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Subject:	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 *- Progress report*

INTRODUCTION

On 24 March 2014 the Commission sent the Council and the European Parliament a 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 (OCR)] and repealing Council Regulation (EC) 834/2007.

The Commission's main objectives were to eliminate obstacles to the sustainable development of organic production in the EU, strengthen and harmonise existing rules to prevent fraud and unfair practices, and enhance consumers' confidence in organic products. The Commission proposed, in particular, to strengthen the rules regarding the control system and the welfare of animals as well as the procedure for decertification of organic products containing unauthorised substances and products. In addition, the Commission planned to review the import regime.

The examination of the proposal at the Council began under the Greek Presidency and continued under the Italian and Latvian (LV) Presidencies. A general approach was reached under LV at the AGRIFISH Council of 16 June 2015.

The European Parliament's Committee on Agriculture and Rural Development (COMAGRI) voted on the proposal on 13 October 2015. The negotiations between the Council and the European Parliament started during the Luxembourg Presidency (2 trilogues) and were taken over by the Netherlands Presidency which organised seven additional trilogues (28/01, 29/02, 20/04, 12/05, 26/05, 09/06, 16/06), accompanied by a number of technical meetings or drafting sessions.

To facilitate the conduct of the negotiations in this complex and voluminous file, it was decided to divide the COM proposal into nine blocks of negotiations in order to address collectively articles that cover related areas (see Annex I). The results of the negotiations so far, are laid down in the corresponding four-column documents which are enclosed in Annexes II, III, and IV accompanied by additional non-papers on block 5 (Annex V) and block 7 (Annex VI).

PROGRESS ACHIEVED DURING THE NETHERLANDS PRESIDENCY

Overall, very good progress has been made. The negotiations on the scope, objectives & principles (block 1), general production rules (block 2), unauthorised products and substances (block 5), trade with third countries (block 6) and certification and controls (block 7) have almost been concluded and compromises were found within the General Approach. As a result, the main political topics of the future Regulation have been finalised.

Block 3 has been largely dealt with and could be finalised when a solution is found for the examination of the specific production rules in the annexes.

Block 4 has partly been examined at technical level. Block 8 and 9 have not yet been examined.

BLOCKS 1 AND 2

In block 1, very good progress has been made in relation to the scope of the Regulation and its Annex I, where the EP could basically support the general approach of the Council. Except for the definition of "land related/soil bound" and some technical issues (introduction of rules on 'mass catering operations' into the Regulation and the exclusion of food containing or consisting of artificially engineered nanomaterials) the negotiations have been concluded.

In block 2, many issues surrounding general production rules were dealt with in line with the Council's general approach, such as rules for mixed farms and in-conversion products. The main pending issue in block 2 was the EP's amendments (AMs) 121 and 122 on 'environmental performance'. The EP insisted in having a reference to environmental performance targets enshrined in the Regulation. The COM proposed an alternative text during the negotiations (see annex II). This text would enable the Council and EP to find a compromise on an issue which is of growing importance to society and would add an innovative element to the Regulation. The parties seem very close to a solution; a remaining issue here is EP's preference to introduce obligations for the operators to contribute to climate change mitigation.

BLOCK 3

All articles (and corresponding annexes) have be scrutinised and compromises have been reached in many areas. However, some work remains to be done.

An important issue is the structure of the future Regulation regarding the distribution of DA/IA/co-decision, particularly in articles 10 to 15 but also throughout the entire Regulation. The positions of the Council and EP diverge regarding the empowerment to be given to the Commission by this Regulation. In general, the Council prefers IA while the EP favours DA (mainly supplementing acts) or co-decision (provisions in the basic act without empowerment). Some cases have already been agreed so far (see Annex III). Some flexibility from both sides will be needed to achieve a compromise.

On articles dealing with specific production rules, the EP is of the view that the specific rules should be enshrined in the basic act via co-decision while the Council wants to keep the structure as laid down in the general approach and considered that these rules should be introduced at a later stage via secondary acts.

No compromise on a working method on the structure could be reached as the EP did not move and insists in keeping the detailed production rules in the annexes. In order to make progress the Presidency invites the SCA to reflect on how to proceed on this. A way out could be to have the detailed production rules examined by the experts from the Working Party on Organic Production.

Another remaining issue relates to seeds. The EP insisted on inserting in the Organic Regulation (see AM 133) a derogation from the existing directives related to the varietal aspects of the certification and marketing rules for heterogeneous material. According to the EP, there could be some benefit in using heterogeneous material for organic production to reduce the spread of diseases and to improve resilience. This matter needs further examination in order to explore which solution could be acceptable to the parties.

BLOCK 5

In block 5, which relates to the presence of non- authorised products and substances, the non-paper in Annex V has been agreed upon by the parties except for a few elements under square brackets. The non-paper is based on article 26e of the Council's general approach and the EP's amendments 198, 199 and 200. It replaces the Article 20 of the original COM proposal by introducing a new article 20a and a chapeau article before article 20a. In these articles additional obligations for the operators are laid down, such as precautionary measures or actions they have to take to prevent the presence of non-authorised substances or products.

The non-paper is based on a three-step approach (introduction of a general obligation for the operator to take all necessary precautionary measures; obligations for the operators to proceed in case of suspicion; investigation and follow-up actions by the competent authority). It has been agreed to separate the article on precautionary measures and actions to be taken by competent authority from the articles on controls.

However, on the consequences for the 'organic' status of contaminated products the parties could not reach a common position. The Council and EP do not share the views of the Commission on the introduction of any maximum threshold (or action limit) of products or substances that could trigger the prohibition of marketing such products as organic.

During the negotiations the Commission has proposed that products in which the presence of products or substances used as plant protection products, but not allowed to be used in the Regulation, is detected beyond a level of [XX/that is twice the limit of determination] shall not be marketed as an organic or in-conversion product, unless the operator can demonstrate to the competent authority that the presence is due to unavoidable contamination.

In addition, the Commission is also of the view that, if the presence of more than one product or substance used as a plant protection product is detected, but not allowed in the Regulation, the products should not be marketed as organic. The Presidency and the EP did not support this radical approach. Instead, they have proposed that such cases should be taken into account in the list of elements governing the risk-based approach on official controls. This would lead to an increased frequency of controls because of a higher risk profile. This would force operators to be more pro-active. Furthermore, an exchange of information between the operator and control authority would enable further improvement of appropriate measures to be taken in order to avoid future contaminations. As no common position could be reached at this point, the EP proposal on a possible legislative proposal to be presented by the Commission, together with the report on the state of play of implementation of article 20a, is still pending.

The Council and the EP have no common position on the limitation of the period in which Member States are allowed to apply national rules on thresholds. Another outstanding issue relates to the appropriate measures taken by the Member States on their territory to avoid unintended presence of non-authorised products and substances in organic agriculture. An obligation to take these measures is not acceptable for the Council.

BLOCK 6

As presented earlier in document 6699/16, on imports a compromise was reached on the authorisation for products and substances taking into account differences in the ecological balance in plant or animal production, as well as specific climatic and local conditions. This compromise does not include the possibility to introduce new rules on 'production processes' that deviate from the EU rules.

BLOCK 7

A lot of progress has been made on this very sensitive block. The outcomes of the negotiations are enclosed in Annexes IV and VI. Following the negotiations, it has been agreed to separate the provisions on certification from those on controls.

Regarding controls (see non-paper in Annex VI), both the Presidency and the EP were of the opinion that the general rules contained in the Official Controls Regulation (OCR) applied to the organic sector. However, specific rules on official controls and on actions to be taken by the competent authorities should be introduced in the Regulation on production rules. More work remains to be done, in the light of the recent agreement that was reached on the OCR, and in particular, the introduction of a new article 23 providing the COM the empowerment to lay down rules establishing uniform modalities for the performance of official controls by implementing acts.

A compromise was reached on the frequency of controls as proposed in the general approach (annual physical on-the spot inspections except for low risk operators) and on the conditions to exempt operators from the annual physical on- the- spot inspections. The period between two physical on the spot inspections shall not exceed 24 months. Furthermore, it has been added that the delivery or the renewal of the certificate is based on the results of the verification of compliance as described in article 26b (1).

ANNEX I

NEGOTIATION BLOCKS

BLOCK 1 - CHAPTER 1 - SCOPE, OBJECTIVES & PRINCIPLES, DEFINITIONS

Article 1 - Subject matter

Article 2 - Scope

Article 3 - Definitions *(to be discussed together with corresponding issues of each block)*

Article 3a (EP) - Objectives

Article 4 - General principles

Article 5 - Specific principles application to agriculture and aquaculture

Article 6 - Specific principles to processing food and feed

Article 6a EP- Specific principles feed

Annex I

BLOCK 2 - CHAPTER III 1ST PART - GENERAL PRODUCTION RULES

Article 7 - General production rules *(Incl. mixed farms)*

Article 7a - Derogation from general production rules

Article 8 - Conversion

Article 9 - Prohibition of the use of GMOs

Article 39 - Transitional measures relating to conversion to organic farming

(Annex II - relevant sections)

(+ Relevant definitions)

BLOCK 3 - CHAPTER III 2ND PART - SPECIFIC PRODUCTION RULES

Article 10 - Plant production rules

Article 11 - Livestock production rules

Article 12 - Production rules for algae and aquaculture animals

Article 13 - Production rules for processed feed

Article 14 - Production rules for wine

Article 15 - Production rules for yeast used as food or feed

Article 16 - Production rules for other products

Article 17 - Adoption of exceptional production rules

+ Article 19 - Authorisation of products and substances used in organic products

Annex II - relevant sections

Article 35 - Report

Article 40 - Transitional measures relating to PRM, animals for breeding purposes and young stock of aquaculture animals

(+ Relevant definitions)

BLOCK 4 - CHAPTER III 3RD PART AND CHAPTER IV - TRANSPORT, PACKAGING, LABELLING, STORAGE

Article 18 - Collection, packaging, transport and storage

Annex III - Collection, packaging, transport and storage

Article 21 - Use of terms referring to organic production

Annex IV - Terms referred to in Article 21

Article 22 - Compulsory indications

Article 23 - Organic production logo of the Union

Annex V - Organic production logo and code numbers

BLOCK 5- PRECAUTIONARY MEASURES/NON-AUTHORISED SUBSTANCES

Article 20 - Presence of non-authorised substances

Article 20a EP - Precautionary measures

Article 20b EP - Causes and contamination and responsibilities

Article 20c EP - Database of non compliance

Article 26e(CSL) - Presence of non-authorised products or substances

BLOCK 6 - CHAPTER VI - TRADE WITH THIRD COUNTRIES

Article 27 - Export of Organic products

Article 28 - Import of Organic products

Article 29 - recognition and control of bodies

Article 30 - Equivalence under a trade agreement

Article 31 - Equivalence under Reg 834/2007

Art 31a CSL - Report on application of Articles 30 & 31

Article 41 - Transitional measures relating to control authorities *(of third countries)*

Article 42 - Transitional measures relating to application from third countries

BLOCK 7 - CHAPTERS V/Va CONTROLS AND CERTIFICATION

Article 23a EP - Control System

Article 24 - Organic certification system

Article 24a EP - Adherence to the control system

Article 25 - Organic Certificate

Article 26 - Group of operators

Article 26a EP - duties of competent authorities in the case of non-compliance

Article 26b EP - Exchange of information and administrative cooperation

Article 26c - Delegated powers with regard to the control system

Article 26d EP - Implementation of this regulation

Chapter Va - CSL Article 26a, b, c, d, e, f,

Article 44 - Amendments to Regulation (official controls)

Annex Va (EP) - Specific tasks of the Commission, Member States and competent authorities

Annex Vb-Vf (EP)

(+ Relevant Definitions)

BLOCK 8 - CHAPTER VII (EXCEPT ARTICLES COVERED BY OTHER BLOCKS) - GENERAL PROVISIONS

Article 32 - Non prohibition and non-restriction of the marketing of organic products

Article 33 - Information relating to the organic sector and trade

Article 34 - Informing competent authorities, control authorities and control bodies

Article 36 - Exercise of the delegation

Article 37 - Committee procedure

Article 38 - Repeal

Article 39a EP - Transitional measures

Article 43 - Transitional measures for stocks under Reg 834/2007

Article 45 - Entry into force an application

Annex Va (EP) - Specific tasks of the Commission, Member States and competent Union authorities

BLOCK 9 - RECITALS

BLOCK 1, 2 AND 6

BLOCK 1

Commission proposal	**Council General approach**	**COMAGRI vote**	**Compromise proposal/Work in progress**
Chapter I			
Subject matter	Commission proposal unchanged	Commission proposal unchanged	**Subject matter**
Amendment 65 Article 1			
This Regulation establishes the principles of organic production and lays down the rules concerning organic production and the use of indications referring ***thereto*** in labelling and advertising.	This Regulation establishes the principles of organic production and lays down the rules concerning organic production**, certification and controls** and the use of indications referring thereto in labelling and advertising.	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***	Not yet discussed in trilogue

		and fair competition, thereby helping farmers to achieve a fair income, ensuring consumer confidence and protecting consumer interests.	
Article 2			
Scope	Commission proposal unchanged	Commission proposal unchanged	**Scope**
Amendment 66 Article 2 (1)			
1. This Regulation shall apply to ***agricultural*** products ***listed in Annex I to the Treaty on the Functioning of the European Union ('the Treaty') and to some other products listed in Annex I to this Regulation, insofar as those agricultural products and those other products*** are intended to be produced, prepared, distributed, placed on the market, imported or exported as organic.	1. ~~**This Regulation shall apply to 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.**~~**This Regulation shall apply to the following products listed in Annex I to the TFEU or originating from such products, where they are produced, prepared, distributed, placed on the market, imported or exported or are intended to be produced, prepared, distributed, placed on**	1. This Regulation shall apply to ***the following*** products ***originating from agriculture, including aquaculture and beekeeping, where such products are, or*** are intended to be**,** produced, prepared, ***labelled,*** distributed, placed on the ***Union*** market, ***or*** imported ***into*** or exported ***from the Union*** as organic:	**This Regulation shall apply to the following products originating from agriculture, *including aquaculture and beekeeping,* as listed in Annex I to the Treaty on the functioning of the European Union ('the Treaty') or originating from these products, where such products are, or are intended to be, produced, prepared, labelled, distributed, placed on the market, or imported into or exported from the Union:**

	the market, imported or exported:		
	(a) live or unprocessed agricultural products;	***(a) live or unprocessed agricultural products, including seed and other plant reproductive material;***	**(a) live or unprocessed agricultural products, including seed and other plant reproductive material.**
	(b) processed agricultural products for use as food;	***(b) processed agricultural products for food;***	**(b) processed agricultural products for use as food;**
	(c) feed;	***(c) feed;***	**(c) feed;**
	(d) plant reproductive material.	***(d) algae and aquaculture animals;***	***Withdrawn***
		(e) wine;	**Withdrawn**
		(f) yeast;	**Withdrawn**
		(g) mushrooms;	**Withdrawn**
		(h) collected wild plants and parts thereof,	**Withdrawn**
	This Regulation shall also apply to the other products listed in Annex I to this Regulation where such products are produced, prepared, distributed, placed on the market, imported or exported or are intended to be produced, prepared,	***and to other products closely linked to agriculture which are intended to be produced, prepared, labelled, distributed, placed on the market, imported or exported.***	***and to other products closely linked to agriculture*** **listed in Annex I to this Regulation which are, or are intended to be produced, prepared, *labelled*, distributed, placed on the market, imported or exported.**

	distributed, placed on the market, imported or exported.		
The products of hunting and fishing of wild animals shall not be considered as organic products.	Commission proposal unchanged	The products of hunting and fishing of wild animals shall not be considered ***to constitute*** organic products. *(The amendment of the word "seaweed " to "algae" applies throughout the text. Adopting it will necessitate corresponding changes throughout.)*	The products of hunting and fishing of wild animals shall not be considered as organic products.
Amendment 67 Article 2 (2)			
2. This Regulation shall apply to any operator involved in activities, at any stage of production, preparation and distribution, relating to the products referred to in paragraph 1.	Commission proposal unchanged	2. This Regulation shall apply to any operator involved in activities, at any stage of production, preparation***, labelling*** and distribution, relating to the products referred to in paragraph 1	2. This Regulation shall apply to any operator involved in activities, at any stage of production, preparation and distribution, relating to the products referred to in paragraph 1.
Mass catering operations carried out by a mass caterer as defined in point (d) of Article 2(2) of Regulation (EU) No 1169/2011 of the European Parliament and of the Council shall not be subject to this Regulation.	Commission proposal unchanged	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 Council shall be subject to this Regulation.	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 Council shall [not] be subject to this Regulation. Not acceptable for Council/COM

			To be further considered
Amendment 68 Article 2 (2) (3)			
Member States may apply national rules or, in the absence thereof, private standards on labelling and control of products originating from mass-catering operations.	Member States may apply national rules or, in the absence thereof, private standards on **the production**, labelling and control of products originating from mass-catering operations**. The organic production logo of the European Union shall not be used in the labelling, presentation and advertising of these products or to advertise the mass caterer.**	***deleted***	EP AM 68 not acceptable for Council To be further discussed
Amendment 69 Article 2 (3)			
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 Council[1] (plant reproductive material) and Regulation (EU) No XX/XXXX of***	3. This Regulation shall apply without prejudice to related Union legislation, **in particular** 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 Council[3] (plant reproductive material) and**~~	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***.	**Council G.A.**: **This Regulation shall apply without prejudice to related Union legislation, in particular in the fields of safety of the food chain, animal health and welfare, plant health, and plant reproductive material**

[1] [*full title*] (OJ L,…).

the European Parliament and of the Council[2] (protective measures against pests of plants).	~~**Regulation (EU) No XX/XXXX of the European Parliament and of the Council[4] (protective measures against pests of plants).**~~		
4. This Regulation shall apply without prejudice to other specific Union provisions relating to the placing of products on the market and, in particular, to Regulation (EU) No 1308/2013 of the European Parliament and of the Council[5], and to Regulation (EU) No 1169/2011.	Commission proposal unchanged	Commission proposal unchanged	4. This Regulation shall apply without prejudice to other specific Union provisions relating to the placing of products on the market and, in particular, to Regulation (EU) No 1308/2013 of the European Parliament and of the Council[6], and to Regulation (EU) No 1169/2011.
Amendment 70 Article 2 (5)			
5. In order to take into account new information on production methods or material or international commitments, the Commission shall be empowered to	**5. In order to take into account new information on production methods or material or international commitments, the Commission shall be**	***deleted***	**Council G.A.:** **5. In order to take into account new information on production methods or material or international commitments,**

~~**[*full title*] (OJ L,…).**~~

[*full title*] (OJ L,…).

~~**[*full title*] (OJ L,…).**~~

Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

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.	**empowered to adopt delegated acts in accordance with Article 36 supplementing 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.**		**the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing 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.**
Article 3			
Definitions	Commission proposal unchanged	Commission proposal unchanged	**Definitions**
For the purposes of this Regulation, the following definitions shall apply:	Commission proposal unchanged	Commission proposal unchanged	For the purposes of this Regulation, the following definitions shall apply:
(1) 'organic production' means the use of production methods compliant with this Regulation, at all stages of production, preparation and distribution;	Commission proposal unchanged	Commission proposal unchanged	**(1) 'organic production' means the use of production methods compliant with this Regulation, at all stages of production, preparation and distribution, and also during the conversion period referred to in Article 8;**
			(1a) 'organic products' means products coming from or related to organic production, excluding the products produced during the conversion period referred to in Article 8;
(2) 'organic' means coming from	**~~(2) 'organic' means coming from~~**	Commission proposal unchanged	**Deleted**

or related to organic production;	~~**or related to organic production;**~~		
Amendment 71 Article 3 (3)			
(3) 'agricultural raw material' means an agricultural product that has not been subjected to any operation of ***preservation or processing;***	Commission proposal unchanged	(3) ***'***agricultural raw material***' or 'aquaculture raw material'*** means an agricultural ***or aquaculture*** product that has not been subjected to any operation of ***processing, preparation or preservation***;	**(3) 'agricultural raw material' means an agricultural product that has not been subjected to any operation of preservation or processing**
Amendment 72 Article 3 (4)			
(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;	(4) 'preventive measures' means measures to be taken in order to ensure soil quality as well as prevention and control of pests and weeds **for plants, prevention and control of disease for animals, as well as~~, and~~** to prevent **in particular** contamination with products or substances that are not authorised under this Regulation **at all stages of production, preparation and distribution;**	(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***;	COM proposal (NP 09/02)(4) 'preventive measures' means measures to be taken **by operators at all stages of production, preparation and distribution** in order to ensure **soil** quality as well as prevention (and control) of pests and diseases (for plants and animals) Alternative proposal from EP (non paper of 23/02) - **'preventive measures'** means measures to be taken by operators ***at all stages of production, preparation and distribution in order to ensure the preservation of***

			biodiversity, soil quality, the prevention and control of pests and weeds for plants, the prevention and control of disease for animals, as well as to prevent, in particular, contamination with products or substances which are not authorised under this Regulation, and to avoid commingling of organic products with non-organic products; PRES could agree with COM proposal but EP not. To be further discussed.
		[See AM 72]	**COM proposal (NP 09/02):** (4a) 'precautionary measures' means measures to be taken by operators at all stages of production, preparation and distribution in order to avoid commingling with non-organic products and contamination in particular with products or substances that may not be used for the purposes mentioned in Article 19 in organic agriculture pursuant to Article 7(1)(b); **Alternative proposal from EP**

			(non-paper of 23/02) - 'precautionary measures' means measures to be taken by operators and Member States at all stages of production, preparation, and distribution in order to ensure compliance of organic production with this Regulation and to avoid effects on the environment and on human, animal or plant health which are not in accordance with this Regulation; PRES could support COM compromise proposal but EP not. To be further discussed.
Amendment 73 Article 3 (5)			
(5) 'conversion' means the transition from non-organic to organic production within a given period of time;	(5) 'conversion' means the transition from non-organic to organic production within a given period of time **during which the provisions of this Regulation concerning organic production have been applied**;	(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***;	(5) **'conversion' means the transition from non-organic to organic production within a given period of time during which the provisions of this Regulation concerning organic production are applied;**
	(5a) 'in-conversion products' means products that are produced in accordance with Article 8 during		(5a) **Council G.A.:** **'in-conversion products' means products that are produced**

	the conversion period;		**during the conversion period in accordance with Article 8;**
	(6a) 'holding' means all the production units operated under a single management for the purpose of producing products referred to in Article 2(1);	***(43f) 'holding' means all the production units operated under a single management for the purpose of producing the products referred to in Article 2(1);*** ***(AM 103)***	"'holding' means all the production units operated under a single management for the purpose of producing live or unprocessed agricultural products, including products originating from aquaculture and beekeeping, as referred to in Article 2 (1) (a) and/or producing products listed in Annex I to this Regulation, except essential oils." Agreed at T5, location to be considered at a later stage
	(6b) 'production unit' means all assets to be used for a production sector such as primary production premises, land parcels, pasturages, open air areas, livestock buildings, hives, fish ponds, containment systems or sites for algae or aquaculture animals, rearing units, shore or seabed concessions, the premises for the storage of crops, crop products, algae products, animal products, raw materials and any other input relevant for this specific production sector;	***(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;***	(6b) **'production unit' means all assets of a holding, such as primary production premises, land parcels, pasturages, open air areas, livestock buildings, hives, fish ponds, containment systems or sites for algae or aquaculture animals, rearing units, shore or seabed concessions, the premises for the storage of crops, crop products, algae products, animal products, raw materials and any other relevant inputs;**

			(6d) 'organic production unit' means a production unit which is managed in compliance with the requirements applicable to organic production, excluding during the conversion period referred to in Article 8;
			(6e) 'in-conversion production unit' means a production unit which is managed in compliance with the requirements of organic production during the conversion period referred to in Article 8;
			(6f) 'non-organic production unit' means a production unit which is not managed in compliance with the requirements of organic production;
(6) 'operator' means the natural or legal person responsible for ensuring that this Regulation is complied with at all stages of production, preparation and distribution under their control;	Commission proposal unchanged	Commission proposal unchanged	Acceptable
Amendment 74 Article 3 (7)			
(7) 'group of operators' means a group ***in which each operator is a***	(7) 'group of operators' means a group ~~**in**~~ **of** which each **member is a**	(7) 'group of operators' means a group ***fulfilling all of the following***	Agreed in principle at T9 (but location/wording to be clarified in

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;	**farmer or an** operator~~s is a farmer producing algae or aquaculture animals who in addition may be engaged in processing of food or feed and whose turnover is less than 25.000 Euro per year or standard output is less than 15.000 Euro per year or~~ 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~~;	***conditions***:	drafting group) (7) 'group of operators' means a group of which each member is a farmer or an operator producing algae or aquaculture animals and who in addition may be engaged in processing, preparation or marketing of food or feed, and whenever one of the following conditions is fulfilled: i) the certification cost of each member represents more than 2% of its turnover or standard output of organic production; or ii) each member has a holding of up to : a) 5 hectares; or b) 0.5 hectares, in the case of production under glass or other intensive production under protective cover; or c) 15 hectares, in the case of exclusively permanent grassland.
		(a) each member of the group is a farmer or is an operator producing algae or aquaculture products, and	

		may, in addition to producing food and feed, be engaged in the processing, preparation or marketing of food or feed;	
		(b) the production activities of the members of the group take place in geographical proximity to each other;	*Agreed at T6 to move to article 26*
		(c) a joint marketing system for the organic products produced by the group is established;	**Agreed at T6 to move to article 26**
		(d) the group has legal personality and an internal control system; and	**Agreed at T6 to move to article 26**
		(ve the turnover or standard output of organic production of each member of the group does not exceed EUR 15 000 per year, or each member produces on a holding of up to 5 hectares, or, in the case of production under glass or other intensive production under protective cover, on a holding of up to 0.5 hectares, or, in the case of exclusively permanent grassland, on a holding of up to 15 hectares.	
		The conditions set out under point (e) do not apply to groups of operators from third countries;	

(8) 'farmer' means a natural or legal person, or a group of natural or legal persons, regardless of the legal status granted to such group and its members by national law,-who exercises an agricultural activity.	Commission proposal unchanged	Commission proposal unchanged	(8) 'farmer' means a natural or legal person, or a group of natural or legal persons, regardless of the legal status granted to such group and its members by national law, who exercises an agricultural activityT5: agreement on COM original definition
(9) 'agricultural area' means agricultural area as defined in point (e) of Article 4(1) of Regulation (EU) No 1307/2013;	Commission proposal unchanged	Commission proposal unchanged	
	(9a) 'populations' means plant groupings which fulfil the requirements specified in temporary experiments allowed under Article 13a of Council Directives 66/401/EEC and 66/402/EEC, Article 14a of Council Directive 68/193/EEC, Article 19 of Council Directives 2002/54/EC and 2002/56/EC, Article 33 of Council Directive 2002/55/EC and Article 17 of Council Directive 2002/57/EC;		To be further discussed in conjunction with article 10
(10) 'plants' means plants as defined in point 5 of Article 3 of Regulation (EC) No 1107/2009;	Commission proposal unchanged	Commission proposal unchanged	(10) 'plants' means plants as defined in point 5 of Article 3 of Regulation (EC) No 1107/2009;
Amendment 75 Article 3 (10) (a) (new)			

		(10a) 'organic plant breeding and variety development' means the enhancement of genetic diversity coupled with reliance on natural reproductive ability. Organic plant breeding is aimed at the development of new varieties which are particularly suited for organic production systems. It involves a holistic approach that respects natural crossing barriers and is based on fertile plants that can establish a viable relationship with the living soil. Organic plant breeding is undertaken under these organic plant breeding conditions in line with the requirements of this Regulation.	To be further discussed
Amendment 76 Article 3 (10) (b) (new)			
	(6c) 'plant reproductive material' means plant(s) as well as all forms of plant(s) at any growth stage including seeds, capable of, and intended for, producing entire plants;	***(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;***	To be further discussed with Art 10 EP could accept a reference to "growth stage"
Amendment 77 Article 3 (10) (c) (new)			

		(10c) 'mother plant' means an identified plant from which plant reproductive material is taken for reproduction of new plants;	To be further discussed with Art 10
Amendment 78 Article 3 (10) (d) (new)			
		(10d) 'generation' means a group of plants constituting a single line of descent of plants;	To be checked by COM
Amendment 79 Article 3 (10) (e) (new)			
		(10e) 'organic animal breeding' means the enhancement of genetic diversity coupled with reliance on the natural reproductive ability of the animals concerned. Organic animal breeding shall secure optimum compliance with the requirements of this Regulation, focussing on disease resistance, longevity, breeding value, and adaptation to climatic and natural conditions, and shall promote breeding aimed at slow growth where relevant;	To be redrafted by EP
(11) 'plant production' means production of agricultural crop products including harvesting of wild plant products for commercial	Commission proposal unchanged	Commission proposal unchanged	(11) 'plant production' means production of agricultural crop products including harvesting of wild plant products for commercial

purposes;			purposes;
(12) 'plant products' means plant products as defined in point 6 of Article 3 of Regulation (EC) No 1107/2009;	Commission proposal unchanged	Commission proposal unchanged	(12) 'plant products' means plant products as defined in point 6 of Article 3 of Regulation (EC) No 1107/2009;
(13) 'pest' means a pest as defined in Article 1(1) of Regulation (EU) No XX/XXXX (protective measures against pests of plants);	Commission proposal unchanged	Commission proposal unchanged	(13) 'pest' means a pest as defined in Article 1(1) of Regulation (EU) No XX/XXXX (protective measures against pests of plants);
Amendment 80 Article 3 (13) (a) (new)			
		(13a) 'herbal preparations' means extracts obtained from certain plants for the purpose of strengthening crops or repelling or eliminating pests and diseases;	AM 80 withdrawn by EP Agreed at T7
Amendment 81 Article 3 (13) (b) (new)			
		(13b) 'biodynamic preparations' means mixtures traditionally used in biodynamic farming and numbered from 500 to 508;	Seems acceptable EP checks reference to numbers. If relevant, seems acceptable to add this reference
(14) 'plant protection products' means the products referred to in Article 2 of Regulation (EC) No 1107/2009;	Commission proposal unchanged	Commission proposal unchanged	(14) 'plant protection products' means the products referred to in Article 2 of Regulation (EC) No 1107/2009;

(15) 'livestock production' means the production of domestic or domesticated terrestrial animals, including insects;	Commission proposal unchanged	Commission proposal unchanged	(15) 'livestock production' means the production of domestic or domesticated terrestrial animals, including insects;
Amendment 82 Article 3 (16)			
(16) 'veranda' means an additional, roofed, uninsulated, outdoor part of a livestock building, the longest side being usually equipped with wire fencing or netting with outdoor climate, natural and artificial illumination and a littered floor;	Commission proposal unchanged	(16) 'veranda' means an additional, roofed, uninsulated, outdoor part of a livestock building, the longest side being usually equipped with wire fencing or netting with outdoor climate, natural and***, where possible,*** artificial illumination and a littered floor;	Following compromise text agreed at T7 (16) 'veranda' means an additional, roofed, uninsulated, outdoor part of a livestock building, the longest side being usually equipped with wire fencing or netting with outdoor climate, natural and***/or*** artificial illumination and a littered floor;
Amendment 83 Article 3 (16) (a) (new)			
		(16a) 'laying pullets' means young animals of the Gallus gallus species intended for egg production and of an age of less than 18 weeks;	No agreement at TM on 29/04 IA issue
Amendment 84 Article 3 (16) (b) (new)			
		(16b) 'laying hens' means animals of the Gallus gallus species	No agreement at TM on 29/04

		intended for the production of eggs for consumption and of an age of at least 18 weeks;	IA issue
Amendment 85 Article 3 (16) (c) (new)			
		(16c) 'broilers' means animals of the Gallus gallus species kept for meat production;	No agreement at TM IA issue Not yet discussed
Amendment 86 Article 3 (16) (d) (new)			
		(16d) 'usable area' means an area as defined in Council Directive 1999/74/EC[7], 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;	PRES compromise text (29/04): ***(16d) 'usable area' means an area as defined in Council Directive 1999/74/EC[8], ~~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;~~*** To be checked by EP

[7] ***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.).***

[8] ***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.).***

Amendment 87 Article 3 (16) (f) (new)			
		(16f) 'core indicators' means indicators relating to the direct environmental aspects defined in Regulation (EC) No 1221/2009;	To be checked by EP
(17) 'aquaculture' means aquaculture as defined in point (25) of Article 4(1) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council[9];	Commission proposal unchanged	Commission proposal unchanged	----------
			COM non paper on 23 / 05 (17a)new 'aquaculture products': means aquaculture products as defined in point 34 of Article 4 (1) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy[10]; No agreement at T9. To be further discussed

[9] Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).

[10] OJ L 354, 28.12.2013, p. 22.

	(17a) 'closed recirculation aquaculture facility' means a facility where aquaculture takes place within an enclosed environment on land or on a vessel involving the recirculation of water, and depending on permanent external energy input to stabilise the environment for the aquaculture animals;		Keep GA text Agreed at T7
	(17b) 'energy from renewable sources' means renewable non-fossil energy sources such as wind, solar, geothermal wave, tidal, hydropower, landfill gas, sewage treatment plant gas and biogases;		Keep GA text Agreed at T7
	(17c) 'hatchery' in the framework of aquaculture and algae production means a place of breeding, hatching and rearing through the early life stages of aquaculture animals, finfish and shellfish in particular;		Keep GA text Agreed at T7
	(17d) 'nursery' in the framework of aquaculture and algae production means a place where an intermediate production system is applied between the hatchery and grow-out stages. The nursery stage		Keep GA text Agreed at T7

	is completed within the first third of the production cycle with the exception of species undergoing a smoltification process;		
	(17e) 'pollution' in the framework of aquaculture and algae production means the direct or indirect introduction into the aquatic environment of substances or energy as defined in Directive 2000/60/EC of the European Parliament and of the Council[11] and in Directive 2008/56/EC of the European Parliament and of the Council[12], in the waters to which those Directives apply, respectively;		Keep GA text Agreed at T7
	(17f) 'polyculture' in the framework of aquaculture and algae production means the rearing of two or more species usually from different trophic levels in the same culture unit;		Keep GA text Agreed at T7
	(17g) 'production cycle' in the framework of aquaculture and algae production means the lifespan		Keep GA text Agreed at T7

[11] Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

[12] Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for Community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).

	of an aquaculture animal or algae from the earliest life stage (fertilised eggs in the case of aquaculture animals) to harvesting;		
	(17h) 'locally grown species' in the framework of aquaculture and algae production means species which are neither alien nor locally absent species under Council Regulation (EC) No 708/2007[13], as well as the species listed in Annex IV to that Regulation;		Keep GA text Agreed at T7
	(17i) 'stocking density' in the framework of aquaculture and algae production means the live weight of aquaculture animals per cubic metre of water at any time during the grow-out phase and in the case of flatfish and shrimp the weight per square metre of surface;		Keep GA text Agreed at T7
(18) 'veterinary treatment' means all courses of a curative or preventive treatment against one occurrence of a specific disease;	Commission proposal unchanged	Commission proposal unchanged	(18) 'veterinary treatment' means all courses of a curative or preventive treatment against one occurrence of a specific disease;
(19) 'veterinary medicinal products' means veterinary	(19) **~~'veterinary medicinal products' means veterinary~~**	Commission proposal unchanged	To be checked by COM if reference to the Directive is up to date

[13] Council Regulation (EC) No 708/2007 of 11 June 2007 concerning use of alien and locally absent species in aquaculture (OJ L 168, 28.6.2007, p. 1).

medicinal products as defined in point 2 of Article 1 of Directive 2001/82/EC of the European Parliament and of the Council[14];	~~**medicinal products as defined in point 2 of Article 1 of Directive 2001/82/EC of the European Parliament and of the Council**~~**'veterinary medicinal products' means veterinary medicinal products as defined in point 1 of Article 4 of Regulation (EU) No XX/XXX (veterinary medicinal products)[15];**		
Amendment 88 Article 3 (20)			
(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;	Commission proposal unchanged	(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***;	Alternative text from COM on 23/05 (20) 'preparation' means the operations of preserving or processing of organic **or in-conversion** products, **or any other operation that is carried out on an unprocessed product without altering the initial product**, such as ~~including~~ slaughteri**ng,** ~~and~~ cutting, **cleaning, or milling** ~~for~~

[14] Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products (OJ L 311, 28.11.2001, p.1).

[15] ~~**Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products (OJ L 311, 28.11.2001, p.1).**~~ **Regulation (EU) No XX/XXX of the European Parliament and of the Council […] on veterinary medicinal products (OJ L…)**

			~~livestock products~~, **and/or** packaging, labelling or alterations made to the labelling relating to organic production; No agreement at T9. To be further discussed
(21) 'food' means food as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council[16];'feed' means feed as defined in point 4 of Article 3 of Regulation (EC) No 178/2002;	Commission proposal unchanged	Commission proposal unchanged	(21) 'food' means food as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council[22];'feed' means feed as defined in point 4 of Article 3 of Regulation (EC) No 178/2002;
(22) 'feed' means feed as defined in point 4 of Article 3 of Regulation (EC) No 178/2002;	Commission proposal unchanged	Commission proposal unchanged	(22) 'feed' means feed as defined in point 4 of Article 3 of Regulation (EC) No 178/2002;
(23) 'feed material' means feed material as defined in point (g) of Article 3(2) of Regulation (EC) No 767/2009 of the European Parliament and of the Council[17];	Commission proposal unchanged	Commission proposal unchanged	(23) 'feed material' means feed material as defined in point (g) of Article 3(2) of Regulation (EC) No 767/2009 of the European Parliament and of the Council[23];

[16] Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

[17] Regulation (EC) No 767/2009 of the European Parliament and of the Council of 13 July 2009 on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No 1831/2003 and repealing Council Directive 79/373/EEC, Commission Directive 80/511/EEC, Council Directives 82/471/EEC, 83/228/EEC, 93/74/EEC, 93/113/EC and 96/25/EC and Commission Decision 2004/217/EC (OJ L 229, 1.9.2009, p. 1).

Amendment 89 Article 3 (24)			
(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;	~~**(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;**~~	(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;	Deletion agreed
(25) ‘placing on the market’ means placing on the market as defined in point 8 of Article 3 of Regulation (EC) No 178/2002;	Commission proposal unchanged	Commission proposal unchanged	(25) ‘placing on the market’ means placing on the market as defined in point 8 of Article 3 of Regulation (EC) No 178/2002;
(26) ‘traceability’ means traceability as defined in point 15 of Article 3 of Regulation (EC) No 178/2002;	Commission proposal unchanged	Commission proposal unchanged	(26) ‘traceability’ means traceability as defined in point 15 of Article 3 of Regulation (EC) No 178/2002;
(27) ‘stages of production, preparation and distribution’ means any stage from and including the primary production of an organic product up to and including its storage, processing, transport, sale or supply to the final consumer, and where relevant labelling, advertising, import, export and subcontracting activities;	Commission proposal unchanged	Commission proposal unchanged	(27) ‘stages of production, preparation and distribution’ means any stage from and including the primary production of an organic product up to and including its storage, processing, transport, sale or supply to the final consumer, and where relevant labelling, advertising, import, export and subcontracting activities;
Amendment 90			

Article 3 (28)			
(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' 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 (EU) No 1305/2013;	To be looked at in conjunction with Art 17. (PM: already enshrined in the art 17 GA) EP to check if drafting of Art 17 sufficient
(29) 'ingredient' means an ingredient as defined in point (f) of Article 2(2) of Regulation (EU) No 1169/2011;	Commission proposal unchanged	Commission proposal unchanged	(29) 'ingredient' means an ingredient as defined in point (f) of Article 2(2) of Regulation (EU) No 1169/2011;
(30) 'labelling' means labelling as defined in point (j) of Article 2(2) of Regulation (EU) No 1169/2011;	(30) 'labelling' means **any words, particulars, trade marks, brand name, pictorial matter or symbol relating to a product and placed on any packaging, document, notice, label, ring or collar accompanying or referring to such product** ~~**labelling as defined in point (j) of Article 2(2) of Regulation (EU) No 1169/2011;**~~	Commission proposal unchanged	GA text preferred Not yet discussed
(31) 'advertising' means any presentation of organic products to the public, by any means other than a label, that is intended or is likely to influence and shape attitude, beliefs	(31) 'advertising' means any presentation of ~~**organic**~~ products to the public, by any means other than a label, that is intended or is likely to influence and shape attitude, beliefs	Commission proposal unchanged	GA text preferred Not yet discussed

and behaviours in order to promote directly or indirectly the sale of organic products;	and behaviours in order to promote directly or indirectly the sale of organic products;		
(32) 'competent authorities' means competent authorities as defined in point 5 of Article 2 of Regulation (EU) No XXX/XXXX [*Official controls Regulation*];	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed at T8
Amendment 91 Article 3 (33)			
(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];***	Commission proposal unchanged	(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***;	Keep COM text Agreed at T8 (withdrawal of AM 91)
Amendment 92 Article 3 (34)			
(34) 'control body' means ***a delegated body as defined in point***	Commission proposal unchanged	(34) 'control body' means ***an independent private or public third***	Keep COM text Agreed at T8 (withdrawal of AM

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;***		***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***;	92)
(35) 'non-compliance' means non-compliance with this Regulation;	Commission proposal unchanged	Commission proposal unchanged	Keep COM text Agreed at T8
Amendment 93 Article 3 (35) (a) (new)			
		(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;	Keep EP text Agreed at T8
Amendment 94 Article 3 (36)			
(36) 'genetically modified organism' means a genetically modified organism as defined in	Commission proposal unchanged	(36) 'genetically modified organism' means a genetically modified organism as defined in Directive	Not Acceptable Not yet discussed

point (2) of Article 2 of Directive 2001/18/EC of the European Parliament and of the Council[18] ***which is not obtained through the techniques of genetic modifications listed in Annex I.B to that Directive,*** hereinafter referred to as 'GMO';		2001/18/EC of the European Parliament and of the Council[19], hereinafter referred to as 'GMO';	
(37) 'produced from GMOs' means derived in whole or in part from GMOs but not containing or consisting of GMOs;	Commission proposal unchanged	Commission proposal unchanged	Not discussed
(38) 'produced by GMOs' means derived by using a GMO as the last living organism in the production process, but not containing or consisting of GMOs nor produced from GMOs;	Commission proposal unchanged	Commission proposal unchanged	Not discussed
(39) 'food additive' means a food additive as defined in point (a) of Article 3(2) of Regulation (EC) No 1333/2008 of the European Parliament and of the Council[20] ;	Commission proposal unchanged	Commission proposal unchanged	Not discussed

[18] 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).

[19] 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).

[20] Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives (OJ L 354, 31.12.2008, p. 16).

(40) 'feed additive' means a feed additive as defined in point (a) of Article 2(2) of Regulation (EC) No 1831/2003 of the European Parliament and of the Council[21];	Commission proposal unchanged	Commission proposal unchanged	Not discussed
Amendment 95 Article 3 (40) (a) (new)			
		(40a) 'engineered nanomaterial' means engineered nanomaterial as defined in point (t) of Article 2(2) of Regulation (EU) No1169/2011;	Not acceptable Not yet discussed
Amendment 96 Article 3 (41)			
(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;***	Commission proposal unchanged	(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;	Not acceptable Not yet discussed
	(41a) 'processing aid' means processing aid as defined in point (b) of Article 3(2) of Regulation (EC) No		GA text preferred Not yet discussed

[21] Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition (OJ L 268, 18.10.2003, p. 29).

	1333/2008;		
(42) 'food enzyme' means a food enzyme as defined in point (a) of Article 3(2) of Regulation (EC) No 1332/2008 of the European Parliament and of the Council[22];	Commission proposal unchanged	Commission proposal unchanged	Not discussed
Amendment 97 Article 3 (43)			
(43) 'ionising radiation' means ionising radiation as defined in Article 1 of Council Directive 96/29/Euratom[23].	Commission proposal unchanged	(43) 'ionising radiation' means ionising radiation as defined in Article 1 of Council Directive 96/29/Euratom[24] ***and as regulated by Directive 1999/2/EC of the European Parliament and of the Council[25];***	Not acceptable. Not yet discussed
	(43a) 'pre-packed food' means a pre-packed food as defined in Article 2(2)(e) of Regulation (EU) No 1169/2011 of the European	**Amendment 104 (Article 3 (43) (g) (new))** **(43g) 'pre-packed food' means a pre-packed food as defined in**	Keep GA text Agreed at T9

22 Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97 (OJ L 354, 31.12.2008, p. 7).

23 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).

24 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).

