant origin, feed materials from*** animal and mineral origin, feed additives, certain products used in animal nutrition and processing aids shall be used only if they have been authorised for use in organic production under this Regulation;

Amendment

(d) in the case of non-organic feed materials from animal and mineral origin, feed additives, certain products used in animal nutrition and processing aids shall be used only if they have been authorised for use in organic production under this Regulation;

Or. en

Justification

The use of non-organic feed material is not necessary for aquaculture.

Amendment 323

Proposal for a regulation

Annex II – Part III – point 4.1.3.2 – point b

Text proposed by the Commission

(b) the growing areas shall be of high ecological status as defined by Directive 2000/60/EC.

Amendment

(b) the growing areas shall be of high ecological status as defined by Directive 2000/60/EC. ***Natural landscape elements such as 'natural heritage sites' shall be preserved.***

Or. en

Amendment 324

Proposal for a regulation

Annex II – Part III – point 4.1.3.3 – point e

Text proposed by the Commission

(e) organic feed materials of plant or animal origin; ***plant material shall not***

Amendment

(e) organic feed materials of plant or animal origin; ***the feed ration may***

exceed 60% of total ingredients.

comprise a maximum of 60 % organic plant products.

Or. en

Justification

Taken from 889/2008.

Amendment 325

Proposal for a regulation

Annex II – Part III – point 4.1.5.5 – point b

Text proposed by the Commission

(b) at least **five** percent of the perimeter ('land-water interface') area shall have natural vegetation.

Amendment

(b) at least **fifteen** percent of the perimeter ('land-water interface') area shall have natural vegetation.

Or. en

Justification

To reach 15 % of natural vegetation is adequate for organic aquaculture holdings.

Amendment 326

Proposal for a regulation

Annex II – Part III – point 4.1.5.10 – point a – table

Text proposed by the Commission

Production system	Ongrowing farm systems must be fed from open systems. The flow rate must ensure a minimum of 60 % oxygen saturation for stock and must ensure their comfort and the elimination of production effluent.
Maximum stocking density	Salmonid species not listed below 15 kg/m ³ Salmon 20 kg/m ³ Brown trout and Rainbow trout 25 kg/m ³

	Arctic charr 20 kg/m ³
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Amendment

Production system	Ongrowing farm systems must be fed from open systems. The flow rate must ensure a minimum of 60 % oxygen saturation for stock and must ensure their comfort and the elimination of production effluent.
Maximum stocking density	Salmonid species not listed below 15 kg/m ³ Salmon 15 kg/m ³ Brown trout and Rainbow trout 15 kg/m ³ Arctic charr 15 kg/m ³

Or. en

Amendment 327

Proposal for a regulation

Annex II – Part III – point 4.1.5.10 – point c – table

Text proposed by the Commission

Production system	In open water containment systems (net pens/cages) with minimum sea current speed to provide optimum fish welfare or in open systems on land.
Maximum stocking density	For fish other than turbot: 15 kg/m ³ For turbot: 25 kg/m ²

Amendment

Production system	In open water containment systems (net pens/cages) with minimum sea current speed to provide optimum fish welfare or in open systems on land.
Maximum stocking density	For fish other than turbot: 10 kg/m ³ For turbot: 20 kg/m ²

Or. en

Amendment 328

Proposal for a regulation

Annex II – Part III – point 4.1.5.10 – point e – table

Text proposed by the Commission

Production system	Water flow in each rearing unit shall be sufficient to ensure animal welfare Effluent water to be of equivalent quality to incoming water
Maximum stocking density	30 kg/m ³

Amendment

Production system	Water flow in each rearing unit shall be sufficient to ensure animal welfare Effluent water to be of equivalent quality to incoming water
Maximum stocking density	20 kg/m ³

Or. en

Amendment 329

Proposal for a regulation

Annex II – Part III – point 4.1.5.10 – point i – table

Text proposed by the Commission

Production system	Ponds and net cages
Maximum stocking density	Pangasius: 10 kg/m ³ Oreochromis: 20 kg/m ³

Amendment

Production system	Ponds and net cages
Maximum stocking density	Pangasius: 10 kg/m ³ Oreochromis: 15 kg/m ³

Amendment 330

Proposal for a regulation

Annex II – Part III – point 4.1.6.3 – point a

Text proposed by the Commission

(a) for prolonging natural day-length it shall not exceed a maximum that respects the ethological needs, geographical conditions and general health of produced animals, this maximum shall not exceed **16** hours per day, except for reproductive purposes;

Amendment

(a) for prolonging natural day-length it shall not exceed a maximum that respects the ethological needs, geographical conditions and general health of produced animals; this maximum shall not exceed **12** hours per day, except for reproductive purposes;

Or. en

Justification

In the sense of animal welfare, the prolonging of the daylight up to 16 hours is too long.

Amendment 331

Proposal for a regulation

Annex II – Part III – point 4.1.6.4

Text proposed by the Commission

4.1.6.4. Aeration is permitted to ensure animal welfare and health, under the condition that mechanical aerators are **preferably** powered by renewable energy sources.

Amendment

4.1.6.4. Aeration is permitted to ensure animal welfare and health, under the condition that mechanical aerators are powered by renewable energy sources.

Or. en

Justification

In the sense of a sustainable organic production an aeration should only be allowed if renewable energy is used.

Amendment 332

Proposal for a regulation

Annex II – Part III – point 4.2.1 – point c

Text proposed by the Commission

(c) records shall be kept of how, where and when wild seed was collected to allow traceability back to the collection area.