25 ***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.).***

	<u>Parliament and of the Council;</u>	**point (f) of Article 2(2) of Regulation (EU) No 1169/2011.**	
Amendment 98 Article 3 (43) (a) (new)			
		(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;	Acceptable Not yet discussed
Amendment 99 Article 3 (43) (b) (new)			
			AM 99 shifted to Art 3(6b) new CSL. location to be considered.
Amendment 100 Article 3 (43) (c) (new)			
		(43c) 'poultry house' means a covered, independent structure fitted out in such a way as to protect the animals housed within it from bad weather;	Not acceptable Not yet discussed
Amendment 101 Article 3 (43) (d) (new)			
		(43d) 'hydroponic production' means the method of growing	AM 101 withdrawn (definition stays in the Annex).

		plants with their roots in a mineral nutrient solution only or in an inert medium, such as perlite, gravel or mineral wool to which a nutrient solution is added;	
Amendment 102 Article 3 (43) (e) (new)			
		(43e) 'soil-bound crop cultivation' means production in living soil such as mineral soil mixed and/or fertilised with materials and products allowed in organic production, in connection with the subsoil and bedrock;	No agreement
Amendment 103 Article 3 (43) (f) (new)			
			AM 103 Shifted to Article 3(6a)new CSL. location to be considered.
			COM non paper on 23 / 05 (43i)new‘unprocessed products’: means unprocessed products as defined in point (n) of Article 2 (1) of Regulation (EC) No 852/2004 of the European Parliament and of the

			Council of 29 April 2004 on the hygiene of foodstuffs[26], irrespective of packaging or labelling operations; No agreement at T9. To be further discussed
			COM non paper on 23 / 05 43(j)new 'processed products': means processed products as defined in point (o) of Article 2 (1) of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs, irrespective of packaging or labelling operations.' COM non paper on 23 / 05, revised by the drafting group on 3 June 43(k)new 'processing' means any action as defined in point (m) of Article 2 (1) of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs[27], including the use of

[26] OJ L 139, 30.4.2004, p. 1.
[27] OJ L 139, 30.4.2004, p. 1.

			substances referred to in Article 19 of this Regulation. Packaging or labelling operations shall not be considered as processing; No agreement at T9. To be further discussed

ARTICLE 3a to 6a

Chapter II			
Amendment 105 Chapter II - title			
Principles ***of*** organic production	Commission proposal unchanged	***Objectives of, and*** principles ***for,*** organic production	**EP amendment:** **Objectives of, and principles for, organic production**
Amendment 106 Article 3 (a) (new)			
		Article 3a ***Objectives***	**Article 3a** **Objectives**
		In order to establish a sustainable management system for organic production, the following general objectives shall be pursued:	***Compromise proposal:*** **The organic production shall pursue the following general objectives:**
			- contribution to protection of the environment, the climate and [human health]; ***In line with AM 107.*** ***No agreement. Drafting group will prepare a text; To be further discussed***
		(a) respecting nature's systems and cycles and sustaining and enhancing the health of soil,	**Withdrawn** *(this amendment is covered by article*

		water, plants and animals and the balance between them;	*4(a))*
		(b) establishing appropriate management of biological processes based on ecological systems using natural resources which are internal to the system, by methods that:	**Withdrawn** *(this amendment is covered by article 4(e))*
		– maintain the long-term fertility of soils;	**Compromise proposal:** **- maintenance of the long-term fertility of soil**
		– contribute to a high level of biological diversity;	**Compromise proposal:** **– contribution *to a high level of biodiversity*;**
		– make a substantial contribution to a non-toxic environment;	**Compromise proposal:** ***– ~~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;	**Withdrawn** ***Covered by Art. 4(c)***
		– respect high animal welfare standards and, in particular, meet animals' species-specific behavioural needs.	**Compromise proposal based on AM 107 in Art 4:** **–contribution to ~~respect~~ *high animal welfare standards and, in particular, meet animals' species-specific behavioural needs.***

			- [encouragement of short distribution channels and local production in the various areas of the Union]; ***(in line with AM 107; art 4 (dc))*** ***To be further discussed***
			- encouragement of the preservation of rare and/or native breeds in danger of extinction ~~shall be encouraged.~~
Article 4			
General principles	Commission proposal unchanged	Commission proposal unchanged	**General principles**
Amendment 107 Article 4			
Organic production is a sustainable management system ***for agriculture*** that is based on the following general principles:	Organic production is a sustainable management system ~~**for agriculture**~~ that is based on the following general principles:	Organic production is a sustainable management system that is based on the following general principles:	**EP amendment:** **Organic production is a sustainable management system that is based on the following general principles:**
(a) ***respect for nature's systems and cycles and sustainment and enhancement of the state of soil, water, air and biodiversity, of the health of plants and animals and of the balance between them;***	(a) respect for nature's systems and cycles and sustainment and enhancement of the state of soil, water **and**~~,~~ air ~~**and biodiversity,**~~ of the health of plants and animals and of the balance between them;	(a) ***contribution to protection of the environment, the climate and human health;***	**Council G.A.:** **(a) respect for nature's systems and cycles and sustainment and enhancement of the state of soil, water and~~,~~ air ~~and biodiversity,~~ of the health of plants and animals and of the balance between them;**
(b) contribution to a high level of	~~Commission proposal unchanged~~	(b) contribution to a high level of	This text is moved to Art. 3a

biodiversity;		biodiversity;	
(c) responsible use of energy and natural resources, such as water, soil, organic matter and air;	Commission proposal unchanged	(c) responsible use of energy and natural resources, such as water, soil, organic matter and air;	**Commission proposal unchanged** **(c) responsible use of energy and natural resources, such as water, soil, organic matter and air;**
			(gb) production of a wide variety of high quality food and other agricultural *and aquacultural* products that respond to consumers' demand for goods produced by the use of processes that [do not harm/benefit] the environment, [human health], plant health or animal health and welfare; COM / CL against the term "benefit" To be further discussed (rational: part of AM 107-Art.4(da) is taken up)
			(to take into account part of AM 107-Art.4(db)) (gc) ensuring the [integrity] of organic production at all stages of production, processing and distribution of food and feed
(d) respect of high animal welfare standards and, in particular, fulfilment of animals' species-specific behavioural needs;	~~Commission proposal unchanged~~	(d) respect of high animal welfare standards and, in particular, fulfilment of animals' species-specific behavioural needs;	Partly acceptable and shifted to Art 3a (see compromise proposal)

			To be further discussed
		(da) production of a wide variety of foods and other agricultural and aquacultural products of high quality which benefits the environment, human health, plant health or animal health and welfare;	Partly acceptable (see compromise proposal in Art 4(gb)). To be further discussed after T2. Remaining issue: "benefit/do not harm" PRES/COM insist in keeping the term "do not harm" instead of "benefit". To be further discussed
		(db) ensuring the quality of organic products at all stages of production, processing and distribution;	Partly acceptable See compromise text in Art 4(gc) Remaining issue: "quality" versus "integrity" Keep integrity and delete quality; a drafting group will prepare a text regarding a definition of "integrity" To be further discussed
		(dc) encouragement of short distribution channels and local production in the various areas of the Union;	To be further discussed See Art 3a
(e) appropriate design and management of biological processes based on ecological systems using natural resources which are internal to the system by methods that:	Commission proposal unchanged	Commission proposal unchanged	(e) appropriate design and management of biological processes based on ecological systems using natural resources which are internal to

			the system by methods that
(i) use living organisms and mechanical production methods;	Commission proposal unchanged	Commission proposal unchanged	(i) use living organisms and mechanical production methods;
(ii) practice ***land-related*** crop cultivation and livestock production or ***practice a***quaculture which complies with the principle of sustainable ***exploitation of*** fisheries;	(ii) practice land-related crop cultivation and livestock production or practice aquaculture which complies with the principle of sustainable exploitation of ~~**fisheries**~~ **aquatic resources**;	(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:***	(ii) practice [***soil-bound***/land-related] crop cultivation and [***land-related***] livestock production or practice aquaculture which complies with the principle of sustainable exploitation of aquatic resources~~***sustainable fisherie***~~; **To be further discussed. In relation to the soil-bound/land-related issue, a drafting group will prepare a text for which EP will present a non-paper.**
		– soil protection and cover against wind and water erosion;	**Withdrawn** *This amendment is redundant with Art 5(a) of GA. Art 5(a) of GA is prefered as it it is more comprehensive*
		– protection of the quality of the water;	**Withdrawn** *This amendment is redundant with Art 5(a) of GA. Art 5(a) is much more detailed*
		– crop rotation, save in the case of permanent crops;	**Withdrawn** *This amendment is redundant as already covered by Art 5(d) of GA. Art*

			5(d) is much more detailed
		– use of seeds and animals with a high degree of genetic diversity, resistance against diseases and longevity;	**Acceptable but shifted to Art 5**
(iii) exclude the use of GMOs and products produced from or by GMOs with the exception of veterinary medicinal products;	Commission proposal unchanged	Commission proposal unchanged	(iii) exclude the use of GMOs and products produced from or by GMOs with the exception of veterinary medicinal products;
(iv) are based on the use of ***preventive*** measures, when appropriate;	(iv) are based on **risk assessment, and** the use **of precautionary ~~of~~ and** preventive measures, when appropriate;	(iv) are based on ***risk assessment as defined in Article 3 of Regulation (EC) No 178/2002 and*** the use of precautionary measures, when appropriate;	Compromise proposal: (iv) are based on risk assessment, and the use of precautionary measures and preventive measures, when appropriate;
(f) restriction of the use of external inputs. Where external inputs are required or the appropriate management practices and methods referred to in point (e) do not exist, these shall be limited to:	Commission proposal unchanged	Commission proposal unchanged	(f) restriction of the use of external inputs. Where external inputs are required or the appropriate management practices and methods referred to in point (e) do not exist, these shall be limited to:
(i) inputs from organic production;	Commission proposal unchanged	(i) inputs from organic production***; in the case of plant reproductive material, priority shall be given to varieties selected for their ability to meet the specific needs and objectives of organic farming where available;***	**Compromise proposal** **(i) inputs from organic production*; in the case of plant reproductive material, priority shall be given to varieties selected for their ability to meet the specific needs and objectives of organic farming;***

(ii) natural or naturally-derived substances;	Commission proposal unchanged	Commission proposal unchanged	(ii) natural or naturally-derived substances;
(iii) low solubility mineral fertilisers;	Commission proposal unchanged	Commission proposal unchanged	(iii) low solubility mineral fertilisers;
(g) adaptation, where necessary, and within the framework of this Regulation, of the production process, taking account of the sanitary status, regional differences in ecological balance, climate and local conditions, stages of development and specific husbandry practices.	Commission proposal unchanged	Commission proposal unchanged	(g) adaptation, where necessary, and within the framework of this Regulation, of the production process, taking account of the sanitary status, regional differences in ecological balance, climate and local conditions, stages of development and specific husbandry practices.
	(ga) exclusion of animal cloning, rearing artificially induced polyploid animals and ionising radiation from the whole organic food chain;		**Keep Council text** **(ga) exclusion of animal cloning, rearing artificially induced polyploid animals and ionising radiation from the whole organic food chain;**
	(gb) production of a wide variety of food and other agricultural products that respond to consumers' demand for goods produced by the use of processes that do not harm the environment, human health, plant health or animal health and welfare;		**See above Art. 4 (da)**
	(gc) ensuring the integrity of		**See above art. 4 db**

	organic production at all stages of production, processing and distribution of food and feed		
			Compromise proposal **(gb) observance of a high level of animal welfare respecting species-specific needs;** *(shifted from Art 5)*
Article 5			
Specific principles applicable to agricultural activities and aquaculture	Commission proposal unchanged	Commission proposal unchanged	**Specific principles applicable to agricultural activities and aquaculture**
In the framework of agricultural activities and aquaculture, organic production shall in particular be based on the following specific principles:	Commission proposal unchanged	Commission proposal unchanged	In the framework of agricultural activities and aquaculture, organic production shall in particular be based on the following specific principles:
(a) maintenance and enhancement of soil life and natural soil fertility, soil stability, soil water retention and soil biodiversity preventing and combating loss of soil organic matter, soil compaction and soil erosion, and the nourishing of plants primarily through the soil ecosystem;	Commission proposal unchanged	Commission proposal unchanged	(a) maintenance and enhancement of soil life and natural soil fertility, soil stability, soil water retention and soil biodiversity preventing and combating loss of soil organic matter, soil compaction and soil erosion, and the nourishing of plants primarily through the soil ecosystem

(b) limitation of the use of non-renewable resources and external inputs to a minimum;	Commission proposal unchanged	Commission proposal unchanged	(b) limitation of the use of non-renewable resources and external inputs to a minimum;
(c) recycling of wastes and by-products of plant and animal origin as input in plant and livestock production;	Commission proposal unchanged	Commission proposal unchanged	(c) recycling of wastes and by-products of plant and animal origin as input in plant and livestock production;
(d) maintenance of plant health by preventive measures, in particular the choice of appropriate species, varieties or heterogeneous material resistant to pests and diseases, appropriate crop rotations, mechanical and physical methods and protection of the natural enemies of pests;	(d) maintenance of plant health by preventive measures, in particular the choice of appropriate species, varieties or ~~**heterogeneous material**~~ **populations** resistant to pests and diseases, appropriate crop rotations, mechanical and physical methods and protection of the natural enemies of pests;	Commission proposal unchanged	(d) maintenance of plant health by preventive measures, in particular the choice of appropriate species, varieties or [***heterogeneous material*** / **populations**] resistant to pests and diseases, appropriate crop rotations, mechanical and physical methods and protection of the natural enemies of pests; To be further discussed in conjunction with Art 10 (conclusions from T3). This proposal takes into account AM 107-art 4e(ii), third indent, and AM 108-Art 5(da)(plant health)
			Compromise proposal (in line with AM 107, art 4e (ii) fourth indent) **– use of seeds and animals with a high degree of genetic diversity, resistance against diseases and longevity;**
Amendment 108			

Article 5 (d) (a) (new)			
		(da) sustaining the health of plants and animals;	**Withdrawn** as already covered by (d) and (e) of Art 5 of GA
(e) choice of breeds having regard to the capacity of animals to adapt to local conditions, their vitality and their resistance to disease or health problems; the practice of site-adapted and land-related livestock production; the application of animal husbandry practices, which enhance the immune system and strengthen the natural defence against diseases, in particular including regular exercise and access to open air areas and pastureland, where appropriate;	Commission proposal unchanged	Commission proposal unchanged	**Compromise proposal:** **(e) choice of breeds having regard to the capacity of animals to adapt to local conditions, their vitality and their resistance to disease or health problems; the practice of site-adapted and land-related livestock production; the application of animal husbandry practices, which enhance the immune system and strengthen the natural defence against diseases, in particular including regular exercise and access to open air areas and pastureland.**
(f) observance of a high level of animal welfare respecting species-specific needs;	Commission proposal unchanged	Commission proposal unchanged	**Acceptable, but shifted to Art 4 as art 4(gb).**
(g) feeding of livestock with organic feed composed of agricultural ingredients from organic production and of natural non-agricultural substances;	Commission proposal unchanged	Commission proposal unchanged	(g) feeding of livestock with organic feed composed of agricultural ingredients from organic production and of natural non-agricultural substances;
			(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; **AM 113 moved here.**
Amendment 109 Article 5 (h)			
(h) exclusion of ***genetic engineering***, animal cloning, ***artificially induced polyploidy and ionising radiation*** from the whole organic food chain;	**~~(h) exclusion of genetic engineering, animal cloning, artificially induced polyploidy and ionising radiation from the whole organic food chain;~~**	(h) exclusion of animal cloning from the whole organic food chain;	**Withdrawn, covered by GA, Art 4 (ga).**
Amendment 110 Article 5 (h) (a) (new)			
		(ha) exclusion of food containing or consisting of artificially engineered nanomaterials;	This amendment is shifted to Article 6, for further consideration. Council / COM against this amendment because difficult to enforce
Amendment 111 Article 5 (i)			
(i) continuing health of the aquatic environment and the quality of surrounding aquatic and terrestrial ecosystems;	Commission proposal unchanged	(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***	(i) continuing health of the aquatic environment and the quality of surrounding aquatic and terrestrial ecosystems;

		aquaculture production;	
(j) feeding of aquatic organisms with feed from sustainable exploitation of fisheries in accordance with Regulation (EU) No 1380/2013 or with organic feed composed of agricultural ingredients from organic production, including organic aquaculture, and of natural non-agricultural substances.	Commission proposal unchanged	Commission proposal unchanged	(j) feeding of aquatic organisms with feed from sustainable exploitation of fisheries in accordance with Regulation (EU) No 1380/2013 or with organic feed composed of agricultural ingredients from organic production, including organic aquaculture, and of natural non-agricultural substances.
			Compromise proposal (to take into account AM 359) agreed at T7 (k) avoiding any endangerment of species of conservation interest that might arise from organic production.
Amendment 112 Article (5) (j) (a) (new)			
		(ja) taking account of the local or regional ecological balance when taking production decisions;	**Withdrawn**
Amendment 113 Article 5 (j) (b) (new)			
		(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;	**Acceptable** **Shifted after Art 5(g)**

Amendment 114 Article 6 - title			
Specific principles applicable to the processing of organic food ***and feed***	Commission proposal unchanged	Specific principles applicable to the processing of organic food	**EP amendment:** **Specific principles applicable to the processing of organic food**
Amendment 115 Article 6			
Production of processed organic food ***and feed*** shall in particular be based on the following specific principles:	Commission proposal unchanged	Production of processed organic food shall**,** in particular**,** be based on the following specific principles:	**EP amendment:** **Production of processed organic food shall, in particular, be based on the following specific principles:**
(a) production of organic food from organic agricultural ingredients;	Commission proposal unchanged	(a) ***the*** production of organic food from organic agricultural ingredients***, except where an ingredient is not available as an organic product at a certain point in time. In such cases, non-organic ingredients may, exceptionally, be authorised by the competent authority of the Member State concerned. Such authorisation shall be notified to the Commission and published by the Commission in such a way as to make this information accessible***;	***(a) ~~the~~*** production of organic food from organic agricultural ingredients***, [except where an ingredient is not available as an organic product at a certain point in time. In such cases, non-organic ingredients may, exceptionally, be authorised by the competent authority of the Member State concerned. Such authorisation shall be notified to the Commission and published by the Commission in such a way as to make this information accessible***;] *To be further considered, in conjunction with art 19*

(b) production of organic feed from organic feed materials;	Commission proposal unchanged	***deleted***	~~***(b) production of organic feed from organic feed materials;***~~
(c) limitation of the use of food additives, of non-organic ingredients with mainly technological and sensory functions, and of micronutrients and processing aids, so that they are used to a minimum extent and only in cases of essential technological need or for particular nutritional purposes;	Commission proposal unchanged	***(b) restriction*** of the use of food additives, of non-organic ingredients with mainly technological and sensory functions, and of micronutrients and processing aids, so that they are used to a minimum extent and only in cases of essential technological need or for particular nutritional purposes;	**EP amendment:** ***(b) restriction*** **of the use of food additives, of non-organic ingredients with mainly technological and sensory functions, and of micronutrients and processing aids, so that they are used to a minimum extent and only in cases of essential technological need or for particular nutritional purposes;**
(d) limitation of the use of feed additives and processing aids to a minimum extent and only in cases of essential technological or zootechnical needs or for particular nutritional purposes;	Commission proposal unchanged	***deleted***	~~***(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;***~~ *Text on feed is taken in board in Art 6a (new)b, Amd. 116*
(e) exclusion of substances and processing methods that might be misleading as regards the true nature of the product;	Commission proposal unchanged	Commission proposal unchanged	***(e)*** exclusion of substances and processing methods that might be misleading as regards the true nature of the product
(f) processing of food ***or feed*** with care, preferably through the use of biological, mechanical and physical methods.	Commission proposal unchanged	***(d)*** processing of food with care, preferably through the use of biological, mechanical and physical methods.	***(d)*** processing of food with care, preferably through the use of biological, mechanical and physical methods.

			(ha) [exclusion of food containing or consisting of artificially engineered nanomaterials;] *(To be further considered, following conclusions of T3, see AM 110, shifted from Art 5(ha))*
Amendment 116 Article 6 (a) (new)			
		Article 6a ***Specific principles applicable to the processing of organic feed***	**Article 6a** **Specific principles applicable to the processing of organic feed**
		Production of processed organic feed shall, in particular, be based on the following specific principles:	**Production of processed organic feed shall, in particular, be based on the following specific principles:**
		(a) the production of organic feed from organic feed materials;	**(a) production of organic feed from organic feed materials;**
		(b) restriction of the use of feed additives and processing aids, and authorisation of the use of such additives and aids only in cases of essential technological or zootechnical needs or for particular nutritional purposes;	**(b) restriction of the use of feed additives and processing aids to a minimum extent, and only in cases of essential technological or zootechnical needs or for particular nutritional purposes;**
		(c) exclusion of substances and processing methods that might be misleading as regards the true	**(c) exclusion of substances and processing methods that might be misleading as regards the true**

		nature of the product concerned;	**nature of the product;**
		(d) processing of feed with care, preferably through the use of biological, mechanical and physical methods.	**(d) processing of feed with care, preferably through the use of biological, mechanical and physical methods.**

ANNEX I			
OTHER PRODUCTS REFERRED TO IN ARTICLE 2(1)	Commission proposal unchanged	Commission proposal unchanged	**OTHER PRODUCTS REFERRED TO IN ARTICLE 2(1)**
Amendment 255 Annex I - indent 1			
- yeasts used as food or feed,	Commission proposal unchanged	***deleted***	**- yeasts used as food or feed,**
Amendment 256 Annex I - indent 2			
- beer,	~~**beer,**~~	***deleted***	***Deleted***
- maté,	~~**maté,**~~		*(PM: In GA, maté is added to the category containing sweetcorn, vine leaves and other edible parts of plants…)*
	– **maté, sweetcorn, vine leaves, palm hearts, hop shoots, and other similar edible parts of plants and products produced therefrom;**		**maté, sweetcorn, vine leaves, palm hearts, hop shoots, and other similar edible parts of plants and products produced therefrom;**
Amendment 257 Annex I - indent 4			
- 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	~~**extracts, essences and concentrates of coffee, tea and maté and preparations with a basis of those products or with a basis of coffee, tea and maté; roasted**~~	***deleted***	***Deleted***

chicory and other roasted coffee subsitutes, and extracts, essences and concentrates thereof,	***~~chicory and other roasted coffee subsitutes, and extracts, essences and concentrates thereof,~~***		
Amendment 258 Annex I - indent 5			
- fruit nectars,	***~~fruit nectars,~~***	***deleted***	***Deleted***
Amendment 259 Annex I - indent 6			
- cocao paste, butter, fat, oil and powder; chocolate, and other food preparations containing cocoa,	***~~cocao paste, butter, fat, oil and powder; chocolate, and other food preparations containing cocoa,~~***	***deleted***	***~~- cocao paste, butter, fat, oil and powder; chocolate, and other food preparations containing cocoa,~~***
Amendment 260 Annex I - indent 7			
- sugar confectionery,	***~~sugar confectionery,~~***	***deleted***	***Deleted***
Amendment 261 Annex I - indent 8			
- preparations of cereals, flour, starch or milk; pastrycooks' products,	***~~preparations of cereals, flour, starch or milk; pastrycooks' products,~~***	***deleted***	***Deleted***
Amendment 262 Annex I - indent 9			
- soups,	***~~soups,~~***	***deleted***	***Deleted***

Amendment 263 Annex I - indent 10			
- sauces,	~~**sauces,**~~	***deleted***	***Deleted***
Amendment 264 Annex I - indent 11			
- cooked meals,	~~**cooked meals,**~~	***deleted***	***Deleted***
Amendment 265 Annex I - indent 12			
- ice cream,	~~**ice cream,**~~	***deleted***	***Deleted***
Amendment 266 Annex I - indent 13			
- flavoured yoghurts, yoghurts containing added fruits, nuts or cocoa,	~~**flavoured yoghurts, yoghurts containing added fruits, nuts or cocoa,**~~	***deleted***	***Deleted***
Amendment267 Annex I - indent 14			
- ***sea*** salt,	– sea salt **and other salts for food and feed,**	– salt,	**Council G.A.:** **sea salt and other salts for food and feed,**
	– **silkworm cocoon suitable for reeling**		**Council G.A.:** **silkworm cocoon suitable for reeling**
Amendment 268			

Annex I - indent 15			
- natural gums ***and resins,***	Commission proposal unchanged	– natural gums,	- **natural gums *and resins,***
Amendment 269 Annex I - indent 15 (a) (new)			
- pollen,	~~**pollen,**~~	Commission proposal unchanged	**deleted**
- beeswax,	Commission proposal unchanged	Commission proposal unchanged	**- beeswax,**
- essential oils,	Commission proposal unchanged	Commission proposal unchanged	**- essential oils,**
	– **cork stoppers of natural cork, not agglomerated and without any binding substances,**	***– natural corks, non-agglomerated and without binders,***	**Council G.A.:** **cork stoppers of natural cork, not agglomerated and without any binding substances,**
Amendment 270 Annex I - indent 19			
- spirit drinks, provided that the ethyl alcohol used for the production of the spirit drinks is exclusively of agricultural origin.	~~**spirit drinks, provided that the ethyl alcohol used for the production of the spirit drinks is exclusively of agricultural origin.**~~	***deleted***	***Deleted***
Amendment 271 Annex I - indent 19 (a) (new)			
		– aromatised wine products as	**Withdrawn**

		defined in Council Regulation (EU) No 251/2014[28].	
Amendment 272 Annex I - indent 19 (b) (new)			
	- cotton, not carded or combed,	***– uncarded and uncombed cotton,***	**Council G.A.:** **cotton, not carded or combed,**
Amendment 273 Annex I - indent 19 (c) (new)			
	- wool, not carded or combed,	***– uncarded and uncombed wools,***	**Council G.A.:** **wool, not carded or combed,**
Amendment 274 Annex I - indent 19 (d) (new)			
	- raw hides and untreated skins.	***– raw hides and unprocessed skins,***	**Council G.A.:** **raw hides and untreated skins.**
Amendment 275 Annex I - indent 19 (e) (new)			
		– plant-based raw materials for traditional herbal medicinal products.	**- Plant based traditional herbal preparations**

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

BLOCK 2

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal/ Work in progress
Chapter III			
Production rules	Commission proposal unchanged	Commission proposal unchanged	**Production rules**
Article 7			
General production rules	Commission proposal unchanged	Commission proposal unchanged	**General production rules**
1. Operators shall comply with the following general production rules:	Commission proposal unchanged	Commission proposal unchanged	1. Operators shall comply with the following general production rules:
Amendment 117 Article 7 (1) (a)			
(a) the entire agricultural holding or aquaculture operation shall be managed in compliance with ***the requirements applicable to organic production;***	(a) the entire agricultural **or aquaculture** 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***;	(a) the entire ~~**agricultural or aquaculture**~~ holding ~~**or aquaculture operation**~~ shall be managed in compliance with the requirements applicable to organic production. Agreed at T5
Amendment 118 Article 7 (1) (b)			
(b) ***save as otherwise provided*** in point 2.2 of Part IV and point 1.3 of Part VI of	(b) **for the purposes mentioned in Article 19 and in** ~~**save as otherwise**~~	(b) only products and substances authorised pursuant to point 2.2 of Part IV and point 1.3 of Part VI of	COM proposal (NP 9/02): [(b) - for the purposes mentioned in Article 19 and in point 2.2 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;	~~**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 **these provisions** ~~**Article 19**~~ may be used in organic agriculture and aquaculture, provided that the product or substance in question has been authorised for use in agriculture and aquaculture, in accordance with the relevant provisions of Union law and, where necessary, in the Member States concerned, in accordance with national provisions based on Union law; **the use of products and substances used for other purposes than those mentioned in Article 19 and point 2.2 of Part IV and point 1.3 of Part VI of Annex II are allowed provided that their use respects the principles laid down in Chapter II.**	Annex II ***for the purposes mentioned in Article 19*** may be used in organic agriculture and aquaculture, provided that the product or substance in question has been authorised for use in agriculture and aquaculture, in accordance with the relevant provisions of Union law and, where necessary, in the Member States concerned, in accordance with national provisions based on Union law; ***the use of products and substances used for purposes other than those mentioned in Article 19 and authorised pursuant to point 2.2 of Part IV and point 1.3 of Part VI of Annex II shall be allowed provided that their use respects the principles laid down in Chapter II***;	Part IV and point 1.3 of Part VI of Annex II, only products and substances authorised pursuant **to these provisions** may be used in organic agriculture and aquaculture, provided that the product or substance in question has been authorised for use in agriculture and aquaculture, in accordance with the relevant provisions of Union law and, where necessary, in the Member States concerned, in accordance with national provisions based on Union law**; the use of products and substances used for other purposes than those mentioned in Article 19 and** *in* **point 2.2 of Part IV and point 1.3 of Part VI of Annex II** *shall be* **allowed provided that their use respects the principles laid down in Chapter II**.] Postponed. To be seen in conjunction with article 13 and 19
(c) the use of ionising radiation for the treatment of organic food or feed, or of raw	Commission proposal unchanged	Commission proposal unchanged	(c) the use of ionising radiation for the treatment of organic food or feed, or of raw materials used in organic food or feed shall be

materials used in organic food or feed shall be prohibited;			prohibited;
Amendment 119 Article 7 (1) (c) (a) (new)			
	(ca) the use of animal cloning and the rearing of artificially induced polyploid animals is prohibited;	***(ca) the use of animal cloning and the rearing of artificially induced polyploid animals is prohibited;***	**(ca) the use of animal cloning and the rearing of artificially induced polyploid animals is prohibited;**
• Amendment 120 Article 7 (1) (c) (b) (new)			
	(cb) preventive measures shall be taken as appropriate at all stages of production, preparation and distribution	***(cb) preventive measures shall be taken as appropriate at all stages of production, preparation and distribution;***	**(cb) preventive and precautionary measures shall be taken, as appropriate, at all stages of production, preparation and distribution;**
Amendment 121 Article 7 (1) (d)			
(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***	~~**(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**~~	(d) organic operators other than micro-enterprises, farmers***, beekeepers, retailers,*** and operators producing ***algae*** or aquaculture animals, shall ***improve their environmental performance so as to protect biodiversity and to contribute to climate change mitigation by means such as***	(d) [organic operators other than micro-enterprises, farmers and operators producing algae or aquaculture animals, shall improve their environmental performance as regards biodiversity and use of natural resources and energy, by establishing performance targets.]

environmental performance.	~~**environmental performance.**~~	***carbon sequestration, establishing performance targets***.	No agreement at T5
Amendment 122 Article 7 (2)			
2. In order to ensure the correct application of the general production rules, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 ***providing*** the criteria to which the environmental ***management system*** referred to in point (d) of paragraph 1 ***is*** to correspond. Those criteria shall take into account the specificities of small ***and medium size*** enterprises.	**2.** ~~**In order to ensure the correct application of the general production rules, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing the criteria to which the environmental management system referred to in point (d) of paragraph 1 is to correspond. Those criteria shall take into account the specificities of small and medium size enterprises**~~	2. In order to ensure the correct application of the general production rules, the Commission shall be empowered to adopt delegated acts in accordance with Article 36***, based on the principles set out in Chapter II, laying down*** the criteria to which the ***requirements for*** environmental ***performance measures taken in organic operations as*** referred to in point (d) of paragraph 1 ***are*** to correspond. Those criteria shall take into account the specificities of small and ***medium-sized*** enterprises.	COM proposal (NP 9/02): [2. In order to ensure the correct application of the general production rules, the Commission shall be empowered to adopt delegated acts in accordance with Article 36, based on the principles set out in Chapter II, providing the criteria to be used by operators to establish environmental performance targets as referred to in point (f) of paragraph 1 . Those criteria shall take into account the specificities of small and medium size enterprises.] No agreement at T5
	1a. By way of derogation from paragraph 1 (a), a holding may be split into clearly and effectively separated units or aquaculture production sites which are not all managed under organic production, provided		**3. Notwithstanding paragraph 1 (a), a holding may be split into clearly and effectively separated organic, in-conversion and non-organic production units, provided that for the non-organic production units:**

	that:		
	(i) as regards livestock, different species shall be involved;		**(i) as regards livestock, different species are involved;**
	(ii) as regards plants, different varieties that can be easily differentiated shall be involved.		**(ii) as regards plants, different varieties that can be easily differentiated are involved.**
	As regards aquaculture, the same species may be involved, provided that there is a clear and effective separation between the production sites.	**See AM 123 (art 7a(1)(d))**	(iii) as regards algae and aquacultural animals, different species are involved Agreed at T5. PRES needs to consult SCA on this point.
		See AM 277	**By way of derogation to point (ii), in the case of perennial crops which require a cultivation period of at least three years, different varieties that cannot be easily differentiated or the same varieties may be involved provided that the production in question forms part of a conversion plan approved by the competent authority and that the conversion to organic production of the last part of the area related to the production in question begins within the shortest**

			possible period and, in any event, is completed within a maximum of five years. **In such cases:** **(a) the competent authority shall be notified of the harvest of each of the products concerned at least 48 hours in advance;** **(b) upon completion of the harvest, the producer shall inform the competent authority of the exact quantities harvested on the units concerned and of the measures applied to separate the products;** **(c) the conversion plan and the measures to ensure the effective and clear separation shall be approved by the competent authority; this approval shall be confirmed each year by the competent authority after the start of the conversion plan.**
	In case of research and educational centers, nurseries, seed multipliers, hatcheries in the	**See AM 123 (art 7a.1 last para)**	COM proposal (NP 9/02): By way of derogation to points (i) and (ii) and (iii), in the case of

	framework of aquaculture and algae production and breeding operations, the requirements concerning different species and varieties referred to in points (i) and (ii) shall not apply.		research and educational centers, nurseries, seed multipliers, hatcheries in the framework of aquaculture and algae production and breeding operations, the requirements concerning different species and varieties shall not apply.Agreed at T5.
	1b. In the case referred to in paragraph 1a, the operator shall keep the organic production and the products used for this organic production separate from the non-organic production and the products used for the non organic production. The operator shall keep adequate records to show the effective separation.		**4. Where, in the cases referred to in paragraph 3, not all production units of a holding are managed under organic production rules, the farmers and operators shall keep the products used for the organic and in-conversion production units separate from those used for the non-organic production units. Farmers and operators shall keep separate the products produced by the organic, in-conversion and non-organic production units.** **Farmers and operators shall keep adequate records to show the effective separationof the production units and of the products.**
	The Commission shall, by way of implementing acts, lay down more specific rules on the application of paragraphs 1a and		[5. The Commission shall, where appropriate, adopt implementing acts laying down more specific rules on the application of

	1b.		paragraphs 3 and 4.] No agreement at T5.
	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).		COM proposal (NP 9/02): [Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).] No agreement at T5.
			COM proposal (NP 9/02): [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 paragraph 3 in particular as regards products listed in Annex I to this Regulation.] No agreement at T5.
Amendment 123 Article 7 (a) (new)			
		Article 7a ***Derogation from general***	**Withdrawn**

		production rules	
		1. By way of derogation from point (a) of Article 7(1), a holding may be separated into clearly distinct production units which are either in compliance with this Regulation or dedicated to non-organic production, provided that:	**Withdrawn**
		(a) appropriate measures have been taken to ensure the permanent separation of products obtained from each unit concerned;	**Withdrawn**
		(b) as regards livestock, different species are involved and feed and stables are clearly separated;	**Withdrawn**
		(c) as regards plants, cultivated land is clearly separated, different crops and easily distinguishable varieties are produced and harvests are separately stored and processed;	**Withdrawn**
		(d) as regards aquaculture, production sites, feed and species are clearly separated;	**Withdrawn**
		(e) as regards perennial crops which have been cultivated over a period of at least three years, varieties which cannot be easily	**Withdrawn**

		differentiated shall be accepted if they are being produced under a conversion plan not exceeding five years in duration and are subject to specific control procedures.	
		In the case of research and educational centres, nurseries, seed multipliers, hatcheries for aquaculture and algae production and breeding operations, the requirements concerning different species and varieties referred to in points (a) and (e) of the first subparagraph shall not apply.	**Withdrawn**
		2. An agricultural holding or aquaculture operation which includes organic and non-organic units may establish a conversion plan for the non-organic part of production to be implemented within a period of time which allows the holding to adapt to the requirements of this Regulation.	**Withdrawn**
		3. The derogation set out in paragraph 1 shall not apply to units producing products which are not covered by the scope of this Regulation or products for which detailed requirements have not yet been developed.	**Withdrawn**

Article 8			
Conversion	Commission proposal unchanged	Commission proposal unchanged	**Conversion**
Amendment 124 Article 8 (1)			
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.	1. Farmers and operators producing ~~**seaweed**~~ **algae** 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 **relevant** ~~**specific**~~ rules on conversion set out in Annex II.	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.	1.Farmers and operators producing algae or aquaculture animals shall respect a conversion period. During the whole conversion period they shall apply **all** rules on organic production laid down in this Regulation and, in particular, the relevant rules on conversion set out in this Article and in Annex II. Agreed at T5 EP would like to introduce "beekeepers" as, in its view, beekeepers are not covered by farmers COM comment: "Beekeeping is generally considered under the Common Agricutural Policy (CAP) as an "agricultural activity". Therefore, they are covered by the definition of farmers laid down in Art. 3 point (8). Not considering beekeepers as "farmers" would be inconsistent with CAP legislation.

			Such a deviation specifically for organic production seems also unnecessary as all rules for farmers laid down in this Regulation should also apply to beekeepers. Therefore, there is no need to "single out" beekeepers. The purpose of laying down definitions in this regulation is to lay down the meaning **for this Regulation**. This does not mean that beekeepers have to consider themselves as farmers. It just means that the rules for farmers laid down in this Regulation apply also to beekeepers."
Amendment 125 Article 8 (2) (1) (a) (new)			
2. The conversion period shall start at the earliest when the farmer or the operator producing ***seaweed*** or aquaculture animals has notified his activity to the competent authorities in accordance with this Regulation.	2. The conversion period shall start at the earliest when the farmer or the operator producing ~~**seaweed**~~ **algae** or aquaculture animals has notified his activity to the competent authorities ~~**in accordance**~~ **as referred to in article 24(1) and his holding is submitted to the organic certification and control system.** ~~**with this Regulation.**~~	2. The conversion period shall start at the earliest when the farmer or the operator producing ***algae*** or aquaculture animals has ***subjected his holding to the certification and control system and*** notified his activity to the competent authorities in accordance with this Regulation.	2. The conversion period shall start at the earliest when the farmer or the operator producing **algae** or aquaculture animals has notified his activity to the competent authorities as referred to in article 24(1) and his holding is submitted to the organic certification and control system. Agreed at T5 EP would like to introduce "beekeepers" as, in its view,

			beekeepers are not covered by farmers See COM comment above (on AM 124)
		The competent authority may decide to recognise retroactively as being part of the conversion period any previous period during which:	[Withdrawn, to be seen in conjunction with the proposal on AM 126]
		(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	[Withdrawn, to be seen in conjunction with the proposal on AM 126]
		(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.	[Withdrawn, to be seen in conjunction with the proposal on AM 126]
		The conversion period may be reduced to one year for pasture and open air areas used by non-herbivore species. This period may	[Withdrawn, to be seen in conjunction with the proposal on AM 126]

		be reduced to six months where the land concerned has not during the last year received any treatment with products not authorised for organic production.	
(2a) By way of derogation from paragraph 2, in cases where the land has been left fallow before the notification referred to in Article 24(1) for at least the time period required for conversion and provided that other necessary requirements are fulfilled, no conversion period shall be necessary for this fallow land	~~**2a By way of derogation from paragraph 2, in cases where the land has been left fallow before the notification referred to in Article 24(1) for at least the time period required for conversion and provided that other necessary requirements are fulfilled, no conversion period shall be necessary for this fallow land.**~~	Commission proposal unchanged	Deleted
Amendment 126 Article 8 (3)			
3. No previous period may be recognised retroactively as being part of the conversion period.	3. No previous **retroactive** period may be ~~**recognised retroactively as being**~~ part of the conversion period~~.~~**, except where:**	***deleted***	3. No previous period may be recognised retroactively as being part of the conversion period except where:
	(a) the land parcels were subject of measures defined in a programme implemented pursuant to Regulation (EU) No 1305/2013 provided that these measures ensure that		**(a) the land parcels were subject of measures defined in a programme implemented pursuant to Regulation (EU) No 1305/2013 provided that these measures ensure that products or substances not authorised for**

	products or substances not authorised for organic production have not been used on those land parcels; or		**organic production have not been used on those land parcels; or**
	(b) proof can be provided by the operator that the land parcels were natural or agricultural areas which were not treated with products or substances not authorised for organic production for a period of at least three years.		**(b) proof can be provided by the operator that the land parcels were natural or agricultural areas which were not treated with products or substances not authorised for organic production for a period of at least three years.**
	3a. The operator shall keep the organic products separate from the in-conversion products and shall keep adequate records to show the effective separation.		**Deleted**
Amendment 127 Article 8 (4)			
4. Products produced during the conversion period shall not be marketed as organic.	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.	4. Products produced during the conversion period shall not be marketed as organic or as in-conversion products.
	Products of plant origin produced during the conversion	**Plant products harvested 12 months after the start of the**	***However, feed products of plant origin produced during the***

	period and in compliance with paragraph 1 may be marketed as in-conversion products provided a conversion period of at least 12 months before the harvest has been complied with and the product contains only one crop ingredient of agricultural origin.	**conversion period may be marked as conversion products, provided that such products contain only one crop ingredient of agricultural origin.**	***conversion period and in compliance with paragraph 1 may be marketed as in-conversion products provided that a conversion period of at least 12 months before the harvest has been complied with.*** ***~~and that the product contains [only one crop ingredient] of agricultural origin.]~~*** Agreed at T5. PRES needs to consult SCA on this point
Amendment 128 Article 8 (5)			
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	***~~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~~***	***deleted***	Deleted

sites. As regards plants, different varieties that can easily be distinguished shall be involved in organic production during the conversion period.	~~**between the production sites. As regards plants, different varieties that can easily be distinguished shall be involved in organic production during the conversion period.**~~		
Amendment 129 Article 8 (6)			
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 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.	COM proposal (NP 9/02) [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.] Not acceptable for PRES (IA issue) No agreement at T5
	The Commission shall, where appropriate, adopt implementing acts laying down specific rules regarding the documents to be		IA issue Not yet discussed in trilogue

	supplied in view of the recognition of previous retroactive period, as referred to in Article 8.3 (a) and (b).		
	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).		IA issue Not yet discussed in trilogue
Article 9			
Prohibition of the use of GMOs	Commission proposal unchanged	Commission proposal unchanged	**Prohibition of the use of GMOs**
1. GMOs and products produced from or by GMOs shall not be used in food or feed or as food, feed, processing aids, plant protection products, fertilisers, soil conditioners, plant reproductive material, micro-organisms and animals in organic production.	Commission proposal unchanged	Commission proposal unchanged	1. GMOs and products produced from or by GMOs shall not be used in food or feed or as food, feed, processing aids, plant protection products, fertilisers, soil conditioners, plant reproductive material, micro-organisms and animals in organic production.
Amendment 130 Article 9 (2)			
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	Commission proposal unchanged	2. For the purposes of ***the prohibition laid down 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,	**2. For the purposes of the prohibition laid down in 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**

2001/18/EC, Regulation (EC) No 1829/2003 of the European Parliament and of the Council[29] or Regulation (EC) No 1830/2003 of the European Parliament and of the Council[30].		affixed or provided pursuant to Directive 2001/18/EC, Regulation (EC) No 1829/2003 of the European Parliament and of the Council[31] or Regulation (EC) No 1830/2003 of the European Parliament and of the Council[32].	**accompanying document, affixed or provided pursuant to Directive 2001/18/EC, Regulation (EC) No 1829/2003 of the European Parliament and of the Council[33] or Regulation (EC) No 1830/2003 of the European Parliament and of the Council[34].**
3. Operators may assume that no GMOs or products produced from or by GMOs have been used in the manufacture of purchased food and feed when such products are not labelled, or accompanied by a document, pursuant to the Regulations referred to in paragraph	Commission proposal unchanged	Commission proposal unchanged	3. Operators may assume that no GMOs or products produced from or by GMOs have been used in the manufacture of purchased food and feed when such products are not labelled, or accompanied by a document, pursuant to the Regulations referred to in

[29] 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).

[30] 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).

[31] 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).

[32] 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).

[33] 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).

[34] 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).

2, unless they have obtained other information indicating that the labelling of the products concerned is not in conformity with those Regulations.			paragraph 2, unless they have obtained other information indicating that the labelling of the products concerned is not in conformity with those Regulations.
Amendment 131 Article 9 (3) (1) (a) (new)			
	3a. For the purpose of the prohibition referred to in paragraph 1, with regard to products not being food or feed, or products produced 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.	***For the purposes of the prohibition laid down in paragraph 1, with regard to products which are not food or feed, or products produced from or by GMOs, operators using such non-organic products purchased from third parties shall require the vendor to confirm that the products supplied have not been produced from or by GMOs.***	**4. For the purpose of the prohibition laid down in paragraph 1, with regard to products not covered by the provisions of paragraphs 2 and 3, operators using 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.**
Amendment 251 Article 39			
Article 39	~~***Article* 39**~~	***deleted***	Deleted
Transitional measures relating to conversion to organic farming	~~**Transitional measures relating to conversion to organic farming**~~	***deleted***	Deleted
In order to ensure a smooth transition from the old to the new	~~**In order to ensure a smooth transition from the old to the new**~~	***deleted***	Deleted

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

BLOCK 6

Commission proposal	Council General Approach	COMAGRI Vote	Compromise proposal / Work in progress
Article 27			
Amendment 230 Article 27			
Export of organic products	Commission proposal unchanged	***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.***	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.~~**	***deleted***	**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.**
2. In order to avoid creating unequal conditions for operators when exporting to third countries, the Commission shall be empowered to adopt delegated acts	**~~2. In order to avoid creating unequal conditions for operators when exporting to third countries, the Commission shall be empowered to adopt delegated~~**	***deleted***	**Deleted**

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.	~~**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.	3. ~~**In order to ensure fair competition among operators,**~~ **T**~~**t**~~he Commission ~~**shall be empowered to**~~ **may** adopt ~~**delegated**~~ **implementing** acts ~~**in accordance with Article 36**~~ **laying down specific details** 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.	***deleted***	**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.**
	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).		
Article 28			
Import of organic products	Commission proposal unchanged	Commission proposal unchanged	**Import of organic products**
Amendment 231 Article 28 (1)			

1. A product may be imported from a third country in order to be placed on the market within the Union as organic if the following conditions are met:	1. A product may be imported from a third country in order to be placed on the market within the Union as organic **or as in conversion** if the following conditions are met:	1. A product may be imported from a third country in order to be placed on the market within the Union as organic ***or as a plant product in conversion*** if the following conditions are met:	EP amendment: **1. A product may be imported from a third country in order to be placed on the market within the Union as organic or as a plant product in conversion if the following conditions are met:**
(a) the product is an organic product as referred to in Article 2(1);	(a) the product is a~~n~~ ~~organic~~ product as referred to in Article 2(1);	(a) the product is an organic product as referred to in Article 2(1);	**Council G.A.:** **(a) the product is a product as referred to in Article 2(1);**
(b) the product:	Commission proposal unchanged	(b) the product:	(b) the product:
(i) complies with Chapters II, III and IV and all operators, including ***the*** exporters in the third country concerned, have been subject to the control of control authorities or control bodies recognised in accordance with Article 29; or	(i) complies with Chapters II, III and IV and all operators, **and group of operators** including the exporters in the third country concerned, have been subject to the control of control authorities or control bodies recognised in accordance with Article 29 **and are provided by these authorities or bodies with a certificate confirming that all operators or groups of operators are in compliance with this Regulation**; or	(i) complies with Chapters II, III and IV ***and with all relevant implementing rules*** and all operators, including ***groups of operators, and*** exporters in the third country concerned, have been subject to the control of control authorities or control bodies recognised in accordance with Article 29 ***and the product, upon being imported, is provided by those authorities or control bodies with a certificate of inspection confirming that all operators and their products are in compliance with this Regulation***; or	**Council G.A.:** **(i) complies with Chapters II, III and IV and all operators, and groups of operators including the exporters in the third country concerned, have been subject to the control of control authorities or control bodies recognised in accordance with Article 29 and are provided by these authorities or bodies with a certificate confirming that all operators or groups of operators are in compliance with this Regulation; or**

(ii) comes from a third country which is recognised in accordance with:	(ii) comes from a third country which is recognised in accordance with**: Article 30; or** Article 31**;.and complies with the equivalent production and control rules of that third country and is imported with a certificate of inspection issued by the competent authorities, control authorities or control bodies of that third country confirming this compliance; or**	(ii) comes from a third country which is recognised in accordance with:	**Council G.A.:** **(ii) comes from a third country which is recognised in accordance with Article 31 and complies with the equivalent production and control rules of that third country and is imported with a certificate of inspection issued by the competent authorities, control authorities or control bodies of that third country confirming this compliance; or**
- Article 30; or		– Article 30; or	**Deleted**
- Article 31;		– Article 31;	**Deleted**
	(iia) comes from a third country which is recognised in accordance with Article 30 and complies with the conditions laid down in the relevant trade agreement;		**Council G.A.:** **(iia) comes from a third country which is recognised in accordance with Article 30 and complies with the conditions laid down in the relevant trade agreement;**
(c) the ***operators*** in third countries are able to provide at any time, to the importers ***or*** the national authorities information ***allowing the***	(c) the operators in third countries are able to provide at any time, to the importers or the national authorities	(c) the ***exporters*** in third countries are able to provide at any time, to ***their control bodies,*** the importers ***and*** the national authorities,	[(c) the ~~**exporters**~~ operators in third countries are able to provide at any time, *to**~~their control bodies~~*** the importers ***and*** the national

identification of the operator who carried out the last operation with a view to ensuring the traceability of the organic product.	information allowing the identification of the operator who carried out the last operation **and his control authority or control body** with a view to ensuring the traceability of the organic product. **This information shall be made available also to the control bodies or the control authorities of the importers.**	information ***enabling all operators*** who carried out ***operations to be identified, including the respective control authority or control body***, with a view to ensuring the traceability of the organic product ***back to all operators involved. The exporters shall make such information available to the control bodies or control authorities of the importers***.	authorities, information ***enabling*** ~~***all operators***~~the identification of the operators that are their suppliers ~~who carried out operations ***to be identified, including the***~~ ***and*** ~~***respective***~~***control authorities or control bodies*** of those suppliers, with a view to ensuring the traceability of the organic product ***concerned***. ***That*** **information shall *also* be made available** ~~***also***~~ **to the control bodies or the control authorities of the importers**.] Alternative text from EP non paper (17/02) c) ***Each*** operator in ***a*** third ***country shall be*** able to provide at any time, ***to the importers in the Union and to the national authority in the exporting third country, information*** ~~***allowing the identification of the operator who carried the last operation***~~ ***enabling the operators which are their suppliers and the control authority or control body in the third country to be identified,*** with a view to ensuring the traceability of the organic product ***concerned. That information shall also be***

			made available to the control bodies or the control authorities of the importing Union Member State. Legal checking needed in a drafting group especially with respect to "national authority of exporting third country" and "the control authorities of the importing Union Member State"
		After (a date, to be inserted which corresponds to 5 years following the date of application of this Regulation), by way of derogation from point (b)(i) of the first subparagraph, when a product cannot comply with Chapters II, III and IV in a given third country because of specific climate and local conditions, and in order to avoid a supply disruption of the internal market for that specific product, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down specific conditions according to which the product may be imported from the third country in order to be placed on	*[(ca) From [a date to be inserted which corresponds to 5 years following the date of application of this Regulation], the Commission may in accordance with Article 19(5) [PM: IA/DA to be decided] grant specific authorisations for the use of products and substances in third countries and Outermost regions of the Union, taking into account differences in the ecological balance in plant or animal production, specific climatic conditions, and traditional and local conditions in these areas. Such specific authorisations may be granted for a renewable period of two years and shall be subject to the principles laid down in Chapter*

		the market within the Union as an organic product. Such specific conditions shall apply for a maximum of (2) years. Such specific conditions shall also apply from ...(the date of application of this Regulation) to the outermost regions of the Union where the product concerned is also produced.	*II and to the criteria of Article 19 (2) and (3).* *When providing for the criteria to qualify as catastrophic circumstances and laying down specific rules on how to deal with them in accordance with Article 17; the Commission shall also take into account differences in the ecological balance, climate and local conditions in third countries and Outermost regions of the Union,]*
Amendment 232 Article 28 (2)			
2. In order to ensure the traceability of the imported products intended to be placed on the market within the Union as organic, ***the Commission shall be empowered to adopt delegated acts in accordance with Article 36*** concerning ***documents, issued in electronic form wherever possible, that are necessary for the purposes of import.***	2. ~~**In order to ensure the traceability of the imported products intended to be placed on the market within the Union as organic, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning documents, issued in electronic form wherever possible, that are necessary for the purposes of import.**~~ **The traceability of imported products intended to be placed on the**	2. In order to ensure the traceability of the imported products intended to be placed on the market within the Union as organic ***and their compliance with this Regulation, the Commission shall adopt implementing acts laying down specific rules for the content of the certificates referred to in paragraph 1 and the procedure to be followed for the establishment and control of those certificates, in particular*** concerning ***the role of***	2. **The traceability of imported products intended to be placed on the market within the Union as organic and their compliance with this Regulation have to be ensured. The Commission shall by way of implementing acts lay down specific rules concerning the content of the certificates referred to in paragraph 1 and the procedure to be followed for their issuance and verification, in particular as regards the role of**

	market within the Union as organic and their compliance with this Regulation have to be ensured. The Commission shall by way of implementing acts lay down specific rules concerning the content of the certificates referred to in paragraph 1 and the procedure to be followed for their issuance and verification, in particular as regards the role of competent authorities, control authorities and control bodies and the possibility to take into account regional differences in ecological balance, climate and local conditions, as well as specific production practices.	***the competent authorities, control authorities and control bodies, and the possibility of taking regional differences into account in balancing ecological, climate and local conditions, as well as practical conditions regarding specific production matters***.	**competent authorities, control authorities and control bodies. ~~and the possibility to take into account regional differences in ecological balance, climate and local conditions, as well as specific production practices.~~** ***To be seen in conjunction with the compromise text proposed on 28(ca). Text acceptable for EP***
	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37 (2).	***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2)***.	
Amendment 233 Article 28 (2) (a) (new)			
		2a. The provisions relating to Commission supervision in third countries shall be strengthened. It is also important to strengthen supervision and controls in equivalence agreements with third	**Agreed to shift this provision to recitals and to examine this text at a later stage**

		countries.	
Amendment 234 Article 28 (3)			
3. The respect of the conditions and measures for the import of organic products into the Union shall be ascertained at border control posts, in accordance with Article 45(1) of ***Regulation (EU) No XXX/XXX (***Official controls regulation***). The physical checks referred to in Article 47(3) of that Regulation shall be performed at a frequency dependent on the risk of non-compliance with this Regulation.***	3. The respect of the conditions and measures for the import of organic products into the Union shall be ascertained at border control posts, in accordance with Article 45(1) of Regulation (EU) No XXX/XXX (Official controls regulation). The physical checks referred to in Article 47(3) of that Regulation shall be performed at a frequency dependent on the ~~**risk**~~ **likelihood** of non-compliance with this Regulation.	3. The respect of the conditions and measures for the import of organic products into the Union shall be ascertained ***by the control provisions laid down in Chapter V and*** at border control posts, in accordance with Article 45(1) of ***the*** Official controls Regulation.	Postponed. To be discussed later with block 7 (controls).
Article 29			
Amendment 235 Article 29 - title			
Recognition of control ***authorities and control*** bodies	Commission proposal unchanged	Recognition of control bodies	**Recognition of control authorities and control bodies**
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	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	Commission proposal unchange	**Council G.A.:** **1. The Commission may adopt implementing acts recognising, or withdrawing the recognition of control authorities and control bodies competent to carry out controls and to issue an organic**

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).	controls **and to issue an organic certificate** 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).		**certificate 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).**
	1a. The control authorities or control bodies shall be recognised for the import of the categories of products as listed in Article 25(5a).		**Council G.A.:** **1a. The control authorities or control bodies shall be recognised for the import of the categories of products as listed in Article 25(5a).**
	1b. In order to be recognised, the control authorities and control bodies shall fulfil the following criteria:		**1b. In order to be recognised, the control authorities and control bodies shall fulfil the following criteria:**
	(a) control authorities and control bodies shall be legally established in one Member State or third country;		**(a) control authorities and control bodies shall be legally established in one Member State or third country;**
	(b) control authorities and control bodies shall have the capacity to carry out controls to ensure that the conditions set out in Article 28(1)(a), (b)(i) and		**(b) control authorities and control bodies shall have the capacity to carry out controls to ensure that the conditions set out in Article 28(1)(a), (b)(i) and (c) and in this Article are met for**

	(c) and in this Article are met for organic products intended for import into the Union;		**organic products intended for import into the Union;**
	(c) control authorities and control bodies shall offer adequate guarantees of objectivity and impartiality and be free from any conflict of interest as regards the exercise of control tasks;		**(c) control authorities and control bodies shall offer adequate guarantees of objectivity and impartiality and be free from any conflict of interest as regards the exercise of control tasks;**
	(d) control bodies shall be accredited to the relevant harmonised standard for 'Conformity assessment – Requirements for bodies certifying products, processes and services', the reference of which has been published in *the Official Journal of the European Union*;		**(d) control bodies shall be accredited to the relevant harmonised standard for 'Conformity assessment – Requirements for bodies certifying products, processes and services', the reference of which has been published in the Official Journal of the European Union;**
	(e) control authorities and control bodies shall have the expertise, equipment and infrastructure required to carry our control tasks and a sufficient number of		**(e) control authorities and control bodies shall have the expertise, equipment and infrastructure required to carry out control tasks and a sufficient number of suitable qualified and experienced staff;**

	suitable qualified and experienced staff;		
	(f) additional criteria that may be laid down in a delegated act, adopted pursuant to paragraph 7.		**(f) additional criteria that may be laid down in a delegated act, adopted pursuant to paragraph 7.**
2. The control bodies shall be accredited to the relevant harmonised standard for 'Conformity assessment – Requirements for bodies certifying products, processes and services', the reference of which has been published in *the Official Journal of the European Union*.	~~**2. The control bodies shall be accredited to the relevant harmonised standard for 'Conformity assessment – Requirements for bodies certifying products, processes and services', the reference of which has been published in *the Official Journal of the European Union*.**~~	Commission proposal unchange	**Deleted**
3. The accreditation referred to in paragraph 2 may only be granted by:	3. The accreditation referred to in paragraph ~~**2**~~ **1b(d)** may only be granted by:	Commission proposal unchange	**Council G.A.:** **3. The accreditation referred to in paragraph 1b(d) may only be granted by:**
(a) a national accreditation body in the Union in accordance with Regulation (EC) No 765/2008 of the	(a) a national accreditation body in the Union in accordance with Regulation (EC) No 765/2008 of the	Commission proposal unchange	**(a) a national accreditation body in the Union in accordance with Regulation (EC) No 765/2008 of the European**

European Parliament and of the Council[35]; or	European Parliament and of the Council[1]; or		**Parliament and of the Council[1]; or**
Amendment 236 Article 29 (3) (b)			
(b) an accreditation body outside the Union that is a signatory ***of*** a multilateral recognition arrangement under the auspices of the International Accreditation Forum.	Commission proposal unchanged	(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***.	**(b) an accreditation body outside the Union that is a signatory of a multilateral recognition arrangement under the auspices of the International Accreditation Forum.**
4. When examining requests for recognition, the Commission shall invite the control authority or control body to supply all the necessary information. The recognised control bodies or control authorities shall provide the certificate issued by the accreditation body or respectively the assessment report issued by the competent authority, and, as appropriate,	4. **Control authorities and control bodies shall submit to the Commission a request for recognition consisting of a technical dossier containing all the information needed to ensure that the criteria set out in paragraph 1b are met.** When examining requests for recognition, the Commission shall invite the control authority or control body to supply all the necessary	Commission proposal unchanged	**4. Control authorities and control bodies shall submit to the Commission a request for recognition consisting of a technical dossier containing all the information needed to ensure that the criteria set out in paragraph 1b are met.** **The control bodies or control authorities shall provide the accreditation certificate issued by**

[35] Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).

reports on the regular on-the-spot evaluation, surveillance and multiannual re-assessment of their activities.	information. The ~~**recognised**~~ control bodies or control authorities shall provide the **accreditation** certificate issued by the accreditation body or respectively the **latest** assessment report issued by the competent authority, and, as appropriate, **latest** reports on the regular on-the-spot evaluation, surveillance and multiannual re-assessment of their activities.		**the accreditation body or respectively the latest assessment report issued by the competent authority, and, as appropriate, latest reports on the regular on-the-spot evaluation, surveillance and multiannual re-assessment of their activities.**
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.	5. Based on the information referred to under paragraph 4 **and on any other relevant information related to the control authority or control body**, the Commission shall ensure appropriate supervision of the recognised control authorities and control bodies by **continuously** ~~**regularly**~~ reviewing their **performance and** recognition. For the purposes of that supervision, the Commission may request additional information from the accreditation bodies or, as appropriate, the competent authorities.	Commission proposal unchanged	**5. Based on the information referred to under paragraph 4 and on any other relevant information related to the control authority or control body, the Commission shall ensure appropriate supervision of the recognised control authorities and control bodies by regularly reviewing their performance and recognition. For the purposes of that supervision, the Commission may request additional information from the accreditation bodies or, as appropriate, the competent authorities.**
6. The nature of the supervision	6. The nature of the supervision	Commission proposal unchanged	**6. The nature of the**

shall be determined on the basis of an assessment of the risk of non-compliance.	shall be determined on the basis of an assessment of the ~~**risk**~~ **likelihood** of non-compliance **taking into account in particular the activity of the control authority or control body, the type of products and operators under its control and the changes in the production standard and control measures**.		**supervision shall be determined on the basis of an assessment of the likelihood of non-compliance taking into account in particular the activity of the control authority or control body, the type of products and operators under its control and the changes in the production standard and control measures.** **The recognition of control authorities or of control bodies referred to in paragraph 1 shall in particular be withdrawn without delay in accordance with the procedure referred to in paragraph 1 when serious or repetitive infringements as regards the certification or the controls and actions laid down in accordance with paragraph 7b have been detected and when the control body or control authority concerned fails to take appropriate and timely remedial action after request of the Commission within a period which the Commission shall determine according to the severity of the problem and which generally may not be less**

			than 30 days.
Amendment 237 Article 29 (7)			
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.***	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**~~ **supplementing** the criteria **laid down in paragraph 1b** 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 **laying down provisions** concerning the exercise of the supervision by the Commission, including through on-the-spot examination.	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***.	**Council G.A:** **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 laid down in paragraph 1b 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 laying down provisions concerning the exercise of the supervision by the Commission, including through on-the-spot examination.**
		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	Deletion agreed (text redrafted and moved to art 29(6)) Withdrawal of CB within the EU to be further discussed with the block on controls

		national accreditation bodies established in the Union in accordance with Regulation (EC) No 765/2008.	
Amendment 238 Article 29 (7) (a) (new)			
	7a. The Commission shall adopt implementing acts laying down specific rules concerning the procedure to be followed for the recognition of the control authorities and 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 the withdrawal of the recognition. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).	***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.***	**Both EP and Council texts deleted**
Amendment 239 Article 29 (7) (b) (new)			
	7b. In order to ensure effectiveness, efficiency and transparency of controls of imported products, the Commission shall be empowered to adopt delegated acts in	***7b. In order to ensure the effectiveness, efficiency and transparency of controls of imported products, the Commission shall be empowered***	**Council G.A:** **7b. In order to ensure effectiveness, efficiency and transparency of controls of imported products, the**

	accordance with Article 36 concerning the controls and other actions to be performed by control authorities and control bodies recognised by the Commission for the purpose of this Article.	***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.***	**Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the controls and other actions to be performed by control authorities and control bodies recognised by the Commission for the purpose of this Article.**
Amendment 240 Article 29 (8)			
8. The Commission ***may*** adopt ***implementing acts to ensure*** the application of measures in relation to cases of non-compliance affecting the integrity of organic products imported under the recognition provided for in this Article or suspicion of such cases. Such measures may consist in particular in the verification of the integrity of the organic products before placing the products on the market within the Union and, where appropriate, the suspension of the authorisation of placing on the market within the Union of such products as organic. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).***	Commission proposal unchanged	8. The Commission ***shall be empowered to*** adopt ***delegated acts in accordance with Article 36 concerning*** the application of measures in relation to cases of non-compliance affecting the integrity of organic products imported under the recognition provided for in this Article or suspicion of such cases. Such measures may consist in particular in the verification of the integrity of the organic products before placing the products on the market within the Union and, where appropriate, the suspension of the authorisation of placing on the market within the Union of such products as organic.	**8. The Commission may adopt implementing acts to ensure the application of measures in relation to cases of non-compliance affecting the integrity of organic products imported under the recognition provided for in this Article or suspicion of such cases. Such measures may consist in particular in the verification of the integrity of the organic products before placing the products on the market within the Union and, where appropriate, the suspension of the authorisation of placing on the market within the Union of such products as organic. Those implementing acts shall be adopted in accordance with the**

			examination procedure referred to in Article 37(2).
Amendment 241 Article 29 (9)			
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.	Commission proposal unchanged	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.	**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.**
Article 30			
Equivalence under a trade agreement	Commission proposal unchanged	Commission proposal unchanged	**Equivalence under a trade agreement**
A recognised third country referred to in the first indent of Article	A recognised third country referred to in ~~**the first indent of**~~ Article	Commission proposal unchanged	**A recognised third country referred to in Article 28(1)(b)(ii**a**)**

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.	28(1)(b)(ii**a**) 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.		**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 242 Article 30 (1) (a) (new)			
		The Commission shall publish, and shall provide the European Parliament and the Council with, regular status reports on all ongoing negotiations on such trade agreements and a list of differences between the production rules and the control measures in the third country involved compared to the rules and measures that are applied within the Union. The final results of the negotiations shall be presented to the European Parliament and the Council, and shall be published, listing in detail any differences between the production rules and control measures applied in the third country concerned and those applied in the Union.	To be further discussed at technical meeting in light of forthcoming inter-institutional agreement on better regulation

		The Commission shall present a proposal on how to deal with the differences between the third country in question and the European Union when it comes to the production rules and the control measures.	
		The Commission shall publish a list of the differences between the production and control provisions contained in all existing trade agreements covered by this Article.	
Article 31			
Equivalence under Regulation (EC) No 834/2007	Commission proposal unchanged	Commission proposal unchanged	**Equivalence under Regulation (EC) No 834/2007**
Amendment 243 Article 31 (1)			
1. 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 42.***	1. 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 4**2**~~**0**~~.	A recognised third country ***as*** referred to in ***point (b)(ii) of the first subparagraph of*** Article 28(1) is a third country which has been recognised for the ***purposes*** of equivalence under Article 33(2) of Regulation (EC) No 834/2007.	**Council G.A.:** **1. A recognised third country referred to in Article 28(1)(b)(ii) 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 measure provided for in Article 42.**
The recognition of the third	The recognition of the third		**The recognition of the third**

countries referred to in the first subparagraph shall expire on [a date to be inserted which corresponds to 5 years following the date of application of the Regulation].	countries referred to in the first subparagraph shall expire on **31 December 2022 ~~[a date to be inserted which corresponds to 5 years following the date of application of the Regulation]~~**.		**countries referred to in the first subparagraph shall expire on [a date to be inserted which corresponds to 5 years following the date of application of the Regulation].**
Amendment 244 Article 31 (2)			
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.	2. On the basis of annual reports to be sent to the Commission, by 31 March of each year, by the third countries referred to in paragraph 1 regarding the implementation and enforcement of the control measures established by them, **and in the light of any other information received,** the Commission **~~assisted by the Member States~~** shall ensure appropriate supervision of the recognised third countries by **continuously ~~regularly~~** reviewing their recognition. The nature of the supervision shall be determined on the basis of an assessment of the **~~risk~~ likelihood** of non-compliance**, taking into account in particular the volume of exports to the Union from that third country, the results of the monitoring and supervisory activities carried out**	2. On the basis of annual reports to be sent to the Commission, by 31 March of each year, by the third countries referred to in paragraph 1 regarding the implementation and enforcement of the control measures established by them, ***and in the light of any other information received,*** the Commission***,*** assisted by the Member States***,*** shall ensure appropriate supervision of the recognised third countries by ***annually*** reviewing their recognition. The nature of the supervision shall be determined on the basis of an assessment of the risk of non-compliance***, taking into account in particular the volume of exports to the Union from the third country concerned, the results of the monitoring and supervisory activities carried out by the competent authority and the results of previous controls. The Commission shall***	**2. On the basis of annual reports to be sent to the Commission, by 31 March of each year, by the third countries referred to in paragraph 1 regarding the implementation and enforcement of the control measures established by them, and in the light of any other information received, the Commission, if requested, 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 likelihood of non-compliance, taking into account in particular the volume of**

	by the competent authority and the results of previous controls.	***regulary report to the European Parliament and the Council on the outcome of its review***.	**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.** **COM considers that "if requested" is not clear enough because there is no indication of who can request Member States' assistance. To avoid legal uncertainty, it should be clarified in the text that it is at the Commission's request.**
3. The control bodies performing controls in the third countries referred to in paragraph 1 shall be accredited to the relevant harmonised standard for 'Conformity assessment – Requirements for bodies certifying products, processes and services', the reference of which has been published in the *Official Journal of the European Union*. If the accreditation is not granted by a	3. The control bodies performing controls in the third countries referred to in paragraph 1 shall be accredited to the relevant harmonised standard for 'Conformity assessment – Requirements for bodies certifying products, processes and services', the reference of which has been published in the *Official Journal of the European Union*~~. If the accreditation is not granted by a~~	Commission proposal unchanged	**Deleted**

national accreditation body in the Union in accordance with Regulation (EC) No 765/2008, it may only be granted by an accreditation body outside the Union that is a signatory of a multilateral recognition arrangement under the auspices of the International Accreditation Forum.	~~**national accreditation body in the Union in accordance with Regulation (EC) No 765/2008, it may only be granted by an accreditation body outside the Union that is a signatory of a multilateral recognition arrangement under the auspices of the International Accreditation Forum.**~~		
4. The Commission shall, by means of an implementing act, establish a list of the third countries referred to in paragraph 1 and may amend that list by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).	Commission proposal unchanged	Commission proposal unchanged	4. The Commission shall, by means of an implementing act, establish a list of the third countries referred to in paragraph 1 and may amend that list by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).
5. In order to ensure the management of the list of third countries referred to in paragraph 4, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the information to be sent by those third countries necessary for the supervision of their recognition by the Commission, as	Commission proposal unchanged	Commission proposal unchanged	5. In order to ensure the management of the list of third countries referred to in paragraph 4, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the information to be sent by those third countries necessary for the supervision of their recognition by the Commission, as well as the

well as the exercise of that supervision by the Commission, including through on-the-spot examination.			exercise of that supervision by the Commission, including through on-the-spot examination.
Amendment 245 Article 31 (6)			
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 implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).***	Commission proposal unchanged	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 market within the Union as organic ***products***.	**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 implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).**

	Article 31a		***Article 31a***
	Report from the Commission on the application of Articles 30 and 31		**Report from the Commission on the application of Articles 30 and 31**
	By 31 December 2020 the Commission shall present a report to the European Parliament and the Council on the state of play concerning the application of Articles 30 and 31, in particular as regards the recognition of third countries for the purpose of equivalence.		**By 31 December 2020 the Commission shall present a report to the European Parliament and the Council on the state of play concerning the application of Articles 30 and 31, in particular as regards the recognition of third countries for the purpose of equivalence.**
Amendment 252 - Article 39 (a) (new) (shifted to block 8)			
Article 41			
Transitional measures relating to control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007	Commission proposal unchanged	Commission proposal unchanged	Transitional measures relating to control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007
1. The recognition of control authorities and control bodies granted under Article 33(3) of Regulation (EC) No 834/2007 shall expire on [31 December 2018] at the latest.	1. The recognition of control authorities and control bodies granted under Article 33(3) of Regulation (EC) No 834/2007 shall expire on [31 December 201**98**] at the latest.	Commission proposal unchanged	**1. The recognition of control authorities and control bodies granted under Article 33(3) of Regulation (EC) No 834/2007 shall expire on [31 December 2019] at the latest.**

2. The Commission shall, by means of an implementing act, establish a list of the control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007 and may amend that list by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).	Commission proposal unchanged	Commission proposal unchanged	2. The Commission shall, by means of an implementing act, establish a list of the control authorities and control bodies recognised under Article 33(3) of Regulation (EC) No 834/2007 and may amend that list by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).
3. In order to ensure the management of the list of control authorities and control bodies referred to in paragraph 2, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the information to be sent by those control authorities and control bodies necessary for the supervision of their recognition by the Commission, as well as the exercise of that supervision by the Commission, including through on-the-spot examination.	Commission proposal unchanged	Commission proposal unchanged	3. In order to ensure the management of the list of control authorities and control bodies referred to in paragraph 2, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the information to be sent by those control authorities and control bodies necessary for the supervision of their recognition by the Commission, as well as the exercise of that supervision by the Commission, including through on-the-spot examination.
Article 42			
Transitional measures relating to	Commission proposal unchanged	Commission proposal unchanged	**Transitional measures relating**

applications from third countries submitted under Article 33(2) of Regulation (EC) No 834/2007			**to applications from third countries submitted under Article 33(2) of Regulation (EC) No 834/2007**
1. The Commission shall complete the examination of applications from third countries submitted under Article 33(2) of Regulation (EC) No 834/2007 which are pending at the date of entry into force of this Regulation. Regulation (EC) No 834/2007 shall apply to the examination of such applications.	Commission proposal unchanged	Commission proposal unchanged	1. The Commission shall complete the examination of applications from third countries submitted under Article 33(2) of Regulation (EC) No 834/2007 which are pending at the date of entry into force of this Regulation. Regulation (EC) No 834/2007 shall apply to the examination of such applications.
2. In order to facilitate the completion of the examination of the applications referred to in paragraph 1, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the procedural rules necessary for the examination, including on the information to be submitted by the third countries.	Commission proposal unchanged	Commission proposal unchanged	2. In order to facilitate the completion of the examination of the applications referred to in paragraph 1, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the procedural rules necessary for the examination, including on the information to be submitted by the third countries.

BLOCK 3

Article 10			
Commission proposal	Council general approach	COMAGRI vote	Compromise proposal/work in progress
Plant production rules	Commission proposal unchanged	Commission proposal unchanged	------
Amendment 132 Article 10 (1)			
1. Operators producing plants or plant products shall in particular comply with the specific production rules set out in Part I of Annex II.	1. Operators producing plants or plant products shall in particular comply with the ~~**specific**~~ production rules set out in Part I of Annex II **and with the specific rules laid down in accordance with paragraph 4 (a) and (c).**	1. Operators producing plants or plant products shall in particular comply with the specific production rules set out in Part I of Annex II ***and with the specific implementing rules laid down in accordance with paragraph 4 of this Article***.	Withdrawal of this AM by EP EP supports COM's text.
Amendment 133 Article 10 (2)			
2. Each Member State shall ensure that a computerised database is established for listing ***the*** varieties ***and*** heterogeneous material***, according to Regulation (EU) No***	2. Each Member State shall ensure that a computerised database is established for listing the varieties and **populations** ~~**heterogeneous material**~~,	2. Each Member State shall ensure that a computerised database is established for ***indicative*** listing ***of*** varieties ***including seed potatoes and*** heterogeneous material, ***such***	EP suggests that the data base is "regularly updated" No agreement at TM on 29/04. To

XX/XXX (PRM law) for which ***plant reproductive material*** obtained by the organic production method ***is*** available on its ***territory.***	~~**according to Regulation (EU) No XX/XXX (PRM law)**~~ for which plant reproductive material**,** **excluding seedlings,** obtained by the organic production method is available on its territory.	***as populations or open pollinated varieties, meaning that they have not been obtained by controlled pollination of inbred lines*** for which ***seeds*** obtained by the organic production method ***are*** available on its ***national market. The organically bred varieties or heterogeneous material selected for their ability to meet the specific aims and objectives of organic farming shall be clearly identified in the list.***	be further discussed
		The databases shall be maintained by each Member State and shall be made public by the Commission. In order to ensure a timely overview of the availability of plant reproductive material suitable for organic production at Union level, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down:	
		– the technical minimum requirements for establishing the databases mentioned in this paragraph,	
		– the content of the information to be transmitted to the Commission by Member States, as well as the	

		technical details and frequency of such procedure.	
		For heterogeneous material made available for use in organic agriculture,	
		(a) Council Directive 66/401/EEC[36],	
		(b) Council Directive 66/402/EEC[37],	
		(c) Council Directive 68/193/EEC[38],	
		(d) Council Directive 98/56/EC[39],	
		(e) Council Directive 1999/105/EC[40],	
		(d) Council Directive 2002/53/EC[41].	

[36] ***Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed (OJ 125, 11.7.1966, p. 2298).***

[37] ***Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed (OJ 125, 11.7.1966, p. 2309).***

[38] ***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).***

[39] ***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).***

[40] ***Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed (OJ L 193, 20.7.2002, p. 12).***

[41] ***Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed (OJ L 193, 20.7.2002, p. 33).***

		(e) Council Directive 2002/54/EC[42],	
		(f) Council Directive 2002/55/EC[43],	
		(g) Council Directive 2002/56/EC[44],	
		(h) Council Directive 2002/57/EC[45],	
		(i) Council Directive 2008/72/EC[46], and	
		(j) Council Directive 2008/90/EC[47]	
		shall not apply.	
Amendment 134 Article 10 (3) - introductory part			

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

43 ***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).***

44 ***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).***

45 ***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).***

46 ***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).***

47 ***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).***

3. In order to ensure quality, traceability and compliance with this Regulation as regards organic plant production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 ***amending or*** supplementing the specific plant production rules as regards:	3. ~~**In order to ensure quality, traceability and compliance with this Regulation as regards organic plant production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending or supplementing the specific plant production rules as regards:**~~	3. In order to ensure quality, traceability and compliance with this Regulation as regards organic plant production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific plant production rules as regards:	No agreement at T5 IA issue
Amendment 135 Article 10 (3) (a)			
(a) cultivation practices;	~~**(a) cultivation practices;**~~	***deleted***	Acceptable for PRES EP could reconsider this deletion
Amendment 136 Article 10 (3) (b)			
(b) soil management and fertilisation;	~~**(b) soil management and fertilisation;**~~	(b) soil management and fertilisation***, as laid down in points 1.5.4 and 1.5.5 of Part I of Annex II***;	No agreement at T5 GA text foresees co-decision (Annex II, part I, 1.5)
Amendment 137 Article 10 (3) (c)			
(c) plant health and management of pests ***and weeds***;	~~**(c) plant health and management of pests and weeds;**~~	(c) plant health and management of pests***, weeds and diseases, as laid down in point 1.6 of Part I of Annex II***;	No agreement at T5 GA text foresees co-decision (Annex II, part I, 1.6)

(d) management of mushroom production and other specific plant and plant production systems;	~~**(d) management of mushroom production and other specific plant and plant production systems;**~~	Commission proposal unchanged	No agreement at T5IA issue. GA text foresees IA (see 10(4)(a)new while EP foresees limited DA)
Amendment 138 Article 10 (3) (e)			
(e) the origin of plant reproductive material;	~~**(e) the origin of plant reproductive material;**~~	***deleted***	Deletion agreed at T5
Amendment 139 Article 10 (3) (f)			
(f) the collection of wild plants.	~~**(f) the collection of wild plants.**~~	(f) the collection of wild plants***, as laid down in point 2.2 of Part I of Annex II***.	No agreement at T5IA issue. GA text foresees IA (see 10(4)(a)new), while EP foresees limited DA
Amendment 140 Article 10 (4)			
4. The Commission shall adopt implementing acts laying down the technical details for establishing the database referred to in paragraph 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).	4. The Commission shall adopt implementing acts laying down**:**	4. The Commission shall adopt implementing acts laying down***:***	AM withdrawn by EP at T5 EP support COM's text
	(a) requirements for specific plants, plant products or plant production systems;	***(a) the requirements for specific plants, plant products or plant production systems;***	AM withdrawn by EP at T5
	(b) the technical details for establishing the database referred to in paragraph 2**;**	***(b)*** the technical details for establishing the database referred to in paragraph 2.	AM withdrawn by EP at T5

	(c) the conditions for the implementation of point 1.4.2 of Part. I of Annex II, including the list of varieties or species for which point 1.4.2.1 cannot be applied.	***(c) the conditions for the implementation of point 1.4.2 of Part I of Annex II.***	AM withdrawn by EP at T5
	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).	AM withdrawn by EP at T5 EP support COM's text
Article 11			
Livestock production rules	Commission proposal unchanged	Commission proposal unchanged	------
Amendment 141 Article 11 (1)			
1. Livestock operators shall in particular comply with the ***specific*** production rules set out in Part II of Annex II.	1. Livestock operators shall in particular comply with the ~~**specific**~~ production rules set out in Part II of Annex II **and with the specific rules laid down in accordance with paragraphs 2a, 2b and 2c.**	1. Livestock operators shall in particular comply with the production rules set out in Part II of Annex II.	Deletion of the word "specific" is acceptable for PRES IA issue (GA text foresees co-decision (Annex II, part II) + IA while EP foresees co-decision + limited DA) To be further considered
Amendment 142 Article 11 (1) (a) (new)			
		1a. By 1 July 2017 the Commission shall present to the	Alternative proposal from EP (non-paper from 21/03)

		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.	***1a. Within one year form the entry into force of this Regulation the Commission shall present to the European Parliament and to the Council a report on species not covered by this Regulation with a view to assessing the need for the introduction of specific provisions relating to their physiological and behavioural features. The report shall be accompanied, if necessary, by appropriate proposals.*** No agreement at T7 COM against this AM 142. New text to be provided by COM. (e.g. via alternative drafting of COM compromise text on Article 35). EP could drop this AM if a DA is foreseen To be further discussed
		This part of AM 142 is moved down to Annex II, Part II, 1.6.7a	The following text is agreed at T8 and moved to Annex II, Part II,

		new ***The use of cages shall not be permitted [for any vertebrate species* except fish].**	1.6.7a new The use of cages to raise livestock shall not be permitted for any livestock species ~~except fish~~.
Amendment 143 Article 11 (2) - introductory part			
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:	~~**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:**~~	2. In order to ensure quality, traceability and compliance with this Regulation as regards organic livestock production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific livestock production rules as regards:	No agreement at T7
Amendment 144 Article 11 (2) (a)			
(a) the origin of animals;	~~**(a) the origin of animals**~~	***deleted***	Acceptable for PRES But no agreement at T7

Amendment 145 Article 11 (2) (b)			
(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;**~~	***deleted***	IA issue CSL text foresees IA (see 11.2a) No agreement at T7
Amendment 146 Article 11 (2) (c)			
(c) husbandry practices;	~~**(c) husbandry practices ;**~~	***deleted***	IA issue CSL text foresees IA (11(2)(a) No agreement at T7
Amendment 147 Article 11 (2) (d)			
(d) breeding;	~~**(d) breeding;**~~	***deleted***	Acceptable for PRES (Co-decision foreseen for both). EP/CSL. see Annex II, part II, 1.3.5
Amendment 148 Article 11 (2) (e)			
(e) ***feed and feeding;***	~~**(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***;	IA issue CSL foresees IA (see Annex II, part II, 2.1.2) while EP foresees limited DA

			No agreement
Amendment 149 Article 11 (2) (f)			
(f) disease prevention and veterinary treatment.	~~**(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***.	IA issue CSL foresees IA while EP foresees limited DA No agreement
	2a. The Commission shall adopt implementing acts laying down specific rules on nutrition requirements, housing conditions, stocking density, disease prevention, veterinary treatments, animal welfare and husbandry practices for the following specific livestock species:		
	(a) bovine, ovine and caprine animal;		
	(b) equine animal;		
	(c) porcine animal;		
	(d) poultry;		
	(e) bees;		

	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).		
	2b. The Commission may adopt implementing acts laying down specific rules on nutrition requirements, housing conditions, stocking density, disease prevention, veterinary treatments, animal welfare, husbandry practices and conversion periods for livestock species other than those referred to in paragraph 2a.		
	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).		
	2c. The Commission shall, where appropriate, adopt implementing acts laying down specific rules on the application of point 1.3.5. of Part II of Annex II.		
	Those implementing acts shall be adopted in accordance with the examination procedure referred		

	to in Article 37(2).		
Amendment 150 Article 11 (2) (1) (a) (new)			
		Those delegated acts shall cover the following species:	AM 150 withdrawn by EP, confirmed at T5
		(a) bovine, ovine and caprine animals;	
		(b) equine animals;	
		(c) porcine animals;	
		(d) poultry;	
		(e) bees.	
Article 12			
Amendment 151 Article 12 - title			
Production rules for ***seaweed*** and aquaculture animals	**Production rules for ~~seaweed~~ algae and aquaculture animals**	Production rules for ***algae*** and aquaculture animals	Both EP/GA texts identical (agreed at T7) **Production rules for ~~seaweed~~ algae and aquaculture animals**
Amendment 152 Article 12 (1)			
1. Operators producing ***seaweed*** and aquaculture animals shall in	1. Operators producing ~~**seaweed**~~ **algae** and aquaculture animals shall	1. Operators producing ***algae*** and aquaculture animals shall in particular comply with the	Withdrawn - EP prefers going back to COM's text (with algae instead of seaweed) + keep the term

particular comply with the ***specific*** production rules set out in Part III of Annex II.	in particular comply with the ~~**specific**~~ production rules set out in Part III of Annex II **and with the specific rules laid down in accordance with paragraph 3a**.	production rules set out in Part III of Annex II ***and with the specific rules laid down in accordance with paragraph 3a of this Article***.	"specific" No agreement
Amendment 153 Article 12 (2) - introductory part			
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:	~~**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:**~~	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:	No agreement IA issue
Amendment 154 Article 12 (2) (a)			
(a) the suitability of the aquatic medium and the sustainable management plan;	~~**(a) the suitability of the aquatic medium and the sustainable management plan;**~~	***deleted***	Deletion agreed at T7
(b) the harvesting of wild seaweed;	~~**(b) the harvesting of wild seaweed;**~~	Commission proposal unchanged	No agreementCSL foresees IA (see art. 12(3a)) while EP foresees a limited DA

Amendment 155 Article 12 (2) (c)			
(c) ***seaweed*** cultivation;	~~**(c) seaweed cultivation;**~~	(c) ***algae*** cultivation***, including for different species of algae***;	No agreement CSL foresees IA (see art. 12(3a)) while EP foresees a limited DA
(d) antifouling measures and cleaning of production equipment and facilities.	~~**(d) antifouling measures and cleaning of production equipment and facilities.**~~	Commission proposal unchanged	No agreement CSL foresees IA (see art. 12(3a))
Amendment 156 Article 12 (3) - introductory part			
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:	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~~:~~	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:	Acceptable
Amendment 157 Article 12 (3) (a)			
(a) the suitability of the aquatic medium and the	~~**(a) the suitability of the aquatic medium and the**~~	***deleted***	Deletion agreed at T7

sustainable management plan;	~~**sustainable management plan;**~~		
Amendment 158 Article 12 (3) (b)			
(b) the origin of aquaculture animals;	~~**(b) the origin of aquaculture animals;**~~	(b) the origin of aquaculture animals ***for each particular species, as laid down in point 4.1.2 of Part III of Annex II***;	No agreement In the CSL text, amendments are foreseen by codecision (annex II, part III, 4.1.2) while EP foresees limited DA.
Amendment 159 Article 12 (3) (c)			
(c) ***aquaculture*** husbandry***, including aquatic containment systems, production systems, maximum stocking density and, where appropriate, minimum stocking density***;	~~**(c) aquaculture husbandry, including aquatic containment systems, production systems, maximum stocking density and, where appropriate, minimum stocking density;**~~	(c) ***housing conditions and*** husbandry ***practices, as laid down in points 4.1.5 and 4.2.2 of Part III of Annex II***;	No agreement In the GA, amendments foreseen by IA in Art 12(3a)(b)
Amendment 160 Article 12 (3) (d)			
(d) breeding;	~~**(d) breeding;**~~	***deleted***	Deletion agreed at T7
Amendment 161 Article 12 (3) (e)			
(e) management of	~~**(e) management of**~~	(e) management of ***molluscs, as***	No agreement

aquaculture animals;	~~**aquaculture animals;**~~	***laid down in point 4.2.4 of Part III of Annex II***;	CSL foresees IA (art 12.3a - covered by "husbandry") while EP foresees a limited DA
Amendment 162 Article 12 (3) (f)			
(f) feed and feeding;	~~**(f) feed and feeding;**~~	(f) feed and feeding***, as laid down in points 4.1.3.3 and 4.1.3.4 of Part III of Annex II***;	No agreement In the GA, amendments foreseen by IA (PartIII, 4.1.3)
Amendment 163 Article 12 (3) (g)			
(g) disease prevention and veterinary ***treatment***.	~~**(g)**~~ disease prevention and veterinary treatment **as referred to in points. 4.1.4.1 and 4.1.4.2 of Part III of Annex II.**	(g) disease prevention and veterinary ***treatments, as laid down in point 4.1.4 of Part III of Annex II***.	Keep EP text agreed at T7 (g) disease prevention and veterinary ***treatments, as laid down in point 4.1.4 of Part III of Annex II***.
	3a. The Commission shall adopt implementing acts laying down specific rules on:		No agreement
	(a) algae cultivation and sustainable harvesting of wild algaes;		
	(b) origin of seed, nutrition requirements, housing conditions, stocking density, disease prevention, veterinary		

	treatments, animal welfare and husbandry practices for the different species of aquaculture animals.		
	(c) the conditions for the implementation of point 4.1.2.1 (db) of part III of Annex II.		
	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).		
Amendment 164 Article 12 (3) (a) (new)			
		3a. The Commission shall adopt implementing acts laying down specific rules on the conditions for the implementation of the database referred to in point 4.1.2.1 of Part III of Annex II.	COM will prepare a general article framing the requirements for databases
		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).	Incompatibility with Amendment 158 which foresees a DA
Article 13			
Amendment 165 Article 13 - title			

Production rules for processed ***food and*** feed	Commission proposal unchanged	Production rules for processed feed	Compromise proposal Production rules for processed food (Pro memoria: AM 165 is acceptable but moved down in new Article 13b below dealing with processed feed)
Amendment 166 Article 13 (1)			
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 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.	Compromise proposal 1. Operators producing processed ~~feed~~ **food** shall **in particular** comply with the production rules set out in Part IV of Annex II. Seems agreeable for EP *(Pro memoria: AM 166 is partly acceptable and taken in board in new Article 13b)*
			[(pro memoria: No agreement on the following AM 177 (part 1): • ~~[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.]~~ *Deletion seems acceptable for PRES/EP*
Amendment 167 Article 13 (2) - introductory part			
2. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed ***food and*** feed production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 ***amending or*** supplementing the specific production rules for processed ***food and*** feed as regards:	2. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed food **~~and feed~~** production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending or supplementing the **~~specific~~** production rules for processed food **~~and feed~~** as regards**~~:~~**	2. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed feed production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific production rules for processed feed as regards:	2. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed food **~~and feed~~** production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 **[**amending or**]** supplementing the **[specific]** production rules for processed food **~~and feed~~** as regards**~~:~~** *(Pro memoria :AM 167 is acceptable but moved down to Article 13b (new) dealing with processed feed)* *(pro memoria: AM 177(part 3) moved up here)*

Amendment 168 Article 13 (2) (a)			
(a) procedures to be followed;	~~**(a) procedures to be followed**~~;	***deleted***	Deletion Agreed *Pro memoria: AM 168 moved down and discussed in Art 13(b)*
Amendment 169 Article 13 (2) (b)			
(b) preventive measures to be taken;	~~**(b) preventive measures to be taken;**~~	(b) ***precautionary and*** preventive measures to be taken;	AM 177 (part (3)(a) moved up here but no agreement (CSL wants codecision): ***[(a) precautionary and preventive measures to be taken;]*** *Pro memoria: AM 169 moved down and to be discussed in Art 13(b)new*
Amendment 170 Article 13 (2) (c)			
(c) the composition and conditions of use of processed food and feed, including products and substances allowed for use in processed food and feed;	~~**(c)**~~ the **type,** composition and conditions of use of ~~**processed food and feed, including**~~ products and substances allowed for use in processed food ~~**and feed**~~ **as laid down in points 2.2.2 of Part IV of Annex II**;	***deleted***	*(Pro memoria: AM 170) moved down and discussed in Art 13(b) new* ***AM 177*** *(part 3)(b) moved up here:* ***(****b) **[the type],*** *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; ***AM 177 (part 3)(b)* seems acceptable for EP/PRES. To be check if EP can accept the addition of "type"** ***[No agreement on the following AM 177 (part 3)(c),(d) and (e):*** (c) the procedure for the authorisation of non-organic agricultural ingredients which may exceptionally be used for the production of organic processed products; (d) the rules for the calculation of the percentage of agricultural ingredients referred to in points (a)(i) and (b) of Article 21(3), as laid down in point 2.2.3 of Part IV of Annex II; (e) techniques used in food processing.*(IA/DA issue)]*
Amendment 171 Article 13 (2) (d)			

(d) cleaning measures;	~~**(d) cleaning measures;**~~	***deleted***	Deletion seems acceptable for EP *(pro memoria: AM 171 moved down and discussed in art 13(b) new)*
Amendment 172 Article 13 (2) (e)			
(e) the placing on the market of processed products including their labelling and identification;	~~**(e) the placing on the market of processed products including their labelling and identification;**~~	***deleted***	Deletion seems acceptable for EP
Amendment 173 Article 13 (2) (f)			
(f) separation of organic products, agricultural ingredients and feed materials from non-organic products, agricultural ingredients and feed materials;	~~**(f) separation of organic products, agricultural ingredients and feed materials from non-organic products, agricultural ingredients and feed materials;**~~	***deleted***	Deletion seems acceptable for EP *(pro memoria: AM 173 is moved down to Art 13(b))*
Amendment 174 Article 13 (2) (g)			
(g) the list of non-organic agricultural ingredients which may exceptionally be used for the production of organic processed products;	~~**(g) the list, of non-organic agricultural ingredients which may exceptionally be used for the production of organic**~~	***deleted***	Deletion seems acceptable But still IA issue regarding sections 2.2.4 and 2.2.5 of Part IV (in the GA, they are deleted and covered by IA (see Art. 13(2b) of GA))

	~~**processed products;**~~		(AM 174 moved down to Art 13(b)new for further discussion)
Amendment 175 Article 13 (2) (h)			
(h) calculation of the percentage of agricultural ingredients referred to in Article 21(3)(a)(ii) and (b);	~~**(h) calculation of the percentage of agricultural ingredients referred to in Article 21(3)(a)(ii) and (b);**~~	***deleted***	No agreement (AM 175 moved down to Art 13(b)new for further discussion) (*pro memoria: AM 177 (part 3(d)) foresees a DA for this provision while CSL foresees co-decision)*
Amendment 176 Article 13 (2) (i)			
(i) techniques used in ***food or*** feed processing.	~~**(i) techniques used in food or feed processing.**~~	(i) techniques used in feed processing.	No agreement (IA issue - see article 13(2b) of GA) AM 176 moved down in Art 13 (b) new.
	2a. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed feed production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the production rules for processed feed as regards products other than those referred to in points 3.2a		Moved down to Art 13 (b) new

	and 3.2b of Part IV of Annex II.		
	2b. The Commission may adopt implementing acts laying down specific rules concerning the production methods and the techniques authorised in the processing of specific food or feed products.		No agreement (IA issue)
	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).		No agreement (IA issue)
Amendment 177 Article 13 (a) (new)			
		Article 13a ***Production rules for processed food***	AM 177 moved up in art 13
		1. Operators producing processed food shall comply with the production rules set out in Part IV of Annex II.	This provision is moved up in Art 13. It was agreed to add "in particular" in the text.
		2. In addition to the general production rules laid down in Article 7, the following rules shall apply to operators producing processed food:	This provision is moved up in Art 13 for discussion No agreement

		(a) the preparation of processed organic food shall be kept separate in time or space from that of non-organic food;	This provision is moved up in Art 13 for discussion No agreement
		(b) the following conditions shall apply to the composition of organic processed food:	This provision is moved up in Art 13 for discussion No agreement
		(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;	This provision is moved up in Art 13 for discussion No agreement
		(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;	This provision is moved up in Art 13 for discussion No agreement
		(iii) non-organic agricultural ingredients may only be used if they have been authorised for use by a Member State;	This provision is moved up in Art 13 for discussion No agreement

		(iv) an organic ingredient shall not be present together with the same ingredient in non-organic form or an ingredient in conversion;	This provision is moved up in Art 13 for discussion No agreement
		(v) food produced from in-conversion crops shall contain only one crop ingredient of agricultural origin.	This provision is moved up in Art 13 for discussion No agreement
		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:	This provision is moved up to art 13
		(a) precautionary and preventive measures to be taken;	This provision is moved up to art 13
		(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;	This provision is moved up to art 13
		(c) the procedure for the authorisation of non-organic	This provision is moved up in Art 13 for discussion

		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;	This provision is moved up in Art 13 for discussion
		(e) techniques used in food processing.	This provision is moved up in Art 13 for discussion
Article 13 (b) new			
Production rules for processed ***food and*** feed	Commission proposal unchanged	Production rules for processed feed	Compromise proposal Production rules for processed feed *(AM 165 is acceptable)*
Article 13 (b) (1) (new)			
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 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.	Compromise proposal 1. Operators producing processed feed shall **in particular** comply with the production rules set out in Part IV of Annex II. *(AM 166 is partly acceptable)*

Article 13 (b) introductory part (new)			
	• Art 13(2a) 2a. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed feed production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the production rules for processed feed as regards products other than those referred to in points 3.2a and 3.2b of Part IV of Annex II.	**AM167** 2. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed feed production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific production rules for processed feed as regards:	2a. In order to ensure quality, traceability and compliance with this Regulation as regards organic processed feed production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the production rules for processed feed as regards: **[products other than those referred to in points 3.2a and 3.2b of Part IV of Annex II.]**
Article 13 (b) (2)(a) (new)			
(a) procedures to be followed;	**~~(a) procedures to be followed~~**;	***deleted***	Deletion seems acceptable
Article 13 (b) (2)(b) (new)			
(b) preventive measures to be taken;	**~~(b) preventive measures to be taken;~~**	***AM 169*** (b) ***precautionary and*** preventive measures to be taken;	No agreement *(because CSL wants co decision and EP wants DA (suppl. only))*
(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**	***AM 170*** ***deleted***	Deletion seems acceptable *In the GA, no specific provision on feed.*

(d) cleaning measures;	**deleted**	***AM 171*** ***deleted***	Deletion seems acceptable *In the GA, no specific provision on feed.*
(e) the placing on the market of processed products including their labelling and identification;	**deleted**	***AM 172*** ***deleted***	Deletion seems acceptable *In the GA, no specific provision on feed.*
(f) separation of organic products, agricultural ingredients and feed materials from non-organic products, agricultural ingredients and feed materials;	**deleted**	***AM 173*** ***deleted***	Deletion seems acceptable *In the GA, no specific provision on feed.*
(g) the list of non-organic agricultural ingredients which may exceptionally be used for the production of organic processed products;	**deleted**	***AM 174*** ***deleted***	Deletion seems acceptable *In the GA, no specific provision on feed.*
(h) calculation of the percentage of agricultural ingredients referred to in Article 21(3)(a)(ii) and (b);	**deleted**	***AM 175*** ***deleted***	Deletion seems acceptable *In the GA, no specific provision on feed.*
(i) techniques used in ***food or*** feed processing.	**Covered by IA in Art 13 (2b) in GA**	**AM 176** (i) techniques used in feed processing.	No agreement (IA issue)
			[No agreement on the Art 13 (2b) GA **The Commission may adopt implementing acts laying down**

			specific rules concerning the production methods and the techniques authorised in the processing of specific food or feed products. **Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).]**
Article 14			
Production rules for wine	Commission proposal unchanged	Commission proposal unchanged	-------
1. Operators producing products of the wine sector shall in particular comply with the specific production rules set out in Part V of Annex II.	1. Operators producing products of the wine sector shall in particular comply with the ~~**specific**~~ production rules set out in Part V of Annex II.	Commission proposal unchanged	No agreement
Amendment 178 Article 14 (2)			
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	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**~~	2. In order to ensure quality, traceability and compliance with this Regulation as regards organic wine production and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 supplementing the specific wine production rules as regards oenological practices and	No agreement

oenological practices and restrictions.	~~**production rules as regards oenological practices and restrictions.**~~ **Amongst the oenological practices, processes and treatments provided for in Regulations (EU) No.1308/2013 and 606/2009, the Commission shall by way of implementing acts, identify:**	restrictions***, as laid down in points 3.2, 3.3, 3.4 and 3.5 of Part V of Annex II***.	
	- the oenological practices, processes and treatments prohibited in the production of products of the wine sector;		
	- the oenological practices, processes and treatments permitted in the production of products of the wine sector, and the conditions of and restrictions to their use.		
	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).		
Article 15			

Production rules for yeast used as food or feed	Commission proposal unchanged	Commission proposal unchanged	------
1. Operators producing yeast to be used as food or feed shall in particular comply with the specific production rules set out in Part VI of Annex II.	1. Operators producing yeast to be used as food or feed shall in particular comply with the ~~**specific**~~ production rules set out in Part VI of Annex II.	Commission proposal unchanged	No agreement
Amendment 179 Article 15 (2)			
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***.	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 **for yeast** as regards the processing and the substrates used **under point 1.3 of Part VI of Annex II**.	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***.	EP text agreed at T6
Article 16			
Production rules for other products	**Absence of specific p~~P~~roduction rules ~~for other products~~**	Commission proposal unchanged	No agreement
Amendment 180			