Amendment

(c) records shall be kept of how, where and when wild seed was collected to allow traceability back to the collection area ***and only after the authorisation has been granted by the competent authority.***

Or. en

Amendment 333

Proposal for a regulation

Annex II – Part III – point 4.2.3 – point b

Text proposed by the Commission

(b) bottom cultivation of molluscs is only permitted where no significant environmental impact is caused at the collection and growing sites. The evidence of minimal environmental impact shall be supported by a survey and report on the exploited area to be provided by the operator to the control authority or control body. The report shall be added as a separate chapter to the sustainable management plan.

Amendment

deleted

Or. en

Justification

Bottom cultivation of molluscs is not possible in a sustainable way and does not preserve the marine ecosystem.

Amendment 334

Proposal for a regulation

Annex II – Part IV – point 1.4 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Justification

Regulation laying down the general principles and requirements of food law. Food and feed business operators shall be able to identify any person from whom they have been supplied with a food, a feed, a food-producing animal, or any substance intended to be, or expected to be, incorporated into a food or feed. To this end, such operators shall have in place systems and procedures which allow for this information to be made available to the competent authorities on demand.

Amendment 335

Proposal for a regulation

Annex II – Part IV – point 1.6

Text proposed by the Commission

Amendment

1.6. Products, substances and techniques that reconstitute properties that are lost in the processing and storage of organic food, that correct the results of negligence in the processing of organic food or that otherwise may be misleading as to the true nature of products intended to be marketed as organic food shall not be used. ***deleted***

Or. en

Justification

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

Amendment 336

Proposal for a regulation

Annex II – Part IV – point 2.1 – point a

Text proposed by the Commission

Amendment

(a) the product shall be produced mainly from agricultural ingredients; in order to determine whether a product is produced mainly from agricultural ingredients, added water and salt shall not be taken into account; *deleted*

Or. en

Justification

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

Amendment 337

Proposal for a regulation

Annex II – Part IV – point 2.1 – point b

Text proposed by the Commission

Amendment

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

Or. en

Amendment 338

Proposal for a regulation

Annex II – Part IV – point 2.1 – point c

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Text proposed by the Commission

Amendment

(c) an organic ingredient shall not be present together with the same ingredient in conversion or in non-organic form;

deleted

Or. en

Amendment 339

Proposal for a regulation

Annex II – Part IV – point 2.1 – point d

Text proposed by the Commission

Amendment

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

deleted

Or. en

Amendment 340

Proposal for a regulation

Annex II – Part IV – point 2.2.3 – point b

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 341

Proposal for a regulation

Annex II – Part IV – point 2.2.4

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

(a) animal products:

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

(ii) gelatin;

(iii) casings;

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

(i) edible fruits, nuts and seeds:

– cola nuts *Cola acuminata*;

(ii) edible spices and herbs:

– horseradish seeds *Armoracia rusticana*;

– safflower flowers *Carthamus tinctorius*;

– watercress herb *Nasturtium officinale*;

(iii) miscellaneous:

– algae, including seaweed;

(c) processed vegetable products:

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

– rice paper;

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

(ii) miscellaneous:

– rum, only obtained from cane sugar juice.

Or. en

Justification

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

Amendment 342

Proposal for a regulation

Annex II – Part IV – point 2.2.4 a (new)

Text proposed by the Commission

Amendment

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

1. Where an ingredient of agricultural origin is not available in an organic form, that ingredient may be used, but only provided that:

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

(b) the competent authority of the Member State concerned has provisionally authorised the use of the ingredient for a maximum period of 12 months after having verified that the operator has undertaken the necessary contacts with suppliers in the organic sector to satisfy himself of the unavailability of the ingredient concerned with the required quality requirements;

(c) the agriculture ingredient meets the following conditions:

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

The Member State concerned may where necessary prolong the authorisation provided for in point (b).

2. Where an authorisation as referred to in paragraph 1 has been granted, the

Member State concerned shall immediately notify to the other Member States and to the Commission the following information:

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

(b) the name, address, telephone number, and where relevant, fax number and e-mail address of the holder of the authorisation; the name and address of the contact point of the authority which granted the authorisation;

(c) the name and, where necessary, the precise description and quality requirements of the ingredient of agricultural origin concerned;

(d) the type of products for the preparation of which the requested ingredient is necessary;

(e) the quantities that are required and the justification for those quantities;

(f) the reasons for, and expected period of, the shortage;

(g) the date on which the Member State sent this notification to the other Member States and the Commission. The Commission and/or Member States shall make this information available to the public in a database.

3. Where a Member State submits to the Commission and to the Member State which granted the authorisation comments which show that supplies are available during the period of the shortage, the Member State which granted the authorisation shall consider whether to withdraw the authorisation or to reduce the envisaged period of its validity, and shall inform the Commission and the other Member States of the measures it has taken or will take, within 15 working days from the date of receipt of the information.

4. At the request of a Member State or on the Commission's initiative, the matter shall be re-evaluated by the competent authority concerned.

The competent authority concerned may decide, in accordance with the procedure laid down in paragraph 2 of this point, that a previously granted authorisation is to be withdrawn or its period of validity modified.

Or. en

Justification

The use of ingredient in non-organic form should only be allowed if organic ingredients are not available on the market. The Commission approach to permit the use of some agricultural products in a non organic form does not take into account the development of the organic market.