Article 16			
In order to take account of any future need to have specific production rules ***for products other than those referred to in Articles 10 to 15, and in order to ensure quality, traceability and compliance with this Regulation as regards organic production of those additional other products and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending or supplementing Annex II with regard to specific production rules for those products.***	~~**In order to take account of any future need to have specific production rules for products other than those referred to in Articles 10 to 15, and in order to ensure quality, traceability and compliance with this Regulation as regards organic production of those additional other products and adaptation to technical developments, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 amending or supplementing Annex II with regard to specific production rules for those products.**~~	***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 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.***	No agreement
	1. In the absence of specific production rules for plants, livestock, algae and aquaculture animals, operators shall comply with the principles laid down in Articles 4 to 6, with the general production rules laid down in Articles 7 to 9 and with the relevant requirements laid down in Parts I to III of Annex II.		
	Until the implementing acts referred to in Article 10.4(a),		

	Article 11.2b and Article 12.3a are adopted, Member States may apply national rules provided that these rules comply with this Regulation and in particular with Article 32. Notably, Member States shall not prohibit or restrict the marketing of organic products produced outside the territory of the Member State concerned.		
	2. In the absence of production rules for products listed in Annex I to TFEU or in Annex I to this Regulation not falling within the categories referred in Articles 10 to 15, operators shall comply with the principles laid down in Articles 4 and 5, and *mutatis mutandis* with the principles in Article 6 and with the general production rules laid down in Articles 7 to 9.		
	Taking into account the future need to have specific production rules for the purpose of achieving fair competition, a proper functioning of the internal market and consumer confidence in organic production, the Commission shall be empowered		

	to adopt delegated acts, in accordance with Article 36, laying down production rules for products listed in Annex I to TFEU or in Annex I to this Regulation not falling within the categories referred to in Articles 10 to 15. Those delegated acts have to be based on the principles of organic production laid down in Articles 4 to 6 and have to take into account general production rules laid down in Articles 7 to 9 and existing specific rules set out for similar products. They shall lay down general and specific requirements, concerning in particular allowed or prohibited treatments, practices, inputs or conversion.		
	Until those delegated acts are adopted, Member States may apply national rules to the products referred to in the first subparagraph, provided that these rules comply with this Regulation and in particular with Article 32. Notably, Member States shall not prohibit or restrict the marketing of organic products produced outside the		

	territory of the Member State concerned.		
Article 17			
Adoption of exceptional production rules	Commission proposal unchanged	Commission proposal unchanged	Acceptable
Amendment 181 Article 17			
In order to allow organic production to continue or recommence in the event of ***catastrophic*** circumstances ***and subject to the principles laid down in Chapter II, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for the criteria to qualify such situations as catastrophic and laying down specific rules on how to deal with them, on monitoring and on reporting requirements.***	**1.** ~~**In order**~~ **T**o allow organic production to continue or recommence in the event of catastrophic circumstances **deriving from an 'adverse climatic event', animal disease, an 'environmental incident', a 'natural disaster' or a 'catastrophic event' as defined respectively in points (h), (i), (j), (k) and (l) of Article 2(1) of Regulation (EU) No 1305/2013** and subject to the principles laid down in Chapter II, the Commission **shall** ~~**be empowered to**~~ adopt ~~**delegated**~~ **implementing** 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**~~ **such situations**, **and** on	***1.*** In order to allow organic production to continue or recommence in the event of circumstances ***resulting from an adverse climatic event, an animal pandemic, a plant disease or pest, an environmental incident or a natural disaster, competent authorities may grant individual authorisations for exceptions, subject to the following:***	No agreement

	monitoring and ~~on~~ reporting requirements. **Those implementing acts shall provide exceptions to the productions rules set out in this Regulation, for a limited period of time.**		
		(a) derogations from the production rules laid down in this Chapter shall be subject to the principles laid down in Chapter II;	
		(b) derogations as referred to in point (a) shall be kept to a minimum and, where appropriate, limited in time, and may only be provided for in the following cases:	
		(i) where they are necessary in order to ensure that organic production can be initiated or maintained on holdings confronted with climatic, geographical or structural constraints;	
		(ii) where they are necessary in order to ensure access to feed, seed and vegetative propagating material, live animals and other farm inputs, in circumstances where such inputs are not available on the market in organic	

		form;	
		(iii) where they are necessary in order to ensure access to ingredients of agricultural origin, in circumstances where such ingredients are not available on the market in organic form;	
		(iv) where they are necessary in order to solve specific problems related to the management of organic livestock;	
		(e) where temporary measures are necessary in order to allow organic production to continue or recommence in the case of catastrophic circumstances.	
		2. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down the criteria according to which situations are to be categorised as situations requiring exceptional production rules and rules on how to deal with them, as well as rules on monitoring and on reporting requirements, taking into account expertise from the organic sector.	
		3. The competent authorities of the Member States shall be	

		responsible for authorising exceptions on a case-by-case basis.	
	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).		
	2. In cases where the Member State has formally recognised an event as a natural disaster as defined in point (k) of Article 2(1) of Regulation (EU) No 1305/2013 and this event makes it impossible to respect production rules laid down in this Regulation, Member States may take measures, subject to the principles laid down in Chapter II, that grant exceptions to these production rules for a limited period of time and until organic production can be re-established.		
Article 19			
Authorisation of products and substances used in organic production	Commission proposal unchanged	Commission proposal unchanged	-------
1. The Commission may authorise certain products and substances for use in organic	1. The Commission ~~**may**~~ **shall** authorise certain products and substances for use in organic	Commission proposal unchanged	Compromise text agreed at T6: 1. The Commission **may** ~~**shall**~~ authorise certain products and

production and include them in restricted lists, for the following purposes:	production and include them in restricted lists, for the following purposes:		substances for use in organic production and **shall** include them in restricted lists, for the following purposes:
Amendment 183 Article 19 (1) (1) (a)			
(a) as plant protection products;	Commission proposal unchanged	(a) as plant protection products ***throughout the European Union or in one or more of the zones defined in Annex I to Regulation (EC) No 1107/2009***;	To be checked by COM
(b) as fertilisers, soil conditioners and nutrients;	Commission proposal unchanged	Commission proposal unchanged	-------
(c) as feed materials;	(c) as feed materials**, including non-organic feed material of plant or animal origin, or feed material of mineral origin**;	Commission proposal unchanged	No agreement
(d) as feed additives and processing aids;	Commission proposal unchanged	Commission proposal unchanged	-----
Amendment 184 Article 19 (1) (1) (d) (a)			
		(da) as substances for use for the purposes of animal health other than those mentioned under points	EP will reconsider

		(d) and (e);	
(e) as products for cleaning and disinfection of ponds, cages, tanks, raceways, buildings and installations used for animal production;	Commission proposal unchanged	Commission proposal unchanged	-------
(f) as products for cleaning and disinfection of buildings and installations used for plant production, including storage on an agricultural holding.	Commission proposal unchanged	Commission proposal unchanged	(f) as products for cleaning and disinfection of buildings and **processing of** installations used for plant production, including storage on an agricultural holding. *(drafting to be checked)* *To be seen in conjunction with AM 189*
Amendment 185 Article 19 (1) (1) (fa) (new)			
		(fa) as non-therapeutic medicines and products which contribute to animal health and animal welfare.	No agreement
Amendment 186 Article 19 (1) (2) - introductory part			
In particular, the Commission ***may*** authorise certain products and substances for use in the production of organic	**1a.** In ~~**particular**~~ **addition**, the Commission may authorise certain products and substances for use in the production of ~~**organic**~~	In particular, the Commission ***shall*** authorise certain products and substances for use in the production of organic processed food and include them in restricted lists, for	**Compromise text agreed at T6:** **1a.** In ~~**particular**~~ **addition**, the Commission may authorise certain products and substances for use in

processed food and include them in restricted lists, for the following purposes:	processed **organic** food **and of yeast used as food or feed** and include them in restricted lists, for the following purposes:	the following purposes:	the production of ~~**organic**~~ processed **organic** food **and of yeast used as food or feed** and **shall** include them in restricted lists, for the following purposes:
Amendment 187 Article 19 (1) (2) (a)			
(a) as food additives, food enzymes ***and*** processing aids;	Commission proposal unchanged	(a) as food additives, food enzymes**,** processing aids***, flavours, preparations of micro-organisms, minerals, trace elements, vitamins, amino acids and micro-nutrients***;	No agreement Covered in GA Annex II, part IV, 2.2.2
	(aa) as non-organic agricultural ingredients to be used for the production of organic processed food;		No agreement (IA issue)
(b) as processing aids for the production of yeast and yeast products.	Commission proposal unchanged	Commission proposal unchanged	----
Amendment 188 Article 19 (1) (2) (b) (a) (new)			
		(ba) as products and substances for oenological practices;	To be checked by EP
Amendment 189 Article 19 (1) (2) (b) (b) (new)			
		(bb) as products for cleaning and	To be seen in conjunction wih (f).

		disinfection in processing and storage facilities.	(f) could be adapted and "processing could be added in point (f) of art 19 *Seems acceptable or EP/PRES. To be confirmed at T6*
2. The authorisation of the products and substances referred to in the first subparagraph of paragraph 1 for use in organic production shall be subject to the principles laid down in Chapter II and to the following criteria which shall be evaluated as a whole:	2. The authorisation of the products and substances referred to in ~~**the first subparagraph of**~~ paragraph 1 for use in organic production shall be subject to the principles laid down in Chapter II and to the following criteria which shall be evaluated as a whole:	Commission proposal unchanged	GA text is agreed at T6
(a) their use is necessary for sustained production and essential for its intended use;	Commission proposal unchanged	Commission proposal unchanged	-------
(b) all products and substances are of plant, animal, microbial or mineral origin, except where products or substances from such sources are not available in sufficient quantities or qualities or if alternatives are not available;	Commission proposal unchanged	Commission proposal unchanged	-------
(c) in the case of products referred to in point (a) of the first subparagraph of	(c) in the case of products referred to in point (a) of ~~**the first subparagraph of**~~	Commission proposal unchanged	GA text is agreed at T6

paragraph 1, the following shall apply:	paragraph 1, the following shall apply:		
(i) their use is essential for the control of a pest for which other biological, physical or breeding alternatives or cultivation practices or other effective management practices are not available;	Commission proposal unchanged	Commission proposal unchanged	-------
(ii) if products are not of plant, animal, microbial or mineral origin and are not identical to their natural form, they may be authorised only if their conditions for use preclude any direct contact with the edible parts of the crop;	Commission proposal unchanged	Commission proposal unchanged	-------
Amendment 190 Article 19 (2) (1) (c) (ii) (a) (new)			
		(iia) zonal authorisation of products is possible only if, through a reduction in the use of other products and substances, a positive ecological effect can be achieved and, otherwise, an	No agreement

		unacceptable deterioration in traditionally organic-quality crops in the zone concerned is likely;	
(d) in the case of products referred to in point (b) of the first subparagraph of paragraph 1, their use is essential for obtaining or maintaining the fertility of the soil or to fulfil specific nutrition requirements of crops, or for specific soil-conditioning purposes	(d) in the case of products referred to in point (b) of ~~**the first subparagraph of**~~ paragraph 1, their use is essential for obtaining or maintaining the fertility of the soil or to fulfil specific nutrition requirements of crops, or for specific soil-conditioning purposes;		GA text is agreed at T6
Amendment 191 Article 19 (2) (1) (e) - introductory part			
(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) 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:	No agreement
(i) their use is necessary to maintain animal health, animal welfare and vitality and contribute to an appropriate diet fulfilling the physiological and behavioral needs of the species concerned or their	Commission proposal unchanged	Commission proposal unchanged	-------

use is necessary to produce or preserve feed because the production or preservation of feed is not possible without having recourse to such substances;			
(ii) feed of mineral origin, trace elements, vitamins or provitamins shall be of natural origin, except where products or substances from such sources are not available in sufficient quantities or qualities or if alternatives are not available.	Commission proposal unchanged	Commission proposal unchanged	-------
	(iia) the use of non-organic feed material of plant or animal origin may be authorised only when feed material of plant or animal origin produced in accordance with organic production rules is not available in sufficient quantity.		No agreement
The authorisation of the products and substances referred to in the	**2a.** The authorisation of the products and substances referred to	Commission proposal unchanged	GA text is agreed at T6

second subparagraph of paragraph 1 for use in the production of organic processed food shall be subject to the principles laid down in Chapter II and to the following criteria which shall be evaluated as a whole:	in ~~**the second subparagraph of**~~ paragraph 1**a** for use in the production of ~~**organic**~~ processed **organic** food **and of yeast used as food or feed** shall be subject to the principles laid down in Chapter II and to the following criteria which shall be evaluated as a whole:		
Amendment 192 Article 19 (2) (2) (a)			
(a) ***alternatives*** authorised in accordance with this Article are not available;	Commission proposal unchanged	(a) ***alternative substances*** authorised in accordance with this Article ***or technologies compliant with this Regulation*** are not available;	No agreement
(b) it would be impossible to produce or preserve the food or to fulfil given dietary requirements provided for on the basis of the Union legislation, without having recourse to those products and substances;	Commission proposal unchanged	Commission proposal unchanged	-------
(c) they are to be found in nature and may have undergone only mechanical, physical, biological, enzymatic or microbial processes, except where products and substances	(c) they are to be found in nature and may have undergone only mechanical, physical, biological, enzymatic or microbial processes, except where	Commission proposal unchanged	

from such sources are not available in sufficient quantities or qualities.	products and substances from such sources are not available in sufficient quantities or qualities~~.~~**;**		
	(ca) the organic ingredient is not available in sufficient quantity.		Seems acceptable for EP
Amendment 193 Article 19 (2) (3)			
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.	**2b** The authorisation of the use of chemically synthesised products or substances **referred to in paragraphs 1 and 1a** 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 ***on the environment, animal or human health or product quality***.	Partly acceptable
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	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 **additional to**	Commission proposal unchanged	No agreement

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.	**those referred to in paragraphs 2 and 2a** for the authorisation or withdrawal of the authorisation of products and substances referred to in paragraph**s** 1 **and 1a** for use in organic production in general and in the production of ~~**organic**~~ processed **organic** food in particular~~**, and other requirements and conditions for the use of such authorised products and substances**~~.		
4. Where a Member State considers that a product or substance should be added to, or withdrawn from the lists of authorised products and substances referred to in paragraph 1, or that the specifications of use mentioned in the production rules should be amended, the Member State concerned shall ensure that a dossier giving the reasons for the inclusion, withdrawal or amendments is sent officially to the Commission and to the other Member States.	4. Where a Member State considers that a product or substance should be added to, or withdrawn from the lists of authorised products and substances referred to in paragraph**s** 1 **and 1a**, or that the specifications of use mentioned in the production rules should be amended, the Member State concerned shall ensure that a dossier giving the reasons for the inclusion, withdrawal or amendments is sent officially to the Commission and to the other Member States.		
Amendment 194			

Article 19 (4) (2)			
Requests for amendment or withdrawal shall be published by Member States.	Requests for amendment or withdrawal shall be published by **the Commission** ~~**Member States**~~.	***The dossier in respect of*** amendment or withdrawal shall be published by Member States ***and by the Commission***.	No agreement ; pb of publication of confidential data
Amendment 195 Article 19 (4) (a) (new)			
		4a. The Commission shall review the lists referred to in paragraph 1 every four years.	No agreement
Amendment 196 Article 19 (5)			
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***	5. The Commission shall adopt implementing acts authorising or withdrawing the authorisation of products and substances **referred to in paragraphs 1 and 1a** 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	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.	No agreement on the IA/DA issue Reference to para 1 and 1a seems acceptable for EP

in Article 37(2).	be adopted in accordance with the examination procedure referred to in Article 37(2).		
Article 35			
Report	Commission proposal unchanged	Commission proposal unchanged	-------
Amendment 250 Article 35			
By 31 December ***2021***, the Commission shall present a report to the European Parliament and the Council on the availability of organic plant reproductive material ***and*** animals for breeding purposes.	By 31 December 2024**~~1~~**, 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 **and young stock of aquaculture animals. This report shall be accompanied, if appropriate, by a legislative proposal**.	***1.*** By 31 December ***2020****,* the Commission shall present a report to the European Parliament and the Council ***based on a foresight study including data collected and analysis carried out in all Member States, and dealing specifically with the following items****:*	To be further dicussed Important AM for EP COM compromise suggestions, 3.05.2016: "1. By 31 December 2024, the Commission shall present a report to the European Parliament and the Council dealing specifically with the following items:
		(a) an analytical part on the state of development of organic farming and progress made as regards:	
		– identification of the causes of limited access to organic plant and animal reproductive material as well as organic input in general on the Union market;	– identification of the causes of limited access to organic plant and animal reproductive material as well as organic input in general on the Union market;

		– specific data on the availability of organic plant reproductive material and feed;	– specific data on the availability of organic plant reproductive material and feed;
		– the availability of young poultry and parent animals for poultry production, including stocking density criteria, feeding, health care, animal welfare and disease management;	– the availability of young poultry and parent animals for poultry production, including stocking density criteria, feeding, health care, animal welfare and disease management;
		– the selection of species and sub-species arising from differences in climate, soil, altitude and geography;	– the selection of species and sub-species arising from differences in climate, soil, altitude and geography;
		– the situation of organic pig farming and poultry farming, including stocking density criteria, feeding, health care, animal welfare, and disease management;	– the situation of organic pig farming and poultry farming, including stocking density criteria, feeding, health care, animal welfare, and disease management;
		– the availability of aquaculture juveniles on the Union market;	– the availability of aquaculture juveniles on the Union market;"
		(b) a strategic part on measures applied or needed to improve the performance of organic farming and its institutional framework, including:	
		– support measures established or still needed in order to close the gaps identified;	

		– a development plan including measures aimed at providing support to operators who have committed to developing organic plant or animal reproductive material. Such measures may include support for necessary investment by private operators in production facilities, quality control measures, distribution systems and pre-marketing research and development.	
		2. In relation to assessing the availability of organic plant reproductive material, the study referred to in paragraph 1 shall also evaluate, for each relevant sub-market, the diversity of available material and the operators providing them, the current demand for such material and the demand forecast for the next five years.	COM compromise suggestions, 3.05.2016: "2. In relation to assessing the availability of organic plant reproductive material, the study referred to in paragraph 1 shall also evaluate the diversity of available material and the operators providing them, the current demand for such material and the demand forecast for the next five years."
		For the purposes of the study, a sub-market shall mean the tuple of a crop (defined as a botanical species or subspecies, e.g. Brassica oleracea) and a region, the region in question not being larger than a Member State. A Member State shall be divided into as many	

		regions as may be necessary in terms of different growing conditions based on climate, soil types, and altitude or land use characteristics resulting in demand for plant reproductive material that differs from one region to another, with a view to comparing the regional markets in a fair and non-discriminatory manner. The study shall also consider project grants for the breeding of new varieties suitable for organic agriculture, participatory capital for small and medium-sized enterprises dedicated to offering organic plant reproductive material and marketing support through websites run by the Commission and Member States.	
		3. If appropriate, the report shall be accompanied by a legislative proposal.	
		4. By 31 December 2020 at the latest, the Commission shall present a report to the European Parliament and the Council on the presence of products or substances not authorised in accordance with Article 19 which have been	A similar report is foreseen by GA (Art 26e(2)).

		detected in organic products, including on exchanges of information between competent authorities, control authorities and control bodies and exchanges of relevant information on the results of controls. The report may be accompanied, where appropriate, by a legislative proposal establishing the levels of unauthorised products or substances applicable to organic products and the systems for compensating operators for losses in connection with contamination where they have taken proper measures which may reasonably be implemented to prevent the risk of contamination.	
Amendment 253 Article 40			
Article 40	***~~Article~~ ~~40~~***	***Deleted***	Acceptable
Transitional measures relating to the origin of plant reproductive material, animals for breeding purposes and young stock of aquaculture animals	**~~Transitional measures relating to the origin of plant reproductive material, animals for breeding purposes and young stock of aquaculture animals~~**	***deleted***	Deletion agreed at T6 The COM does not agree to delete because not all the articles regarding the origin of plant , animals and aquaculture are already agreed between the three

			institutions, so still there is a need to keep these transition measures
In order to ensure a smooth transition between the rules on organic origin of plant reproductive material provided for in Article 12(1)(i) of Regulation (EC) No 834/2007 and on animals for breeding purposes provided for in Article 14(1)(a)(ii) of that Regulation and on young stock of aquaculture animals provided for in Article 15(1)(a)(ii) of that Regulation and the exception to production rules that the Commission adopted pursuant to Article 22 of Regulation (EC) No 834/2007, and the new production rules for plants and plant products and livestock and seaweed and aquaculture animals provided for in Articles 10(1) and 11(1) and 12(1) , respectively, of this Regulation, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for exceptions where granting exceptions is deemed necessary in order to ensure access to plant reproductive material and live animals for breeding purposes and young stock of aquaculture	~~**In order to ensure a smooth transition between the rules on organic origin of plant reproductive material provided for in Article 12(1)(i) of Regulation (EC) No 834/2007 and on animals for breeding purposes provided for in Article 14(1)(a)(ii) of that Regulation and on young stock of aquaculture animals provided for in Article 15(1)(a)(ii) of that Regulation and the exception to production rules that the Commission adopted pursuant to Article 22 of Regulation (EC) No 834/2007, and the new production rules for plants and plant products and livestock and seaweed and aquaculture animals provided for in Articles 10(1) and 11(1), respectively, of this Regulation, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 providing for exceptions where granting exceptions is deemed necessary in order to ensure access to plant reproductive material and live animals for**~~	***deleted***	Deletion agreed at T6 The COM does not agree to deleted because not all the articles regarding the origin of plant , animals and aquaculture are already agreed between the three institutions, so still there is a need to keep these transition measures

animals, that may be used in organic production. The delegated acts adopted under this Article shall cease to apply on 31 December 2021.	**~~breeding purposes and young stock of aquaculture animals, that may be used in organic production. The delegated acts adopted under this Article shall cease to apply on 31 December 2021.~~**		

ANNEX II			
SPECIFIC PRODUCTION RULES REFERRED TO IN CHAPTER III	**~~SPECIFIC~~ PRODUCTION RULES REFERRED TO IN CHAPTER III**	Commission proposal unchanged	
Part I: Plant production rules	Commission proposal unchanged	Commission proposal unchanged	**Part I: Plant production rules**
In addition to the production rules laid down in Articles 7 to 10, the rules set out in this Part shall apply to organic plant production.	Commission proposal unchanged	Commission proposal unchanged	In addition to the production rules laid down in Articles 7 to 10, the rules set out in this Part shall apply to organic plant production.
1. General requirements	Commission proposal unchanged	Commission proposal unchanged	**1. General requirements**
Amendment 276 Annex II - Part I - point 1.1			
1.1 Hydroponic ***production, which is a method of growing plants with their roots in a nutrient solution only or in an inert medium to which a nutrient solution is added,*** is prohibited.	1.1. Hydroponic production, which is a method of growing plants**, which are not naturally growing in water,** with their roots in a nutrient solution only or in an inert medium to which a nutrient solution is added, is prohibited.	1.1. Hydroponic ***production is*** prohibited.	Keep GA text Agreed at T5 1.1. Hydroponic production, which is a method of growing plants**, which are not naturally growing in water,** with their roots in a nutrient solution only or in an inert medium to which a nutrient solution is added, is prohibited. • Alternative COM

			proposal (2/06) 1.1. Hydroponic production, which is a method of growing plants**, <u>which are not naturally grown in water,</u>** with their roots in a nutrient solution only or in an inert medium to which a nutrient solution is added, is prohibited. To be further discussed
		1.1.a By way of derogation from point 1.1, growing plants in pots as an exception to soil-bound plant production as defined in point (e)(ii) of Article 4 shall only be allowed for seedlings or for the production of ornamentals and herbs if the ornamentals and herbs in question are sold in pots to the final consumer.	***No agreement at T5.*** ***This provision is not related to hydroponic*** ***EP insists in keeping such a provision but is open to redrafting and relocation.*** ***Additional EP proposal (17/03) related to soil-bound principle*** ***"1.1.b By way of derogation from point 1.1, growing plants in demarcated beds shall be allowed, in that part of the territory of Member States which lies to the north of the 56 degree latitude north, on grounds of local, climatic, traditional and environmental specificities and***

			historical developments and approaches." ***Only existing organic greenhouses certified by [31st December 2012] in that part of the territory of Member States which lies to the north of the 56 degree latitude north, using demarcated beds shall be allowed to continue the existing practice.*** ***Only mixtures of soil and/or soil improvers which are approved for use in organic farming shall be allowed."*** ***PRES does not support the EP's alternative non paper.*** ***important issue for EP*** ***No agreement at TM on 29/04***
		Only mixtures of soil and/or soil improvers which are approved for use in organic farming shall be used.	
1.2 All plant production techniques used shall prevent or minimise any contribution to the contamination of the environment.	Commission proposal unchanged	Commission proposal unchanged	1.2 All plant production techniques used shall prevent or minimise any contribution to the contamination of the environment.
1.3 Conversion	Commission proposal unchanged	Commission proposal unchanged	1.3 Conversion

1.3.1 For plants and plant products to be considered organic, the production rules laid down in this Regulation must have been applied on the parcels during a conversion period of at least two years before sowing, or, in the case of grassland or perennial forage, at least two years before its use as feed from organic production, or, in the case of perennial crops other than forage, at least three years before the first harvest of organic products.	Commission proposal unchanged	Commission proposal unchanged	Alternative COM proposal (2/06) 1.3.1. For plants and plant products to be considered organic, the production rules laid down in this Regulation must have been applied on the parcels during a conversion period of at least two years before sowing, or, in the case of grassland or perennial forage, at least two years before its use as **organic** feed ~~**from organic production**~~, or, in the case of perennial crops other than forage, at least three years before the first harvest of organic products. To be further discussed
Amendment 277 Annex II - Part I - point 1.3.1 (a) (new)			
	1.3.1a By way of derogation from article 7.1a.(ii), for the purpose of the conversion of perennial crops, which require a cultivation period of at least three years, varieties that cannot be easily differentiated may be	***1.3.1a. For the purpose of the conversion of perennial crops, which require a cultivation period of at least three years, varieties that cannot be easily differentiated may be involved provided that the production in question forms part of a conversion plan and the***	Both GA text and EP AM 277 withdrawn(superseded by compromise text in Art 7(3)new) Agreed at T5

	involved provided that the production in question forms part of a conversion plan and the conversion to organic production of the last part of the area concerned begins within the shortest possible period and, in any event, does not exceed a maximum of five years. **In such cases:**	***conversion to organic production of the last part of the area concerned begins within the shortest possible period and, in any event, does not exceed five years in duration.***	
	(i) appropriate measures have been taken to ensure the permanent separation of the products obtained from each unit concerned;		GA text withdrawn To be seen in conjunction with new compromise text in Art 7(3)
	(ii) the control authority or control body is notified of the harvest of each of the products concerned at least 48 hours in advance;		GA text withdrawn To be seen in conjunction with new compromise on Art 7
	(iii) 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		GA text withdrawn To be seen in conjunction with new compromise on Art 7

	separate the products;		
	(iv) the conversion plan and the measures to ensure the permanent separation have been approved by the competent authority; this approval shall be confirmed each year after the start of the conversion plan.		GA text withdrawn To be seen in conjunction with new compromise on Art 7
1.3.2 The competent authority may decide, in the cases where the land has been contaminated with products not authorised for organic production, to extend the conversion period beyond the period referred to in point 1.3.1.	Commission proposal unchanged	Commission proposal unchanged	1.3.2 The competent authority may decide, in the cases where the land has been contaminated with products not authorised for organic production, to extend the conversion period beyond the period referred to in point 1.3.1.
Amendment 278 Annex II - Part I - point 1.3.3 (1)			
1.3.3 In the case of treatment with a product not authorised for organic production, the competent authority shall require a new conversion period in accordance with point 1.3.1.	Commission proposal unchanged	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.	To be further considered
Amendment 279			

Annex II - Part I - point 1.3.3 (2) - introductory part			
That period may be shortened in the following ***two*** cases:	Commission proposal unchanged	***The competent authorities may decide that that*** period may be shortened in the following cases:	To be further considered
Amendment 280 Annex II - Part I - point 1.3.3 (2) (a)			
(a) ***treatment*** with a product not authorised for organic production as part of a compulsory control measure for pests or weeds, including quarantine organisms or invasive species, imposed by the competent authority of the Member State;	Commission proposal unchanged	(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;	To be further considered
Amendment 281 Annex II - Part I - point 1.3.3 (1) (b)			
(b) ***treatment*** with a product not authorised for organic production as part of scientific tests approved by the competent authority of the Member State.	Commission proposal unchanged	(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.	To be further considered
1.3.4 In the cases referred to in points 1.3.2. and 1.3.3., the length of the conversion period shall be fixed taking into account the following	Commission proposal unchanged	Commission proposal unchanged	1.3.4 In the cases referred to in points 1.3.2. and 1.3.3., the length of the conversion period shall be fixed taking into account the

factors:			following factors:
(a) the process of degradation of the product concerned shall guarantee, at the end of the conversion period, an insignificant level of residues in the soil and, in the case of a perennial crop, in the plant;	Commission proposal unchanged	Commission proposal unchanged	(a) the process of degradation of the product concerned shall guarantee, at the end of the conversion period, an insignificant level of residues in the soil and, in the case of a perennial crop, in the plant;
Amendment 282 Annex II - Part I - point 1.3.4 (b)			
(b) the harvest following the treatment may not be sold with reference to organic production.	Commission proposal unchanged	(b) the harvest following the treatment may not be sold with reference to ***in-conversion or*** organic production ***methods***.	COM proposal Agreed at T5: (b) the harvest following the treatment may not be sold ~~with reference to organic production~~ as organic ~~production~~ **or as in conversion** products. Alternative COM proposal (2/06) (b) the harvest following the treatment may not be sold ~~**with reference to**~~**as** organic ~~**production**~~**or** **<u>as in-conversion products</u>**. To be further discussed
Amendment 283			

Annex II - Part I - point 1.3.4 (1) (a) (new)			
		Member States shall inform other Member States and the Commission of any decision taken by them which lays down compulsory measures;	***Alternative text from EP (non paper of 21/03)*** ***Member States shall inform other Member States and the Commission of any decision taken by them which lays down compulsory measures <u>related to treatment with a product non-authorised for organic production;</u>*** No agreeement at T5 To be checked with the current legislation
Amendment 284 Annex II - Part I - point 1.3.4 (1) (b) (new)			
		In the case of treatments with a product which is not authorised for organic production, the provisions of point 1.3.5.2 shall not apply.	No agreeement at T5
1.3.5 The specific conversion rules for land associated with organic livestock production should be as	Commission proposal unchanged	Commission proposal unchanged	1.3.5 The specific conversion rules for land associated with organic livestock production should be as

follows:			follows:
1.3.5.1 The conversion rules shall apply to the whole area of the production unit on which animal feed is produced.	Commission proposal unchanged	Commission proposal unchanged	1.3.5.1 The conversion rules shall apply to the whole area of the production unit on which animal feed is produced.
Amendment 285 Annex II - Part I - point 1.3.5.2			
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.	Commission proposal unchanged	1.3.5.2 Notwithstanding point 1.3.5.1, the conversion period may be reduced to one year for pasturages and open air areas used by non-herbivore species. ***This period may be reduced to six months where the land concerned has not during the last year received any treatment with products not authorised for organic farming.***	Linked with Amendment 284. Alternative proposal from EP (non-paper on 21/03) 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 ***and may be further reduced to six months in cases where no treatment with products not authorised for organic farming has been applied during the previous year.***

			No agreement at T5 *PRES will check if AM 285 can be acceptable for SCA.*
1.4 Origin of plants including plant reproductive material	Commission proposal unchanged	Commission proposal unchanged	1.4 Origin of plants including plant reproductive material
Amendment 286 Annex II - Part I - point 1.4.1 to 1.4.1b			
1.4.1 For the production of plants and plant products only organically produced plant reproductive material shall be used. ***To this end, the plant intended for*** plant reproductive material production and, where relevant, the mother plant shall have been produced in accordance with this Regulation for at least one generation, or, in the case of perennial crops, ***for at least one generation*** during two growing seasons.	1.4.1. For the production of plants and plant products **other than plant reproductive material,** only organically produced plant reproductive material shall be used. ~~**To this end, t**~~**T**he plant intended for plant reproductive material production and, where relevant, the mother plant shall have been produced in accordance with this Regulation for at least one generation, or, in the case of perennial crops, for at least one generation during two growing seasons.	1.4.1. For the production of plants and plant products only organically produced plant reproductive material shall be used. ***As referred to in Article 10(2), a database shall list the corresponding*** plant 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.	Important provisions for EP. Need to adapt to changes in definitions and Art. 7 and 8 (COM will propose wording) No agreement at T5. To be further considered Alternative COM proposal (2/06) 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**~~**the requirements**

			applicable to organic production units for at least one generation, or, in the case of perennial crops, for at least one generation during two growing seasons. To be further discussed
		Plant reproductive material coming during the second year of conversion from a production unit which is run in accordance with this Regulation may be used for the production of organic plants and organic plant products.	
		Operators may, in order to foster genetic resources adapted to the special conditions of organic production, use traditional crop varieties obtained from their own farm.	
		1.4.1a. Varieties bred shall be used in accordance with the breeding rules laid down in this Regulation except in the event that the requisite plant reproductive material is not available.	
		Plant reproductive material selected for its ability to meet the specific needs and aims of organic agriculture shall be increasingly used and may include local breeds	

		or varieties of population or open pollinated varieties, namely material not obtained by controlled pollination or by the hybridisation of inbred lines.	
		1.4.1b. For the production of organically bred varieties, the varieties in question shall be bred and selected under organic conditions that comply with the requirements of this Regulation. All multiplication practices except meristem culture shall be under certified organic management.	
Amendment 287 Annex II - Part I - point 1.4.2			
1.4.2 Use of ***plant reproductive*** material not obtained from organic production ***Plant reproductive material not obtained from organic production may be used only when it comes from a production unit in conversion to organic production or where it is justified for use in research, test in small-scale field trials or for genetic resources conservation purposes agreed by the competent authority of the***	1.4.2. Use of plant reproductive material not obtained from organic production **~~Plant reproductive material not obtained from organic production may be used only when it comes from a production unit in conversion to organic production or where it is justified for use in research, test in small-scale field trials or for genetic resources conservation purposes agreed by the competent~~**	1.4.2. Use of ***seed or vegetative propagating*** material not obtained from organic production	To be further discussed in conjunction with Art 10 Alternative COM proposal (2/06) 1.4.2. Use of plant reproductive material not obtained from organic production **units** Plant reproductive material not obtained from **an organic production unit** **~~organic production~~** may be used only when it comes from an **in-conversion** production unit **~~in conversion to~~**

Member State.	~~**authority of the Member State.**~~		~~**organic production**~~ or where it is justified for use in research, test in small-scale field trials or for genetic resources conservation purposes agreed by the competent authority of the Member State. To be further discussed
	By way of derogation from point 1.4.1., for a limited period of time, where plant reproductive material is not available on the market in organic form,		
	(a) plant reproductive material from a production unit in conversion to organic farming may be used.		No agreement on TM of 18/02
	(b) Where point (a) is not applicable, Member States may authorise the use of non-organic plant reproductive material, except for seedlings. However, for the use of such non-organic material, points 1.4.2.1 to 1.4.2.7 apply.	***1.4.2.1. In order to ensure access to seed and vegetative propagating material where such organic inputs are not available, Member States may authorise the use of non-organic seed or vegetative propagating material. In that case, points 1.4.2.2 to 1.4.2.8 shall apply.***	No agreement on TM of 18/02

	1.4.2.1. Non-organic plant reproductive material may be used, provided that the plant reproductive material is not treated with plant protection products, other than those authorised for treatment of seed in accordance with point 1.6.2., unless chemical treatment is prescribed in accordance with Regulation (EU) No XX/XXX of the European Parliament and of the Council (protective measures against pests of plants) for phytosanitary purposes by the competent authority of the Member State for all varieties of a given species in the area where the plant reproductive material is to be used.	***1.4.2.2. Non-organic seed and seed potatoes may be used, provided that the seed or seed potatoes are not treated with plant protection products other than those authorised for treatment of seed in accordance with Article 19(1) of this Regulation, unless chemical treatment is prescribed in accordance with Council Directive 2000/29/EC[48] for phytosanitary purposes by the competent authority of the Member State concerned for all varieties of a given species in the area where the seed or seed potatoes are to be used.***	No agreement on TM of 18/02
	1.4.2.2. Member States may confer the responsibility for granting the authorisation referred	***1.4.2.3. Member States may delegate responsibility for granting the authorisation referred to in point 1.4.2.1 to other public***	No agreement on TM of 18/02

[48] ***Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 169, 10.7.2000, p. 1.).***

	to in point 1.4.2.(b) to control authorities or delegate it to another public administration under their supervision or to control bodies.	***administrations or to the control authorities or bodies referred to in points (33) and (34) of Article 3.***	
	1.4.2.3. Authorisation to use plant reproductive material not obtained by the organic production method may only be granted in the following cases:	***1.4.2.4. Authorisation to use seed or vegetative propagating material or plants not obtained from organic production methods may only be granted in the following cases:***	No agreement on TM of 18/02
	(i) where no variety of the species which the user wants to obtain is registered in the database referred to in Article 10;	***(a) where no variety of the species which the user wishes to obtain is listed in the database referred to in Article 10;***	No agreement on TM of 18/02
	(ii) where no supplier, meaning an operator who markets plant reproductive material to other operators, is able to deliver the plant reproductive material before sowing or planting in situations where the user has	***(b) where no supplier, meaning an operator selling seed or vegetative propagating material or plants to other operators, is in a position to deliver the seed or vegetative propagating material or plants before sowing or planting, when the user has ordered them in good time;***	No agreement on TM of 18/02

	ordered the plant reproductive material in reasonable time;		
	(iii) where the variety which the user wants to obtain is not registered in the database referred to in Article 10, and the user is able to demonstrate that none of the registered alternatives of the same species are appropriate and that the authorisation therefore is significant for his production;	***(c) where the variety which the user wishes to obtain is not listed in the database referred to in Article 10, and the user can show that none of the listed varieties of the same species is appropriate and therefore authorisation is important for his production.***	No agreement on TM of 18/02
	(iv) where it is justified for use in research, test in small-scale field trials or for variety conservation purposes agreed by the competent authority of the Member State.		No agreement on TM of 18/02
	1.4.2.4. The authorisation shall be granted before the sowing of the crop.	***1.4.2.5. Authorisation shall be granted before the sowing takes place.***	No agreement on TM of 18/02

	1.4.2.5. The authorisation shall be granted only to individual users for one season at a time and the authority or body responsible for the authorisations shall register the quantities of plant reproductive material authorised.	***1.4.2.6. Authorisation can only be granted individually for one season at a time and the authority or body responsible for granting authorisations shall list the quantities of seed or vegetative propagating material or plants authorised.***	No agreement on TM of 18/02
	1.4.2.6. By way of derogation from point 1.4.2.5., the competent authority of the Member State may grant to all users a general authorisation:		No agreement on TM of 18/02
	(i) for a given species when and in so far as the condition laid down in point 1.4.2.3.(i) is fulfilled;		No agreement on TM of 18/02
	(ii) for a given variety when and in so far as the conditions laid down in point 1.4.2.3.(iii) are fulfilled.		No agreement on TM of 18/02
	The authorisations referred to in the first subparagraph		No agreement on TM of 18/02

	shall be clearly indicated in the database referred to in Article 10.		
	1.4.2.7. Authorisation may only be granted during periods for which the database is updated.	***1.4.2.7. Authorisation can only be granted at times when the database referred to in Article 10 is annually updated by each Member State.***	No agreement on TM of 18/02
		1.4.2.8. In order to improve the use of organic seed within the Union, each Member State shall publish in the database referred to in Article 10 a national list of seeds and vegetative propagating material and plants that can only be used in organic form. That list must specify the species and subspecies for which it is established that the seed and propagating material or plants obtained from organic production are available in sufficient quantities and are therefore to be used only in organic form.	No agreement on TM of 18/02
1.5 Soil management and fertilisation	Commission proposal unchanged	Commission proposal unchanged	1.5 Soil management and fertilisation
1.5.1 Organic plant production shall use tillage and cultivation practices that maintain or increase soil organic matter, enhance soil stability and soil	Commission proposal unchanged	Commission proposal unchanged	1.5.1 Organic plant production shall use tillage and cultivation practices that maintain or increase soil organic matter, enhance soil

biodiversity, and prevent soil compaction and soil erosion.			stability and soil biodiversity, and prevent soil compaction and soil erosion.
Amendment 288 Annex II - Part I - point 1.5.2			
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.	Commission proposal unchanged	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.	No agreement EP to reconsider "the use of soil-engineering" • Alternative non paper proposed by COM (2/06) " 1.5.2. The fertility and biological activity of the soil shall be maintained and increased ~~by the use of soil engineering:~~ (i) in the case of grassland or perennial forage by multiannual crop rotation including mandatory leguminous crops as the main or cover crop for rotating crops and other green manure crops, and (ii) in the case of greenhouses or perennial crops other than forage, by short term green manure crops and legumes as well as the use of plant diversity and

			(iii) in all cases by the application of livestock manure or organic matter, both preferably composted, from organic production. To be further discussed
	1.5.2a. The use of biodynamic preparations is allowed.	***1.5.8a. The use of biodynamic preparations shall be allowed.***	1.5.2a. ~~The use of~~ Biodynamic preparations ~~is~~ **may be used** ~~allowed~~. Agreed at T5 (location still to be decided; TM 29/04: 1.5.8a preferred location for EP and COM)
1.5.3 Where the nutritional needs of plants cannot be met by measures provided for in points 1.5.1. and 1.5.2. only fertilisers and soil conditioners authorised for use in organic production pursuant to Article 19 may be used and only to the extent necessary.	1.5.3. Where the nutritional needs of plants cannot be met by measures provided for in points 1.5.1. and 1.5.2. only fertilisers and soil conditioners authorised for use in organic production pursuant to Article 19 may be used and only to the extent necessary. **Operators shall keep records of the use of these products.**	Commission proposal unchanged	GA text agreed at T5
Amendment 289 Annex II - Part I - point 1.5.4			
1.5.4 The total amount of livestock	Commission proposal unchanged	1.5.4 The total amount of livestock	Withdrawal of the AM 289 agreed

manure, as defined in Council Directive 91/676/EEC[49], 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.		manure, as defined in Council Directive 91/676/EEC[50], applied on the ***parcel***, shall not exceed 170 kg of nitrogen per year/hectare of agricultural area used. That limit shall only apply to the use of farmyard manure, dried farmyard manure and dehydrated poultry manure, composted animal excrements, including poultry manure, composted farmyard manure and liquid animal excrements. ***The total amount of livestock manure applied in market garden production under shelter shall not exceed 240kg of nitrogen per year/hectare over the whole area under shelter.***	at T5
1.5.5 Organic agricultural holdings may establish written cooperation agreements exclusively with other agricultural holdings and enterprises which comply with the organic production rules, with the intention of spreading surplus manure from organic production. The maximum limit as referred to in point 1.5.4.,	Commission proposal unchanged	Commission proposal unchanged	Need to adapt to changes in definitions and Art. 7 and 8 (COM will propose wording) Alternative COM proposal (2/06) 1.5.5. ~~**Organic**~~ **Aa**gricultural holdings may establish written cooperation agreements exclusively

[49] 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).

[50] 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).

shall be calculated on the basis of all of the organic production units involved in such cooperation.			with other agricultural holdings and enterprises which comply with the organic production rules, with the intention of spreading surplus manure from organic production **units**. The maximum limit as referred to in point 1.5.4., shall be calculated on the basis of all of the organic production units involved in such cooperation. To be further discussed
Amendment 290 Annex II - Part I - point 1.5.6			
1.5.6 Preparations of micro-organisms may be used to improve the overall condition of the soil or the availability of nutrients in the soil or in the crops.	Commission proposal unchanged	1.5.6. Preparations of micro-organisms ***and biochar*** may be used to improve the overall condition of the soil or the availability of nutrients in the soil or in the crops.	No agreement at TM on 29/04
1.5.7 For compost activation appropriate plant-based preparations or preparations of micro-organisms may be used.	Commission proposal unchanged	Commission proposal unchanged	1.5.7 For compost activation appropriate plant-based preparations or preparations of micro-organisms may be used.
			1.5.7a. Biodynamic preparations may be used.

			(text agreed at T5, but location to be decided)
1.5.8 Mineral nitrogen fertilisers shall not be used.	Commission proposal unchanged	Commission proposal unchanged	1.5.8 Mineral nitrogen fertilisers shall not be used.
Amendment 291 Annex II - Part I - point 1.5.8 (a) (new)			
		1.5.8a. The use of biodynamic preparations shall be allowed.	1.5.2a. ~~The use of~~ Biodynamic preparations ~~is~~ **may be used** ~~allowed~~. Agreed at T5 (location still to be decided;) COM proposes to introduce it in 1.5.7a new
Amendment 292 Annex II - Part I - point 1.5.8 (b) (new)			
		1.5.8b. The use of ferti-irrigation is prohibited.	No agreeement on TM of 29/04 To be checked by EP
1.6 Pest and weed management	Commission proposal unchanged	Commission proposal unchanged	1.6 Pest and weed management
Amendment 293 Annex II - Part I - point 1.6.1 - introductory part			
1.6.1 The prevention of damage caused by pests ***and weeds*** shall rely primarily on the protection by:	Commission proposal unchanged	1.6.1. The prevention of damage caused by pests***, weeds and diseases*** shall rely primarily on the protection by:	Keep COM text (agreed at T6)

- natural enemies,	Commission proposal unchanged	Commission proposal unchanged	- natural enemies,
- the choice of species, varieties and heterogeneous material,	- the choice of species, varieties and ~~**heterogeneous material**~~ **populations**,	Commission proposal unchanged	No agreement
- crop rotation,	Commission proposal unchanged	Commission proposal unchanged	- crop rotation,
- cultivation techniques such as biofumigation, and	- cultivation techniques such as biofumigation, **mechanical and physical methods,** and	Commission proposal unchanged	Keep GA text Agreed at T5
Amendment 294 Annex II - Part I - point 1.6.1 - indent 5			
- thermal processes such as solarisation and shallow steam treatment of the soil ***(to a maximum depth of 10 cm)***.	Commission proposal unchanged	– thermal processes such as solarisation and***, exclusively for protected crops,*** shallow steam treatment of the soil.	No agreement on TM of 29/04 Alternative text proposed by COM - thermal processes such as solarisation and, in the case of protected crops, shallow steam treatment of the soil (to a maximum depth of 10 cm)." To be further discussed

Amendment 295 Annex II - Part I - point 1.6.2			
1.6.2 Where plants cannot be protected adequately from pests by measures provided for in point 1.6.1. or in the case of an established threat to a crop, only products authorised for use in organic production pursuant to Article 19 may be used and only to the extent necessary.	1.6.2. Where plants cannot be protected adequately from pests by measures provided for in point 1.6.1. or in the case of an established threat to a crop, only products authorised for use in organic production pursuant to Article 19 may be used and only to the extent necessary. **Operators shall keep records of the use of these products.**	1.6.2. Where plants cannot be protected adequately from pests***, weeds and diseases*** by measures provided for in point 1.6.1. or in the case of an established threat to a crop, only products authorised for use in organic production pursuant to Article 19 may be used***,*** and only to the extent necessary. ***Operators shall keep documentation proving the need for the use of such products.***	Compromise proposal: 1.6.2. Where plants cannot be protected adequately from pests***,*** ***~~[weeds] and diseases~~*** by measures provided for in point 1.6.1. or in the case of an established threat to a crop, only products authorised for use in organic production pursuant to Article 19 may be used***,*** and only to the extent necessary. ***Operators shall keep documentation proving the need for the use of such products.*** ***COM: "Weeds" are missing on purpose as there is not products authorised as herbicides because it goes against the organic principle.*** *Should be acceptable for EP/PRES. To be confirmed at T*
Amendment 296 Annex II - Part I - point 1.6.3			
1.6.3 ***The*** traps or dispensers ***of products*** other than pheromones	Commission proposal unchanged	1.6.3. ***In relation to products used in*** traps or dispensers other than pheromones***, the traps and/or***	EP text agreed at T5

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***.		***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.	Alternative COM proposal (2/06) 1.6.3. ***In relation to products used in*** traps or dispensers **<u>of products</u>** 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. To be further discussed ?
1.7 Products used for cleaning and disinfection	Commission proposal unchanged	Commission proposal unchanged	1.7 Products used for cleaning and disinfection
			Alternative draft COM proposal (drafting group on 3 June) 1.8. Preparation of unprocessed products If preparation operations, other than processing, are carried out on plants, the general requirements laid down in points 1.2., 1.3, 1.4., 1.5 of Part IV shall apply *mutatis mutandis* to such prepared products. To be further discussed

Amendment 297 Annex II - Part I - point 1.7 (1)			
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***.	Commission proposal unchanged	***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.	No agreement COM proposal is more precise (products need to be authorised **for cleaning and disinfection** in plant production) . EP to verify.
Amendment 298 Annex II - Part I - point 1.7 (1) (a) (new)			
		Operators shall keep documentation on the parcels concerned and on the amount of the harvest.	No agreement To be further discussed
2. Requirements for specific plants or plant products	~~**2. Requirements for specific plants or plant products**~~	Commission proposal unchanged	IA issue No agreement
2.1 Rules on mushroom production For the production of mushrooms, substrates may be used, if they are composed only of the following components:	~~**2.1. Rules on mushroom production**~~ ~~**For the production of mushrooms, substrates may be used, if they are composed only of the following components:**~~	Commission proposal unchanged	IA issue No agreement
(a) farmyard manure and animal excrements:	~~**(a) farmyard manure and animal excrements:**~~	Commission proposal unchanged	IA issue No agreement

(i) either from agricultural holdings producing according to the organic production rules; or	~~(i) either from agricultural holdings producing according to the organic production rules; or~~	Commission proposal unchanged	IA issue No agreement Alternative COM proposal (2/06) (i) either from **organic production units** ~~agricultural holdings producing according to the organic production rules~~; or To be further discussed
(ii) referred to in point 1.5.3., only when the product referred to in point (i) is not available, provided that these farmyard manure and animal excrements do not exceed 25 % of the weight of total components of the substrate, excluding the covering material and any added water, before composting;	~~(ii) referred to in point 1.5.3., only when the product referred to in point (i) is not available, provided that these farmyard manure and animal excrements do not exceed 25 % of the weight of total components of the substrate, excluding the covering material and any added water, before composting;~~	Commission proposal unchanged	IA issue No agreement
(b) products of agricultural origin, other than those referred to in point (a), from agricultural holdings	~~(b) products of agricultural origin, other than those referred to in point (a), from agricultural~~	Commission proposal unchanged	IA issue No agreement

producing according to the organic production rules;	**~~holdings producing according to the organic production rules;~~**		Alternative COM proposal (2/06) (b) products of agricultural origin, other than those referred to in point (a), from **organic production units~~agricultural holdings producing according to the organic production rules~~**; To be further discussed
(c) peat not chemically treated;	**~~(c) peat not chemically treated;~~**	Commission proposal unchanged	IA issue No agreement
(d) wood, not treated with chemical products after felling;	**~~(d) wood, not treated with chemical products after felling;~~**	Commission proposal unchanged	IA issue No agreement
(e) mineral products referred to in point 1.5.3., water and soil.	**~~(e) mineral products referred to in point 1.5.3., water and soil.~~**	Commission proposal unchanged	IA issue No agreement
2.2 Rules concerning the collection of wild plants The collection of wild plants and parts thereof, growing naturally in natural areas, forests and agricultural areas is considered as organic production provided that:	**~~2.2. Rules concerning the collection of wild plants~~** **~~The collection of wild plants and parts thereof, growing naturally in natural areas, forests and agricultural areas is considered as organic production provided that:~~**	Commission proposal unchanged	IA issue No agreement
(a) those areas have not, for	**~~(a) those areas have not,~~**	Commission proposal unchanged	IA issue

a period of at least three years before the collection, received treatment with products other than those authorised for use in organic production pursuant to Article 19;	~~**for a period of at least three years before the collection, received treatment with products other than those authorised for use in organic production pursuant to Article 19;**~~		No agreement
(b) the collection does not affect the stability of the natural habitat or the maintenance of the species in the collection area.	~~**(b) the collection does not affect the stability of the natural habitat or the maintenance of the species in the collection area.**~~	Commission proposal unchanged	IA issue No agreement
Part II: Livestock production rules	Commission proposal unchanged	Commission proposal unchanged	**Part II: Livestock production rules**
In addition to the production rules laid down in Articles 7, 8, 9 and 11, the rules laid down in this Part shall apply to livestock production.	Commission proposal unchanged	Commission proposal unchanged	In addition to the production rules laid down in Articles 7, 8, 9 and 11, the rules laid down in this Part shall apply to livestock production.
2. General requirements	Commission proposal unchanged	Commission proposal unchanged	**2. General requirements**
Amendment 299 Annex II - Part II - point 1.1			
1.1 ***Where the farmer producing*** livestock does not manage agricultural land and has not ***established*** a written cooperation agreement with another organic ***farmer, landless livestock***	1.1. Where the farmer producing **organic** livestock does not manage agricultural land and has not established a written cooperation agreement with another **organic** farmer, landless livestock	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***	COM compromise text on 26/05 agreed at T7: 1.1 Except in the case of beekeeping, landless livestock

production shall be prohibited.	production shall be prohibited.	***accordance with Annex II, Part I, point 1.5.4,*** shall be prohibited ***with the exception of beekeeping***.	production shall be prohibited, where the farmer intending to produce organic livestock does not manage agricultural land and has not established a written cooperation agreement with a farmer as regards the use of organic production units or in-conversion production units for that livestock.
1.2 Conversion	Commission proposal unchanged	Commission proposal unchanged	1.2 Conversion
Amendment 300 Annex II - Part II - point 1.2.1			
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 has notified his activity to the competent authority 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.	GA's deletion agreed at T5
Amendment 301 Annex II - Part II - point 1.2.2			
1.2.2 Conversion periods specific to the type of animal production ***are*** set out in point 2.	1.2.2. Conversion periods ~~**specific to the type of animal production are set out in point 2**~~ for the animal species referred to Article 11(3) from (a) to (e) are:	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***	Alternative proposal from EP (non paper on 21/03) 1.2.2. Conversion periods specific

		be applied.	to the type of animal production are set out in point 2. ***Such periods shall also apply in the case of non-simultaneous conversion of animals and pasturage/land used for animal feed.*** No agreement at T7 EP to check
	(a) 12 months in the case of bovine and equine animals for meat production, and in any case at least three quarters of their lifetime;		No agreement at T7 (linked to structure – IA/DA issue)
	(b) six months in the case of ovine, caprine and porcine animals and animals for milk production;		
	(c) 10 weeks for poultry for meat production, except for Peking ducks, brought in before they are three days old;		

	(d) 7 weeks for Peking ducks, brought in before they are three days old;		
	(e) six weeks in the case of poultry for egg production, brought in before they are three days old;		
	(f) 12 months for bees. During the conversion period the wax shall be replaced with wax coming from organic beekeeping. However, non-organic beeswax may be used:		
	(i) where beeswax from organic beekeeping is not available on the market;		
	(ii) where it is proven free of contamination by products or substances not authorised for organic production; and		
	(iii) provided that it comes from the cap.		
1.2.3 Animals and animal products	Commission proposal unchanged	Commission proposal unchanged	Deleted because covered by art 8(4)

produced during the conversion period shall not be marketed as organic.			Agreed at T5
Amendment 302 Annex II - Part II - point 1.2.4			
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.***	Commission proposal unchanged	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***.	Acceptable EP to check Alternative COM proposal (2/06) **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 an in-conversion production unit.]** ***(COM comment: the purpose of this amendment needs clarifications: conversion period is normally already 2 years. Furthermore, why should a farmer who feeds in-conversion feed instead of organic feed (or percentages of organic feed) benefit from a reduced conversion period?)***

			To be further discussed
1.3 Origin of animals	Commission proposal unchanged	Commission proposal unchanged	1.3 Origin of animals
Amendment 303 Annex II - Part II - point 1.3.1			
1.3.1 Organic livestock shall be born and raised on organic agriculturalholdings.	Commission proposal unchanged	1.3.1. Organic livestock shall be born ***or hatched*** and raised on organic agricultural holdings.	Compromise proposal: Organic livestock shall be born **or hatched** and raised on organic production units. Agreed at T7
			No agreement at T7 AM 303 2nd para to be discussed in conjunction with 1.3.5.5 of GA
		Such livestock and products derived from it may be considered as organic provided that the conversion period specified in point 2.4.1 of Part II of this Annex is respected.	to be discussed in the context of compromise solution on point 1.3.5/AM 306)
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	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	Commission proposal unchanged	No agreement at T7 FOR PRES, this has to be seen in conjunction with the issue on the structure

conversion period referred to in point 2.	applicable conversion period referred to in point ~~2~~ **1.2.2 and the provision of point 1.2.4**.		
1.3.3 With regard to the breeding of organic animals:	Commission proposal unchanged	Commission proposal unchanged	1.3.3 With regard to the breeding of organic animals:
(a) reproduction shall use natural methods; however, artificial insemination shall be allowed;	Commission proposal unchanged	Commission proposal unchanged	(a) reproduction shall use natural methods; however, artificial insemination shall be allowed;
(b) reproduction shall not be induced by treatment with hormones or similar substances, unless as a form of veterinary therapeutic treatment in case of an individual animal;	(b) reproduction **cycles** shall not be induced **or impeded** by treatment with hormones or similar substances, unless as a form of veterinary therapeutic treatment in case of an individual animal;	Commission proposal unchanged	(b) reproduction ~~**cycles**~~ shall not be induced **or impeded** by treatment with hormones or similar substances, unless as a form of veterinary therapeutic treatment in case of an individual animal; Agreed at T5
(c) other forms of artificial reproduction, such as cloning and embryo transfer, shall not be used;	Commission proposal unchanged	Commission proposal unchanged	(c) other forms of artificial reproduction, such as cloning and embryo transfer, shall not be used;
Amendment 304 Annex II - Part II - point 1.3.3 (d)			
(d) the choice of breeds shall be appropriate and shall contribute to the prevention of	Commission proposal unchanged	(d) the choice of breeds shall be appropriate ***to ensure a high standard of animal welfare*** and	Compromise proposal : (d) the choice of breeds shall be appropriate, shall ensure a high

any suffering and to avoiding the need for the mutilation of animals.		shall ***also*** contribute to the prevention of any suffering and to avoiding the need for the mutilation of animals.	standard of animal welfare and shall contribute to the prevention of any suffering and to avoiding the need for the mutilation of animals Agreed at T5
Amendment 305 Annex II - Part II - point 1.3.4 to 1.3.4 (c) (new)			
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.	Commission proposal unchanged	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.	**Keep COM text** Agreed at T7 (no change in EP text, see A list) 1.3.4 In the choice of breeds or strains, account shall be taken of the capacity of animals to adapt to local conditions, without impairment of their welfare, their vitality and their resistance to disease. In addition, breeds or strains of animals shall be selected to avoid specific diseases or health problems associated with some breeds or strains used in intensive production, such as porcine stress syndrome, pale-soft-exudative (PSE) syndrome, sudden death, spontaneous abortion and difficult births requiring caesarean operations. Preference shall be given to indigenous breeds and

			strains.
		The preservation of rare and/or native breeds in danger of extinction shall be encouraged.	EP text Withdrawn Acceptable as an objective **(Agreed at T2)**
		1.3.4a. Average growth and production rates shall be determined by the Commission in accordance with Article 11(2) for all fattening animals, including broilers and turkeys. Indicators shall be used where appropriate to assess and affirm the robustness and suitability of breeds in organic farming. Such indicators shall include average growth rates for all breeds and average production rates for all egg- and milk-producing breeds that are compatible with farming duration rules for each species (i.e. days until slaughter for poultry).	No agreement at T7 COM does not agree to have to determine at EU level average growth and roduction rates for all fattening, egg producing and milk producing animals. This is not a realistic requirement. EP will check
		1.3.4b. Information on breeds used in organic farming shall be kept in a dedicated database that shall be set up by the Commission to promote transparency on the use of and information on the availability of breeds, including their adaptability to local conditions.	The following alternative revised text based on COM text (31 May)) seems acceptable for PRES/EP. To be confirmed at T9 Each Member State shall keep a database on animal breeds suitable for organic farming, which shall include information on the

			availability of the animals of those breeds and their adaptability to specific local conditions in their respective territories. Those data shall be updated regularly. A link to the respective databases of the Member States shall be made public by the Commission via electronic means.
		1.3.4c. Proper application and enforcement of breeding rules shall be facilitated, where appropriate, through rural development support and the Commission's Action Plan for the future of Organic Production in the European Union.	No agreement at T7 EP will prepare a recital
1.3.5 For breeding purposes, non-organically raised animals may be brought onto an agricultural holding when breeds are in danger of being lost to farming in accordance with Annex IV to Commission Regulation (EC) No 1974/2006[51]	1.3.5. ~~**For breeding purposes, non-organically raised animals may be brought onto an agricultural holding when breeds are in danger of being lost to farming in accordance with Annex IV to Commission**~~	Commission proposal unchanged	Alternative COM proposal (2/06) **1.3.5.** For breeding purposes, non-organically raised animals may be brought onto an agricultural holding when breeds are in danger of being lost to farming in

[51] 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).

and in that case animals of those breeds must not necessarily be nulliparous.	~~**Regulation (EC) No 1974/2006[52] and in that case animals of those breeds must not necessarily be nulliparous.**~~		accordance with ~~**Annex IV to Commission Regulation (EC) No 1974/2006[53]**~~ **Article 7(3) of Commission Delegated Regulation (EU) No 807/2014[54]** and in that case animals of those breeds must not necessarily be nulliparous. To be further discussed
Amendment 306 Annex II - Part II - point 1.3.5 (a) to 1.3.5 (d) (new)			
	By way of derogation from point 1.3.1, non-organic animals may be brought onto a holding for breeding purposes, only when organic animals are not available in sufficient number and subject to the conditions provided for in		Alternative drafting from EP (non paper of 21/03) [1.3.5.1. By way of derogation from point 1.3.1, non-organic animals may be brought onto a holding for breeding purposes only when organic animals are not available in sufficient numbers, and

~~**[52] 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).**~~

~~**[53] 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).**~~

[54] Commission Delegated Regulation (EU) No 807/2014 of 11 March 2014 supplementing Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and introducing transitional provisions (OJ L 227, 31.7.2014, p. 1)

	points 1.3.5.1 to 1.3.5.5.		subject to the conditions set out below.] No agreement on T7 PRES ready to accept this alternative EP text, except the last paragraph related to the conditions on the phasing out period (but EP not). • COM will prepare a text
	1.3.5.1. Non-organic young animals, 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:	***1.3.5a. By way of derogation from point 1.3.1, non-organic young mammals, when a herd or flock is constituted for the first time, shall be reared in accordance with the organic production rules immediately after they are weaned. Moreover, the following restrictions shall apply as at the date on which the animals enter the herd:***	Alternative drafting from EP (non paper of 21/03) • 1.3.5.1.1 Non-organic young animals, 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 those mammals enter the herd or flock: No agreement at T7
	(a) bovine and equine animals shall be less than six months old;	***(a) buffalo, calves and foals shall be less than six months old;***	GA text seems acceptable for EP No agreement at T7

	(b) ovine and caprine animals shall be less than 60 days old;	***(b) lambs and kids shall be less than 60 days old;***	GA text seems acceptable for EP No agreement at T7
	(c) porcine animals shall weigh less than 35 kg.	***(c) piglets shall weigh less than 35 kg.***	GA text seems acceptable for EP No agreement at T7
		The derogation provided for in this point shall be phased out in accordance with the availability of bred organic animals.	No agreement at T7 TM 11/03: EP maintains this AM Introduced in EP non-paper on 21/03
	1.3.5.2 Non-organic adult male and nulliparous female animals, for the renewal of a herd or flock, shall be reared subsequently in accordance with the organic production rules. Moreover, the number of female mammals is subject to the following restrictions per year:	***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:***	Alternative drafting from EP (non paper of 21/03) ***1.3.5.1.2 Non-organic adult male and nulliparous female animals shall, for the renewal of a herd or flock, be reared subsequently in accordance with the organic production rules. Moreover, the number of female animals shall be subject to the following restrictions per year:*** No agreement at T7
	(a) up to a maximum of 10 % of adult equine or bovine	***(a) no more than 10 % of adult equine or bovine livestock, including bubalus and bison***	Alternative drafting from EP (non paper of 21/03)

	animals and 20 % of the adult porcine, ovine and caprine animals;	***species, and 20 % of the adult porcine, ovine and caprine livestock, shall be females;***	• (a) up to a maximum of 10 % of adult equine or bovine animals and 20 % of [the] adult porcine, ovine and caprine animals; No agreement at T7
	(b) for units with less than 10 equine or bovine animals, or with less than five porcine, ovine or caprine animals any renewal as mentioned above shall be limited to a maximum of one animal per year.	***(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.***	Alternative drafting from EP (non paper of 21/03) • (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. No agreement at T7
		The derogation provided for in this point shall be phased out in accordance with the availability of bred organic animals:	Alternative drafting from EP (non paper of 21/03) In order to phase out the derogation hereby provided for, when it appears from the database referred to in point 1.3.4b that a sufficient number of organically bred animals are available, the Commission is empowered to adopt a delegated act in accordance with Article 36 deleting the present point 1.3.5.1.

			No agreement at T7
		(a) when a new livestock specialisation is initiated; or	Withdrawn from EP non-paper on 21/03
		(b) when breeds are in danger of being lost to farming as provided for in Annex IV to Commission Regulation (EC) No 1974/2006[55].	Withdrawn from EP non-paper on 21/03
		Such livestock and products derived from them may be considered as organic provided that the conversion period specified in point 1.2 of Part II of this Annex is respected.	Withdrawn from EP non-paper on 21/03
	1.3.5.3. The percentages referred to in point 1.3.5.2 may be increased up to 40 %, subject to prior authorisation by the competent authority, in the following special cases:	***1.3.5c. The percentages referred to in point 1.3.5b may be increased to a maximum of 40 %, subject to prior authorisation by the competent authority, in the following cases:***	Alternative drafting from EP (non paper of 21/03) 1.3.5.2. The percentages referred to in sub-point 1.3.5.1.2 may be increased up to 40%, provided that the competent authority has confirmed that the one of following conditions is fulfilled:

[55] ***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).***

			No agreement at T7
	(a) when a major extension to the farm is undertaken;	***(a) when a major extension of the farm is undertaken;***	(a) a major extension to the farm has been undertaken; No agreement at T7
	(b) when a breed is changed;	***(b) when a breed is changed.***	Alternative drafting from EP (non paper of 21/03) (b) a breed has been changed; No agreement at T7
	(c) when a new livestock specialisation is initiated;		(c) a new livestock specialisation has been initiated; No agreement at T7
	(d) when breeds are in danger of being lost to farming as defined by Member States in accordance with Commission Delegated Regulation (EU) No 807/2014[56] and in that case animals of those breeds must not necessarily be nulliparous.		Alternative drafting from EP (non paper of 21/03) d) breeds are in danger of being lost to farming as defined by Member States in accordance with Annex IV of Commission Regulation (EU) No 1974/2006, and in that case animals of those breeds must not necessarily be nulliparous. Such livestock and products

[56] Commission Delegated Regulation (EU) No 807/2014 of 11 March 2014 supplementing Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and introducing transitional provisions (OJ L 227, 31.7.2014, p. 1)

			derived from them may be considered as organic provided that the conversion period specified in point 1.2 of Part II of this Annex is respected. No agreement at T7
	1.3.5.4. For the renovation of apiaries, 20% per year of the queen bees and swarms may be replaced by non-organic queen bees and swarms in the organic production unit provided that the queen bees and swarms are placed in hives with combs or comb foundations coming from organic production units.	***1.3.5d. For the renovation of apiaries, 20 % per year of the queen bees and swarms may be replaced by non-organic queen bees and swarms in the organic production unit, provided that the queen bees and swarms are placed in hives with combs or comb foundations coming from organic production units. In any case, one swarm or queen bee can be replaced per year.***	1.3.5.3. For the renovation of apiaries, 20% per year of the queen bees and swarms may be replaced by non-organic queen bees and swarms in the organic production unit provided that the queen bees and swarms are placed in hives with combs or comb foundations coming from organic production units. In any case, one swarm or queen bee may be replaced per year. Compromise text agreed at T5
	1.3.5.5. When a flock of birds is constituted for the first time, renewed or reconstituted, non-organically reared poultry may be brought into an organic poultry production unit, provided that the	**AM 303, 2nd para** **With regard to the provisions provided for in Article 11(1), when a flock is constituted for the first time, renewed or reconstituted, and organically reared poultry are not available in sufficient numbers and [with**	No agreement at T7 Alternative drafting from EP (non paper of 21/03) 1.3.5.4. With regard to the provisions laid down in Article 11(1), when a flock is constituted

	pullets for the production of eggs and poultry for meat production are less than three days old.	**the prior authorisation of the competent authority,] non-organically reared poultry may be brought into an organic poultry production unit, provided that the pullets for the production of eggs and poultry for meat production are less than three days old.**	for the first time, renewed or reconstituted and the competent authority has confirmed that organically reared poultry are not available in sufficient numbers, non-organically reared poultry may be brought into an organic poultry production unit, provided that the pullets for the production of eggs and poultry for meat production are less than three days old. Such livestock and products derived from them may be considered as organic provided that the conversion period specified in point 1.2 of Part II of this Annex is respected. In order to phase out the derogation hereby provided for, when a sufficient number of organically bred animals are available, the Commission is empowered to adopt delegated acts in accordance with Article 36 deleting the present point 1.3.5.4. COM will propose a text
1.4 Nutrition	Commission proposal unchanged	Commission proposal unchanged	1.4 Nutrition

1.4.1 General nutrition requirements With regard to nutrition the following rules shall apply:	Commission proposal unchanged	Commission proposal unchanged	1.4.1 General nutrition requirements With regard to nutrition the following rules shall apply:
(a) feed for livestock shall be obtained primarily from the agricultural holding where the animals are kept or from other organic holdings in the same region;	Commission proposal unchanged	Commission proposal unchanged	Alternative COM proposal (2/06) (a) feed for livestock shall be obtained primarily from the agricultural holding where the animals are kept or from **organic or in-conversion production units of** other ~~**organic**~~ holdings in the same region;
Amendment 307 Annex II - Part II - point 1.4.1 (b)			
(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;	(b) livestock shall be fed with organic **or in-conversion** feed **as referred to in point 1.4.3,** that meets the animal's nutritional requirements at the various stages of its development. Restricted feeding shall not be permitted in livestock	(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***	Following compromise text agreed at T7 (b) livestock shall be fed with organic **or in-conversion** feed **as referred to in point 1.4.3,** that meets the animal's nutritional requirements at the various stages of its development, in terms of both quality and quantity. Restricted

	production;	***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.***	feeding shall not be permitted in livestock production; At T7, it was also concluded that the rest of the EP AM 307 is still pending (in yellow) and to be discussed with AM 317 Alternative COM proposal (2/06) (b) **without prejudice to points 1.4.2 1a, 1.4.2.~~2~~1 and 1.4.3,** livestock shall be fed with organic or in-conversion feed that meets the animal's nutritional requirements at the various stages of its development. Restricted feeding shall not be permitted in livestock production; To be further discussed?
(c) the keeping of livestock in conditions, or on a diet which may encourage anaemia, shall be prohibited;	Commission proposal unchanged	Commission proposal unchanged	(c) the keeping of livestock in conditions, or on a diet which may encourage anaemia, shall be prohibited;
Amendment 308 Annex II - Part II - point 1.4.1 (d)			
(d) ***fattening practices shall***	Commission proposal unchanged	(d) force-feeding is forbidden;	*Following compromise COM non*

be reversible at any stage of the rearing process. Force-feeding is forbidden;			*paper on 26/05 agreed at T7:* *(d)* fattening practices ***shall always*** ~~***be reversible***~~ ***respect the normal nutrition patterns for each species and animals' welfare*** at any stage of the rearing process. Force-feeding is forbidden***;***
(e) with the exception of bees, livestock shall have permanent access to pasture or roughage;	Commission proposal unchanged	Commission proposal unchanged	(e) with the exception of bees, livestock shall have permanent access to pasture or roughage;
(f) growth promoters and synthetic amino-acids shall not be used;	Commission proposal unchanged	Commission proposal unchanged	(f) growth promoters and synthetic amino-acids shall not be used;
Amendment 309 Annex II - Part II - point 1.4.1 (g)			
(g) suckling animals shall be fed in preference ***on maternal milk*** for a minimum period;	Commission proposal unchanged	(g) suckling animals shall be fed ***on maternal milk*** in preference ***to natural milk,*** for a minimum period;	Following COM alternative text is agreed at T7: (g) suckling animals shall be fed in preference on maternal milk for a minimum period; Milk replacers containing artificial components shall not be used during this period.
(h) feed materials of mineral origin, feed additives, certain products used in animal nutrition and processing aids	Commission proposal unchanged	***(ha) non-organic feed materials of plant origin, feed materials of animal and mineral origin, feed additives, certain products used in animal nutrition and processing***	No agreement at T7 To be seen in conjunction with Art 19

shall be used only if they have been authorised for use in organic production pursuant to Article 19.		***aids shall be used only if they have been authorised for use in organic production pursuant to Article 19 and in duly justified cases.***	
Amendment 310 Annex II - Part II - point 1.4.1 (h) (a) (new)			
	1.4.1a. Grazing on organic land **Organic animals shall graze on organic land. However, non-organic animals may use organic pasturage for a limited period of time each year, provided that such animals are derived from a farming system equivalent to one of those provided for in Articles 23, 25, 28, 30, 31 and 34 of Regulation (EU) No 1305/2013 and that organic animals are not present at the same time on that pasture.**		Keep GA text - Agreed at T5 Alternative COM proposal (2/06) **1.4.2.** Grazing ~~**on organic landof common land**~~ and transhumance **Without prejudice to point 1.4.2.1a. organic animals shall graze on organic land. However, non-organic animals may use organic pasturage for a limited period of time each year, provided that such animals** **are derived from a production system equivalent to one of those provided for in Articles 23, 25, 28, 30, 31 and 3~~0~~4 of Regulation (EC) No 1305/2013[57] ~~;~~ and that non-organic animals are not**

[57] **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).**

			present on the organic land at the same time ~~than~~as organic animals. To be further discussed???
1.4.2 Grazing of common land and transhumance	Commission proposal unchanged	Commission proposal unchanged	1.4.2 Grazing of common land and transhumance
1.4.2.1 Organic animals may be grazed on common land, provided that:	1.4.2.1. Organic animals may ~~be~~ graze~~d~~ on common land, provided that:	Commission proposal unchanged	Keep GA text - Agreed at T5
Amendment 311 Annex II - Part II - point 1.4.2.1 (a)			
(a) the common land is ***fully managed in accordance with this Regulation;***	(a) the common land **has not been treated with products not authorised for organic production for at least three years;** ~~**is fully managed in accordance with this Regulation;**~~	(a) the common land ***on which grazing is taking place has not been treated with products not authorised for organic production for at least two years;*** ***This condition shall not apply to extensive pastures which are not used by animals for more than 150 days in a year;***	No agreement at T7
Amendment 312 Annex II - Part II - point 1.4.2.1 (b)			
(b) any non-organic animals which use the land	(b) any non-organic animals which use the	***deleted***	No agreement at T7

concerned are derived from a production system equivalent to one of those provided for in Articles 28 and 30 of Regulation (EU) No 1305/2013[58];	land concerned are derived from a production system equivalent to one of those provided for in Articles **23, 25,** 28**, ~~and~~** 30**, 31 and 34** of Regulation (EU) No 1305/2013[59];		
(c) any livestock products from organic animals, whilst using this land, is not regarded as being from organic production, unless adequate segregation from non-organic animals can be proved.	Commission proposal unchanged	Commission proposal unchanged	(c) any livestock products from organic animals, whilst using this land, ~~is~~ ***are*** not regarded as ~~being from~~ organic ***products~~ion~~***, unless adequate segregation from non-organic animals can be proved. Compromise text agreed at T5
Amendment 313 Annex II - Part II - point 1.4.2.2			
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	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	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	Following COM text agreed at T7, including last sentence from GA During the period of transhumance animals may graze on non-organic land when they are being moved on

[58] 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).

[59] 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).

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***.	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. **During this period, organic livestock shall be kept separate from other livestock.**	grass and other vegetation on which the animals graze, shall ***not exceed 20 % of the total feed ration per year. This figure shall be calculated as a percentage of the dry matter of feeding stuffs from agricultural origin***.	foot from one grazing area to another. During that period, organic livestock shall be kept separate from other livestock. The uptake of non-organic feed, in the form of grass and other vegetation on which the animals graze, shall be allowed: (a) for a maximum of 35 days covering both the outward and return journeys; or (b) for a maximum of 10% of the total feed ration per year calculated as percentage of the dry matter of feeding stuffs from agricultural origin.
Amendment 314 Annex II - Part II - point 1.4.2.2 (1) (a) (new)			
		Operators shall keep documentary evidence of the use of provisions referred to in point 1.4.2.	Withdrawal agreed at T7 because already covered by Art 24.3 (GA) or Art 24a (EP)
1.4.3 In-conversion feed	Commission proposal unchanged	Commission proposal unchanged	1.4.3 In-conversion feed
Amendment 315 Annex II - Part II - point 1.4.3.1			
1.4.3.1 ***For in-conversion agricultural holdings, up to 15*** % of ***the total average amount of*** feed fed	1.4.3.1. For in-conversion agricultural holdings, up to ~~15~~ **20** % of the total average	1.4.3.1. ***Up to 25 % on average*** of the feed fed to livestock may ***be made up of in-conversion feed.***	No agreement on T7 • Alternative EP non paper

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***.	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 **both** in their first **and second** year of conversion are being used **for feeding**, the total combined percentage of such feed shall not exceed the maximum percentages fixed in point 1.4.3.2. **Feed in their first year of conversion may not be used for the production of organic processed feed.**	When ***the*** in-conversion feed ***comes from an in-conversion unit of the holding itself, this proportion may be increased to 100 %***.	circulated on 11 May to be further discussed in drafting group. 1.4.3.1. For in-conversion agricultural holdings, up to [~~**30 %**~~ **20%]** of the total average amount of feed fed to livestock may originate from the grazing or harvesting of permanent pastures, perennial forage parcels or protein crops, sown under organic management on lands in their first year of conversion, provided that they are part of the holding itself ***and have not been part of an organic production unit of that holding in the last five years.*** ~~**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 ***both*** in their first ***and second*** year of conversion are being used ***for feeding***, the total combined percentage of such feed shall not exceed the maximum percentages fixed in point 1.4.3.2. ***Feed in their first year of conversion may not be used for the production of organic processed feed.***
• Amendment 316			

Annex II - Part II - point 1.4.3.2			
1.4.3.2 ***For organic agricultural holdings,*** up to 20 % ***on*** average ***of the feed formula of rations may comprise in-conversion feed, namely feed from the second*** year of conversion. ***For in-conversion agricultural holdings, when the*** in-conversion ***feed come from the holding itself, this*** percentage ***may be increased to 100***.	1.4.3.2. For organic agricultural holdings, up to ~~**20**~~ **30** % on average of the feed formula of rations may comprise ~~**in-conversion feed, namely**~~ feed from the second year of conversion. For in-conversion agricultural holdings, when the ~~**in-conversion**~~ feed **from the second year of conversion** come**s** from the holding itself, this percentage may be increased to 100.	1.4.3.2. Up to ***30 % of the total*** average ***amount of feedingstuffs fed to livestock may originate from the grazing or harvesting of permanent pastures, perennial forage parcels or protein crops, sown under organic management on lands in their first*** year of conversion***, provided that they form part of the holding itself and have not been part of an organic production unit of that holding in the last five years. When both*** in-conversion ***feedingstuffs and feedingstuffs from parcels in their first year of conversion are being used, the total combined*** percentage ***of such feedingstuffs shall not exceed the maximum percentages fixed in point 1.4.3.1***.	No agreement at T7 Alternative EP non paper circulated on 11 May to be further discussed in drafting group (to be aligned with compromise text on mixed farms). 1.4.3.2. For organic agricultural holdings, up to **25** % on average of the feed formula of rations may comprise ~~**in-conversion feed, namely**~~ feed from the second year of conversion. For in-conversion agricultural holdings, when the ***in-conversion*** feed ~~***from the second year of conversion comes***~~ from the holding itself, this percentage may be increased to 100. Alternative COM proposal (2/06) **1.4.3.2.** For organic ~~**agricultural holdings**~~**livestock production units,** ~~**(a) uU**~~**u**p to 20 % **[EP: 25%, Council: 30%]** on average of the feed formula of rations may

			comprise ~~**in-conversion feed, namely**~~ feed from the second year of conversion. ~~**For in-conversion agricultural holdings,**~~ **W**~~**w**~~hen th**is**~~**e in-conversion**~~ feed come**s** from the holding **where the livestock is kept** itself, this percentage may be increased to 100**%**~~**;. and**~~ To be further discussed
1.4.3.3 The figures in points 1.4.3.1. and 1.4.3.2. shall be calculated annually as a percentage of the dry matter of feed of plant origin.	Commission proposal unchanged	Commission proposal unchanged	1.4.3.3 The figures in points 1.4.3.1. and 1.4.3.2. shall be calculated annually as a percentage of the dry matter of feed of plant origin.
1.4.4 Use of certain feed materials and substances in feed	1.4.4. Use of certain feed materials and substances in feed	Commission proposal unchanged	1.4.4 Use of certain feed materials and substances in feed
Amendment 317 Annex II - Part II - point 1.4.4 (1)			
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.	Only organic feed materials**,** as well as feed materials and feed additives authorised for use in organic production pursuant to Article 19 **and to point 3 of part IV of Annex II** may be used in the processing of organic feed and in the feeding of organic animals.	Only organic feed materials of ***plant and*** animal origin***, feed materials of invertebrate origin and fermentative products of organic origin,*** as well as feed materials and feed additives authorised for use in organic production pursuant to Article 19	No agreement EP to propose compromise proposal Invertebrate origin= redundant No definition on fermentative

		may be used in the processing of organic feed and in the feeding of organic animals.	products Linked to Art. 19.
		Non-organic protein feed may be used provided that:	To be checked by EP
		(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:	To be checked by EP
		(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 exeption 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:	To be checked by EP
		(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 exeption 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.	
1.5 Health care	Commission proposal unchanged	Commission proposal unchanged	1.5 Health care
1.5.1 Disease prevention	Commission proposal unchanged	Commission proposal unchanged	1.5.1 Disease prevention
1.5.1.1 Disease prevention shall be based on breed and strain selection, husbandry management practices, high quality feed and exercise, appropriate stocking density and adequate and appropriate housing maintained in hygienic conditions.	Commission proposal unchanged	Commission proposal unchanged	1.5.1.1 Disease prevention shall be based on breed and strain selection, husbandry management practices, high quality feed and exercise, appropriate stocking density and adequate and appropriate housing maintained in hygienic conditions.
1.5.1.2 The use of immunological veterinary medicinal	Commission proposal unchanged	Commission proposal unchanged	1.5.1.2 The use of immunological veterinary medicinal products shall be

products shall be allowed.			allowed.
1.5.1.3 The use of chemically synthesised allopathic veterinary medicinal products or antibiotics for preventive treatment shall be prohibited.	Commission proposal unchanged	Commission proposal unchanged	Following text agreed at T5 1.5.1.3 The use of chemically synthesised allopathic veterinary medicinal products, **including *bolus of synthesised allopathic chemical molecules,*** or antibiotics for preventive treatment shall be prohibited.
Amendment 318 Annex II - Part II - point 1.5.1.3 (a) (new)			
		1.5.1.3a. The use of bolus composed of synthesised allopathic chemical molecules is prohibited;	AM 318 deleted and covered under 1.5.1.3 Agreed at T5
1.5.1.4 The use of substances to promote growth or production (including antibiotics, coccidiostatics and other artificial aids for growth promotion purposes) and the use of hormones or similar substances to control reproduction or for other purposes (e.g. induction or synchronisation of oestrus), shall be prohibited.	Commission proposal unchanged	Commission proposal unchanged	1.5.1.4 The use of substances to promote growth or production (including antibiotics, coccidiostatics and other artificial aids for growth promotion purposes) and the use of hormones or similar substances to control reproduction or for other purposes (e.g. induction or synchronisation of oestrus), shall be prohibited.
1.5.1.5 Where livestock is obtained from non-organic units, special measures such as screening tests or quarantine periods shall	1.5.1.5. Where livestock is obtained from non-organic **production** units, special measures such as screening	Commission proposal unchanged	Keep GA text - Agreed at T5 Alternative COM proposal (2/06)

apply, depending on local circumstances.	tests or quarantine periods shall apply, depending on local circumstances.		1.5.1.5. Where livestock is obtained from non-organic **production** units, special measures such as screening tests or quarantine periods shall apply, depending on local circumstances. To be further discussed
1.5.1.6 With regard to cleaning and disinfection, only the products for cleaning and disinfection in livestock buildings and installations authorised for use in organic production pursuant to Article 19 shall be used.	Commission proposal unchanged	Commission proposal unchanged	1.5.1.6 With regard to cleaning and disinfection, only the products for cleaning and disinfection in livestock buildings and installations authorised for use in organic production pursuant to Article 19 shall be used.
1.5.1.7 Housing, pens, equipment and utensils shall be properly cleaned and disinfected to prevent cross-infection and the build-up of disease carrying organisms. Faeces, urine and uneaten or spilt feed shall be removed as often as necessary to minimise smell and to avoid attracting insects or rodents. Rodenticides (to be used only in traps), and the products authorised for use in organic production pursuant to Article 19 may be used for the elimination of insects and other pests in buildings and other	Commission proposal unchanged	Commission proposal unchanged	1.5.1.7 Housing, pens, equipment and utensils shall be properly cleaned and disinfected to prevent cross-infection and the build-up of disease carrying organisms. Faeces, urine and uneaten or spilt feed shall be removed as often as necessary to minimise smell and to avoid attracting insects or rodents. Rodenticides (to be used only in traps), and the products authorised for use in organic production pursuant to Article 19 may be used for the elimination of insects and other pests in buildings and other

installations where livestock is kept.			installations where livestock is kept.
1.5.2 Veterinary treatment	Commission proposal unchanged	Commission proposal unchanged	1.5.2 Veterinary treatment
1.5.2.1 Where despite preventive measures to ensure animal health animals become sick or injured they shall be treated immediately.	Commission proposal unchanged	Commission proposal unchanged	1.5.2.1 Where despite preventive measures to ensure animal health animals become sick or injured they shall be treated immediately.
Amendment 319 Annex II - part II - point 1.5.2.2			
1.5.2.2 Disease shall be treated immediately to avoid suffering of the animal; chemically synthesised allopathic veterinary medicinal products including antibiotics may be used where necessary ***and under strict conditions*** and under the responsibility of a veterinarian, when the use of phytotherapeutic, homeopathic and other products is inappropriate. In particular restrictions with respect to courses of treatment and withdrawal periods shall be defined.	Commission proposal unchanged	1.5.2.2. Disease shall be treated immediately to avoid suffering of the animal; chemically synthesised allopathic veterinary medicinal products including antibiotics may be used where necessary and under the responsibility of a veterinarian, when the use of phytotherapeutic, homeopathic and other products is inappropriate. In particular restrictions with respect to courses of treatment and withdrawal periods shall be defined.	AM 319 withdrawn by EP - confirmed at T5
1.5.2.3 Feed materials of mineral origin and nutritional additives authorised for use in organic production pursuant to	Commission proposal unchanged	Commission proposal unchanged	1.5.2.3 Feed materials of mineral origin and nutritional additives authorised for use in organic production pursuant to

Article 19 and phytotherapeutic and homeopathic products shall be used in preference to chemically-synthesised allopathic veterinary treatment including antibiotics, provided that their therapeutic effect is effective for the species of animal, and the condition for which the treatment is intended.			Article 19 and phytotherapeutic and homeopathic products shall be used in preference to chemically-synthesised allopathic veterinary treatment including antibiotics, provided that their therapeutic effect is effective for the species of animal, and the condition for which the treatment is intended.
Amendment 320 Annex II - Part II - point 1.5.2.4			
1.5.2.4 With the exception of vaccinations, treatments for parasites and compulsory eradication schemes where an animal or group of animals receive more than three courses of treatments with chemically-synthesised allopathic veterinary medicinal products including antibiotics within 12 months, or more than one course of treatment if their productive lifecycle is less than one year, the livestock concerned, or produce derived from them, shall not be sold as organic products, and the livestock shall undergo the conversion periods referred to in points 1.2 and 2.	1.5.2.4. With the exception of vaccinations, treatments for parasites and compulsory eradication schemes where an animal or group of animals receive more than three courses of treatments with chemically-synthesised allopathic veterinary medicinal products including antibiotics within 12 months, or more than one course of treatment if their productive lifecycle is less than one year, the livestock concerned, or produce derived from them, shall not be sold as organic products, and the livestock shall	1.5.2.4. With the exception of vaccinations, treatments for parasites***, phytotherapeutic and homeopathic products*** and compulsory eradication schemes where an animal or group of animals receive more than three courses of treatments with chemically-synthesised allopathic veterinary medicinal products including antibiotics within 12 months, or more than one course of treatment if their productive lifecycle is less than one year, the livestock concerned, or produce derived from them, shall not be sold as organic products, and the livestock shall undergo the conversion periods referred to in	*AM 320 could be withdrawn but EP does not support GA text No agreement in drafting session.* *In GA, conversion periods are grouped together under 1.2.2*

	undergo the conversion periods referred to in points 1.2 ~~**and 2**~~.	points 1.2 and 2.	
Amendment 321 Annex II - Part II - point 1.5.2.5			
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.	Commission proposal unchanged	1.5.2.5. The withdrawal period between the last administration of ***a chemically synthesised*** allopathic veterinary medicinal product to an animal under normal conditions of use, and the production of organically produced foodstuffs from such animals, ***shall*** be twice the withdrawal period referred to in Article ***9*** of Directive 2001/82/EC ***and at least*** 48 hours.	Agreed at T8 1.5.2.5. The withdrawal period between the last administration of a ***chemically synthesised*** allopathic veterinary medicinal product **and antibiotics** to an animal under normal conditions of use, and the production of organically produced foodstuffs from such animals, ***shall*** be twice the withdrawal period referred to in Article **11** of Directive 2001/82/EC ***and at least*** 48 hours.
1.5.2.6 Treatments related to the protection of human and animal health imposed on the basis of Union legislation shall be allowed.	Commission proposal unchanged	Commission proposal unchanged	1.5.2.6 Treatments related to the protection of human and animal health imposed on the basis of Union legislation shall be allowed.
1.6 Housing conditions and husbandry practices	Commission proposal unchanged	Commission proposal unchanged	1.6 Housing conditions and husbandry practices

1.6.1 Insulation, heating and ventilation of the building shall ensure that air circulation, dust level, temperature, relative air humidity and gas concentration, are kept within limits which ensure the well-being of the animals. The building shall permit plentiful natural ventilation and light to enter.	Commission proposal unchanged	Commission proposal unchanged	1.6.1 Insulation, heating and ventilation of the building shall ensure that air circulation, dust level, temperature, relative air humidity and gas concentration, are kept within limits which ensure the well-being of the animals. The building shall permit plentiful natural ventilation and light to enter.
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.	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.	Commission proposal unchanged	Keep GA's text - Agreed at T5
1.6.3 The stocking density in buildings shall provide for the comfort, the well-being and the species-specific needs of the animals	Commission proposal unchanged	Commission proposal unchanged	1.6.3 The stocking density in buildings shall provide for the comfort, the well-being and the species-specific needs of the

which, in particular, shall depend on the species, the breed and the age of the animals. It shall also take account of the behavioural needs of the animals, which depend in particular on the size of the group and the animals' sex. The density shall ensure the animals' welfare by providing them with sufficient space to stand naturally, move, lie down easily, turn round, groom themselves, assume all natural postures and make all natural movements such as stretching and wing flapping.			animals which, in particular, shall depend on the species, the breed and the age of the animals. It shall also take account of the behavioural needs of the animals, which depend in particular on the size of the group and the animals' sex. The density shall ensure the animals' welfare by providing them with sufficient space to stand naturally, move, lie down easily, turn round, groom themselves, assume all natural postures and make all natural movements such as stretching and wing flapping.
1.6.4 The minimum surface for indoor and outdoor areas, and other characteristics of housing for different species and categories of animals, shall be as set out in points 2.1.4., 2.2.4., 2.3.4. and 2.4.5.	~~**1.6.4. The minimum surface for indoor and outdoor areas, and other characteristics of housing for different species and categories of animals, shall be as set out in points 2.1.4., 2.2.4., 2.3.4. and 2.4.5.**~~	Commission proposal unchanged	IA issue No agreement
Amendment 322 Annex II - Part II - point 1.6.5			
1.6.5 Open air areas may be partially covered. Verandas shall ***not*** be considered as open air areas.	Commission proposal unchanged	1.6.5. Open air areas may be partially covered. Verandas shall ***only*** be considered as open air areas ***for breeding birds and for pullets aged under 18 weeks***.	To be seen in conjunction with new proposal from COM (Annex II, Part II, point 2.4.6 (a), (new paragraph at the end).

1.6.6 The total stocking density shall not exceed the limit of 170 kg of organic nitrogen per year and hectare of agricultural area.	Commission proposal unchanged	Commission proposal unchanged	1.6.6 The total stocking density shall not exceed the limit of 170 kg of organic nitrogen per year and hectare of agricultural area.
1.6.7 To determine the appropriate density of livestock referred to in point 1.6.6, the competent authority shall set out the livestock units equivalent to the limit referred to in point 1.6.6., following the figures laid down in each of the specific requirement by animal production.	Commission proposal unchanged	Commission proposal unchanged	1.6.7 To determine the appropriate density of livestock referred to in point 1.6.6, the competent authority shall set out the livestock units equivalent to the limit referred to in point 1.6.6., following the figures laid down in each of the specific requirement by animal production.
		AM 142, 2nd part ***The use of cages shall not be permitted [for any vertebrate species*** **except fish].**	Agreed at T8 1.6.7a. The use of cages to raise livestock shall not be permitted for any livestock species
1.7 Animal welfare	Commission proposal unchanged	Commission proposal unchanged	1.7 Animal welfare
1.7.1 All persons involved in keeping animals shall possess the necessary basic knowledge and skills as regards the health and the welfare needs of the animals.	Commission proposal unchanged	Commission proposal unchanged	AM 326 (1.7.8a (EP)) is merged with 1.7.1 Compromise proposal:

			1.7.1 All persons involved in keeping and in **handling animals during transport and slaughter** shall possess the necessary basic knowledge and skills as regards the health and the welfare needs of the animals **and** ***receive adequate training if necessary to ensure proper application of the rules set out in this Regulation, as supported by regular inspections to ensure compliance*** COM alternative proposal (18/03): 1.7.1 All persons involved in keeping ~~and in **handling** **animals during transport and slaughter**~~ shall possess the necessary basic knowledge and skills as regards the health and the welfare needs of the animals ~~**and** ***receive adequate training if necessary to ensure proper application of the rules set out in this Regulation, as supported by regular inspections to ensure compliance***~~ and shall have, if appropriate, followed adequate training to ensure proper application of the rules set out in

			this Regulation." *Alternative text proposed by COM (02/06)* "All persons involved in keeping **animals and in handling** animals **during transport and slaughter** shall possess the necessary basic knowledge and skills as regards the health and the welfare needs of the animals and shall have followed adequate training **as required in particular in Council Regulation (EC) 1/2005[60] and Council Regulation (EC)1099/2009[61],** to ensure proper application of the rules set out in this Regulation. To be further discussed
1.7.2 Husbandry practices, including stocking densities and housing conditions shall ensure that the developmental, physiological and ethological needs of animals are met.	Commission proposal unchanged	Commission proposal unchanged	1.7.2 Husbandry practices, including stocking densities and housing conditions shall ensure that the developmental, physiological and ethological needs of animals are met.