Amendment 343

Proposal for a regulation Annex II – Part IV – point 2.2.5

Text proposed by the Commission

Amendment

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

deleted

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

Or. en

Amendment 344

Proposal for a regulation

Annex II – Part IV – point 2.2.5 a (new)

Text proposed by the Commission

Amendment

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

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

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

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

4. Additives, solvents and processing aids shall be used in organic form when available.

Or. en

Justification

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

Amendment 345

Proposal for a regulation

Annex II – Part V – point 1.1

Text proposed by the Commission

Amendment

1.1. In addition to the general production rules laid down in Articles 7, 8, 9 and **14**, the rules laid down in this Part shall apply

1.1. In addition to the general production rules laid down in Articles 7, 8, 9, **13a** and 14, the rules laid down in this Part shall

to the organic production of the products of the wine sector as referred to in point (l) of Article 1(2) of Regulation (EU) No 1308/2013.

apply to the organic production of the products of the wine sector as referred to in point (l) of Article 1(2) of Regulation (EU) No 1308/2013.

Or. en

Amendment 346

Proposal for a regulation Annex II – Part VI – paragraph 1

Text proposed by the Commission

In addition to the general production rules laid down in Articles 7, 9 **and 15**, the rules laid down in this Part shall apply to organic yeast used as food or feed.

Amendment

In addition to the general production rules laid down in Articles 7, 9, **13, 13a** and 15, the rules laid down in this Part shall apply to organic yeast used as food or feed.

Or. en

Amendment 347

Proposal for a regulation Annex II – part VI a (new)

Text proposed by the Commission

Amendment

Part VIa: Labelling of origin

Labelling of origin shall take one of the following forms, as appropriate:

- 1. (a) 'EU Agriculture', where the agricultural raw material has been farmed in the Union;***
- (b) 'non-EU Agriculture', where the agricultural raw material has been farmed in third countries;***
- (c) 'EU/non-EU Agriculture', where a part of the agricultural raw materials has been farmed in the Union and a part of it has been farmed in a third country.***

The word 'Agriculture' may be replaced

by 'Aquaculture' where appropriate.

The indication 'EU' or 'non-EU' may be replaced or supplemented by the name of the country if all agricultural raw materials of which the product is composed have been farmed in that country.

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

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

2. The labelling requirements referred to in point 1 shall not apply in the following cases:

- where the origin of all ingredients is specified in the ingredients list referring to the place of agricultural production ;*
- where labelling of origin is required by Regulation (EC) No 1269/211, Regulation (EC) No 1580/2007 or Regulation (EC) No 1580/2007, referring to the place of agricultural production;*
- when products are labelled under Regulation (EC) No 510/2006 referring to the place of agricultural production.*

Or. en

Justification

This amendment has shifted the details of Article 21 on labelling of origin to this new Annex. This is in order to simplify labelling and to avoid confusion of consumers.

Amendment 348

Proposal for a regulation Annex V a (new)

Text proposed by the Commission

Amendment

ANNEX Va

Specific rules for the European Organic Agency (EOA)

Section 1

MISSION AND TASK

1. Mission of the Agency

In a fast-growing market for organic products, the Agency shall establish a level playing field for all operators and fair competition between Union organic operators and producers in third countries. The Agency shall monitor the development of the sector, providing in particular data on best practices and market opportunities, but also on deficiencies in the supply of inputs and risk points for compliance with this Regulation. The Agency shall also guarantee a continuous exchange of relevant information between operators and competent authorities and shall carry out the necessary controls to enable the sector to function smoothly. Upon request from the Commission, the Agency shall provide assessments with regard to supplementation of the rules contained in, or the Annexes to, this Regulation based on the results of monitoring, scientific findings and consultation with stakeholders of the organic sector and other interested parties.

2. Tasks of the Agency

The tasks of the Agency shall be the following:

(a) to provide scientific advice and technical support for improved implementation and necessary monitoring

- of compliance with this Regulation;*
- (b) to collect, analyse, host and summarise scientific and technical data as specified in and relevant for the implementation of this Regulation in Member States and in third countries;*
- (c) to establish communication procedures and tools, data exchange and information exchange between the Agency, Member States and accreditation bodies as required by this Regulation;*
- (d) to facilitate the control requirements of the competent authorities and bodies and to supervise the recognition of control bodies and control authorities within the Union, as well as in third countries;*
- (e) to coordinate the development of harmonised control implementation and to coordinate information and activities in cases of suspicion of non-compliance where more than one Member State or third countries is involved (Articles 20a and 26b);*
- (f) to manage and update all relevant lists of recognised control bodies and control authorities authorised for third countries pursuant to Article 29(4);*
- (g) to facilitate and coordinate the approval of equivalent standards in accordance with Article 30b and to manage and update the list of equivalent standards accordingly, including the publication of deviations from Union legislation;*
- (h) to facilitate and coordinate substance evaluation processes and revisions of lists of authorised procedures and substances in accordance with Article 19;*
- (i) to monitor and coordinate the implementation of the European organic action plan, including the development of the organic seed sector and the market for organic feed;*

(j) to facilitate exchanges with the organic sector on the implementation of this Regulation, proposed changes and demands from the sector.

Section 2

ORGANISATION

Bodies of the Agency

The Agency shall comprise:

- (a) a Board;***
- (b) an Executive Director with staff;***
- (c) a Scientific Committee and Scientific Panels (EGTOP)***
- (d) a Stakeholder Committee.***

a. Board

1. The Board shall be composed of nine members appointed by the European Parliament and the Council from a list drawn up by the Commission which includes a number of candidates substantially higher than the number of members to be appointed, plus one representative each of the Commission, the European Parliament and the Council. Two of the members shall have their background in organisations representing consumers, animal welfare, research and environmental stakeholders. At least four members shall have their background in the organic sector (farming, processing, controls and trading). The chair of the Stakeholder Committee (as described below) shall be an ex officio member of the Board, with observer status only.