[60] Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97, O.J. L 3 of 5.1.2005, p. 1

[61] Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing, O. J. L 303 of 18.11.2009, p. 1

Amendment 323 Annex II - Part II - point 1.7.3			
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.	Commission proposal unchanged	1.7.3. ***Herbivores*** shall have permanent access to open air areas ***during daytime***, ***including open-air pens and*** pasture ***as appropriate to the species concerned***, whenever weather conditions and the state of the ground allow this**,** unless restrictions and obligations related to the protection of human and animal health are imposed ***pursuant to*** Union legislation.	Alternative text agreed at T8*1.7.3* ~~*The*~~ *Livestock shall have permanent access to open air areas* ***allowing the animals to exercise****, preferably pasture, whenever weather* ***and seasonal*** *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.* *(PM: COM 1.7.3 partly merged with EP AM 323, 2nd part)*
		Whenever weather and seasonal conditions and the state of the ground do not allow access to pasture, livestock shall, as	To be deleted Merged with.1.7.3 above Agreed at T8

		appropriate, have access during daytime to open-air areas allowing the animals to exercise, save where this is not conducive to the welfare of the animals concerned or where temporary restrictions and obligations related to the protection of human and animal health are imposed pursuant to Union legislation.	
1.7.4 The number of livestock shall be limited with a view to minimising overgrazing, poaching of soil, erosion, or pollution caused by animals or by the spreading of their manure.	Commission proposal unchanged	Commission proposal unchanged	1.7.4 The number of livestock shall be limited with a view to minimising overgrazing, poaching of soil, erosion, or pollution caused by animals or by the spreading of their manure.
1.7.5 Where Article 8(5) and point 1.4.2.2. of this Part apply, organic livestock shall be kept separate from other livestock.	~~**1.7.5. Where Article 8(5) and point 1.4.2.2. of this Part apply, organic livestock shall be kept separate from other livestock.**~~	Commission proposal unchanged	Deletion of COM's text agreed at T8
Amendment 324 Annex II - Part II - point 1.7.6			
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	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. **Isolation of livestock may be**	1.7.6. Tethering or isolation of livestock shall be prohibited, ***save*** for individual animals for a limited period of time, and in so far as this is justified ***on grounds of safety or animal protection or*** for veterinary reasons. ***Isolation of livestock may***	EP could accept GA text if "excluding" is replaced by "including" EP will make a proposal with a ref to rural dev Reg. / regions facing

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.	**authorised, for a limited period of time, only when workers safety is compromised and for animal welfare reasons.** Competent authorities may authorise cattle in **farms with a maximum of 50 animals (excluding young stock)** ~~**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.	***be authorised, for a limited period of time, only when workers' safety is compromised and for animal welfare reasons.*** Competent authorities may authorise cattle in micro-enterprises ***and undertakings located in disadvantaged areas*** to be tethered, provided they have access to pastures during the grazing period ***whenever weather conditions and the state of the ground allow this during daytime, unless restrictions and obligations relating to the protection of human and animal health are imposed pursuant to Union legislation***, and at least twice a week access to open air areas when grazing is not possible.	bad climatic conditions.
1.7.7 Duration of transport of livestock shall be minimised.	Commission proposal unchanged	Commission proposal unchanged	1.7.7 Duration of transport of livestock shall be minimised.
Amendment 325 Annex II - Part II - point 1.7.8			
1.7.8 Any suffering shall be kept to a minimum during the entire life of the animal, including at the time of slaughter.	Commission proposal unchanged	1.7.8. ***When organic production is carried out in accordance with this Regulation, its effect on animal welfare, understood in the light of Article 13 of the Treaty on the Functioning of the European Union, should be considered in***	• COM wil make a proposal (to complete COM text with some elements from EP AM) And EP will propose a recital

		order to spare the animals any avoidable pain, distress or suffering. Animal welfare legislation such as Council Regulation (EC) No 1/2005[62] and Council Regulation (EC) No 1099/2009[63] should necessarily continue to apply and be properly implemented. The rules contained in this Regulation should not duplicate or overlap with them.	
• Amendment 326 Annex II - Part II - point 1.7.8 (a) (new)			
		1.7.8a. All persons handling organic animals during transport and slaughter shall receive adequate training to ensure proper application of the rules set out in this Regulation, as supported by regular inspections to ensure compliance.	This AM is merged with 1.7.1
Amendment 327 Annex II - Part II - point 1.7.9			
1.7.9 Mutilation of animals shall be	Commission proposal unchanged	1.7.9. Mutilation of animals shall be prohibited. ***The trimming of the***	No agreement

[62] ***Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 (OJ L 3, 5.1.2005, p. 1).***

[63] ***Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing (OJ L 303, 18.11.2009, p. 1).***

prohibited.		***beaks of poultry, when undertaken in the first three days of life, attaching elastic bands to the tails of sheep and tail-docking may be authorised by the competent authority for reasons of safety or animal and human health or if such actions are intended to improve the health, welfare or hygiene of the livestock concerned. Dehorning and castration of young mammals shall be approved only if adequate anaesthesia and/or analgesia are applied.***	COM will prepare a text
	1.7.9a. Tail-docking, trimming of beaks and dehorning, including disbudding are allowed only on a case-by-case basis when they improve the health, welfare or hygiene of the livestock or when workers safety is compromised. These operations shall be authorised by a competent authority and carried out by qualified personnel.		No agreement
1.7.10 Any suffering to the animals shall be reduced to a minimum by applying adequate anaesthesia and/or analgesia and by carrying out the operation only at the most appropriate age by qualified	1.7.10. Any suffering to the animals shall be reduced to a minimum by applying adequate anaesthesia and/or analgesia and by carrying out ~~the~~ **an** operation only at the most appropriate age by	Commission proposal unchanged	Keep GA text - Agreed at T5 Alternative COM proposal (2/06) 1.7.10. Any suffering to the animals shall be reduced to a

personnel.	qualified personnel.		minimum by applying adequate anaesthesia and/or analgesia and by carrying out **any~~the~~** operation only at the most appropriate age by qualified personnel. To be further discussed
1.7.11 Physical castration shall be allowed in order to maintain the quality of products and traditional production practices but only under adequate anaesthesia or analgesia and by carrying out the operation only at the most appropriate age by qualified personnel.	1.7.11 Physical castration shall be allowed in order to maintain the quality of products and traditional production practices but only under **the conditions set out in 1.7.10** ~~**adequate anaesthesia or analgesia and by carrying out the operation only at the most appropriate age by qualified personnel**~~.	Commission proposal unchanged	Keep GA text - Agreed at T5
Amendment 328 Annex II - Part II - point 1.7.12			
1.7.12 Loading and unloading of animals shall be carried out without the use of any type of electrical stimulation to coerce the animals. The use of allopathic tranquillisers, prior to or during transport, shall be prohibited.	1.7.12. Loading and unloading of animals shall be carried out without the use of any type of electrical **or other painful** stimulation to coerce the animals. The use of allopathic tranquillisers, prior to or during transport, shall be prohibited.	1.7.12. Loading and unloading of animals shall be carried out without the use of any type of electrical stimulation to coerce the animals***, except in exceptional circumstances and in accordance with the provisions of point 1.9 of Annex III to Regulation (EC) No 1099/2009. Mixing of animals which are unfamiliar with each other during transport or lairage and unnecessary overnight lairage shall be avoided. Social animals***	Keep GA text AM 328 is withdrawn by EP

		shall be kept in groups and shall be able to move and turn around in the pens. The use of allopathic tranquillisers, prior to or during transport, shall be prohibited.	
			Alternative COM proposal Annex II – Part II- point 1.8 (new): Preparation of unprocessed products 1.8. If preparation operations, other than processing, are carried out on livestock, the general requirements laid down in points 1.2., 1.3, 1.4., 1.5 of Part IV shall apply *mutatis mutandis* to such prepared products. To be further discussed
2. Requirements for specific livestock species	~~**2. Requirements for specific livestock species**~~	Commission proposal unchanged	
2.1 Production of bovine, ovine and caprine animals	~~**2.1. Production of bovine, ovine and caprine animals**~~	Commission proposal unchanged	
2.1.1 Conversion	~~**2.1.1. Conversion**~~	Commission proposal unchanged	
For bovine, ovine and caprine animals and their products to be considered organic, the production	~~**For bovine, ovine and caprine animals and their products to be considered organic, the**~~	Commission proposal unchanged	

rules set out in this Regulation must have been applied for at least:	~~**production rules set out in this Regulation must have been applied for at least:**~~		
Amendment 329 Annex II - Part II - point 2.1.1 (1) (a)			
(a) 12 months in the case of bovines animals for meat production***, and in any case at least three quarters of their lifetime***;	~~**(a) 12 months in the case of bovines animals for meat production, and in any case at least three quarters of their lifetime;**~~	(a) 12 months in the case of bovines animals for meat production;	No agreement (substance in 1.2.2. GA)
(b) six months in the case of ovine and caprine animals and of animals for milk production.	~~**(b) six months in the case of ovine and caprine animals and of animals for milk production.**~~	Commission proposal unchanged	IA issue No agreement (substance in 1.2.2. GA)
2.1.2 Nutrition With regard to nutrition the following rules shall apply:	~~**2.1.2. Nutrition**~~ ~~**With regard to nutrition the following rules shall apply:**~~	Commission proposal unchanged	IA issue No agreement
(a) bovine, ovine and caprine animals shall have access to pasturage for grazing whenever conditions allow;	~~**(a) bovine, ovine and caprine animals shall have access to pasturage for grazing whenever conditions allow;**~~	Commission proposal unchanged	IA issue No agreement
(b) notwithstanding point (a), male bovine animals over one year old shall have access to pasturage or an open air	~~**(b) notwithstanding point (a), male bovine animals over one year old shall have access to pasturage or an**~~	Commission proposal unchanged	IA issue No agreement

area;	~~**open air area;**~~		
(c) in cases where bovine, ovine and caprine animals have access to pasturage during the grazing period and where the winter- housing system gives freedom of movement to the animals, the obligation to provide open air areas during the winter months may be waived;	~~**(c) in cases where bovine, ovine and caprine animals have access to pasturage during the grazing period and where the winter-housing system gives freedom of movement to the animals, the obligation to provide open air areas during the winter months may be waived;**~~	Commission proposal unchanged	IA issue No agreement
Amendment 330 Annex II - Part II - point 2.1.2 (d)			
(d) except during the period each year when the animals are under transhumance referred to in point 1.4.2.2., at least ***90*** % of the feed shall come from the farm itself or ***in case*** this is not feasible, be produced in cooperation with other organic farms ***in the same region***;	~~**(d) except during the period each year when the animals are under transhumance referred to in point 1.4.2.2., at least 90 % of the feed shall come from the farm itself or in case this is not feasible, be produced in cooperation with other organic farms in the same region;**~~	(d) except during the period each year when the animals are under transhumance ***as*** referred to in point 1.4.2.2., at least ***60*** % of the feed shall come ***primarily*** from the farm itself or***, where*** this is not feasible, ***shall to the extent possible*** be produced in cooperation with other organic farms ***established within a radius of 150 km of the farm itself and be produced in the Union***. ***For the purposes of calculating the distance in the case of farms located on islands and in coastal areas, that part of the distance which consists of***	No agreement Alternative COM proposal (2/06) ~~**(d)**~~ except during the period each year when the animals are under transhumance referred to in point 1.4.2.~~**2**~~**1**., at least 90 % **[EP: 60%]** of the feed shall come from the farm itself or in case this is not feasible, be produced **on organic or in-conversion production units** ~~**in cooperation with**~~**of** other ~~**organic**~~ farms in the same region; **(COM comment: to be seen in**

		stretches of water shall not be taken into account. This condition as to distance shall not apply to farms in the outermost regions.	**relation to point 1.4.3.2.)** To be further discussed
		Local production of organic feed shall be encouraged. To that end, Member States may increase this percentage depending on the availability of organic feed in the farms and the region*;*	No agreement
(e) rearing systems for bovine, ovine and caprine animals shall be based on maximum use of grazing pasturage according to the availability of pastures in the different periods of the year. At least 60 % of the dry matter in daily rations of bovine, ovine and caprine animals shall consist of roughage, fresh or dried fodder, or silage. A reduction to 50 % for animals in dairy production for a maximum period of three months in early lactation shall be allowed;	~~**(e) rearing systems for bovine, ovine and caprine animals shall be based on maximum use of grazing pasturage according to the availability of pastures in the different periods of the year. At least 60 % of the dry matter in daily rations of bovine, ovine and caprine animals shall consist of roughage, fresh or dried fodder, or silage. A reduction to 50 % for animals in dairy production for a maximum period of three months in early lactation shall be allowed;**~~	Commission proposal unchanged	IA issue No agreement
Amendment 331 Annex II - Part II - point 2.1.2 (1) (f)			

(f) all suckling bovine, ovine and caprine animals shall be fed in preference on maternal milk for a minimum period of three months for bovine animals and 45 days for ovine and caprine animals.	~~**(f) all suckling bovine, ovine and caprine animals shall be fed in preference on maternal milk for a minimum period of three months for bovine animals and 45 days for ovine and caprine animals.**~~	(f) all suckling bovine, ovine and caprine animals shall be fed in preference on maternal milk ***or natural milk*** for a minimum period of three months for bovine animals and 45 days for ovine and caprine animals.	See amendment 309 No agreement (IA issue) • (f) all suckling bovine, ovine and caprine animals shall be fed in preference on maternal milk for a minimum period of three months for bovine animals and 45 days for ovine and caprine animals. ~~***Milk replacers containing artificial components shall be forbidden during that period.***~~
2.1.3 Specific housing conditions With regard to the housing conditions the following rules shall apply:	~~**2.1.3. Specific housing conditions**~~ ~~**With regard to the housing conditions the following rules shall apply:**~~	Commission proposal unchanged	No agreement
(a) housing of bovine, ovine and caprine animals shall have smooth, but not slippery floors. At least half of the indoor surface area as specified in the table on minimum surface areas for	~~**(a) housing of bovine, ovine and caprine animals shall have smooth, but not slippery floors. At least half of the indoor surface area as specified in the table on minimum surface areas for**~~	Commission proposal unchanged	No agreement

bovine, ovine and caprine animals set out in point 2.1.4., shall be solid, that is, not of slatted or of grid construction;	~~bovine, ovine and caprine animals set out in point 2.1.4., shall be solid, that is, not of slatted or of grid construction;~~		
(b) 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;	~~(b) 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;~~	Commission proposal unchanged	No agreement
(c) notwithstanding point (a) of the first subparagraph of Article 3(1) and the second subparagraph of Article 3(1) of	~~(c) notwithstanding point (a) of the first subparagraph of Article 3(1) and the second~~	Commission proposal unchanged	No agreement

Council Directive 2008/119/EC[64], the housing of calves in individual boxes shall be forbidden after the age of one week, unless for individual animals for a limited period of time, and in so far as this is justified for veterinary reasons.	~~**subparagraph of Article 3(1) of Council Directive 2008/119/EC[65], the housing of calves in individual boxes shall be forbidden after the age of one week, unless for individual animals for a limited period of time, and in so far as this is justified for veterinary reasons.**~~		
Amendment 332 Annex II - Part II - point 2.1.3 (c) (a) (new)			
		(ca) when a calf is treated individually for veterinary reasons, it shall be kept in spaces that have a solid floor and must be provided with straw bedding. The calf should be able to turn around easily and to lie down comfortably at full length.	Acceptable for EP to extend this provision to all bovine No agreement
2.1.4 Stocking density The number of bovine, ovine and caprine animals per hectare shall respect the following limits:	~~**2.1.4. Stocking density**~~ ~~**The number of bovine, ovine and caprine animals per hectare shall respect the following limits:**~~	Commission proposal unchanged	IA issue No agreement

[64] Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves (OJ L 10, 15.1.2009, p. 7).

[65] ~~**Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves (OJ L 10, 15.1.2009, p. 7).**~~

See table	**Deleted**	Commission proposal unchanged	IA issue No agreement
The minimum surface areas indoors and outdoors and other characteristics of housing of bovine, ovine, and caprine animals shall be as follows:	~~**The minimum surface areas indoors and outdoors and other characteristics of housing of bovine, ovine, and caprine animals shall be as follows:**~~	Commission proposal unchanged	IA issue No agreement
See table	**Deleted**	Commission proposal unchanged	IA issue No agreement
2.2 Production of equine animals	~~**2.2. Production of equine animals**~~	Commission proposal unchanged	IA issue No agreement
2.2.1 Conversion For equine animals and their products to be considered organic, the production rules of this Regulation must have been applied for at least:	~~**2.2.1. Conversion**~~ ~~**For equine animals and their products to be considered organic, the production rules of this Regulation must have been applied for at least:**~~	Commission proposal unchanged	IA issue No agreement
(a) 12 months, for meat production, and in any case at least three quarters of their lifetime;	~~**(a) 12 months, for meat production, and in any case at least three quarters of their lifetime;**~~	Commission proposal unchanged	IA issue No agreement
(b) six months in the case of animals for milk production.	~~**(b) six months in the case of animals for milk production.**~~	Commission proposal unchanged	IA issue No agreement

2.2.2 Nutrition With regard to nutrition the following rules shall apply:	~~**2.2.2. Nutrition**~~ ~~**With regard to nutrition the following rules shall apply:**~~	Commission proposal unchanged	IA issue No agreement
(a) equine animals shall have access to pasturage for grazing whenever conditions allow;	~~**(a) equine animals shall have access to pasturage for grazing whenever conditions allow;**~~	Commission proposal unchanged	IA issue No agreement
(b) in cases where equine animals have access to pasturage during the grazing period and where the winter-housing system gives freedom of movement to the animals, the obligation to provide open air areas during the winter months may be waived;	~~**(b) in cases where equine animals have access to pasturage during the grazing period and where the winter-housing system gives freedom of movement to the animals, the obligation to provide open air areas during the winter months may be waived;**~~	Commission proposal unchanged	IA issue No agreement
Amendment 333 Annex II - Part II - point 2.2.2 (c)			
(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	~~**(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**~~	(c) except during the period each year when the animals are under transhumance as mentioned in point 1.4.2.2., at least ***60*** % of the feed shall come ***primarily*** from the farm itself or***, where*** this is not feasible, ***shall to the extent possible*** be produced in cooperation with other	No agreement Alternative COM proposal (2/06) (c) except during the period each year when the animals are under transhumance as mentioned in point 1.4.2.2., at least 90 % **[EP: 60%]**

other organic farms ***in the same region***;	~~**produced in cooperation with other organic farms in the same region;**~~	organic farms ***established within a radius of 150 km of the farm itself and be produced in the Union***. ***For the purposes of calculating the distance in the case of farms located on islands and in coastal areas, that part of the distance which consists of stretches of water shall not be taken into account. This condition as to distance shall not apply to farms in the outermost regions.***	of the feed shall come from the farm itself or in case this is not feasible, be produced **on organic or in-conversion production units** ~~**in cooperation with**~~**of** other ~~**organic**~~ farms in the same region; **(COM comment: to be seen in relation to point 1.4.3.2.)** To be further discussed
		Local production of organic feed shall be encouraged. To that end, Member States may increase this percentage depending on the availability of organic feed in the farms and the region*;*	
Amendment 334 Annex II - Part II - point 2.2.2 (d)			
(d) rearing systems for equine animals shall be based on maximum use of grazing pasturage according to the availability of pastures in the different periods of the year. At least 60 % of the dry matter in daily rations of equine animals shall consist of roughage, fresh or dried	~~**(d) rearing systems for equine animals shall be based on maximum use of grazing pasturage according to the availability of pastures in the different periods of the year. At least 60 % of the dry matter in daily rations of equine animals shall consist of**~~	(d) rearing systems for equine animals shall be based on maximum use of grazing pasturage according to the availability of pastures in the different periods of the year. ***Where higher percentages of roughage are not possible, the following minimum rule shall apply whilst respecting the nutrition, health and welfare requirements of the breeds***	No agreement

fodder, or silage;	~~**roughage, fresh or dried fodder, or silage;**~~	***concerned:*** at least 60 % of the dry matter in daily rations of equine animals shall consist of roughage, fresh or dried fodder, or silage;	
Amendment 335 Annex II - Part II - point 2.2.2 (e)			
(e) all suckling equine animals shall be fed in preference on maternal milk***, for a minimum period of three months***.	~~**(e) all suckling equine animals shall be fed in preference on maternal milk, for a minimum period of three months.**~~	(e) all suckling equine animals shall be fed in preference on maternal milk ***suckled directly from the mother until the natural time of weaning***.	No agreement
2.2.3 Specific housing conditions With regard to the housing conditions the following rules shall apply:	~~**2.2.3. Specific housing conditions**~~ ~~**With regard to the housing conditions the following rules shall apply:**~~	Commission proposal unchanged	IA issue No agreement
(a) housing of equine animals shall have smooth, but not slippery floors. At least half of the indoor surface area as specified in the table on minimum surface areas for equine animals set out in point 2.2.4., shall be solid, that is, not of slatted or of grid construction;	~~**(a) housing of equine animals shall have smooth, but not slippery floors. At least half of the indoor surface area as specified in the table on minimum surface areas for equine animals set out in point 2.2.4., shall be solid, that is, not of slatted or of grid construction;**~~	Commission proposal unchanged	IA issue No agreement

(b) 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.	~~(b) 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.~~	Commission proposal unchanged	IA issue No agreement
2.2.4 Stocking density The number of equine animals per hectare shall respect the following limit:	~~2.2.4. Stocking density~~ ~~The number of equine animals per hectare shall respect the following limit:~~	Commission proposal unchanged	IA issue No agreement
See table	**Deleted**	Commission proposal unchanged	IA issue No agreement
The minimum surface areas indoors and outdoors and other characteristics of housing equine	~~The minimum surface areas indoors and outdoors and other characteristics of housing equine~~	Commission proposal unchanged	IA issue No agreement

animals shall be as follows:	~~**animals shall be as follows:**~~		
See table	**Deleted**	Commission proposal unchanged	IA issue No agreement
Amendment 336 Annex II - part II - point 2.2 (a) (new)			
		2.2a. Production of rabbits	See amendment 329 The specific production rules for rabbits should be considered via IA IA issue No agreement
		2.2a.1. Conversion	No agreement
		In order for rabbits and their products to be considered organic, the production rules laid down by this Regulation must have been applied for at least 12 months.	
		2.2a.2. Nutrition	
		With regard to nutrition, the following rules shall apply:	
		(a) rabbits shall have access to pasturage for grazing whenever conditions allow;	
		(b) rearing systems for rabbits shall be based on maximum use of grazing pasturage according to the	

		availability of pastures in the different periods of the year;	
		(c) fibrous food such as straw and/or hay must be provided when grass is not sufficient. Forage shall comprise at least 60% of the diet;	
		(d) in the case of rabbits, at least 60 % of the feed shall come from the farm unit itself or, where this is not feasible, shall be produced in cooperation with other organic farms in the same region;	
		(e) rabbits must be fed with natural milk until weaning at a minimum age of four weeks.	
		2.2a.3. Specific housing conditions	
		With regard to housing conditions, the following rules shall apply:	
		(a) all rabbits shall be kept in groups. Where does are kept individually to protect their welfare, they must be able to contact each other or a buck through the wire at the side of the pen (i.e. if in moveable pens, two need to be placed next to each other). Bucks must be able to make similar contact with a doe;	

		(b) farms shall use robust breeds adapted to outdoor conditions;	
		(c) the housing shall be provided with a comfortable, clean and dry laying/rest area of sufficient size, consisting of a solid construction which is not slatted. Ample dry bedding strewn with litter material shall be provided in the rest area. The litter shall comprise straw or other suitable natural material. The litter may be improved and enriched with any mineral product authorised as fertiliser or soil conditioner for use in organic production pursuant to Article 19;	
		(d) all rabbits shall have access to:	
		(i) covered shelter including dark hiding places with a minimum area of 0,4 m^2 having a minimum height of 60 cm;	
		(ii) an outdoor run with vegetation, preferably pasture, with a minimum area of 5 m^2 (or a minimum length of 1,8 m and a minimum area of 2,4 m^2 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:	
		Class or species ***Maximum number of animals per ha equivalent to 170 kg N/ha/year***	
		Does and their offspring ***25***	
		Growing rabbits ***100***	
		Bucks ***25***	
		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 m^2;	

		(ii) fattening rabbits: 0,15 m^2;	
		(b) minimum space outside per rabbit (excluding those kept in mobile pens):	
		(i) adult rabbits including, bucks, gestating and nursing does: 5 m^2;	
		(ii) fattening rabbits: 5 m^2;	
		(c) minimum space outside per rabbit in the case of rabbits kept in mobile pens:	
		(i) adult rabbits including bucks, gestating and nursing does: 5 m^2;	
		(ii) fattening rabbits: 0.4 m^2.	
2.3 Production of porcine animals	**~~2.3. Production of porcine animals~~**	Commission proposal unchanged	IA issue No agreement
2.3.1 Conversion For porcine animals and their products to be considered organic, the production rules of this Regulation must have been applied for at least six months.	**~~2.3.1. Conversion~~** **~~For porcine animals and their products to be considered organic, the production rules of this Regulation must have been applied for at least six months.~~**	Commission proposal unchanged	No agreement but substance in 1.2.2. GA
2.3.2 Nutrition With regard to nutrition the	**~~2.3.2. Nutrition~~** **~~With regard to nutrition the~~**	Commission proposal unchanged	IA issue No agreement

following rules shall apply:	**~~following rules shall apply:~~**		
Amendment 337 Annex II - Part II - point 2.3.2 (a)			
(a) at least ***60*** % of the feed shall come from the farm itself or ***in case*** this is not feasible, be produced ***in the same region*** in cooperation with other organic farms or feed operators;	**~~(a) at least 60 % of the feed shall come from the farm itself or in case this is not feasible, be produced in the same region in cooperation with other organic farms or feed operators;~~**	(a) at least ***30*** % of the feed shall come ***primarily*** from the farm itself or***, where*** this is not feasible, ***shall to the extent possible*** be produced in cooperation with other organic farms ***established within a radius of 150 km of the farm itself and be produced in the Union***. ***For the purposes of calculating the distance in the case of farms located on islands and in coastal areas, that part of the distance which consists of stretches of water shall not be taken into account. This condition as to distance shall not apply to farms in the outermost regions.***	To be checked by EP Alternative COM proposal (2/06) (a) at least 60 % **[EP: 30%]**of the feed shall come from the farm itself or in case this is not feasible, be produced in the same region **on organic or in-conversion production units** **~~in cooperation with~~of** other organic farms or feed operators; To be further discussed
		Local production of organic feed shall be encouraged. To that end, Member States may increase this percentage depending on the availability of organic feed in the farms and the region;	
(b) all suckling porcine animals shall be fed in preference on maternal milk, for a minimum period of 40	**~~(b) all suckling porcine animals shall be fed in preference on maternal milk, for a minimum period~~**	Commission proposal unchanged	IA issue No agreement

days;	~~**of 40 days;**~~		
(c) roughage, fresh or dried fodder, or silage shall be added to the daily ration for pigs.	~~**(c) roughage, fresh or dried fodder, or silage shall be added to the daily ration for pigs.**~~	Commission proposal unchanged	IA issue No agreement
Amendment 338 Annex II - Part II - point 2.3.2 (c) (a) (new)			
		(ca) in order to meet the essential nutritional requirements of organic porcine animals, particularly as regards proteins and essential amino acids, and where it is impossible for the farmer to obtain protein-rich raw materials derived solely from organic feed production, the use of limited proportion of non-organic protein-rich materials shall be authorised for porcine animals and poultry.	This provision (ca) is withdrawn as already covered under AMs 307 and 317 Withdrawal agreed at T5
		The maximum percentage of non-organic protein-rich materials for animal feed authorised over a twelve-month period for these species shall be 5 %.	This provision (ca) is withdrawn as already covered under AMs 307 and 317 Withdrawal agreed at T5
		The figures shall be calculated each year as a percentage of dried fodder of agricultural origin.	This provision (ca) is withdrawn as already covered under AMs 307 and 317

			Withdrawal agreed at T5
2.3.3 Specific housing conditions With regard to the housing conditions the following rules shall apply:	~~**2.3.3. Specific housing conditions**~~ ~~**With regard to the housing conditions the following rules shall apply:**~~	Commission proposal unchanged	IA issue No agreement
(a) housing of porcine animals shall have smooth, but not slippery floors. At least half of the indoor surface area as specified in the table on minimum surface areas for porcine animals set out in point 2.3.4., shall be solid, that is, not of slatted or of grid construction;	~~**(a) housing of porcine animals shall have smooth, but not slippery floors. At least half of the indoor surface area as specified in the table on minimum surface areas for porcine animals set out in point 2.3.4., shall be solid, that is, not of slatted or of grid construction;**~~	Commission proposal unchanged	IA issue No agreement
(b) the housing of porcine animals 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	~~**(b) the housing of porcine animals 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**~~	Commission proposal unchanged	IA issue No agreement

improved and enriched with any mineral product authorised as fertiliser or soil conditioner for use in organic production pursuant to Article 19;	~~**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;**~~		
Amendment 339 Annex II - Part II - point 2.3.3 (b) (a) (new)			
		(ba) there shall always be a straw bed large enough to ensure that all pigs in a pen can lie down at the same time in the most space-consuming way;	No agreement
Amendment 340 Annex II - Part II - point 2.3.3 (c)			
(c) sows shall be kept in groups, except in the last stages of pregnancy and during the suckling period;	~~**(c) sows shall be kept in groups, except in the last stages of pregnancy and during the suckling period;**~~	(c) sows shall be kept in groups, except in the last stages of pregnancy and during the suckling period***, during which time the sow shall be able to move freely in her pen and shall only be tethered for short times***.	No agreement
		Without prejudice to any additional requirements for straw, a few days before expected farrowing, sows must be provided with a quantity of straw or other suitable natural material sufficient	

		to enable them to build nests;	
(d) piglets shall not be kept on flat decks or in piglet cages;	~~**(d) piglets shall not be kept on flat decks or in piglet cages;**~~	Commission proposal unchanged	IA issue. No agreement
(e) exercise areas shall permit dunging and rooting by porcine animals. For the purposes of rooting different substrates can be used.	~~**(e) exercise areas shall permit dunging and rooting by porcine animals. For the purposes of rooting different substrates can be used.**~~	Commission proposal unchanged	IA issue No agreement
2.3.4 Stocking density The number of porcine animals per hectare shall respect the following limits:	~~**2.3.4. Stocking density**~~ ~~**The number of porcine animals per hectare shall respect the following limits:**~~	Commission proposal unchanged	IA issue No agreement
Amendment 341 Annex II - Part II - point 2.3.4 (1) (a) (new)			
		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.	No agreement
Amendment 342			

Annex II - Part II - point 2.3.4 (2) - table			
See table	**Deleted**	Commission proposal unchanged	IA issue No agreement
The minimum surface areas indoors and outdoors and other characteristics for housing porcine animals shall be as follows:	~~**The minimum surface areas indoors and outdoors and other characteristics for housing porcine animals shall be as follows:**~~	Commission proposal unchanged	IA issue No agreement
See table	**Deleted**	***See Annex 1 to the Annex***	
2.4 Production of poultry	~~**2.4. Production of poultry**~~	Commission proposal unchanged	IA issue No agreement
2.4.1 Conversion For poultry and their products to be considered organic, the production rules of this Regulation must have been applied for at least:	~~**2.4.1. Conversion**~~ ~~**For poultry and their products to be considered organic, the production rules of this Regulation must have been applied for at least:**~~	Commission proposal unchanged	IA issue No agreement; substance in 1.2.2. of GA
(a) 10 weeks for poultry for meat production, brought in before they are three days old;	~~**(a) 10 weeks for poultry for meat production, brought in before they are three days old;**~~	Commission proposal unchanged	IA issue No agreement Alternative COM proposal (2/06) **(a)** 10 weeks for poultry for meat production, **except Peking ducks,** brought in before they are three

			days old; **~~(a)~~(b) 7 weeks for Peking ducks, brought in before they are three days old;** **(COM comment: modification needed to be coherent with age at slaughter)** **To be further discussed**
(b) six weeks in the case of poultry for egg production.	**~~(b) six weeks in the case of poultry for egg production.~~**	Commission proposal unchanged	IA issue No agreement
2.4.2 Origin of poultry	**~~2.4.2. Origin of poultry~~**	Commission proposal unchanged	IA issue No agreement
Amendment 343 Annex II - Part II - point 2.4.2 - introductory part			
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 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~~**	Poultry ***for meat production must be derived*** from slow-growing poultry strains ***adapted for outdoor rearing,*** as defined by the competent authority.	No agreeement

	~~**slaughter shall be as follows:**~~		
		Poultry shall come from slow-growing poultry strains which meet set limited daily growth rates that are compatible with the minimum rearing ages for each species. The Commission shall establish those growth rates in accordance with Article 11(2).	No agreement
		Where slow-growing poultry is not available, competent authorities shall, by way of exception, authorise the use of poultry reared until they reach a minimum age as defined by the competent authority. Where slow-growing poultry strains are not used by the farmer the minimum age at slaughter shall be as follows:	No agreement EP drafting suggestion at TM 14/03: Where slow-growing poultry strains are not used by the farmer ***or are not available on the Union market*** the minimum age at slaughter shall be as follows:
(a) 81 days for chickens;	~~**(a) 81 days for chickens;**~~	Commission proposal unchanged	IA issue No agreement
(b) 150 days for capons;	~~**(b) 150 days for capons;**~~	Commission proposal unchanged	IA issue No agreement
(c) 49 days for Peking ducks;	~~**(c) 49 days for Peking ducks;**~~	Commission proposal unchanged	IA issue No agreement
(d) 70 days for female	~~**(d) 70 days for female**~~	Commission proposal unchanged	IA issue

Muscovy ducks;	~~**Muscovy ducks;**~~		No agreement
(e) 84 days for male Muscovy ducks;	~~**(e) 84 days for male Muscovy ducks;**~~	Commission proposal unchanged	IA issue No agreement
(f) 92 days for Mallard ducks;	~~**(f) 92 days for Mallard ducks;**~~	Commission proposal unchanged	IA issue No agreement
(g) 94 days for guinea fowl;	~~**(g) 94 days for guinea fowl;**~~	Commission proposal unchanged	IA issue No agreement
Amendment 344 Annex II - Part II - point 2.4.2 (h)			
(h) 140 days for male turkeys and roasting geese; ***and***	~~**(h) 140 days for male turkeys and roasting geese; and**~~	(h) 140 days for male ***and female*** turkeys and roasting geese ***sold whole***; and	No agreement
Amendment 345 Annex II - Part II - point 2.4.2 (i)			
(i) ***100*** days for female turkeys.	~~**(i) 100 days for female turkeys.**~~	(i) ***98*** days for female turkeys ***intended for cutting and 126 days for male turkeys intended for cutting***.	EP to check No agreement
Amendment 346 Annex II - Part II - point 2.4.2 (1) (a) (new)			
		Laying hens must be derived from strains adapted to outdoor rearing.	No agreement
2.4.3 Nutrition	~~**2.4.3. Nutrition**~~	Commission proposal unchanged	No agreement

With regard to nutrition the following rules shall apply:	~~**With regard to nutrition the following rules shall apply:**~~		
Amendment 347 Annex II - Part II - point 2.4.3 (a)			
(a) at least ***60*** % of the feed shall come from the farm itself or ***in case*** this is not feasible, be produced ***in the same region*** in cooperation with other organic farms ***or feed operators***;	~~**(a) at least 60 % of the feed shall come from the farm itself or in case this is not feasible, be produced in the same region in cooperation with other organic farms or feed operators;**~~	(a) at least ***30*** % of the feed shall come ***primarily*** from the farm itself or***, where*** this is not feasible, ***shall to the extent possible*** be produced in cooperation with other organic farms ***established within a radius of 150 km of the farm itself and be produced in the Union***. ***For the purposes of calculating the distance in the case of farms located on islands and in coastal areas, that part of the distance which consists of stretches of water shall not be taken into account. This condition as to distance shall not apply to farms in the outermost regions.***	Alternative COM proposal (2/06) (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 **on organic or in-conversion production units** ~~**in cooperation with**~~**of** other ~~**organic**~~ farms or feed operators; To be further discussed
		Local production of organic feed shall be encouraged. To that end, Member States may increase this percentage depending on the availability of organic feed in the farms and the region*;*	
(b) roughage, fresh or dried fodder, or silage shall be added	~~**(b) roughage, fresh or dried fodder, or silage shall**~~	Commission proposal unchanged	IA issue No agreement

to the daily ration.	~~be added to the daily ration.~~		
2.4.4 Specific housing conditions With regard to the housing conditions the following rules shall apply:	~~2.4.4. Specific housing conditions~~ ~~With regard to the housing conditions the following rules shall apply:~~	Commission proposal unchanged	IA issue No agreement
(a) poultry shall not be kept in cages;	~~(a) poultry shall not be kept in cages;~~	Commission proposal unchanged	IA issue No agreement
(b) water fowl shall have access to a stream, pond, lake or a pool whenever the weather and hygienic conditions permit in order to respect their species-specific needs and animal welfare requirements; when weather conditions do not permit, they shall have access to water which enables them to dip their head therein so as to clean plumage;	~~(b) water fowl shall have access to a stream, pond, lake or a pool whenever the weather and hygienic conditions permit in order to respect their species-specific needs and animal welfare requirements; when weather conditions do not permit, they shall have access to water which enables them to dip their head therein so as to clean plumage;~~	Commission proposal unchanged	IA issue No agreement
Amendment 348 Annex II - Part II - point 2.4.4 (c)			
(c) poultry shall have access to an open air area for at least one third of their life. Open air	~~(c) poultry shall have access to an open air area for at least one third of~~	(c) poultry shall have access to an open air area for at least one third of their life. Open air areas for	IA issue No agreement

areas for poultry shall be mainly covered with vegetation ***and be provided with protective facilities and permit fowl to have easy access to adequate numbers of drinking troughs***;	~~**their life. Open air areas for poultry shall be mainly covered with vegetation and be provided with protective facilities and permit fowl to have easy access to adequate numbers of drinking troughs;**~~	poultry shall be mainly covered with vegetation;	**COM:(c) can be deleted as already in 2.4.6(a) and (b))**
(d) where poultry are kept indoors due to restrictions or obligations imposed on the basis of Union legislation, they shall permanently have access to sufficient quantities of roughage and suitable material in order to meet their ethological needs;	~~**(d) where poultry are kept indoors due to restrictions or obligations imposed on the basis of Union legislation, they shall permanently have access to sufficient quantities of roughage and suitable material in order to meet their ethological needs;**~~	Commission proposal unchanged	IA issue No agreement COM:(c) can be deleted as already in 2.4.6(a) and (b))
Amendment 349 Annex II - Part II - point 2.4.4 (d) (a) (new)			
		(da) the total usable surface area of poultry buildings for fattening poultry of any production unit shall not exceed 1 600 m²;	EP will check
Amendment 350 Annex II - Part II - point 2.4.4 (d) (b) (new)			
		(db) the total number of laying hens shall not exceed 12 000 hens in a production unit. Not more	EP will check

		than 3 000 laying hens shall be allowed in one poultry house. For young poultry, specific rules shall apply;	
(e) buildings for all poultry shall meet the following conditions:	~~**(e) buildings for all poultry shall meet the following conditions:**~~	Commission proposal unchanged	IA issue No agreement
(i) at least one third of the floor area shall be solid, that is, not of slatted or of grid construction, and covered with a litter material such as straw, wood shavings, sand or turf;	~~**(i) at least one third of the floor area shall be solid, that is, not of slatted or of grid construction, and covered with a litter material such as straw, wood shavings, sand or turf;**~~	Commission proposal unchanged	IA issue No agreement
(ii) in poultry houses for laying hens, a sufficiently large part of the floor area available to the hens shall be available for the collection of bird droppings;	~~**(ii) in poultry houses for laying hens, a sufficiently large part of the floor area available to the hens shall be available for the collection of bird droppings;**~~	Commission proposal unchanged	IA issue No agreement
(iii) poultry shall have perches of a size and number commensurate with the size of the group and of the birds as laid	~~**(iii) poultry shall have perches of a size and number commensurate with the size of the group and of**~~	Commission proposal unchanged	IA issue No agreement

down in the table on the minimum surface areas indoors and outdoors and other characteristics of housing for poultry production set out in point 2.4.5.;	~~the birds as laid down in the table on the minimum surface areas indoors and outdoors and other characteristics of housing for poultry production set out in point 2.4.5.;~~		
(iv) the external boundary of the house, i.e. including a possible veranda, shall have exit/entry pop-holes of a size adequate for the birds, and those pop-holes shall have a combined length of at least 4 m per 100 m² area of the house available to the birds. Where a veranda is present, the internal pop-holes between the house and the veranda shall have a combined length of 2 m per 100 m² area of the house. Twenty-four hour access to the veranda must be allowed;	~~(iv) the external boundary of the house, i.e. including a possible veranda, shall have exit/entry pop-holes of a size adequate for the birds, and those pop-holes shall have a combined length of at least 4 m per 100 m² area of the house available to the birds. Where a veranda is present, the internal pop-holes between the house and the veranda shall have a combined length of 2 m per 100 m² area of the house. Twenty-four hour access to the veranda must be allowed;~~	Commission proposal unchanged	IA issue No agreement
(v) poultry houses shall be constructed in a	~~(v) poultry houses shall be constructed in a~~	Commission proposal unchanged	IA issue

manner allowing all birds easy access to open air area, i.e. the maximum distance from any point within the house to the nearest external pop-hole shall not be more than 15 m;	~~manner allowing all birds easy access to open air area, i.e. the maximum distance from any point within the house to the nearest external pop-hole shall not be more than 15 m;~~		No agreement
(vi) multi-layer systems shall have no more than three levels of usable area including the ground floor. There shall be no more than 1 m between levels or intermediate areas, such as nesting areas. Higher tiers shall be capable of having manure removed by an automated system;	~~(vi) multi-layer systems shall have no more than three levels of usable area including the ground floor. There shall be no more than 1 m between levels or intermediate areas, such as nesting areas. Higher tiers shall be capable of having manure removed by an automated system;~~	Commission proposal unchanged	IA issue No agreement
(f) natural light may be supplemented by artificial means to provide a maximum of 16 hours light per day with a continuous nocturnal rest period without artificial light of at least eight hours;	~~(f) natural light may be supplemented by artificial means to provide a maximum of 16 hours light per day with a continuous nocturnal rest period without artificial light of at least eight hours;~~	Commission proposal unchanged	IA issue No agreement
(g) buildings shall be	~~(g) buildings shall be~~	Commission proposal unchanged	IA issue

emptied of livestock between each batch of poultry reared. The buildings and fittings shall be cleaned and disinfected during this time. In addition, when the rearing of each batch of poultry has been completed, runs shall be left empty during a period to be established by the Member States in order to allow vegetation to grow back. These requirements shall not apply where poultry are not reared in batches, are not kept in runs and are free to roam, throughout the day.	~~**emptied of livestock between each batch of poultry reared. The buildings and fittings shall be cleaned and disinfected during this time. In addition, when the rearing of each batch of poultry has been completed, runs shall be left empty during a period to be established by the Member States in order to allow vegetation to grow back. These requirements shall not apply where poultry are not reared in batches, are not kept in runs and are free to roam, throughout the day.**~~		No agreement
Amendment 351 Annex II - Part II - point 2.4.5 - title			
2.4.5 ***Stocking density***	~~**2.4.5. Stocking density**~~	2.4.5. ***Manure***	Withdrawal of the AM 351 seems acceptable for EP (but EP does not support GA text)
Amendment 352 Annex II - Part II - point 2.4.5 (1) - introductory part			
The maximum number of animals per hectare shall respect the following limits:	~~**The maximum number of animals per hectare shall respect the following**~~	***The maximum quantity of manure spread per hectare must comply with the limit of 170 kg of organic***	Seems acceptable for EP to withdraw (but EP does not support the deletion of COM text in GA)

	~~**limits:**~~	***nitrogen per year and per hectare of agricultural area. For this reason,*** the maximum number of animals per hectare shall respect the following limits ***or be calculated on the basis of corresponding national provisions adopted pursuant to the implementation of Directive 91/676/EEC***:	
See table	**Deleted**	Commission proposal unchanged	IA issue No agreement
Amendment 353 Annex II - Part II - point 2.4.5 (2)			
The minimum surface area indoors and outdoors and other characteristics of housing for birds of the species *Gallus gallus* shall be as follows:	~~**The minimum surface area indoors and outdoors and other characteristics of housing for birds of the species *Gallus gallus* shall be as follows:**~~	Commission proposal unchanged	IA issue No agreement
See table	**Deleted**	***See Annex 2 to the Annex***	IA issue No agreement
Amendment 354 Annex II - Part II - point 2.4.5 (3)			
The minimum surface areas indoors and outdoors and other characteristics of housing for birds of species other than *Gallus gallus* shall be as follows:	~~**The minimum surface areas indoors and outdoors and other characteristics of housing for birds of species other than *Gallus gallus* shall be as follows:**~~	Commission proposal unchanged	IA issue No agreement

See table	**Deleted**	***See Annex 3 to the Annex***	IA issue No agreement
2.4.6 Access to open air areas With regard to access to open air areas the following rules shall apply:	~~**2.4.6. Access to open air areas**~~ ~~**With regard to access to open air areas the following rules shall apply:**~~	Commission proposal unchanged	IA issue No agreement
Amendment 355 Annex II - Part II - point 2.4.6 (a)			
(a) poultry shall have access to an open air area for at least one third of their life***. In particular, continuous daytime open air access shall be provided from as early an age as practically possible, whenever physiological and physical conditions allow,*** except in the case of temporary restrictions imposed on the basis of Union legislation;	~~**(a) poultry shall have access to an open air area for at least one third of their life. In particular, continuous daytime open air access shall be provided from as early an age as practically possible, whenever physiological and physical conditions allow, except in the case of temporary restrictions imposed on the basis of Union legislation;**~~	(a) ***laying hens and finisher*** poultry shall have access to an open air area for at least one third of their life, except in the case of temporary restrictions imposed on the basis of Union legislation;	IA issue EP will check No agreement Alternative COM text (*"By way of derogation from point 1.6.5, in the case of breeding birds and pullets aged under 18 weeks and when the conditions specified in point 1.7.3 as regards restrictions and obligations related to the protection of human and animal health imposed on the basis of Union legislation are met and prevent breeding birds and pullets aged under 18 weeks from having access to open air areas, verandas shall be considered as open air*

			areas and in such cases shall have a wire mesh barrier to keep other birds out." To be further discussed
Amendment 356 Annex II - Part II - point 2.4.6 (b)			
(b) open air areas for poultry shall be mainly covered with vegetation ***composed of a diverse range of plants and be provided with protective facilities and permit fowl to have easy access to adequate numbers of drinking troughs***. The vegetation on the open-air area must be harvested and removed at regular intervals to reduce the potential for nutrient surpluses. The open air areas shall not extend beyond a radius of 150 m from the nearest pop-hole of the poultry house. However an extension of up to 350 m from the nearest pop-hole of the poultry house is permissible provided that a sufficient number of shelters and ***drinking troughs*** are evenly	~~**(b) open air areas for poultry shall be mainly covered with vegetation composed of a diverse range of plants and be provided with protective facilities and permit fowl to have easy access to adequate numbers of drinking troughs. The vegetation on the open-air area must be harvested and removed at regular intervals to reduce the potential for nutrient surpluses. The open air areas shall not extend beyond a radius of 150 m from the nearest pop-hole of the poultry house. However an extension of up to 350 m from the nearest pop-hole of the poultry**~~	(b) open air areas for poultry shall be mainly covered with vegetation. The vegetation on the open-air area must be harvested and removed at regular intervals to reduce the potential for nutrient surpluses. The open air areas shall not extend beyond a radius of 150 m from the nearest pop-hole of the poultry house. However an extension of up to 350 m from the nearest pop-hole of the poultry house is permissible provided that a sufficient number of shelters ***or shrubs/foliage*** are evenly distributed throughout the whole open-air area with at least four shelters ***or groves*** per hectare;	IA issue No agreement

distributed throughout the whole open-air area with at least four shelters per hectare;	~~house is permissible provided that a sufficient number of shelters and drinking troughs are evenly distributed throughout the whole open-air area with at least four shelters per hectare;~~		
(c) under conditions where feed availability from the range area is limited, due for instance to long term snow cover or arid weather conditions, supplementary feeding of roughage must be included as part of poultry diets;	~~(c) under conditions where feed availability from the range area is limited, due for instance to long term snow cover or arid weather conditions, supplementary feeding of roughage must be included as part of poultry diets;~~	Commission proposal unchanged	IA issue No agreement
(d) where poultry are kept indoors due to restrictions or obligations imposed on the basis of Union legislation, they shall permanently have access to sufficient quantities of roughage and suitable material in order to meet their ethological needs.	~~(d) where poultry are kept indoors due to restrictions or obligations imposed on the basis of Union legislation, they shall permanently have access to sufficient quantities of roughage and suitable material in order to meet their ethological needs.~~	Commission proposal unchanged	IA issue No agreement
			• New compromise text proposed by COM (2/06)