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

3. The members of the Board shall be appointed in such a way as to ensure the highest standards of competence and a broad range of relevant expertise and,

consistent with these, shall reflect the geographic diversity of the Union.

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

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

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

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

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

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

10. Before 31 January in each year, the Board shall adopt the Agency's work programme for the coming year. It shall also adopt a revisable multi-annual programme. The Board shall ensure that these programmes are consistent with the Union's legislative and policy priorities in the area of food safety.

11. The Board, having received the Commission's approval and the opinion of the Court of Auditors, shall adopt the Agency's financial regulation, which shall specify in particular the procedure for drawing up and implementing the Agency's budget, in accordance with Article 208 of Regulation (EU, Euratom) No 966/2012 of the European and of the Council^{1a} and with the legislative requirements concerning investigations

conducted by the European Anti-Fraud Office.

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

b. Executive Director and support staff

1. The Executive Director shall be appointed by the Commission after an open competition, to be held following publication in the Official Journal of the European Union and elsewhere of a call for expressions of interest, for a period of five years which shall be renewable.

Before being appointed, the candidate nominated by the Board shall be invited without delay to make a statement before the European Parliament and to answer questions put by members of that institution. The Executive Director may be removed from office by a vote of a majority of the Board members.

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

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

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

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

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

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

(f) the preparation of the statement of revenue and expenditure and the execution of the Agency's budget;

(g) all staff matters;

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

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

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

(b) draft work programmes;

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

(d) the draft budget for the coming year.

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

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

c. Scientific Committee and Scientific Panels (former EGTOP)

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

2. The Scientific Committee shall be responsible for the general coordination needed to ensure the consistency of the scientific opinion procedure, in particular with regard to the adoption of working

procedures and harmonisation of working methods. It shall provide opinions on multisectoral issues falling within the competence of more than one Scientific Panel, and on issues which do not fall within the competence of any of the Scientific Panels.

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

The number and names of the Scientific Panels may be adapted in the light of technical and scientific development by the Commission, at the Authority's request, in accordance with procedures laid down in Article 36.

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

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

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

d. Stakeholder Committee

The Stakeholder Committee shall provide the view of the organic sector, representing organic farmers' organisations, organic processors and organic traders. The Stakeholder Committee shall be consulted on every

proposed amendment of this Regulation, shall provide the position of the sector upon request by the Board, and may at any time adopt opinions on all issues related to the tasks of the Agency. The Stakeholder Committee shall choose a Chair and two Vice-Chairs from among its members.

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

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

^{1a}Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002

^{1b} Commission Decision 2009/427/EC of 3 June 2009 establishing the expert group for technical advice on organic production (OJ L 139, 5.6.2009, p. 29).

Or. en

Amendment 349

Proposal for a regulation Annex V b (new)

Text proposed by the Commission

Amendment

ANNEX Vb

Responsibilities of operators to keep records

1. Operators shall be responsible for keeping records in the event of exceptional circumstances to justify exemption from, or provide assurance as regards, production rules in respect of the following:

- soil management and fertilisation;***
- pest, disease and weed management;***
- sustainable harvesting of wild algae;***
- simultaneous production of organic and non-organic livestock;***
- disease prevention;***
- veterinary treatment;***
- simultaneous production of organic and non-organic aquaculture animals;***
- origin of organic aquaculture animals;***
- general aquaculture husbandry rules;***
- management of aquaculture animals;***
- specific rules on feeds for certain aquaculture animals;***
- sourcing of seed;***
- packaging and transport of products to other operators or units;***
- special rules for transporting feed to other production/preparation units or storage premises;***
- transport of live fish;***
- reception of products from other units and other operators;***
- storage of products;***
- management of beekeeping units for the purpose of pollination;***
- use of non-organic feed of agricultural origin;***
- catastrophic circumstances.***

2. Stock and financial records shall be

kept in the unit or premises of the operator concerned, and shall enable the operator to identify, and the control authority or control body to verify:

(a) the supplier and, where different, the seller or the exporter of the product or products concerned;

(b) the nature and the quantities of organic products delivered to the unit and, where relevant, of all materials bought and the use of such materials, and, where relevant, the composition of the compound feedingstuffs;

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

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

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

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

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

control requirements.

3. Plant production records shall be compiled in the form of a register and shall at all times be kept available for presentation to the control authorities or bodies at the premises of the holding. Additionally, each year, before the date indicated by the control authority or control body, the operator shall notify the control authority or control body of its schedule of production of crop products, giving a breakdown by parcel:

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

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

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

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

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

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

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

For the collection of wild algae, the register shall also contain:

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

(b) the harvest estimate (volumes) per season;

(c) details of sources of possible pollution for harvest beds;

(d) the sustainable annual yield for each bed.

5. Livestock records shall be compiled in the form of a register and shall at all times be kept available for presentation to the control authorities or bodies at the premises of the holding. Such records shall provide a full description of the herd or flock management system and shall comprise at least the following information:

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

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

(c) details of any animals lost and the reasons therefor;

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

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

6. As regards aquaculture animal production, the following information shall be provided by the operator in the form of a register which shall be kept up to date and made available at all times for

inspection by the control authorities or control bodies at the premises of the holding;

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

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

(c) records of escapes of fish;

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

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

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

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

Upon request by the control authority or control body, any details concerning the transport arrangements from the exporter in the third country to the first consignee, and from the first consignee's premises or storage facilities to the consignees within the Union, shall be provided.

8. For the purpose of proper control of the operations, the documentary accounts referred to in point 2 shall include information on the origin, nature and quantities of feed materials, additives, sales and finished products.

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Justification

First part : New annex Vb linked to article 24 and article 20a Second part: These specific precautionary and control measures are extracted from art 63 of 889/2007)

Amendment 350

Proposal for a regulation

Annex V c (new)

Text proposed by the Commission

Amendment

ANNEX Vc

Control arrangements and undertaking by the operator

1. Implementation of control arrangements

1.1. When the control arrangements are first implemented, the operator shall draw up, implement and subsequently maintain:

(a) a full description of the unit and/or premises and/or activity;

(b) all the practical measures to be taken at the level of the unit and/or premises and/or activity to ensure compliance with the organic production rules;

(c) the precautionary measures to be taken in order to reduce the risk of non-compliance with the applicable rules and the cleaning measures to be taken in storage places and throughout the operator's production chain.

Where appropriate, the description and measures provided for in the first subparagraph may be part of a quality system set up by the operator (organic critical control points – OCCP).

1.2. The description and the measures referred to in point.1.1 shall be contained in a declaration, signed by the responsible operator and by any subcontractor(s). In addition, that declaration shall include an

undertaking by the operator:

(a) to perform the operations in accordance with the organic production rules;

(b) to accept, in the event of infringement or irregularities, enforcement of the measures provided for by the organic production rules;

(c) to inform the buyers of the product in writing, so as to ensure that the indications referring to the organic production method are removed from the production concerned;

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

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

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

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

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

The declaration provided for in the first subparagraph shall be verified by the

control body or control authority that issues a report identifying the possible deficiencies and instances of non-compliance with the organic production rules. The operator shall countersign that report and take the necessary corrective measures.

1.3. For the application of Article 24a(1), the operator shall notify the following information to the competent authority:

- (a) name and address of operator;*
- (b) location of premises and, where appropriate, parcels (land register data) where operations are carried out;*
- (c) nature of operations and products;*
- (d) in the case of an agricultural holding, the date on which the producer ceased to apply products not authorised for organic production on the parcels concerned;*
- (e) the name of the control body to which the operator entrusted control of his undertaking, where the Member State concerned has implemented the control system by approving such bodies.*

2. Modification of control arrangements

The operator responsible shall notify any change in the description or measures referred to in point 1 and in the initial control arrangements set out in points 4.1., 5., 6.1., 7.1., 8.1., 9.2., 10.1. and 11.2 to the control authority or control body in due time.

3. Access to facilities

3.1. The operator shall:

- (a) give the control authority or control body, for control purposes, access to all parts of the unit and all premises, as well as to the accounts and relevant supporting documents;*
- (b) provide the control authority or control body with any information reasonably necessary for the purposes of*

the control;

(c) when requested so to do by the control authority or control body, submit the results of its own quality assurance programmes.

3.2. In addition to the requirements set out in point 3.1., importers and first consignees shall submit to the control authority or control body the information on imported consignments referred to in point 9.3.

4. Specific control requirements for plants and plant products from farm production or collection

4.1. Control arrangements

4.1.1. The full description of the unit as referred to in point 1.1.(a) shall:

(a) be drawn up even where the operator limits his activity to the collection of wild plants;

(b) indicate the storage and production premises and land parcels and/or collection areas and, where applicable, premises where certain processing and/or packaging operations take place; and

(c) specify the date of the last application on the parcels and/or collection areas concerned of products the use of which is not compatible with the organic production rules.

4.1.2. In the case of collection of wild plants, the practical measures referred to in point 1.1.(b) shall include any guarantees given by third parties which the operator can provide to ensure that the provisions of Annex II, Part I, point 2.2. are complied with.

4.2. Communications

Each year, before the date indicated by the control authority or control body, the operator shall notify the control authority or control body of its schedule of production of crop products, giving a

breakdown by parcel.

4.3. Several production units run by the same operator

Where an operator runs several production units in the same area, the units producing non-organic crops, together with storage premises for farm input products, shall also be subject to the general and the specific control requirements laid down in points 1, 2, 3, 4.1 and 4.2. and the provisions of Annex Vb concerning documentary accounts and records.

5. Specific control requirements for algae

When the control system applying specifically to algae is first implemented, the full description of the site referred to in point 1.1.(a) shall include:

(a) a full description of the installations on land and at sea;

(b) the environmental assessment as outlined in point 2.3. of Annex II, Part III, where applicable;

(c) the sustainable management plan as outlined in points 2.4. and 2.5. of Annex II, Part III, where applicable;

(d) for wild algae, a full description and a map of shore and sea collection areas and land areas where post-collection activities take place.

6. Specific control requirements for livestock and livestock products produced by animal husbandry

6.1. Control arrangements

6.1.1. When the control system applying specifically to livestock production is first implemented, the full description of the unit as referred to in point 1.1.(a) shall include:

(a) a full description of the livestock buildings, pasturage, open air areas, etc., and, where applicable, of the premises used for the storage, packaging and

processing of livestock, livestock products, raw materials and inputs;

(b) a full description of the installations used for the storage of livestock manure.

6.1.2. The practical measures referred to in in point 1.1.(b) shall include:

(a) a plan for spreading manure agreed with the control body or authority, together with a full description of the areas given over to crop production;

(b) where appropriate, as regards the spreading of manure, the written arrangements with other holdings as referred to in Annex II, Part I, point 1.5.5. complying with the provisions of the organic production rules;

(c) a management plan for the organic-production livestock unit.