			By way of derogation from point 1.6.5, in the case of breeding birds and pullets aged under 18 weeks and when the conditions specified in point 1.7.3 as regards restrictions and obligations related to the protection of human and animal health imposed on the basis of Union legislation are met and prevent breeding birds and pullets aged under 18 weeks from having access to open air areas, verandas shall be considered as open air areas and in such cases shall have a wire mesh barrier to keep other birds out. To be further discussed
2.4.7 Animal welfare Live plucking of poultry shall be prohibited.	~~**2.4.7. Animal welfare**~~ ~~**Live plucking of poultry shall be prohibited.**~~	Commission proposal unchanged	IA issue No agreement
2.5 Beekeeping	~~**2.5. Beekeeping**~~	Commission proposal unchanged	IA issue No agreement
2.5.1 Conversion Beekeeping products may be sold with references to organic production only when the organic	~~**2.5.1. Conversion**~~ ~~**Beekeeping products may be sold with references to organic production only when the organic**~~	Commission proposal unchanged	Non paper from COM: Beekeeping products may be sold ~~with references to~~ **as** organic product~~sion~~ only when the **requirements applicable to**

production rules set out in this Regulation have been complied with for at least one year. During the conversion period the wax shall be replaced with wax coming from organic beekeeping.	**~~production rules set out in this Regulation have been complied with for at least one year.~~** **~~During the conversion period the wax shall be replaced with wax coming from organic beekeeping.~~**		organic production ~~rules set out in this Regulation~~ have been complied with for at least one year. During the conversion period the wax shall be replaced with wax coming from organic beekeeping. Compromise agreed at T5, except its location
2.5.2 Origin of bees Preference shall be given to the use of *Apis mellifera* and their local ecotypes.	**~~2.5.2. Origin of bees~~** **~~Preference shall be given to the use of *Apis mellifera* and their local ecotypes.~~**	Commission proposal unchanged	IA issue No agreement
2.5.3 Nutrition With regard to nutrition the following rules shall apply:	**~~2.5.3. Nutrition~~** **~~With regard to nutrition the following rules shall apply:~~**	Commission proposal unchanged	IA issue No agreement
(a) at the end of the production season hives shall be left with sufficient reserves of honey and pollen to survive the winter;	**~~(a) at the end of the production season hives shall be left with sufficient reserves of honey and pollen to survive the winter;~~**	Commission proposal unchanged	IA issue No agreement
(b) the feeding of bee colonies shall only be permitted where the survival	**~~(b) the feeding of bee colonies shall only be permitted where the~~**	Commission proposal unchanged	IA issue No agreement

of the hives is endangered due to climatic conditions. Feeding shall be with organic honey, organic sugar syrups, or organic sugar.	~~survival of the hives is endangered due to climatic conditions. Feeding shall be with organic honey, organic sugar syrups, or organic sugar.~~		
2.5.4 Specific rules on disease prevention and veterinary treatment in beekeeping With regard to disease prevention and veterinary treatment the following rules shall apply:	~~2.5.4. Specific rules on disease prevention and veterinary treatment in beekeeping~~ ~~With regard to disease prevention and veterinary treatment the following rules shall apply:~~	Commission proposal unchanged	IA issue No agreement
(a) for the purposes of protecting frames, hives and combs, in particular from pests, only rodenticides (to be used only in traps), and appropriate products authorised for use in organic production pursuant to Article 19 shall be permitted;	~~(a) for the purposes of protecting frames, hives and combs, in particular from pests, only rodenticides (to be used only in traps), and appropriate products authorised for use in organic production pursuant to Article 19 shall be permitted;~~	Commission proposal unchanged	IA issue No agreement
(b) physical treatments for disinfection of apiaries such as steam or direct flame shall be permitted;	~~(b) physical treatments for disinfection of apiaries such as steam or direct flame shall be permitted;~~	Commission proposal unchanged	IA issue No agreement

(c) the practice of destroying the male brood shall be permitted only to isolate the infestation of *Varroa destructor;*	~~**(c) the practice of destroying the male brood shall be permitted only to isolate the infestation of *Varroa destructor;***~~	Commission proposal unchanged	IA issue No agreement
(d) if despite all preventive measures, the colonies become sick or infested, they shall be treated immediately and, if necessary, the colonies may be placed in isolation apiaries;	~~**(d) if despite all preventive measures, the colonies become sick or infested, they shall be treated immediately and, if necessary, the colonies may be placed in isolation apiaries;**~~	Commission proposal unchanged	IA issue No agreement
(e) formic acid, lactic acid, acetic acid and oxalic acid as well as menthol, thymol, eucalyptol or camphor may be used in cases of infestation with *Varroa destructor*;	~~**(e) formic acid, lactic acid, acetic acid and oxalic acid as well as menthol, thymol, eucalyptol or camphor may be used in cases of infestation with *Varroa destructor*;**~~	Commission proposal unchanged	IA issue No agreement
(f) if a treatment is applied with chemically synthesised allopathic products, during such a period, the colonies treated shall be placed in isolation apiaries and all the wax shall be replaced with wax coming from organic beekeeping. Subsequently, the	~~**(f) if a treatment is applied with chemically synthesised allopathic products, during such a period, the colonies treated shall be placed in isolation apiaries and all the wax shall be replaced with wax coming from organic**~~	Commission proposal unchanged	IA issue No agreement

conversion period of one year laid down in point 2.5.1. shall apply to those colonies;	~~beekeeping. Subsequently, the conversion period of one year laid down in point 2.5.1. shall apply to those colonies;~~		
(g) point (f) shall not apply to products authorised for use in organic production pursuant to Article 19.	~~(g) point (f) shall not apply to products authorised for use in organic production pursuant to Article 19.~~	Commission proposal unchanged	IA issue No agreement
2.5.5 Specific housing conditions in beekeeping With regard to the housing conditions the following rules shall apply:	~~2.5.5. Specific housing conditions in beekeeping~~ ~~With regard to the housing conditions the following rules shall apply:~~	Commission proposal unchanged	IA issue No agreement
(a) apiaries shall be placed in areas which ensure nectar and pollen sources consisting essentially of organically produced crops or, as appropriate, of spontaneous vegetation or non-organically managed forests or crops that are only treated with low environmental impact methods;	~~(a) apiaries shall be placed in areas which ensure nectar and pollen sources consisting essentially of organically produced crops or, as appropriate, of spontaneous vegetation or non-organically managed forests or crops that are only treated with low environmental impact methods;~~	Commission proposal unchanged	IA issue No agreement

(b) apiaries shall be kept at sufficient distance from sources that may lead to the contamination of beekeeping products or to the poor health of the bees;	~~**(b) apiaries shall be kept at sufficient distance from sources that may lead to the contamination of beekeeping products or to the poor health of the bees;**~~	Commission proposal unchanged	IA issue No agreement
(c) the siting of the apiaries shall be such that, within a radius of 3 km from the apiary site, nectar and pollen sources consist essentially of organically produced crops or spontaneous vegetation or crops treated with low environmental impact methods equivalent to those as provided for in Articles 28 and 30 of Regulation (EU) No 1305/2013 which cannot affect the qualification of beekeeping production as being organic. These requirements do not apply where flowering is not taking place, or the hives are dormant;	~~**(c) the siting of the apiaries shall be such that, within a radius of 3 km from the apiary site, nectar and pollen sources consist essentially of organically produced crops or spontaneous vegetation or crops treated with low environmental impact methods equivalent to those as provided for in Articles 28 and 30 of Regulation (EU) No 1305/2013 which cannot affect the qualification of beekeeping production as being organic. These requirements do not apply where flowering is not taking place, or the hives are dormant;**~~	Commission proposal unchanged	IA issue No agreement Alternative COM proposal (2/06) (c) the siting of the apiaries shall be such that, within a radius of 3 km from the apiary site, nectar and pollen sources consist essentially of organically produced crops or spontaneous vegetation or crops treated with low environmental impact methods equivalent to those as provided for in Articles **23, 25,** 28**, and** 30**, 31 and 34** of Regulation (EU) No 1305/2013 which cannot affect the qualification of beekeeping production as being organic. These requirements do not apply where flowering is not taking place, or the hives are dormant; To be further discussed

(d) the hives and materials used in beekeeping shall be made basically of natural materials presenting no risk of contamination to the environment or the apiculture products;	~~**(d) the hives and materials used in beekeeping shall be made basically of natural materials presenting no risk of contamination to the environment or the apiculture products;**~~	Commission proposal unchanged	IA issue No agreement
2.5.6 Specific rules on practices in beekeeping With regard to beekeeping practices the following rules shall apply:	~~**2.5.6. Specific rules on practices in beekeeping**~~ ~~**With regard to beekeeping practices the following rules shall apply:**~~	Commission proposal unchanged	IA issue No agreement
(a) the beeswax for new foundations shall come from organic production units;	~~**(a) the beeswax for new foundations shall come from organic production units;**~~	Commission proposal unchanged	IA issue No agreement
(b) only natural products such as propolis, wax and plant oils may be used in the hives;	~~**(b) only natural products such as propolis, wax and plant oils may be used in the hives;**~~	Commission proposal unchanged	IA issue No agreement
(c) the use of chemical synthetic repellents shall be prohibited during honey extraction operations;	~~**(c) the use of chemical synthetic repellents shall be prohibited during honey extraction operations;**~~	Commission proposal unchanged	IA issue No agreement
(d) the use of brood combs	~~**(d) the use of brood**~~	Commission proposal unchanged	IA issue

shall be prohibited for honey extraction;	~~**combs shall be prohibited for honey extraction;**~~		No agreement
(e) beekeeping shall not be considered as organic when practiced in regions or areas designated by Member States as regions or areas where organic beekeeping is not practicable.	~~**(e) beekeeping shall not be considered as organic when practiced in regions or areas designated by Member States as regions or areas where organic beekeeping is not practicable.**~~	Commission proposal unchanged	IA issue No agreement
2.5.7 Animal welfare With regard to animal welfare the following rules shall apply:	~~**2.5.7. Animal welfare**~~ ~~**With regard to animal welfare the following rules shall apply:**~~	Commission proposal unchanged	IA issue No agreement
(a) the destruction of bees in the combs as a method associated with the harvesting of beekeeping products shall be prohibited;	~~**(a) the destruction of bees in the combs as a method associated with the harvesting of beekeeping products shall be prohibited;**~~	Commission proposal unchanged	IA issue No agreement
(b) mutilation such as clipping the wings of queen bees shall be prohibited.	~~**(b) mutilation such as clipping the wings of queen bees shall be prohibited.**~~	Commission proposal unchanged	IA issue No agreement
Amendment 357 Annex II - Part II - point 2.5 (a) (new)			
		2.5a. Rearing of fallow deer, mouflon and red deer	IA issue

			No agreement
		2.5a.1. Conversion	No agreement
		Fallow deer, mouflon, red deer and their products may be deemed organic after compliance with a conversion period of at least six months for fallow deer and mouflon and 12 months for red deer.	
		2.5a.2. Specific housing conditions and stocking density	
		The following rules shall apply with regard to housing conditions and stocking density:	
		(a) fallow deer, mouflon and red deer shall be reared in pens as referred to in point (f). The minimum size of a pen for fallow deer and mouflon shall be one hectare and for red deer two hectares. If several species are reared together in a pen, the minimum size of the pen shall be three hectares;	
		(b) the possibility of a division into at least two paddocks must be ensured for each pen. The minimum size of a pen shall be half a hectare for fallow deer and	

		mouflon and at least one hectare for red deer or several farmed species reared in a common pen;	
		(c) animals must live in social groups. The adult animals in a pen must include, as a minimum, three females and one male for each species of animal. The upper limit for the number of animals per hectare in a pen shall be:	
		(i) fallow deer and mouflon: 10 adult animals per hectare;	
		(ii) red deer: 5 adult animals per hectare;	
		(d) animals that are bred in a herd shall be included in the quota referred to in point (c) in the first year of life;	
		(e) rearing individual animals separately shall not be permitted, save for a limited period of time and for a valid reason, such as disease prevention or veterinary treatment;	
		(f) the following provisions shall apply to pens:	
		(i) a pen shall mean an enclosure that must include a part where animals are provided with	

		protection from the weather. Organic livestock rearing in a pen on very wet or marshy soil shall not be allowed;	
		(ii) natural grazing must be ensured in a pen during the period of vegetation. Pens that cannot provide feed by grazing during the period of vegetation shall not be allowed;	
		(iii) animals must be provided with hiding places and shelters;	
		(iv) animals must be provided with a natural method of hoof treatment. If this is not adequate due to the composition of the soil, adequacy must be ensured through other appropriate measures (e.g. by consolidating the soil around feeding sites);	
		(v) in red deer pens, animals must be able to roll in the mud to ensure skin grooming and body temperature regulation;	
		(vi) feeding places must be installed in areas protected from the weather and accessible both to animals and to persons attending to them. The soil where feeding places are located must be	

		consolidated, and the feeding apparatus must be equipped with a roof;	
		(vii) if permanent access to feed cannot be ensured, the feeding places must be designed so that all animals can feed at the same time;	
		(viii) the outer and inner fences must be clearly visible to animals so that they cannot be harmed. The fence must not have sharp edges	
		(ix) the pen fence should be at least 1,8 metres tall for fallow deer and mouflon and at least two metres tall for red deer. These heights shall not apply to a fence inside the pen for setting up paddocks;	
		(x) during the vegetation period the animals must feed by grazing in the pens;	
		(xi) feeding shall only be allowed in the event of a shortage of grazing due to poor weather conditions;	
		(xii) farmed animals in a pen must be provided with safe water. If a natural source of water that is easily accessible to animals is not	

		available, watering places must be provided.	
Part III: Production rules for seaweed and aquaculture animals	**Part III: Production rules for <u>algae</u> ~~seaweed~~ and aquaculture animals**	Commission proposal unchanged	Keep GA text Agreed at T7
1 Definitions	**~~1. Definitions~~**	Commission proposal unchanged	Definitions moved to article 3 und dealt with under this article. Agreed at T7
For the purposes of this Part, the following definitions shall apply:	**~~For the purposes of this Part, the following definitions shall apply:~~**	Commission proposal unchanged	Definitions moved to article 3 Agreed at T7
(1) 'closed recirculation aquaculture facility' means a facility where aquaculture takes place within an enclosed environment on land or on a vessel involving the recirculation of water, and depending on permanent external energy input to stabilise the environment for the aquaculture animals;	**~~(1) 'closed recirculation aquaculture facility' means a facility where aquaculture takes place within an enclosed environment on land or on a vessel involving the recirculation of water, and depending on permanent external energy input to stabilise the environment for the aquaculture animals;~~**	Commission proposal unchanged	Definitions moved to article 3 und dealt with under this article. Agreed at T7
(2) 'energy from renewable sources' means renewable non-fossil energy sources such as wind, solar, geothermal wave, tidal, hydropower, landfill gas, sewage treatment	**~~(2) 'energy from renewable sources' means renewable non-fossil energy sources such as wind, solar, geothermal wave, tidal, hydropower, landfill gas,~~**	Commission proposal unchanged	Definitions moved to article 3 und dealt with under this article. Agreed at T7

plant gas and biogases;	~~sewage treatment plant gas and biogases;~~		
(3) 'hatchery' means a place of breeding, hatching and rearing through the early life stages of aquaculture animals, finfish and shellfish in particular;	~~(3) 'hatchery' means a place of breeding, hatching and rearing through the early life stages of aquaculture animals, finfish and shellfish in particular;~~	Commission proposal unchanged	Definitions moved to article 3 und dealt with under this article. Agreed at T7
(4) 'nursery' means a place where an intermediate production system is applied between the hatchery and grow-out stages. The nursery stage is completed within the first third of the production cycle with the exception of species undergoing a smoltification process;	~~(4) 'nursery' means a place where an intermediate production system is applied between the hatchery and grow-out stages. The nursery stage is completed within the first third of the production cycle with the exception of species undergoing a smoltification process;~~	Commission proposal unchanged	Definitions moved to article 3 und dealt with under this article. Agreed at T7
(5) 'pollution' means the direct or indirect introduction into the aquatic environment of substances or energy as defined in Directive 2000/60/EC of the European Parliament and of the Council[66] and in Directive	~~(5) 'pollution' means the direct or indirect introduction into the aquatic environment of substances or energy as defined in Directive 2000/60/EC of the European Parliament and~~	Commission proposal unchanged	Definitions moved to article 3 und dealt with under this article. Agreed at T7

[66] Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

2008/56/EC of the European Parliament and of the Council[67], in the waters to which those Directives apply, respectively;	~~of the Council[68] and in Directive 2008/56/EC of the European Parliament and of the Council[69], in the waters to which those Directives apply, respectively;~~		
(6) 'polyculture' means the rearing of two or more species usually from different trophic levels in the same culture unit;	~~(6) 'polyculture' means the rearing of two or more species usually from different trophic levels in the same culture unit;~~	Commission proposal unchanged	Definitions moved to article 3 und dealt with under this article. Agreed at T7
(7) 'production cycle' means the lifespan of an aquaculture animal or seaweed from the earliest life stage (fertilised eggs in the case of aquaculture animals) to harvesting;	~~(7) 'production cycle' means the lifespan of an aquaculture animal or seaweed from the earliest life stage (fertilised eggs in the case of aquaculture animals) to harvesting;~~	Commission proposal unchanged	Definitions moved to article 3 und dealt with under this article. Agreed at T7
(8) 'locally grown species' means species which are neither alien nor locally absent species under Council	~~(8) 'locally grown species' means species which are neither alien nor locally absent species under~~	Commission proposal unchanged	To be shifted to Art 3 and further discussed

[67] Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for Community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).

~~[68] Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).~~

~~[69] Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for Community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).~~

Regulation (EC) No 708/2007[70], as well as the species listed in Annex IV to that Regulation;	~~Council Regulation (EC) No 708/2007[71], as well as the species listed in Annex IV to that Regulation;~~		
(9) 'stocking density' means the live weight of aquaculture animals per cubic metre of water at any time during the grow-out phase and in the case of flatfish and shrimp the weight per square metre of surface.	~~(9) 'stocking density' means the live weight of aquaculture animals per cubic metre of water at any time during the grow-out phase and in the case of flatfish and shrimp the weight per square metre of surface.~~	Commission proposal unchanged	Definitions moved to article 3 und dealt with under this article. Agreed at T7
Amendment 358 Annex II - Part III (1) - point 9 (a) (new)			
		(9a) 'sustainable fishing' means the extraction of living aquatic resources that can be maintained indefinitely without reducing the capacity of the target species, in such a way as to maintain healthy population levels and without high negative impacts on other species in the ecosystem or in their	No agreement Should not be enshrined in this Regulation as sustanable fishing should be an objective falling under the scope of CFP Reference to relevant Marine legislation will be provided by COM

[70] Council Regulation (EC) No 708/2007 of 11 June 2007 concerning use of alien and locally absent species in aquaculture (OJ L 168, 28.6.2007, p. 1).

[71] ~~Council Regulation (EC) No 708/2007 of 11 June 2007 concerning use of alien and locally absent species in aquaculture (OJ L 168, 28.6.2007, p. 1).~~

		habitats within the meaning of the Water Framework Directive[72] or Marine Strategy Framework Directive[73], as applicable.	COM to prepare a text
2 General requirements	Commission proposal unchanged	Commission proposal unchanged	------
2.1 Operations shall be situated in locations that are not subject to contamination by products or substances not authorised for use in organic production, or pollutants that would compromise the organic nature of the products.	Commission proposal unchanged	Commission proposal unchanged	------
2.2 Organic and non-organic production units shall be separated adequately and in accordance with the minimum separation distances set by Member States, where such minimum separation distances have been set. Such separation measures shall be based on the natural situation, separate water distribution systems, distances, the tidal flow, the upstream and the downstream location of the organic production unit. Seaweed production shall not	2.2. Organic and non-organic production units shall be separated adequately and in accordance with the minimum separation distances set by Member States, where such minimum separation distances have been set. Such separation measures shall be based on the natural situation, separate water distribution systems, distances, the tidal flow, the upstream and the downstream location of the organic production unit. ~~**Seaweed**~~ **Algae**	Commission proposal unchanged	Keep GA text Agreed at T7

[72] ***Directive 2006/113/EC of the European Parliament and of the Council of 12 December 2006 on the quality required of shellfish waters (OJ L 376, 27.12.2006, p. 14).***

[73] ***Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for Community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).***

be considered as organic when practiced at locations or in areas designated by Member State authorities as locations or areas which are unsuitable for organic aquaculture or seaweed harvesting.	**and aquaculture** production shall not be considered as organic when practiced at locations or in areas designated by Member State authorities as locations or areas which are unsuitable for ~~**organic aquaculture or seaweed harvesting**~~ **such activities**.		
2.3 An environmental assessment proportionate to the production unit shall be required for all new operations applying for organic production and producing more than 20 tonnes of aquaculture products per year to ascertain the conditions of the production unit and its immediate environment and likely effects of its operation. The operator shall provide the environmental assessment to the control authority or control body. The content of the environmental assessment shall be based on Annex IV to Directive 2011/92/EU of the European Parliament and of the Council[74]. If the unit has already been subject to	2.3. An environmental assessment proportionate to the production unit shall be required for all new operations applying for organic production and producing more than 20 tonnes of aquaculture products per year to ascertain the conditions of the production unit and its immediate environment and likely effects of its operation. The operator shall provide the environmental assessment to the control authority or control body. The content of the environmental assessment shall be based on Annex IV to Directive 2011/92/EU of the European Parliament and of the Council[75]. If the **production**	Commission proposal unchanged	Keep GA text Agreed at T7

[74] Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).

[75] Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).

an equivalent assessment, then its use shall be permitted for this purpose.	unit has already been subject to an equivalent assessment, then its use shall be permitted for this purpose.		
2.4 The operator shall provide a sustainable management plan proportionate to the production unit for aquaculture and seaweed harvesting.	2.4. The operator shall provide a sustainable management plan proportionate to the production unit for aquaculture and **algae** ~~**seaweed**~~ harvesting.	Commission proposal unchanged	Keep GA text Agreed at T7
2.5 The plan shall be updated annually and shall detail the environmental effects of the operation, the environmental monitoring to be undertaken, and list measures to be taken to minimise negative impacts on the surrounding aquatic and terrestrial environments, including, where applicable, nutrient discharge into the environment per production cycle or per annum. The plan shall record the surveillance and repair of technical equipment.	Commission proposal unchanged	Commission proposal unchanged	------
	2.5a. Defensive and preventive measures taken against predators according to Council Directive 92/43/EEC and national rules shall be recorded in the sustainable management plan.		Keep GA text Agreed at T7
	2.5b. Where applicable, coordination shall take place with		Keep GA text

	the neighbouring operators in drawing up the management plan.		Agreed at T7
2.6 Aquaculture and seaweed business operators shall draw up as part of the sustainable management plan a waste reduction schedule to be put in place at the commencement of operations. Where possible, the use of residual heat shall be limited to energy from renewable sources. For seaweed harvesting a once-off biomass estimate shall be undertaken at the outset.	2.6. Aquaculture and **algae** ~~**seaweed**~~ business operators shall draw up as part of the sustainable management plan a waste reduction schedule to be put in place at the commencement of operations. Where possible, the use of residual heat shall be limited to energy from renewable sources~~**. For seaweed harvesting a once-off biomass estimate shall be undertaken at the outset.**~~	Commission proposal unchanged	Keep GA text Agreed at T7
Amendment 359 Annex II - Part III - point 2.6 (a) (new)			
		2.6a. Organic production holdings of seaweed and aquaculture animals shall not cause risks to species of conservation interest.	Agreed at T7 (A list) to shift AM 359 to Art 5. and redrafted as follows: "(k) *avoiding any endangerment of species of conservation interest that might arise from organic production* ~~*[of algae and aquaculture animals]"*~~

			Alternative draft COM proposal (drafting group on 3 June) Annex II – Part III –point 2.7. (new) Preparation of unprocessed products 2.7. If preparation operations, other than processing, are carried out on algae or aquaculture animals, the general requirements laid down in points 1.2., 1.3, 1.4., 1.5 of Part IV shall apply *mutatis mutandis* to such prepared products. To be further discussed
3 Requirements for seaweed	**3. Requirements for <u>algae</u> ~~seaweed~~**	Commission proposal unchanged	Keep GA text Agreed at T7
In addition to the general production rules laid down in Articles 7, 8, 9 and 12, and where relevant in Section 2, the rules laid down in this Section 3 shall apply to the collection and production of seaweed. Those rules shall apply *mutatis mutandis* to the production of all multi-cellular marine algae or phytoplankton and micro-algae for	In addition to the general production rules laid down in Articles 7, 8, 9 and 12, and where relevant in Section 2, the rules laid down in this Section 3 shall apply to the collection and production of **<u>algae</u>** **~~seaweed~~**. Those rules shall apply *mutatis mutandis* to the production of **~~all multi-cellular marine algae or~~** phytoplankton	Commission proposal unchanged	Keep GA text Agreed at T7

further use as feed for aquaculture animals.	**~~and micro-algae for further use as feed for aquaculture animals~~**.		
3.1 Conversion	Commission proposal unchanged	Commission proposal unchanged	------
3.1.1 The conversion period for a seaweed harvesting site shall be six months.	3.1.1. The conversion period for a**n algae ~~seaweed~~** harvesting site shall be six months.	Commission proposal unchanged	Keep GA text Agreed at T7
3.1.2 The conversion period for a seaweed cultivation unit shall be a period of six months or one full production cycle, whichever is the longer.	3.1.2. The conversion period for a**n algae ~~seaweed cultivation~~ production** unit shall be a period of six months or one full production cycle, whichever is the longer.	Commission proposal unchanged	To be checked by COM (in relation with new draft compromise on art 7 and 8)
3.1.3 During the conversion period, the aquaculture holding may be split into clearly separated units which are not all managed under organic production. As regards seaweed production, the same species may be involved, provided that there is adequate separation between the units.	**~~3.1.3. During the conversion period, the aquaculture holding may be split into clearly separated units which are not all managed under organic production. As regards seaweed production, the same species may be involved, provided that there is adequate separation between the units.~~**	Commission proposal unchanged	Deletion agreed at T7
3.2 Production rules for seaweed	3.2. Production rules for **algae ~~seaweed~~**	Commission proposal unchanged	Keep GA text Agreed at T7
3.2.1 The collection of wild seaweeds and parts thereof, growing naturally in the sea, is considered as	3.2.1. The collection of wild **algae ~~seaweeds~~** and parts thereof, **~~growing naturally in the sea,~~** is considered as organic production	Commission proposal unchanged	Keep GA text Agreed at T7

organic production provided that:	provided that:		
Amendment 360 Annex II - Part III - point 3.2.1 (a)			
(a) the growing areas are of high ecological status as defined by Directive 2000/60/EC[76], and are not unsuitable from a health point of view.	(a) the growing areas are of high ecological status as defined by Directive 2000/60/EC[~~77~~], and are not unsuitable from a health point of view.	(a) the growing areas are of high ecological status as defined by Directive 2000/60/EC[78], ***or have a quality equivalent to the production zones classed as A and B in Regulation (EC) No 854/2004***[79] and are not unsuitable from a health point of view;	Keep EP text Agreed at T7
(b) the collection does not affect significantly the stability of the natural ecosystem or the maintenance of the species in the collection area.	Commission proposal unchanged	Commission proposal unchanged	------
3.2.2 The cultivation of seaweeds shall take place in coastal areas with environmental and health	3.2.2. The cultivation of **algae** ~~**seaweeds**~~ shall take place in ~~**coastal**~~ areas with environmental	Commission proposal unchanged	Keep GA text. Agreed at T7

[76] Directive 2006/113/EC of the European Parliament and of the Council of 12 December 2006 on the quality required of shellfish waters (OJ L 376, 27.12.2006, p. 14).

[~~77~~] ~~**Directive 2006/113/EC of the European Parliament and of the Council of 12 December 2006 on the quality required of shellfish waters (OJ L 376, 27.12.2006, p. 14).**~~

[78] Directive ***2000/60***/EC of the European Parliament and of the Council of ***23 October 2000 establishing a framework for the Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1)***.

[79] ***Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption (OJ L 139, 30.04.2004)***.

characteristics at least equivalent to those outlined in point 3.2.1(a) in order to be considered organic. In addition the following production rules shall apply:	and health characteristics at least equivalent to those outlined in point 3.2.1(a) in order to be considered organic. In addition the following production rules shall apply:		
(a) sustainable practices shall be used in all stages of production, from collection of juvenile seaweed to harvesting;	(a) sustainable practices shall be used in all stages of production, from collection of juvenile **algae** ~~**seaweed**~~ to harvesting;	Commission proposal unchanged	Keep GA text. Agreed at T7
Amendment 361 Annex II - Part III - point 3.2.2 (b)			
(b) to ensure that a wide gene-pool is maintained, the collection of ***juvenile*** seaweed in the wild shall take place on a regular basis to ***supplement*** indoor culture stock;	(b) to ensure that a wide gene-pool is maintained, the collection of juvenile **algae** ~~**seaweed**~~ in the wild shall take place on a regular basis to supplement indoor culture stock;	(b) to ensure that a wide gene-pool is maintained, the collection of seaweed in the wild shall take place on a regular basis ***so as*** to ***maintain and increase the diversity of*** indoor culture stock;	EP will check the issue on juvenile, No agreement
(c) fertilisers shall not be used except in indoor facilities and only if they have been authorised for use in organic production for this purpose.	(c) fertilisers shall not be used except in indoor facilities and only if they have been authorised for use in organic production for this purpose **pursuant to Article 19**.	Commission proposal unchanged	Keep GA text. Agreed at T7
3.3 Seaweed cultivation	~~**3.3. Seaweed cultivation**~~	Commission proposal unchanged	No agreement

3.3.1 Seaweed culture at sea shall only utilise nutrients naturally occurring in the environment, or from organic aquaculture animal production, preferably located nearby as part of a polyculture system.	~~**3.3.1. Seaweed culture at sea shall only utilise nutrients naturally occurring in the environment, or from organic aquaculture animal production, preferably located nearby as part of a polyculture system.**~~	Commission proposal unchanged	No agreement IA issue
3.3.2 In facilities on land where external nutrient sources are used, the nutrient levels in the effluent water shall be verifiably the same, or lower, than the inflowing water. Only nutrients of plant or mineral origin authorised for use in organic production pursuant to Article 19 may be used.	~~**3.3.2. In facilities on land where external nutrient sources are used, the nutrient levels in the effluent water shall be verifiably the same, or lower, than the inflowing water. Only nutrients of plant or mineral origin authorised for use in organic production pursuant to Article 19 may be used.**~~	Commission proposal unchanged	No agreement IA issue
3.3.3 Culture density or operational intensity shall be recorded and shall maintain the integrity of the aquatic environment by ensuring that the maximum quantity of seaweed which can be supported without negative effects on the environment is not exceeded.	~~**3.3.3. Culture density or operational intensity shall be recorded and shall maintain the integrity of the aquatic environment by ensuring that the maximum quantity of seaweed which can be supported without negative effects on the environment is not exceeded.**~~	Commission proposal unchanged	No agreement IA issue
3.3.4 Ropes and other equipment used for growing seaweed shall be re-used or recycled where possible.	~~**3.3.4. Ropes and other equipment used for growing seaweed shall be re-used or recycled where**~~	Commission proposal unchanged	No agreement IA issue

	~~possible.~~		
3.4 Sustainable harvesting of wild seaweed	~~3.4. Sustainable harvesting of wild seaweed~~	Commission proposal unchanged	No agreement IA issue
3.4.1 A once-off biomass estimate shall be undertaken at the outset of seaweed harvesting	~~3.4.1. A once-off biomass estimate shall be undertaken at the outset of seaweed harvesting~~	Commission proposal unchanged	No agreement IA issue
3.4.2 Documentary accounts shall be maintained in the unit or premises and shall enable the operator to identify and the control authority or control body to verify that the harvesters have supplied only wild seaweed produced in accordance with this Regulation.	~~3.4.2. Documentary accounts shall be maintained in the unit or premises and shall enable the operator to identify and the control authority or control body to verify that the harvesters have supplied only wild seaweed produced in accordance with this Regulation.~~	Commission proposal unchanged	No agreement EP supports the proposal from COM to introduce "Prodution unit" IA issue
3.4.3 Harvesting shall be carried out in such a way that the amounts harvested do not cause a significant impact on the state of the aquatic environment. Measures shall be taken to ensure that seaweed can regenerate and by-catches are prevented, such as harvest technique, minimum sizes, ages, reproductive cycles or size of remaining seaweed.	~~3.4.3. Harvesting shall be carried out in such a way that the amounts harvested do not cause a significant impact on the state of the aquatic environment. Measures shall be taken to ensure that seaweed can regenerate and by-catches are prevented, such as harvest technique, minimum sizes, ages, reproductive cycles or size of remaining seaweed.~~	Commission proposal unchanged	No agreement IA issue
Amendment 362			

Annex II - Part III - point 3.4.4			
3.4.4 If seaweed is harvested from a shared or common harvest area, documentary evidence shall be available that the total harvest complies with this Regulation.	~~**3.4.4. If seaweed is harvested from a shared or common harvest area, documentary evidence shall be available that the total harvest complies with this Regulation.**~~	3.4.4. If seaweed is harvested from a shared or common harvest area, documentary evidence ***produced by the competent authority designated by the Member State concerned*** shall be available***, showing*** that the total harvest complies with this Regulation.	No agreement Covered by IA in Art 12 of GA
4 Requirements for aquaculture animals	Commission proposal unchanged	Commission proposal unchanged	------
In addition to the general production rules laid down in Article 7, 8, 9 and 12, the rules laid down in this Section 4 shall apply to species of fish, crustaceans, echinoderms and molluscs, as referred to in point 4.1.5.10. Those rules also shall apply *mutatis mutandis* to zooplankton, micro-crustaceans, rotifers, worms and other aquatic feed animals.	In addition to the general production rules laid down in Article 7, 8, 9 ~~**and**~~ 12, **and where relevant in Section 2,** the rules laid down in this Section 4 shall apply to species of fish, crustaceans, echinoderms and molluscs~~**, as referred to in point 4.1.5.10**~~. Those rules also shall apply *mutatis mutandis* to zooplankton, micro-crustaceans, rotifers, worms and other aquatic feed animals.	Commission proposal unchanged	No agreement
4.1 General requirements	Commission proposal unchanged	Commission proposal unchanged	------
4.1.1 Conversion	Commission proposal unchanged	Commission proposal unchanged	------
4.1.1.1 The following	~~**4.1.1.1.**~~ The following	Commission proposal unchanged	

conversion periods for aquaculture production units shall apply for the following types of aquaculture facilities including the existing aquaculture animals:	conversion periods for aquaculture production units shall apply for the following types of aquaculture facilities including the existing aquaculture animals:		Keep GA text. Agreed at T7
(a) for facilities that cannot be drained, cleaned and disinfected, a conversion period of 24 months;	Commission proposal unchanged	Commission proposal unchanged	------
(b) for facilities that have been drained, or fallowed, a conversion period of 12 months;	Commission proposal unchanged	Commission proposal unchanged	------
(c) for facilities that have been drained, cleaned and disinfected a conversion period of six months;	Commission proposal unchanged	Commission proposal unchanged	------
(d) for open water facilities including those producing bivalve molluscs, a conversion period of three months.	Commission proposal unchanged	Commission proposal unchanged	------
4.1.1.2 During the conversion period, the aquaculture holding may be split into clearly separated units which are not all managed under organic production. As regards the production of aquaculture animals,	~~**4.1.1.2. During the conversion period, the aquaculture holding may be split into clearly separated units which are not all managed under organic**~~	Commission proposal unchanged	Deletion seems agreeable for EP . To be seen in conjunctin wih Art 7 and 8

the same species may be involved provided that there is adequate separation between the units.	~~**production. As regards the production of aquaculture animals, the same species may be involved provided that there is adequate separation between the units.**~~		
4.1.2 Origin of aquaculture animals	Commission proposal unchanged	Commission proposal unchanged	------
4.1.2.1 With regard to the origin of the aquaculture animals the following rules shall apply:	Commission proposal unchanged	Commission proposal unchanged	------
(a) organic aquaculture shall be based on the rearing of young stock originating from organic broodstock and organic holdings;	Commission proposal unchanged	Commission proposal unchanged	------
Amendment 363 Annex II - Part III - point 4.1.2.1 (a) (a) (new)			
		(aa) where it is impracticable to obtain animals under the conditions specified in point (a), they may be caught in the wild. Such animals shall be kept under organic management for at least three months before they may be used.	No agreement Incompatibility with AM 364 EP will prepare a draft

(b) locally grown species shall be used and breeding shall aim to give strains which are more adapted to production conditions, ensuring good animal health and welfare and good utilisation of feed resources. Documentary evidence of their origin and treatment shall be provided for the control authority or control body;	Commission proposal unchanged	Commission proposal unchanged	------
(c) species shall be chosen which are robust and can be produced without causing significant damage to wild stocks;	Commission proposal unchanged	Commission proposal unchanged	------
Amendment 364 Annex II - Part III - point 4.1.2.1 (d)			
(d) wild caught or non-organic aquaculture animals may be brought into a holding with a view to improving genetic stock. Such animals shall be kept under organic management for at least three months before they may be used for breeding.	(d) wild caught or non-organic aquaculture animals may be brought into a holding with a view to improving genetic stock. Such animals shall be kept under organic management for at least three months before they may be used for breeding**:** ~~.~~	(d) wild caught or non-organic aquaculture animals may be brought into a holding ***only in duly justified cases where no organic breed is available or where new genetic stock for breeding purposes is brought into the production unit after the authorisation has been granted by the competent authority,*** with a	No agreement To be seen in conjunction with AM 363

		view to improving ***the suitability of*** genetic stock. Such animals shall be kept under organic management for at least three months before they may be used for breeding.	
		Each Member State shall ensure that a computerised database is established for listing the aquaculture species for which organic juveniles are available on its territory and the production capacity among certified aquaculture farms.	To be seen in conjunction with a new article to be prepared by COM referring to databases
		In no circumstances may authorisation be granted to catch wild fish which is on the red list of endangered species.	
		The Commission shall adopt implementing acts laying down the technical details for establishing the database referred to in the second paragraph. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).	
	(da) for on growing purposes the collection of wild aquaculture juveniles is specifically restricted to		Keep GA text Agreed at T8

	the following cases:		
	(i) natural influx of fish or crustacean larvae and juveniles when filling ponds, containment systems and enclosures;		Keep GA text Agreed at T8
	(ii) European glass eel, provided that an approved eel management plan is in place for the location and artificial reproduction of eel remains unsolved;		No agreement
	(iii) restocking of wild fry of species other than European eel in extensive aquaculture farming inside wetlands, such as brackish water ponds, tidal areas and costal lagoons, provided that:		Keep GA text Agreed at T8
	– **the restocking is in line with management measures approved by the relevant authorities to ensure**		Keep GA text Agreed at T8

	the sustainable exploitation of the species concerned, and		
	– **the fish are fed exclusively with feed naturally available in the environment.**		Keep GA text Agreed at T8
	(db) for on-growing purposes and when organic aquaculture juvenile animals are not available, Member States may authorize the use of non-organic juveniles, provided that at least the latter two thirds of the duration of the production cycle is managed under organic management.		No agreement EP/COM does not support GA text. Derogation is already being phased out in 2016. No need to reopen derogations. For PRES, phasing out period to be linked with availability of organic juvenile (ie to be seen in conjunction with the article on databases)
4.1.2.2 The following rules shall apply with regard to breeding:	Commission proposal unchanged	Commission proposal unchanged	------
(a) the use of hormones and hormone derivates shall be prohibited;	Commission proposal unchanged	Commission proposal unchanged	------
(b) artificial production of monosex strains, except by hand sorting, induction of	Commission proposal unchanged	Commission proposal unchanged	------

polyploidy, artificial hybridisation and cloning shall not be used;			
(c) the appropriate strains shall be chosen;	Commission proposal unchanged	Commission proposal unchanged	------
(d) where appropriate, species-specific conditions for broodstock management, breeding and juvenile production shall be established.	Commission proposal unchanged	Commission proposal unchanged	------
4.1.3 Nutrition	Commission proposal unchanged	Commission proposal unchanged	------
4.1.3.1 With regard to feed for fish and crustaceans and echinoderms: the following rules shall apply:	Commission proposal unchanged	Commission proposal unchanged	------
(a) animals shall be fed with feed that meets the animal's nutritional requirements at the various stages of its development;	Commission proposal unchanged	Commission proposal unchanged	------
(b) feeding regimes shall be designed with the following priorities:	Commission proposal unchanged	Commission proposal unchanged	------
(i) animal health and	Commission proposal unchanged	Commission proposal unchanged	------

welfare;			
(ii) high product quality, including the nutritional composition which shall ensure high quality of the final edible product;	Commission proposal unchanged	Commission proposal unchanged	------
(iii) low environmental impact;	Commission proposal unchanged	Commission proposal unchanged	------
(c) the plant fraction of feed shall originate from organic production and the feed fraction derived from aquatic animals shall originate from organic aquaculture or sustainable exploitation of fisheries;	Commission proposal unchanged	Commission proposal unchanged	------
Amendment 365 Annex II - Part III - point 4.1.3.1 (d)			
(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	Commission proposal unchanged	(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;	To be seen in conjunction with Art 19

organic production under this Regulation;			
(e) growth promoters and synthetic amino-acids shall not be used;	Commission proposal unchanged	Commission proposal unchanged	------
(f) only feed materials of mineral origin authorised for use in organic production pursuant to Article 19 may be used in organic aquaculture;	Commission proposal unchanged	Commission proposal unchanged	------
(g) only feed additives, certain products used in animal nutrition and processing aids as referred to in point 1.4.4. of Part II may be used in organic aquaculture.	Commission proposal unchanged	Commission proposal unchanged	------
4.1.3.2 The following rules shall apply with regard to bivalve molluscs and other species which are not fed by man but feed on natural plankton:	~~**4.1.3.2. The following rules shall apply with regard to bivalve molluscs and other species which are not fed by man but feed on natural plankton:**~~	Commission proposal unchanged	No agreement No agreement
(a) such filter-feeding animals shall receive all their nutritional requirements from nature except in the case of juveniles reared in hatcheries	~~**(a) such filter-feeding animals shall receive all their nutritional requirements from nature except in the case of juveniles**~~	Commission proposal unchanged	IA issue

and nurseries;	~~reared in hatcheries and nurseries;~~		
Amendment 366 Annex II - Part III - point 4.1.3.2 (b)			
(b) the growing areas shall be of high ecological status as defined by Directive 2000/60/EC.	~~(b) the growing areas shall be of high ecological status as defined by Directive 2000/60/EC.~~	(b) the growing areas shall be of high ecological status as defined by Directive 2000/60/EC***, or of good environmental status, as defined by Directive 2008/56/EC. Natural landscape elements such as 'natural heritage sites' shall be preserved.***	No agreement (IA issue)
4.1.3.3 Specific rules on feed for carnivorous aquaculture animals Feed for carnivorous aquaculture animals shall be sourced with the following priorities:	~~4.1.3.3. Specific rules on feed for carnivorous aquaculture animals~~ ~~Feed for carnivorous aquaculture animals shall be sourced with the following priorities:~~	Commission proposal unchanged	No agreement IA issue
(a) organic feed of aquaculture origin;	~~(a) organic feed of aquaculture origin;~~	Commission proposal unchanged	No agreement IA issue
(b) fish meal and fish oil from organic aquaculture trimmings sourced from fish, crustaceans or molluscs;	~~(b) fish meal and fish oil from organic aquaculture trimmings sourced from fish, crustaceans or molluscs;~~	Commission proposal unchanged	No agreement IA issue

(c) fish meal and fish oil and ingredients of fish origin derived from trimmings of fish, crustaceans or molluscs already caught for human consumption in sustainable fisheries;	~~**(c) fish meal and fish oil and ingredients of fish origin derived from trimmings of fish, crustaceans or molluses already caught for human consumption in sustainable fisheries;**~~	Commission proposal unchanged	No agreement IA issue
(d) fish meal and fish oil and ingredients of fish origin derived from whole fish, crustaceans or molluscs caught in sustainable fisheries and not used for human consumption;	~~**(d) fish meal and fish oil and ingredients of fish origin derived from whole fish, crustaceans or molluses caught in sustainable fisheries and not used for human consumption;**~~	Commission proposal unchanged	No agreement IA issue
Amendment 367 Annex II - Part III - point 4.1.3.3 (e)			
(e) organic feed materials of plant or animal origin; ***plant material shall not exceed 60% of total ingredients.***	~~**(e) organic feed materials of plant or animal origin; plant material shall not exceed 60% of total ingredients.**~~	(e) organic feed materials of plant or animal origin; ***the feed ration may comprise a maximum of 60 % organic plant products;***	No agreement
Amendment 368 Annex II - Part III - point 4.1.3.3 (e) (a) (new)			
		(ea) astaxanthin derived primarily from organic sources, such as organic crustacean shells, may be	EP could delete this AM. EP needs

		used in the feed ration for salmon and trout within the limit of their physiological needs. If organic sources are not available, natural sources of astaxanthin (such as Phaffia yeast) may be used.	to check (PM: Already foreseen in a secondary act under Art 19 - currently authorised)
4.1.3.4 Specific rules on feed for certain aquaculture animals Fish in inland waters, penaeid shrimps and freshwater prawns and tropical freshwater fish shall be fed as follows:	~~**4.1.3.4. Specific rules on feed for certain aquaculture animals**~~ ~~**Fish in inland waters, penaeid shrimps and freshwater prawns and tropical freshwater fish shall be fed as follows:**~~	Commission proposal unchanged	No agreement IA issue
(a) they shall be fed with feed naturally available in ponds and lakes;	~~**(a) they shall be fed with feed naturally available in ponds and lakes;**~~	Commission proposal unchanged	No agreement IA issue
(b) where natural feed is not available in sufficient quantities as referred to in point (a), organic feed of plant origin, preferably grown on the farm itself or seaweed may be used. Operators shall keep documentary evidence of the need to use additional feed;	~~**(b) where natural feed is not available in sufficient quantities as referred to in point (a), organic feed of plant origin, preferably grown on the farm itself or seaweed may be used. Operators shall keep documentary evidence of the need to use**~~	Commission proposal unchanged	No agreement IA issue

	~~additional feed;~~		
(c) where natural feed is supplemented in accordance with point (b) the feed ration of species as referred to in point 4.1.5.10. (g) and of siamese catfish (*Pangasius* spp.) may comprise a maximum of 10 % fishmeal or fish oil derived from sustainable fisheries.	**~~(c) where natural feed is supplemented in accordance with point (b) the feed ration of species as referred to in point 4.1.5.10. (g) and of siamese catfish (*Pangasius* spp.) may comprise a maximum of 10 % fishmeal or fish oil derived from sustainable fisheries.~~**	Commission proposal unchanged	No agreement IA issue
4.1.4 Health care	Commission proposal unchanged	Commission proposal unchanged	------
4.1.4.1 Disease prevention With regard to disease prevention the following rules shall apply:	Commission proposal unchanged	Commission proposal unchanged	------
(a) disease prevention shall be based on keeping the animals in optimal conditions by appropriate siting, taking into account, *inter alia*, the species' requirements as to good water quality, flow and exchange rate, optimal design of the holdings, the application of good husbandry and management practices,	Commission proposal unchanged	Commission proposal unchanged	------

including regular cleaning and disinfection of premises, high quality feed, appropriate stocking density, and breed and strain selection;			
(b) the use of immunological veterinary medicines is allowed;	Commission proposal unchanged	Commission proposal unchanged	------
(c) an animal health management plan shall detail biosecurity and disease prevention practices including a written agreement for health counselling, proportionate to the production unit, with qualified aquaculture animal health services who shall visit the farm at a frequency of not less than once per year and not less than once every two years in the case of bivalve shellfish;	Commission proposal unchanged		------
(d) holding systems, equipment and utensils shall be properly cleaned and disinfected;	Commission proposal unchanged	Commission proposal unchanged	------
(e) bio-fouling organisms shall be removed only by physical means or by hand and	Commission proposal unchanged	Commission proposal unchanged	------

where appropriate returned to the sea at a distance from the farm;			
(f) only substances for cleaning and disinfection of equipment and facilities authorised for use in organic production pursuant to Article 19 may be used.	Commission proposal unchanged	Commission proposal unchanged	------
(g) with regard to fallowing the following rules shall apply:	Commission proposal unchanged	Commission proposal unchanged	------
(i) the competent authority shall determine whether fallowing is necessary and the appropriate duration which shall be applied and documented after each production cycle in open water containment systems at sea;	Commission proposal unchanged	Commission proposal unchanged	------
(ii) it shall not be mandatory for bivalve mollusc cultivation;	Commission proposal unchanged	Commission proposal unchanged	------
(iii) during fallowing the cage or other structure used for aquaculture	Commission proposal unchanged	Commission proposal unchanged	------

animal production is emptied, disinfected and left empty before being used again;			
(h) where appropriate, uneaten fish-feed, faeces and dead animals shall be removed promptly to avoid any risk of significant environmental damage as regards water status quality, minimise disease risks, and to avoid attracting insects or rodents;	Commission proposal unchanged	Commission proposal unchanged	------
(i) ultraviolet light and ozone may be used only in hatcheries and nurseries;	Commission proposal unchanged	Commission proposal unchanged	------
(j) for biological control of ectoparasites preference shall be given to the use of cleaner fish.	(j) for biological control of ectoparasites preference shall be given to the use of cleaner fish **and to the use of freshwater, marine water and sodium chloride solutions**.	Commission proposal unchanged	Keep GA text. Agreed at T7
4.1.4.2 Veterinary treatments The following rules shall apply with regard to veterinary treatments:	Commission proposal unchanged	Commission proposal unchanged	------
(a) disease shall be treated	Commission proposal unchanged	Commission proposal unchanged	------

immediately to avoid suffering to the animal; chemically synthesised allopathic veterinary medicinal products including antibiotics may be used where necessary, under strict conditions and under the responsibility of a veterinarian, when the use of phytotherapeutic, homeopathic and other products is inappropriate. Where appropriate, restrictions with respect to courses of treatment and withdrawal periods shall be defined;			
(b) treatments related to the protection of human and animal health imposed on the basis of Union legislation shall be allowed;	Commission proposal unchanged	Commission proposal unchanged	------
(c) when despite preventive measures to ensure animal health, according to point 4.1.4.1., a health problem arises, veterinary treatments may be used in the following order of preference:	Commission proposal unchanged	Commission proposal unchanged	------
(i) substances from	Commission proposal unchanged	Commission proposal unchanged	------

plants, animals or minerals in a homoeopathic dilution;			
(ii) plants and their extracts not having anaesthetic effects; and	Commission proposal unchanged	Commission proposal unchanged	------
(iii) substances such as trace elements, metals, natural immunostimulants or authorised probiotics;	Commission proposal unchanged	Commission proposal unchanged	------
Amendment 369 Annex II - Part III - point 4.1.4.2 (d)			
(d) the use of allopathic treatments shall be limited to two courses of treatment per year, with the exception of vaccinations and compulsory eradication schemes. However, in the ***cases*** of a production cycle of less than a year a limit of one allopathic treatment ***applies***. If the indicated limits for allopathic treatments are exceeded the aquaculture animals concerned shall not be sold as organic products;	Commission proposal unchanged	(d) the use of allopathic treatments shall be limited to two courses of treatment per year, with the exception of vaccinations***, parasite treatments*** and compulsory eradication schemes. However, in the ***case*** of a production cycle of less than a year***,*** a limit of one allopathic treatment ***shall apply***. If the indicated limits for allopathic treatments are exceeded***,*** the aquaculture animals concerned shall not be sold as organic products;	
(e) the use of parasite treatments, not including	Commission proposal unchanged	Commission proposal unchanged	------

compulsory control schemes operated by Member States, shall be limited to twice per year or once per year where the production cycle is less than 18 months;			
(f) the withdrawal period for allopathic veterinary treatments and parasite treatments in accordance with point (d), including treatments under compulsory control and eradication schemes, shall be twice the withdrawal period as referred to in Article 11 of Directive 2001/82/EC or, in a case in which this period in not specified, 48 hours;	Commission proposal unchanged	Commission proposal unchanged	------
(g) whenever veterinary medicinal products are used, such use shall be declared to the control authority or the control body before the animals are marketed as organic. Treated stock shall be clearly identifiable.	Commission proposal unchanged	Commission proposal unchanged	------
4.1.5 Housing conditions and husbandry practices	Commission proposal unchanged	Commission proposal unchanged	------