6.2. Identification of livestock

The livestock shall be identified permanently using techniques adapted to each species, individually in the case of large mammals and individually or by batch in the case of poultry and small mammals.

6.3. Control measures in respect of veterinary medicinal products for livestock

Whenever veterinary medicinal products are used, the livestock treated shall be clearly identified, individually in the case of large animals and individually or by batch or hive in the case of poultry, small animals and bees.

6.4. Specific control measures in respect of beekeeping

6.4.1. A map on an appropriate scale listing the location of hives shall be provided to the control authority or control body by the beekeeper. The beekeeper shall provide the control authority or control body with appropriate documentation and evidence, including

suitable analyses where necessary, that the areas accessible to his colonies fulfil the conditions laid down in this Regulation.

6.4.2. The following information shall be entered in the register of the apiary with regard to the use of feeding: type of product, dates, quantities and hives where it is used.

6.4.3. Whenever veterinary medicinal products are to be used, the type of product, including the indication of the active pharmacological substance, together with details of the diagnosis, the posology, the method of administration, the duration of the treatment and the legal withdrawal period, shall be recorded clearly and declared to the control body or authority before the products are marketed as organically produced.

6.4.4. The zone where the apiary is situated shall be registered together with the identification of the hives. The control body or authority shall be informed of any moving of apiaries by a deadline agreed on with the control authority or body.

6.4.5. Particular care shall be taken to ensure adequate extraction, processing and storage of beekeeping products. All the measures taken to comply with this requirement shall be recorded.

6.4.6. Removals of the supers and the honey extraction operations shall be entered in the register of the apiary.

6.5. Several production units run by the same operator

Where an operator manages several production units, the units which produce non-organic livestock or non-organic livestock products shall also be subject to the control system laid down in points 1, 2, 3 and 6.1. to 6.4. of this Annex and the provisions of Annex Vb concerning documentary accounts and records.

7. Specific control requirements in respect of aquaculture animal production

7.1. Control arrangements

When the control system applying specifically to aquaculture animal production is first implemented, the full description of the unit as referred to in point 1.1.(a) shall include:

- (a) a full description of the installations on land and at sea;***
- (b) the environmental assessment as outlined in Annex II, Part III, point 2.3., where applicable;***
- (c) the sustainable management plan outlined in Annex II, Part III, points 2.4. and 2.5., where applicable.***

7.2. Several production units run by the same operator

Where an operator manages several production units, the units which produce non-organic aquaculture animals shall also be subject to the control system laid down in points 1, 2, 3 and 7.1. of this Annex and the provisions of Annex Vb concerning documentary accounts and records.

8. Specific control requirements in respect of units for the preparation of plant, algae, livestock and aquaculture animal products and foodstuffs composed thereof

8.1. Control arrangements

In the case of a unit involved in the preparation of products for its own account or for the account of a third party, and including, in particular, units involved in the packaging and/or re-packaging of such products and units involved in the labelling and/or re-labelling of such products, the full description of the unit as referred to in point 1.1.(a) shall show the facilities used for the reception, processing, packaging, labelling and storage of agricultural

products before and after the operations concerning them, as well as the procedures for the transport of those products.

9. Specific control requirements for imports of organic products from third countries

9.1. Scope

The provisions of this point shall apply to any operator involved, as importer and/or as first consignee, in the import and/or reception, for its own account or for the account of another operator, of organic products.

9.2. Control arrangements

9.2.1. In the case of the importer, the full description of the unit as referred to in point 1.1.(a) shall include the importer's premises and import activities, indicating the points of entry of the products into the Union and any other facilities which the importer intends to use for the storage of the imported products pending their delivery to the first consignee.

9.2.2. In addition, the declaration referred to in point 1.2. shall include an undertaking by the importer to ensure that any facilities that the importer will use for storage of products are submitted to control, to be carried out either by the control body or control authority or, when those storage facilities are situated in another Member State or region, by a control body or authority approved for control in that Member State or region.

9.2.3. In the case of the first consignee, the full description of the unit as referred to in point 1.1.(a) shall show the facilities used for the reception and storage.

9.2.4. Where the importer and the first consignee are the same legal person and operate in one single unit, the reports referred to in the second subparagraph of point 1.2 may be formalised within one

single report.

9.3. Information in respect of imported consignments

The importer shall, in due time, inform the control body or control authority of each consignment to be imported into the Union providing:

(a) the name and address of the first consignee;

(b) any details the control body or authority may reasonably require, including

(i) in the case of products imported in accordance with point (b)(i) of Article 28(1), the documentary evidence referred to in that Article;

(ii) in the case of products imported in accordance with point (b)(iia) of Article 28(1), a copy of the certificate of inspection referred to in that Article.

Upon request by the control body or control authority of the importer, the latter shall forward the information referred to in the first paragraph to the control body or control authority of the first consignee.

9.4. Control visits

Where the importer performs the import operations using different units or premises, he shall make available upon request the reports referred to in the second subparagraph of point 1.2 in respect of each of those facilities.

10. Specific control requirements for units involved in the production, preparation or import of organic products and which have subcontracted to third parties, wholly or in part, the actual operations concerned

10.1. Control arrangements

With regard to operations which are subcontracted to third parties, the full description of the unit as referred to in

point 1.1.(a) shall include:

(a) a list of the subcontractors with a description of their activities and an indication of the control bodies or authorities to which they are subject;

(b) written agreement by the subcontractors that their holding will be subject to the control regime and certification system provided for by Chapter V (Articles 24 –to 26);

(c) details of all the practical measures, including inter alia an appropriate system of documentary accounts, to be taken at the level of the unit to ensure that the products which the operator places on the market can be traced to, as appropriate, the suppliers, sellers, consignees and buyers of those products.

11. Control requirements for units preparing feed

11.1. Scope

This point applies to any unit involved in the preparation of products referred to in point (c) of Article 2(1) on its own account or on behalf of a third party.

11.2. Control arrangements

11.2.1. 1. The full description of the unit as referred to in in point 1.1.(a) shall indicate:

(a) the facilities used for the reception, preparation and storage of the products intended for animal feed before and after the operations concerning them;

(b) the facilities used for the storage of other products used to prepare feedingstuffs;

(c) the facilities used to store products for cleaning and disinfection;

(d) where necessary, a description of the compound feedingstuff which the operator intends to produce and the livestock species or class for which the

compound feedingstuff is intended;

(e) where necessary, the name of the feed materials that the operator intends to prepare.

11.2.2. The measures to be taken by operators, as referred to in point 1.1.(b), to guarantee compliance with the organic production rules shall include the indications of measures referred to in Annex II, Part IV, point 1.

3. The control authority or control body shall use those measures to carry out a general evaluation of the risks attendant on each preparation unit and to draw up a control plan. That control plan shall provide for a minimum number of random samples, depending on the potential risks.

Or. en

Amendment 351

Proposal for a regulation Annex V d (new)

Text proposed by the Commission

Amendment

ANNEX Vd

Model of documentary evidence to be issued to the operator, as referred to in Article 24a(5)

<i>Documentary evidence to be issued to the operator</i>	
<i>Document number:</i>	
<i>Name and address of operator:</i>	<i>Name, address and code number of control body/authority:</i>
<i>Main activity (producer, processor, importer, etc):</i>	<i>Defined as:</i>
<i>Products groups/Activity:</i>	<i>Organic production, in-conversion</i>

<p>– <i>Plant and plant products:</i></p> <p>– <i>Livestock and livestock products:</i></p> <p>– <i>Processed products:</i></p>	<p><i>products; and also non-organic production where parallel production/processing pursuant to Article 7 of Regulation (EU) No XXX/XXXX occurs</i></p>
<p><i>Validity period:</i></p> <p><i>Plant products from ... to ...</i></p> <p><i>Livestock products from ... to ...</i></p> <p><i>Processed products from ... to ...</i></p>	<p><i>Date of control(s):</i></p>
<p><i>This document has been issued on the basis of Article 24a(5) of Regulation (EU) No XXX/XXXX. The declared operator has submitted his activities under control and meets the requirements laid down in the said Regulation.</i></p>	
<p><i>Date, place:</i></p>	
<p><i>Signature on behalf of the issuing control body/authority:</i></p>	

Or. en

Amendment 352

Proposal for a regulation Annex V e (new)

Text proposed by the Commission

Amendment

ANNEX V e

Criteria for certification of group operators

(To be defined at a later stage)

Or. en

Amendment 353

Proposal for a regulation Annex V f (new)

Text proposed by the Commission

Amendment

ANNEX Vf

Criteria in respect of risk assessments

(To be defined at a later stage)

Or. en

EXPLANATORY STATEMENT

Background

The first EU legislation on organic farming was adopted in 1991 (EEC 2092/91). It reflected and recognised the growing importance of the organic movement in Europe, with a new organic market which had developed over decades without any specific public support. The adoption of Regulation 2092/91 also honoured the many farmers and consumers who had together established principles, rules and control schemes which made the success of the sector possible. Legislation was first limited to plant products. It was revised in 1998 and in 2007, to include animal products and further rules for processing, controls and marketing.

The Commission published its proposal for a new organic Regulation in March 2014, pointing at concerns about possible irregularities in the fast growing organic food chain; it argued that consumer confidence in organic products could be undermined by fraud cases increasingly detected at imports from third countries but also within the internal market; and it raised caution on parallel production, processing and trade structures of conventional and organic products carrying the risk of undetected non-compliance with the organic regulation.

The proposal was echoed by much criticism especially from the professional organisations of the organic sector. Firstly, it was questioned whether a completely new regulation was really necessary a few years after the last regulation came into force. A revision of the regulation currently in force was preferred. Secondly, the new structure and certain new rules for production, control and marketing were criticised for making the life of organic farmers more difficult and cumbersome, with the possible consequence that organic farmers would give up, instead of being encouraged to enter the sector. Thirdly, the proposed stricter rules on thresholds for pesticide residues were rejected as long as there were no clear and reliable provisions foreseen for precautionary measures and compensation for losses incurred for organic farmers due to unintended contamination from conventional farms.

In the run-up for this report your rapporteur has examined these concerns and received many more detailed questions by the professional sector, by consumers' associations and a wide range of stakeholders; he has taken note of the Commissions' impact assessment, the report of the Court of Auditors and the conclusions drawn from the consultation process with civil society, which preceded the drafting of the Commissions' proposal; he has valued the expertise brought to our committee at its hearing on the subject, as well as opinions of the shadow rapporteurs of other political groups. He offers below a more detailed appraisal of the legislative proposal and the reasoning behind the proposed amendments.

1. The Commissions' impact assessment

The Commission has based its proposal on the following conclusions of its impact assessment: over the past ten years, demand for organic products has substantially grown. The global market for organic food expanded fourfold between 1999 and 2011, yet the area under organic production in the EU only doubled in the decade 2000-2010. According to the IA, neither internal supply, nor the legislative framework, has kept up with this market expansion, resulting in lost opportunities for EU producers. The Commission considers that the continued

growth of the organic market might itself be at threat from possible erosion of consumer confidence. Furthermore, the entire regulatory framework has become too complex and difficult to understand for operators, producers, consumers and public authorities, and became more so with the foreseen implementation of a compliance regime for control bodies in non-recognised third countries. There is significant administrative burden and risk linked to the management of numerous exceptions by national administrations and to the control of business operators.

2. Structure of the new proposal

The Commission suggests a **new simplified structure** for the organic regulation, bringing the current basic Regulation (EC) No 834/2007 and two implementing regulations (889/2008 and 1235/2008) into a **single regulation with numerous annexes**. This proposal follows **alignment rules to the Lisbon treaty and the general goal of simplification of European legislation**. Your rapporteur agrees in principle with these goals. However, the proposal for a new structure includes about **thirty delegated acts (DA)** through which the Commission intends to define much of the substance of the regulation rules at a later stage. Your rapporteur suggests reintroducing basic principles and core rules for organic production into the basic act, as well as limiting the empowerment of the Commission in DAs. This is why your rapporteur has suggested moving a number of provisions from suggested delegated acts into the basic regulation and annexes.

3. Scope, definitions and principles

The Commission proposes a changed scope (art. 2), as well as new definitions (art.3) and principles (art.4-6) for organic production. Many of these changes are suggested in relation with annexes and delegated acts. Your rapporteur suggests a number of amendments which offer **more precision on products and processes included in, or excluded from the basic regulation**. These include definitions needed to **clarify provisions** and positive lists for authorised substances foreseen in the annexes, as well as **principles** concerning management of biological processes, soil protection, animal welfare or environmental performance of operators. These are also important to implement, control and phase-out temporary exemptions being controlled by competent authorities.

4. Production rules and labelling

The Commission has suggested defining major parts of production rules for plant and animal production in delegated acts at a later stage. This significantly increases the possibility of changing essential parts of organic rules in non-legislative acts. Your rapporteur suggests a number of **amendments which clearly differentiate basic rules to be defined in the basic regulation from specific requirements for plant or animal production which can be dealt with in delegated acts and technical details which can be dealt with in implementing acts**.

Your rapporteur agrees with the Commission that exceptions from these rules must be phased out over time, e.g. for seeds or feed which is temporarily not available on the market.

However this phasing out of derogations should be based upon **reliable data** on availability in regions and Member States and should be accompanied by support measures for the relevant sectors, so as to effectively increase the offer. On labelling your rapporteur deplors that information explaining the concept of organic farming and its specificities is not available.

The regulation should offer more flexibility concerning origin of organic ingredients.

In its proposal the Commission has not foreseen measures to support the development of organic breeding of plants and animals, nor to close existing gaps on the market for organically bred and grown seeds and animals. Your rapporteur has suggested such measures in the annexes.

5. Controls and certification

With the aim of simplifying legislation the Commission has moved most of the control requirements for organic production and marketing to the proposal for a horizontal legislation for official control on food and feed still to be adopted along with this proposal for a regulation. This is in principle a reasonable undertaking. However, some specificities of the organic production need to be taken into account and dealt with. The quality of organic production is not only a matter to be controlled at the level of the final product. It is the entire process of production, including positive impact on the environment, animal welfare, soil fertility, climate mitigation and the sustainable use of biodiversity which need to be taken into account.

Your rapporteur agrees in principle also with a risk based approach to controls and suggests that certain specific requirements for organic control and certification should still remain within the regulation, including a combination of annual with risk-based controls so as to improve control performance over time.

Furthermore, supervision of the Member States over control bodies and control authorities needs improvement. Dealing with provisions concerning the presence of non-authorised products in organic production your rapporteur wishes to strengthen the responsibility of operators and control bodies and has made a proposal for precautionary measures as well as compensation facilities in case of adventitious contamination (art.20a)

6. EU Organic Agency

Implementation of the current organic regulation has revealed a number of weaknesses concerning control as well as missing data collection and communication between member states and on the European level. The Commissions' own impact assessment, the report of the Court of Auditors, concerns raised in many Member states and the organic sector clearly call for more coordinated action and communication between competent authorities, control bodies and operators. The basis of data for the identification of risks, the development of the market, including the gaps for inputs, which are reasons for ongoing exceptions, is very thin to take the necessary action for improvement. Your rapporteur therefore suggests considering the establishment of an EU Organic Agency with the task to improve the implementation of the organic regulation concerning controls and coordinated action on the European level, to collect and evaluate the necessary data and scientific advice, and to establish improved information services.

7. Trade with third countries

For the regime of imports from third countries the Commission suggests a two tier system of recognition and controls of organic products, based on compliance or equivalence. The

concept of compliance means that operators in third countries have to fully apply EU legislation, even if there is no specific organic legislation in place; equivalence meaning that producers in third countries meet the principles and objectives of domestic legislation with standards which are appropriate for the climatic and regional conditions of production (e.g. tropical). The concept of equivalence is currently mainly applied in trade agreements with third countries. Your rapporteur suggests a three tier system of full equivalence, transition towards equivalence with recognized regional standards, and compliance with restricted exemptions so as to improve the development of organic farming in third countries and the supervision of control bodies. For the compliance option he suggests clear production rules and control measures adapted to conditions in concerned countries. He also suggests measures how communication between accreditation bodies and the Commission especially with respect to complaints and irregularities can be improved.