4.1.5.1 Closed recirculation aquaculture animal production facilities shall be prohibited, with the exception of hatcheries and nurseries or for the production of species used for organic feed organisms.	Commission proposal unchanged	Commission proposal unchanged	------
4.1.5.2 Artificial heating or cooling of water shall only be permitted in hatcheries and nurseries. Natural borehole water may be used to heat or cool water at all stages of production.	Commission proposal unchanged	Commission proposal unchanged	------
4.1.5.3 The husbandry environment of the aquaculture animals shall be designed in such a way that, in accordance with their species specific needs, the aquaculture animals shall:	Commission proposal unchanged	Commission proposal unchanged	------
(a) have sufficient space for their wellbeing and, where appropriate, a minimum stocking density;	Commission proposal unchanged	Commission proposal unchanged	------
(b) be kept in water of good quality with, *inter alia*, an adequate flow and exchange rate, sufficient oxygen levels and keeping a low level of	Commission proposal unchanged	Commission proposal unchanged	------

metabolites;			
(c) be kept in temperature and light conditions in accordance with the requirements of the species and having regard to the geographic location.	Commission proposal unchanged	Commission proposal unchanged	------
In the case of freshwater fish, the bottom type shall be as close as possible to natural conditions.	~~**In the case of freshwater fish, the bottom type shall be as close as possible to natural conditions.**~~	Commission proposal unchanged	No agreement IA issue
In the case of carp, the bottom shall be natural earth.	~~**In the case of carp, the bottom shall be natural earth.**~~	Commission proposal unchanged	No agreement IA issue
4.1.5.4 The design and construction of aquatic containment systems shall provide flow rates and physiochemical parameters that safeguard the animals' health and welfare and provide for their behavioural needs.	Commission proposal unchanged	Commission proposal unchanged	------
4.1.5.5 Rearing units on land shall meet the following conditions:	Commission proposal unchanged	Commission proposal unchanged	------
(a) for flow-through systems it shall be possible to monitor and control the flow rate and water quality of both in-	Commission proposal unchanged	Commission proposal unchanged	------

flowing and out-flowing water;			
Amendment 370 Annex II - Part III - point 4.1.5.5 (b)			
(b) at least ***five percent*** of the perimeter ("land-water interface") area shall have natural vegetation.	Commission proposal unchanged	(b) at least ***15 %*** of the perimeter ('land-water interface') area shall have natural vegetation.	Compromise text agreed at T7 (b) at least ***10 %*** of the perimeter ('land-water interface') area shall have natural vegetation.
4.1.5.6 Containment systems at sea shall meet the following conditions:	Commission proposal unchanged	Commission proposal unchanged	------
(a) they shall be located where water flow, depth and water-body exchange rates are adequate to minimise the impact on the seabed and the surrounding water body;	Commission proposal unchanged	Commission proposal unchanged	------
(b) they shall have suitable cage design, construction and maintenance with regard to their exposure to the operating environment.	Commission proposal unchanged	Commission proposal unchanged	------
4.1.5.7 Containment systems	Commission proposal unchanged	Commission proposal unchanged	------

shall be designed, located and operated to minimise the risk of escape incidents.			
4.1.5.8 If fish or crustaceans escape, appropriate action shall be taken to reduce the impact on the local ecosystem, including recapture, where appropriate. Documentary evidence shall be maintained.	Commission proposal unchanged	Commission proposal unchanged	------
4.1.5.9 For aquaculture animal production in fishponds, tanks or raceways, farms shall be equipped with either natural-filter beds, settlement ponds, biological filters or mechanical filters to collect waste nutrients or use seaweeds or animals (bivalves and algae) which contribute to improving the quality of the effluent. Effluent monitoring shall be carried out at regular intervals where appropriate.	Commission proposal unchanged	Commission proposal unchanged	------
4.1.5.10 Stocking density	**4.1.5.10. Stocking density**	Commission proposal unchanged	
In considering the effects of the stocking density on the welfare of produced fish, the condition of the fish (such as fin damage, other injuries, growth rate, behaviour expressed and overall health) and the	**In considering the effects of the stocking density on the welfare of produced fish, the condition of the fish (such as fin damage, other injuries, growth rate,**	Commission proposal unchanged	Seems acceptable

water quality shall be monitored.	**behaviour expressed and overall health) and the water quality shall be monitored.**		
The stocking density shall be as set out by species or group of species:	~~**The stocking density shall be as set out by species or group of species:**~~	Commission proposal unchanged	No agreement IA issue
(a) Organic production of salmonids in fresh water:	~~**(a) Organic production of salmonids in fresh water:**~~	Commission proposal unchanged	No agreementIA issue
Species concerned: brown trout *(Salmo trutta)* – rainbow trout *(Oncorhynchus mykiss)* – American brook trout *(Salvelinus fontinalis)* – salmon *(Salmo salar)* – charr *(Salvelinus alpinus)* – grayling *(Thymallus thymallus)* – American lake trout (or grey trout) *(Salvelinus namaycush)* – huchen *(Huchohucho)*	~~**Species concerned: brown trout *(Salmo trutta)* – rainbow trout *(Oncorhynchus mykiss)* – American brook trout *(Salvelinus fontinalis)* – salmon *(Salmo salar)* – charr *(Salvelinus alpinus)* – grayling *(Thymallus thymallus)* – American lake trout (or grey trout) *(Salvelinus namaycush)* – huchen *(Huchohucho)***~~	Commission proposal unchanged	No agreementIA issue
Amendment 371 Annex II - Part III - point 4.1.5.10 (a) - table			
See table	**Deleted**	***See Annex 4 to the Annex***	No agreement

(b) Organic production of salmonids in sea water:	~~**(b) Organic production of salmonids in sea water:**~~	Commission proposal unchanged	No agreement IA issue
Species concerned: salmon *(Salmo salar)*, brown trout *(Salmo trutta)* - rainbow trout *(Oncorhynchus mykiss)*	~~**Species concerned: salmon *(Salmo salar)*, brown trout *(Salmo trutta)* - rainbow trout *(Oncorhynchus mykiss)***~~	Commission proposal unchanged	No agreement IA issue
See table	**Deleted**	Commission proposal unchanged	No agreement IA issue
(c) Organic production of cod *(Gadus morhua)* and other Gadidae, sea bass *(Dicentrarchus labrax)*, sea bream *(Sparus aurata)*, meagre *(Argyrosomus regius)*, turbot *(Psetta maxima [= Scopthalmus maximux])*, red porgy *(Pagrus pagrus [= Sparus pagrus])*, red drum *(Sciaenops ocellatus)* and other Sparidae, and spinefeet *(Siganus spp.)*	~~**(c) Organic production of cod *(Gadus morhua)* and other Gadidae, sea bass *(Dicentrarchus labrax)*, sea bream *(Sparus aurata)*, meagre *(Argyrosomus regius)*, turbot *(Psetta maxima [= Scopthalmus maximux])*, red porgy *(Pagrus pagrus [= Sparus pagrus])*, red drum *(Sciaenops ocellatus)* and other Sparidae, and spinefeet *(Siganus spp.)***~~	Commission proposal unchanged	No agreement IA issue
Amendment 372 Annex II - Part III - point 4.1.5.10 (c) - table			

See table	**Deleted**	***See Annex 5 to the Annex***	No agreement. To be considered as IA (see Art 12 of GA)
(d) Organic production of sea bass, sea bream, meagre, mullets *(Liza, Mugil)* and eel (*Anguilla spp.*) in earth ponds of tidal areas and costal lagoons	~~**(d) Organic production of sea bass, sea bream, meagre, mullets *(Liza, Mugil)* and eel (*Anguilla spp.*) in earth ponds of tidal areas and costal lagoons**~~	Commission proposal unchanged	No agreement IA issue
See table	**Deleted**	Commission proposal unchanged	No agreement IA issue
(e) Organic production of sturgeon in fresh water:	~~**(e) Organic production of sturgeon in fresh water:**~~	Commission proposal unchanged	No agreement IA issue
Species concerned: Sturgeon family (*Acipenseridae*)	~~**Species concerned: Sturgeon family (*Acipenseridae*)**~~	Commission proposal unchanged	No agreement IA issue
Amendment 373 Annex II - Part III - point 4.1.5.10 (e) - table			
See table	**Deleted**	***See Annex 6 to the Annex***	No agreement. To be considered as IA (see Art 12 of GA)
(f) Organic production of fish in inland waters:	~~**(f) Organic production of fish in inland waters:**~~	Commission proposal unchanged	No agreement IA issue
Species concerned: carp family *(Cyprinidae)* and other associated species in the	~~**Species concerned: carp family *(Cyprinidae)* and other associated species**~~	Commission proposal unchanged	No agreement IA issue

context of polyculture, including perch, pike, catfish, coregonids, sturgeon	~~**in the context of polyculture, including perch, pike, catfish, coregonids, sturgeon**~~		
See table	**Deleted**	Commission proposal unchanged	No agreement IA issue
(g) Organic production of penaeid shrimps and freshwater prawns (*Macrobrachium* spp.):	~~**(g) Organic production of penaeid shrimps and freshwater prawns (*Macrobrachium* spp.):**~~	Commission proposal unchanged	No agreementIA issue
See table	**Deleted**	Commission proposal unchanged	No agreement IA issue
(h) Molluscs and echinoderms:	~~**(h) Molluses and echinoderms:**~~	Commission proposal unchanged	No agreement IA issue
See table	**Deleted**	Commission proposal unchanged	No agreement IA issue
(i) Tropical fresh water fish: milkfish *(Chanos chanos)*, tilapia (*Oreochromis* spp.), siamese catfish (*Pangasius* spp.):	~~**(i) Tropical fresh water fish: milkfish *(Chanos chanos)*, tilapia (*Oreochromis* spp.), siamese catfish (*Pangasius* spp.):**~~	Commission proposal unchanged	No agreement IA issue
Amendment 374 Annex II - Part III - point 4.1.5.10 (i) - table			
See table	**Deleted**	***See Annex 7 to the Annex***	No agreement. To be considered as IA (see Art 12 of GA)

4.1.6 Animal welfare	Commission proposal unchanged	Commission proposal unchanged	------
4.1.6.1 All persons involved in keeping aquaculture animals shall possess the necessary basic knowledge and skills as regards the health and the welfare needs of the animals	Commission proposal unchanged	Commission proposal unchanged	------
4.1.6.2 Handling of aquaculture animals shall be minimised, undertaken with the greatest care and proper equipment and protocols used to avoid stress and physical damage associated with handling procedures. Broodstock shall be handled in a manner to minimise physical damage and stress and under anaesthesia where appropriate. Grading operations shall be kept to a minimum and as required to ensure fish welfare.	Commission proposal unchanged	Commission proposal unchanged	------
4.1.6.3 The following restrictions shall apply to the use of artificial light:	Commission proposal unchanged	Commission proposal unchanged	------
Amendment 375 Annex II - Part III - point 4.1.6.3 (a)			
(a) for prolonging natural day-length it shall not exceed a	Commission proposal unchanged	(a) for prolonging natural day-length it shall not exceed a	No agreement

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;		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;	
(b) abrupt changes in light intensity shall be avoided at the changeover time by the use of dimmable lights or background lighting.	Commission proposal unchanged	Commission proposal unchanged	------
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.	Commission proposal unchanged	Commission proposal unchanged	------
4.1.6.5 The use of oxygen is only permitted for uses linked to animal health and welfare requirements and critical periods of production or transport, in the following cases:	Commission proposal unchanged	Commission proposal unchanged	------
(a) exceptional cases of temperature rise or drop in atmospheric pressure or accidental pollution;	Commission proposal unchanged	Commission proposal unchanged	------

(b) occasional stock management procedures such as sampling and sorting;	Commission proposal unchanged	Commission proposal unchanged	------
(c) in order to assure the survival of the farm stock.	Commission proposal unchanged	Commission proposal unchanged	------
4.1.6.6 Appropriate measures shall be taken to keep the duration of transport of aquaculture animals to a minimum.	Commission proposal unchanged	Commission proposal unchanged	------
4.1.6.7 Any suffering shall be kept to a minimum during the entire life of the animal, including at the time of slaughter.	Commission proposal unchanged	Commission proposal unchanged	------
4.1.6.8 Slaughter techniques shall render fish immediately unconscious and insensible to pain. Handling prior to slaughter shall be performed in a way that avoids injuries while keeping suffering and stress at a minimum. Differences in harvesting sizes, species, and production sites must be taken into account when considering optimal slaughtering methods.	Commission proposal unchanged	Commission proposal unchanged	------
4.2 Specific rules for molluscs	~~**4.2. Specific rules for molluses**~~	Commission proposal unchanged	No agreement. To be considered as IA (see Art 12 of GA) IA issue

4.2.1 Origin of seed With regard to the origin of seed the following rules shall apply:	~~**4.2.1. Origin of seed**~~ ~~**With regard to the origin of seed the following rules shall apply:**~~	Commission proposal unchanged	No agreement IA issue
(a) wild seed from outside the boundaries of the production unit may be used in the case of bivalve shellfish, provided that there is no significant damage to the environment, it is permitted by local legislation and the wild seed comes from:	~~**(a) wild seed from outside the boundaries of the production unit may be used in the case of bivalve shellfish, provided that there is no significant damage to the environment, it is permitted by local legislation and the wild seed comes from:**~~	Commission proposal unchanged	No agreement IA issue
(i) settlement beds which are unlikely to survive winter weather or are surplus to requirements; or	~~**(i) settlement beds which are unlikely to survive winter weather or are surplus to requirements; or**~~	Commission proposal unchanged	No agreement IA issue
(ii) natural settlement of shellfish seed on collectors;	~~**(ii) natural settlement of shellfish seed on collectors;**~~	Commission proposal unchanged	No agreement IA issue
(b) for the cupped oyster, *Crassostrea gigas*, preference shall be given to stock which is selectively bred to reduce spawning in the wild;	~~**(b) for the cupped oyster, *Crassostrea gigas*, preference shall be given to stock which is selectively bred to reduce spawning in the wild;**~~	Commission proposal unchanged	No agreement IA issue

Amendment 376 Annex II - Part III - point 4.2.1 (c)			
(c) records shall be kept of how, where and when wild seed was collected to allow traceability back to the collection area.	~~**(c) records shall be kept of how, where and when wild seed was collected to allow traceability back to the collection area.**~~	(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***.	No agreement To be considered as IA (art 24(3) and 24 (7), second indent of GA) COM will propose a text CSL does not agree
4.2.2 Housing conditions and husbandry practices With regard to the housing conditions and husbandry practices the following rules shall apply:	~~**4.2.2. Housing conditions and husbandry practices**~~ ~~**With regard to the housing conditions and husbandry practices the following rules shall apply:**~~	Commission proposal unchanged	No agreement. To be considered as IA (see Art 12 of GA) IA issue
(a) production may be carried out in the same area of water as organic finfish and seaweed production in a polyculture system to be documented in the sustainable management plan. Bivalve molluscs may also be grown together with gastropod molluscs, such as periwinkles, in polyculture;	~~**(a) production may be carried out in the same area of water as organic finfish and seaweed production in a polyculture system to be documented in the sustainable management plan. Bivalve molluses may also be grown together with gastropod molluses, such as periwinkles, in polyculture;**~~	Commission proposal unchanged	No agreement IA issue
(b) organic bivalve mollusc production shall take place within areas delimited by	~~**(b) organic bivalve molluse production shall take place within areas**~~	Commission proposal unchanged	No agreement IA issue

posts, floats or other clear markers and shall, as appropriate, be restrained by net bags, cages or other man made means;	~~**delimited by posts, floats or other clear markers and shall, as appropriate, be restrained by net bags, cages or other man made means;**~~		
Amendment 377 Annex II - Part III - point 4.2.2 (c)			
(c) organic shellfish farms ***shall minimise*** risks to species of conservation interest. If predator nets are used their design shall not permit diving birds to be harmed.	~~**(c) organic shellfish farms shall minimise risks to species of conservation interest. If predator nets are used their design shall not permit diving birds to be harmed.**~~	(c) organic shellfish farms ***shall not cause*** risks to species of conservation interest. If predator nets are used their design shall not permit diving birds to be harmed.	No agreement. To be considered as IA (see Art 12 of GA)
4.2.3 Cultivation With regard to cultivation the following rules shall apply:	~~**4.2.3. Cultivation**~~ ~~**With regard to cultivation the following rules shall apply:**~~	Commission proposal unchanged	No agreement IA issue
(a) cultivation on mussel ropes and other methods listed in point 4.1.5.10 (h) may be eligible for organic production;	~~**(a) cultivation on mussel ropes and other methods listed in point 4.1.5.10 (h) may be eligible for organic production;**~~	Commission proposal unchanged	No agreement IA issue
Amendment 378 Annex II - Part III - point 4.2.3 (b)			
(b) bottom cultivation of	~~**(b) bottom cultivation of**~~	***deleted***	No agreement. To be considered as

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.	~~**molluses 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.**~~		IA (see Art 12 of GA)
4.2.4 Management With regard to management the following rules shall apply:	~~**4.2.4. Management**~~ ~~**With regard to management the following rules shall apply:**~~	Commission proposal unchanged	No agreement IA issue.
(a) production shall use a stocking density not in excess of that used for non-organic molluscs in the locality. Sorting, thinning and stocking density adjustments shall be made according to the biomass and to ensure animal welfare and high product quality;	~~**(a) production shall use a stocking density not in excess of that used for non-organic molluses in the locality. Sorting, thinning and stocking density adjustments shall be made according to the biomass and to ensure animal welfare and high product quality;**~~	Commission proposal unchanged	No agreement IA issue

(b) biofouling organisms shall be removed by physical means or by hand and where appropriate returned to the sea away from mollusc farms. Molluscs may be treated once during the production cycle with a lime solution to control competing fouling organisms.	~~(b) biofouling organisms shall be removed by physical means or by hand and where appropriate returned to the sea away from mollusc farms. Molluscs may be treated once during the production cycle with a lime solution to control competing fouling organisms.~~	Commission proposal unchanged	No agreement IA issue
4.2.5 Specific cultivation rules for oysters	~~4.2.5. Specific cultivation rules for oysters~~	Commission proposal unchanged	No agreement IA issue.
Cultivation in bags on trestles shall be permitted. These or other structures in which the oysters are contained shall be set out so as to avoid the formation of a total barrier along the shoreline. Stock shall be positioned carefully on the beds in relation to tidal flow to optimise production. Production shall meet the requirements set out in point 4.1.5.10. (h).	~~Cultivation in bags on trestles shall be permitted. These or other structures in which the oysters are contained shall be set out so as to avoid the formation of a total barrier along the shoreline. Stock shall be positioned carefully on the beds in relation to tidal flow to optimise production. Production shall meet the requirements set out in point 4.1.5.10. (h).~~	Commission proposal unchanged	No agreement IA issue
Part IV: Processed food and processed feed production rules	Commission proposal unchanged	Commission proposal unchanged	------ Alternative COM proposal (3/06)

			Part IV: Processed food ~~and processed feed~~ production rules To be further discussed
In addition to the general production rules laid down in Articles 7, 9 and 13, the rules laid down in this Part shall apply to processed food and processed feed.	Commission proposal unchanged	Commission proposal unchanged	--- Alternative COM proposal (3/06) In addition to the general production rules laid down in Articles 7, 9 and 13, the rules laid down in this Part shall apply to processed food ~~and processed feed~~.- To be further discussed
1 General requirements for the production of processed food and feed	Commission proposal unchanged	Commission proposal unchanged	--- Alternative COM proposal (3/06) 1. General requirements for the production of processed food ~~and feed~~ To be further discussed
Amendment 379 Annex II - Part IV - point 1.1			
1.1 Food and feed additives, processing aids and other substances and ingredients used for processing food or feed and any processing practice applied, such as smoking, shall respect the principles of good	1.1. Food and feed additives, processing aids and other substances and ingredients used for processing food or feed and any processing practice applied, such as smoking, shall respect the principles of good manufacturing	1.1. Food and feed additives, processing aids and other substances and ingredients used for processing food or feed and any processing practice applied, such as smoking, shall respect the principles of good manufacturing	No agreement EP will reconsider Alternative COM proposal (3/06) 1.1. Food ~~and feed~~ additives, processing aids and other substances and ingredients used for

manufacturing practice[80].	practice[~~81~~].	practice[82]. ***In the smoking of food, procedures which meet the concerns of food safety, environmental and resource protection are preferable***.	processing food ~~**or feed**~~ and any processing practice applied, such as smoking, shall respect the principles of good manufacturing practice[83]. To be further discussed
1.2 Operators producing processed food or feed shall establish and update appropriate procedures based on a systematic identification of critical processing steps.	Commission proposal unchanged	Commission proposal unchanged	------ Alternative COM proposal (3/06) 1.2. Operators producing processed food ~~**or feed**~~ shall establish and update appropriate procedures based on a systematic identification of critical processing steps. To be further discussed
1.3 The application of the procedures referred to in point 1.2. shall guarantee at all times that the produced processed products comply	Commission proposal unchanged	Commission proposal unchanged	------

[80] Good manufacturing practices (GMPs) as defined in Article 3(a) of Commission Regulation (EC) N° 2023/2006 of 22 December 2006 on good manufacturing practice for materials and articles intended to come into contact with food (O.J. L 384, 29.12.2006, p. 75)

[~~81~~] ~~**Good manufacturing practices (GMPs) as defined in Article 3(a) of Commission Regulation (EC) N° 2023/2006 of 22 December 2006 on good manufacturing practice for materials and articles intended to come into contact with food (O.J. L 384, 29.12.2006, p. 75)**~~

[82] Good manufacturing practices (GMPs) as defined in Article 3(a) of Commission Regulation (EC) N° 2023/2006 of 22 December 2006 on good manufacturing practice for materials and articles intended to come into contact with food (O.J. L 384, 29.12.2006, p. 75)

[83] Good manufacturing practices (GMPs) as defined in Article 3(a) of Commission Regulation (EC) N° 2023/2006 of 22 December 2006 on good manufacturing practice for materials and articles intended to come into contact with food (O.J. L 384, 29.12.2006, p. 75)

with this Regulation.			
1.4 Operators shall comply with and implement the procedures referred to in point 1.2., and in particular shall:	Commission proposal unchanged	Commission proposal unchanged	------
(a) take preventive measures to avoid the risk of contamination by unauthorised substances or products;	Commission proposal unchanged	Commission proposal unchanged	------
Amendment 380 Annex II - Part IV - point 1.4 (a) (new)			
		1.4a. Operators shall ensure the traceability of each product within two days in accordance with Article 18 of Regulation (EC) No 178/2002.	No agreement To be checked by EP
(b) implement suitable cleaning measures, monitor their effectiveness and record these operations;	Commission proposal unchanged	Commission proposal unchanged	------
(c) guarantee that non-organic products are not placed on the market with an indication referring to organic production.	Commission proposal unchanged	Commission proposal unchanged	------
1.5 The preparation of processed	Commission proposal unchanged	Commission proposal unchanged	------

organic products shall be kept separate in time or space from non-organic products. When non-organic products are also prepared or stored in the preparation unit concerned, the operator shall:			
(a) inform the control authority or control body accordingly;	Commission proposal unchanged	Commission proposal unchanged	------
(b) carry out the operations continuously until the complete run has been dealt with, separated by place or time from similar operations performed on non-organic products;	Commission proposal unchanged	Commission proposal unchanged	------
(c) store organic products, before and after the operations, separate by place or time from non-organic products;	Commission proposal unchanged	Commission proposal unchanged	------
(d) keep available an updated register of all operations and quantities processed;	Commission proposal unchanged	Commission proposal unchanged	------
(e) take the necessary measures to ensure identification of lots and to	Commission proposal unchanged	Commission proposal unchanged	------

avoid mixtures or exchanges with non-organic products;			
(f) carry out operations on organic products only after suitable cleaning of the production equipment.	Commission proposal unchanged	Commission proposal unchanged	------
Amendment 381 Annex II - Part IV - point 1.6			
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.	Commission proposal unchanged	***deleted***	Keep COM text was agreed at T6
Amendment 382 Annex II - Part IV - point 1.6 (a) (new)			
		1.6a. The use of techniques, products and substances produced by using nanotechnology shall be prohibited in the production of organic processed food and feed.	No agreement
2 Requirements for the production of processed food	Commission proposal unchanged	Commission proposal unchanged	------ Alternative COM proposal (3/06)

			2. **[Specific] r~~R~~**equirements for the production of processed food **(COM proposal to differentiate from "general" requirements)** To be further discussed
2.1 The following conditions shall apply to the composition of organic processed food:	Commission proposal unchanged	Commission proposal unchanged	------
Amendment 383 Annex II - Part IV - point 2.1 (a)			
(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;	Commission proposal unchanged	(a) the product shall be produced mainly from agricultural ingredients ***and yeast***; in order to determine whether a product is produced mainly from agricultural ingredients, added water and salt shall not be taken into account;	This text could be withdrawn by EP Alternative COM proposal (3/06) (a) the product shall be produced mainly from agricultural ingredients **and/or products intended for ~~the~~ use as food listed in Annex I (COM proposal: in order to be complete, these products should be added)**; in order to determine whether a product is produced mainly from **those products ~~agricultural ingredients~~**, added water and salt shall not be taken into account; To be further discussed
(b) only those food	**~~(b) only those food~~**	Commission proposal unchanged	No agreement

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;	~~**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;**~~		To be seen in conjunction with art 19 Alternative COM proposal (3/06) (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; ***(COM comment: this point will depend on the final text of Art. 19 and the decision what has to be authorised according to Art. 19 and what is already authorised through the Annex, see point 2.2.2)*** To be further discussed
Amendment 384 Annex II - Part IV - point 2.1 (c)			
(c) an organic ingredient shall not be present together with the same ingredient in conversion or in non-organic	Commission proposal unchanged	***deleted***	No agreement Alternative COM proposal (3/06) (c) an organic ingredient shall

form;			not be present together with the same ingredient in ~~**conversion or in**~~ non-organic form; To be further discussed
Amendment 385 Annex II - Part IV - point 2.1 (d)			
(d) food produced from in-conversion crops shall contain only one crop ingredient of agricultural origin.	Commission proposal unchanged	***deleted***	No agreement Alternative COM proposal (3/06) ~~**(d) food produced from in-conversion crops shall contain only one crop ingredient of agricultural origin.**~~ **(COM comment: according to Art. 7, only plant feed products can be marketed as in-conversion)** To be further discussed
2.2 Use of certain products and substances in processing of food	Commission proposal unchanged	Commission proposal unchanged	------
2.2.1 Only the products and substances as referred to in point 2.1(b) as well as the products and substances referred to in points 2.2.2, 2.2.4. and 2.2.5., may be used in the processing of food, with the exception of products and substances	2.2.1. Only ~~**the products and substances as referred to in point 2.1(b)**~~ **those food additives, processing aids and non-organic ingredients authorised pursuant to Article 19,** as well as the products and substances referred to	Commission proposal unchanged	No agreement Alternative COM proposal (3/06) 2.2.1. Only the products and substances as referred to in point 2.1(b) as well as the products and

of the wine sector, for which point 2 of Part V shall apply, and of yeast for which point 1.3 of Part VI shall apply.	in point 2.2.2~~, 2.2.4. and 2.2.5.~~, may be used in the processing of food, with the exception of products and substances of the wine sector, for which point 2 of Part V shall apply, and of yeast for which point 1.3 of Part VI shall apply.		substances referred to in points 2.2.2, 2.2.4. and 2.2.5. ***(COM comment: this point will depend on the final text of Art. 19 and the decision what has to be authorised according to Art. 19 and what is already authorised through the Annex, see point 2.2.2)***, may be used in the processing of food, with the exception of products and substances of the wine sector, for which point 2 of Part V shall apply, and of yeast for which point 1.3 of Part VI shall apply. To be further discussed
2.2.2 In the processing of food, the use of the following products and substances shall be allowed:	Commission proposal unchanged	Commission proposal unchanged	------
(a) preparations of micro-organisms and food enzymes normally used in food processing; however food enzymes to be used as food additives have to be authorised for use in organic production pursuant to Article 19;	Commission proposal unchanged	Commission proposal unchanged	------
(b) substances, and products as defined in Article 3(2)(c) and (d) of Regulation (EC) No	(b) substances, and products as defined in Article 3(2)(c) and (d) of Regulation	Commission proposal unchanged	Seems agreeable for EP

1334/2008 of the European Parliament and of the Council[84] labelled as natural flavouring substances or natural flavouring preparations, in accordance with Articles 15(1)(e) and Article 16 of that Regulation;.	(EC) No 1334/2008 of the European Parliament and of the Council[85] labelled as natural flavouring substances or natural flavouring preparations, in accordance ~~with Articles 15(1)(c) and~~ Article 16**(2) and (4)** of that Regulation;.		
(c) colours for stamping meat and eggshells in accordance with Article 17 of Regulation (EC) No 1333/2008 of the European Parliament and of the Council[86];	Commission proposal unchanged	Commission proposal unchanged	------
	(ca) natural colours and natural coating substances for the traditional decorative colouring of the shell of boiled eggs		GA text is agreed at T6

[84] Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC (OJ L 354, 31.12.2008, p. 34).

[85] Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC (OJ L 354, 31.12.2008, p. 34).

[86] Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives (OJ L 354, 31.12.2008, p. 16).

	produced with the intention to place them on the market at a given period of the year;		
(d) drinking water and salt (with sodium chloride or potassium chloride as basic components) generally used in food processing;	Commission proposal unchanged	Commission proposal unchanged	------
Amendment 386 Annex II - Part IV - point 2.2.2 (e)			
(e) minerals (trace elements included), vitamins, aminoacids, and micronutrients***, only authorised as far their use is legally required in the foodstuffs in which they are incorporated***.	Commission proposal unchanged	(e) minerals (trace elements included), vitamins, aminoacids, and micronutrients ***to fulfil dietary requirements in the case of food intended for infants and young children and food for special medical purposes in accordance with Regulation (EU) No 609/2013 of the European Parliament and of the Council***[87]	No agreement Alternative COM proposal (3/06) (e) minerals (trace elements included), vitamins, aminoacids, and micronutrients, only authorised as far their use is legally required in the foodstuffs in which they are incorporated. **-** ***(COM comment: this point will depend on the final text of Art. 19 and the decision what has to be***

[87] ***Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009. (OJ L 181, 29.6.2013, p. 35).***

			authorised according to Art. 19 and what is already authorised through the Annex, see point 2.2.2) To be further discussed
2.2.3 For the purpose of the calculation referred to in Article 21(3), the following rules shall apply:	Commission proposal unchanged	Commission proposal unchanged	------
(a) certain food additives authorised for use in organic production pursuant to Article 19 shall be calculated as agricultural ingredients;	Commission proposal unchanged	Commission proposal unchanged	------
Amendment 387 Annex II - Part IV - point 2.2.3 (b)			
(b) preparations and substances referred to in point 2.2.2. shall not be calculated as agricultural ingredients;	Commission proposal unchanged	(b) preparations and substances referred to in ***points (a), (c), (d) and (e) of*** point 2.2.2. shall not be calculated as agricultural ingredients;	EP will check Alternative COM proposal (3/06) (b) preparations and substances referred to in point 2.2.2. **(COM comment: flavourings, water, salt generally used in food processing, preparations of micro-organisms and food enzymes, minerals, trace elements, vitamins, as well as amino acids and other**

			micronutrients- depend on Art. 19 and pt.2.2.2) shall not be calculated as agricultural ingredients; To be further discussed
(c) yeast and yeast products shall be calculated as agricultural ingredients.	Commission proposal unchanged	Commission proposal unchanged	------
2.2.4 The following non-organic agricultural ingredients may be used in the processing of organic food:	**~~2.2.4. The following non-organic agricultural ingredients may be used in the processing of organic food:~~**	Commission proposal unchanged	No agreement (IA issue)
(a) animal products:	**~~(a) animal products:~~**	Commission proposal unchanged	No agreement (IA issue)
(i) aquatic organisms, not originating from aquaculture, and permitted in non-organic foodstuffs preparation;	**~~(i) aquatic organisms, not originating from aquaculture, and permitted in non-organic foodstuffs preparation;~~**	Commission proposal unchanged	No agreement (IA issue)
(ii) gelatin;	**~~(ii) gelatin;~~**	Commission proposal unchanged	No agreement (IA issue)
(iii) casings;	**~~(iii) casings;~~**	Commission proposal unchanged	No agreement (IA issue)
(b) unprocessed vegetable products as well as products derived therefrom by processing:	**~~(b) unprocessed vegetable products as well as products derived therefrom by processing:~~**	Commission proposal unchanged	No agreement (IA issue)

(i) edible fruits, nuts and seeds:	~~**(i) edible fruits, nuts and seeds:**~~	Commission proposal unchanged	No agreement (IA issue)
- cola nuts *Cola acuminata*;	~~**cola nuts *Cola acuminata*;**~~	Commission proposal unchanged	No agreement (IA issue)
(ii) edible spices and herbs:	~~**(ii) edible spices and herbs:**~~	Commission proposal unchanged	No agreement (IA issue)
- horseradish seeds *Armoracia rusticana*;	~~**horseradish seeds Armoracia rusticana;**~~	Commission proposal unchanged	No agreement (IA issue)
- safflower flowers *Carthamus tinctorius*;	~~**safflower flowers Carthamus tinctorius;**~~	Commission proposal unchanged	No agreement (IA issue)
- watercress herb *Nasturtium officinale*;	~~**watercress herb Nasturtium officinale;**~~	Commission proposal unchanged	No agreement (IA issue)
(iii) miscellaneous:	~~**(iii) miscellaneous:**~~	Commission proposal unchanged	No agreement (IA issue)
Amendment 388 Annex II - Part IV - point 2.2.4 (b) (iii) - indent 1			
- algae, including seaweed;	~~**algae, including seaweed;**~~	– algae, including seaweed ***and Lithothamnium***;	To be checked by EP if covered
(c) processed vegetable products:	~~**(c) processed vegetable products:**~~	Commission proposal unchanged	No agreement (IA issue)

(i) sugars, starches and other products from cereals and tubers:	~~**(i) sugars, starches and other products from cereals and tubers:**~~	Commission proposal unchanged	No agreement (IA issue)
- rice paper;	~~**rice paper;**~~	Commission proposal unchanged	No agreement (IA issue)
- starch from rice and waxy maize, not chemically modified;	~~**starch from rice and waxy maize, not chemically modified;**~~	Commission proposal unchanged	No agreement (IA issue)
(ii) miscellaneous:	~~**(ii) miscellaneous:**~~	Commission proposal unchanged	No agreement (IA issue)
- rum, only obtained from cane sugar juice.	~~**rum, only obtained from cane sugar juice.**~~	Commission proposal unchanged	No agreement (IA issue)
Amendment 389 Annex II - Part IV - point 2.2.4 (a) (new)			
		2.2.4a. The following non-organic agricultural ingredients may be used in the processing of organic food:	No agreement
		1. Where an ingredient of agricultural origin is not available in an organic form, that ingredient may be used, but only provided that:	
		(a) the operator has notified to the competent authority of the Member State concerned all the requisite evidence showing that the	

		ingredient concerned is not produced in sufficient quantities, or to a sufficiently high level of quality, in the Union in accordance with the organic production rules, or that it cannot be imported from third countries;and	
		(b) the competent authority of the Member State concerned has provisionally authorised the use of the ingredient for a maximum period of 12 months after having verified that the operator has undertaken the necessary contacts with suppliers in the organic sector to satisfy himself as to the unavailability of the ingredient concerned with the required quality requirements;and	
		(c) the agriculture ingredient meets the following conditions:	
		– it is a mono ingredient product; and/or	
		– the specific quality characteristics cannot be met by similar products.	
		The Member State concerned may, where necessary, prolong the authorisation provided for in point	

		(b).	
		2. Where an authorisation as referred to in paragraph 1 has been granted, the Member State concerned shall immediately transmit to the other Member States and to the Commission the following information:	
		(a) the date of the authorisation and, in the case of a prolonged authorisation, the date of the first authorisation;	
		(b) the name, address, telephone number, and where relevant, fax number and e-mail address of the holder of the authorisation; the name and address of the contact point of the authority which granted the authorisation;	
		(c) the name and, where necessary, the precise description and quality requirements of the ingredient of agricultural origin concerned;	
		(d) the type of products for the preparation of which the requested ingredient is necessary;	
		(e) the quantities that are required and the justification for those	

		quantities;	
		(f) the reasons for, and expected duration of, the shortage;	
		(g) the date on which the Member State sent this information to the other Member States and to the Commission.	
		The Commission and/or Member States shall make this information available to the public in a database.	
		3. Where a Member State submits to the Commission and to the Member State which granted the authorisation comments which show that supplies are available during the period of the shortage, the Member State which granted the authorisation shall consider whether to withdraw the authorisation or to reduce the envisaged period of its validity, and shall inform the Commission and the other Member States of the measures it has taken or will take, within 15 working days from the date of receipt of the comments.	
		4. At the request of a Member State or on the Commission's	

		initiative, the matter shall be re-evaluated by the competent authority concerned.	
		The competent authority concerned may decide, in accordance with the procedure laid down in paragraph 2 of this point, that a previously granted authorisation is to be withdrawn or its period of validity modified.	
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:	~~**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:**~~	Commission proposal unchanged	No agreement (IA issue)
- cocoa Theobroma cacao;	~~**cocoa *Theobroma cacao;***~~	Commission proposal unchanged	No agreement (IA issue)
- coconut Cocos nucífera;	~~**coconut *Cocos nucífera;***~~	Commission proposal unchanged	No agreement (IA issue)
- olive Olea europaea;	~~**olive *Olea europaea;***~~	Commission proposal unchanged	No agreement (IA issue)
- sunflower Helianthus annuus;	~~**sunflower *Helianthus annuus;***~~	Commission proposal unchanged	No agreement (IA issue)
- palm Elaeis guineensis;	~~**palm *Elaeis guineensis;***~~	Commission proposal unchanged	No agreement (IA issue)

- rape rapa; Brassica napus,	~~**rape *Brassica napus, rapa;***~~	Commission proposal unchanged	No agreement (IA issue)
- safflower tinctorius; Carthamus	~~**safflower *Carthamus tinctorius;***~~	Commission proposal unchanged	No agreement (IA issue)
- sesame indicum; Sesamum	~~**sesame *Sesamum indicum;***~~	Commission proposal unchanged	No agreement (IA issue)
- soya Glycine max.	~~**soya *Glycine max.***~~	Commission proposal unchanged	No agreement (IA issue) Alternative COM proposal (3/06) – ***(COM comment: these points will depend on the final text of Art. 19 and the decision what has to be authorised according to Art. 19 and what is already authorised through the Annex, see point 2.2.2,)*** To be further discussed
Amendment 390 Annex II - part IV - point 2.2.5 (a) (new)			
		2.2.5a. For the processing of organic flavours the following additional requirements shall be fulfilled:	No agreement (IA issue)
		(a) only flavouring extracts and natural flavourings as defined in Article 16(4) and (5) of Regulation	

		(EC) No 1334/2008 of the European Parliament and of the Council[88] shall be considered as organic flavourings;	
		(b) for organic flavourings, 95% of flavour components shall be organic;	
		(c) only organic carriers shall be allowed and included in the calculation of the percentage of agricultural ingredients;	
		(d) additives, solvents and processing aids shall be used in organic form when available.	
3 Requirements for the production of processed feed	Commission proposal unchanged	Commission proposal unchanged	------
3.1 Organic feed materials, or in-conversion feed materials, shall not enter simultaneously with the same feed materials produced by non-organic means into the composition of the organic feed product.	Commission proposal unchanged	Commission proposal unchanged	------
3.2 Any feed materials used or processed in organic production	Commission proposal unchanged	Commission proposal unchanged	------

[88] ***Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC (OJ L 354, 31.12.2008, p. 34).***

shall not have been processed with the aid of chemically synthesised solvents.			
	3.2a. Salt may be used in the processing of organic feed and feeding organic animals.		Clarification needed
	3.2b. Products from sustainable fisheries, may be used in the processing of organic feed and feeding organic animals 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.		Seems acceptable or EP
	3.2c. Non-organic feed material of plant, animal and mineral origin may be used in the processing of organic feed and feeding organic animals provided that their use is authorized according to Article 19.		To be checked by COM
			Alternative COM proposal (3/06) **Part IVa: Processed feed production rules (COM proposal to ensure consistency with**

			separation of Articles 13 on food and 13b on feed) **In addition to the general production rules laid down in Articles 7, 9 and 13~~a~~b, the rules laid down in this Part shall apply to processed feed.** **1. General requirements for the production of processed feed** **1.1 Feed additives, processing aids and other substances and ingredients used for processing feed and any processing practice applied, such as smoking, shall respect the principles of good manufacturing practice.** **1.2. Operators producing processed feed shall establish and update appropriate procedures based on a systematic identification of critical processing steps.** **1.3. The application of the procedures referred to in point 1.2. shall guarantee at all times that the produced processed products comply with this Regulation.**

			1.4. Operators shall comply with and implement the procedures referred to in point 1.2., and in particular shall: **(d) take preventive measures to avoid the risk of contamination by unauthorised substances or products;** **(e) implement suitable cleaning measures, monitor their effectiveness and record these operations;** **(f) guarantee that non-organic products are not placed on the market with an indication referring to organic production.** **1.5 The preparation of processed organic products shall be kept separate in time or space from non-organic products. When non-organic products are also prepared or stored in the preparation unit concerned, the operator shall:** **(g) inform the control authority or control body accordingly;** **(h) carry out the operations continuously until the complete run has been dealt with, separated by place or time from**

			similar operations performed on non-organic products; **(i) store organic products, before and after the operations, separate by place or time from non-organic products;** **(j) keep available an updated register of all operations and quantities processed;** **(k) take the necessary measures to ensure identification of lots and to avoid mixtures or exchanges with non-organic products;** **(l) carry out operations on organic products only after suitable cleaning of the production equipment.** **2. [Specific] r~~R~~**equirements for the production of processed feed **(COM proposal to differentiate from "general" requirements)** 2.1. Organic feed materials, or in-conversion feed materials, shall not enter simultaneously with the same feed materials produced by non-organic means into the composition of the organic feed product.

			2.2. Any feed materials used or processed in organic production shall not have been processed with the aid of chemically synthesised solvents. ~~**[2.3. Salt may be used in the processing of organic feed.**~~ ~~**2.4. Products from sustainable fisheries may be used in the processing of organic feed**~~ . ***(COM comment: provisions on feeding of organic aquacultural animals should be introduced in Annex II, Part III and not under rules on processing of feed)*** ***(these points will depend on the final text of Art. 19 and the decision what has to be authorised according to Art. 19 and what is already authorised through the Annex)*** To be further discussed
Part V: Wine	Commission proposal unchanged	Commission proposal unchanged	------
1 Scope	Commission proposal unchanged	Commission proposal unchanged	------
Amendment 391 Annex II - Part V - point 1.1			
1.1 In addition to the general	Commission proposal unchanged	1.1. In addition to the general	EP text agreed at T6

production rules laid down in Articles 7, 8, 9 and ***14***, the rules laid down in this Part shall apply to the organic production of the products of the wine sector as referred to in point (l) of Article 1(2) of Regulation (EU) No 1308/2013.		production rules laid down in Articles 7, 8, 9***, 13a*** and 14, the rules laid down in this Part shall apply to the organic production of the products of the wine sector as referred to in point (l) of Article 1(2) of Regulation (EU) No 1308/2013.	Alternative COM proposal (3/06) 1.1. In addition to the general production rules laid down in Articles 7, 8, 9**, 13** and 14, the rules laid down in this Part shall apply to the organic production of the products of the wine sector as referred to in point (l) of Article 1(2) of Regulation (EU) No 1308/2013. To be further discussed
1.2 Commission Regulations (EC) No 606/2009[89] and (EC) No 607/2009[90] shall apply, save as explicitly provided otherwise in this Part.	Commission proposal unchanged	Commission proposal unchanged	------
2 Use of certain products and substances	Commission proposal unchanged	Commission proposal unchanged	------
2.1 Products of the wine sector shall be produced from organic raw material.	Commission proposal unchanged	Commission proposal unchanged	------

[89] Commission Regulation (EC) No 606/2009 of 10 July 2009 laying down certain detailed rules for implementing Council Regulation (EC) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions (OJ L 193, 24.7.2009, p. 1).

[90] Commission Regulation (EC) No 607/2009 of 14 July 2009 laying down certain detailed rules for the implementation of Council Regulation (EC) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products (OJ L 193, 24.7.2009, p. 60).

2.2 Only products and substances authorised for use in organic production pursuant to Article 19 may be used for the making of products of the wine sector, including during the processes and oenological practices, subject to the conditions and restrictions laid down in Regulation (EU) No 1308/2013 and Regulation (EC) No 606/2009 and in particular in Annex I A to that Regulation.	Commission proposal unchanged	Commission proposal unchanged	------
3 Oenological practices and restrictions	**~~3. Oenological practices and restrictions~~**	Commission proposal unchanged	No agreementIA issue
Amendment 392 Annex II - Part V - point 3.1			
3.1 ***Without prejudice to Sections 1. and 2. and to specific prohibitions and restrictions provided for in points 3.2 to 3.5, only*** oenological practices, processes and treatments, including the restrictions provided for in Article 80 and 83(2) of Regulation (EU) No 1308/2013, and in Article 3, Articles 5 to 9 and Articles 11 to 14 of Regulation (EC) No 606/2009, and in the Annexes to those Regulations, used before 1 August	**~~3.1. Without prejudice to Sections 1. and 2. and to specific prohibitions and restrictions provided for in points 3.2 to 3.5, only oenological practices, processes and treatments, including the restrictions provided for in Article 80 and 83(2) of Regulation (EU) No 1308/2013, and in Article 3, Articles 5 to 9 and Articles 11 to 14 of Regulation (EC) No 606/2009, and in the Annexes to~~**	3.1. ***Only*** oenological practices, processes and treatments, including the restrictions provided for in Article 80 and 83(2) of Regulation (EU) No 1308/2013, and in Article 3, Articles 5 to 9 and Articles 11 to 14 of Regulation (EC) No 606/2009, and in the Annexes to those Regulations, used before 1 August 2010, shall be permitted.	No agreementIA issue

2010, shall be permitted.	~~those Regulations, used before 1 August 2010, shall be permitted.~~		
Amendment 393 Annex II - Part V - point 3.2			
3.2 The use of the following oenological practices, processes and treatments shall be prohibited:	~~**3.2. The use of the following oenological practices, processes and treatments shall be prohibited:**~~	***deleted***	Acceptable Deletion seems acceptable
(a) partial concentration through cooling according to point (c) of Section B.1 of Part I of Annex VIII to Regulation (EU) No 1308/2013;	~~**(a) partial concentration through cooling according to point (c) of Section B.1 of Part I of Annex VIII to Regulation (EU) No 1308/2013;**~~	***deleted***	Deletion seems acceptable
(b) elimination of sulphur dioxide by physical processes according to point 8 of Annex I A to Regulation (EC) No 606/2009;	~~**(b) elimination of sulphur dioxide by physical processes according to point 8 of Annex I A to Regulation (EC) No 606/2009;**~~	***deleted***	Deletion seems acceptable
(c) electrodialysis treatment to ensure the tartaric stabilisation of the wine according to point 36 of Annex I A to Regulation (EC) No 606/2009;	~~**(c) electrodialysis treatment to ensure the tartaric stabilisation of the wine according to point 36 of Annex I A to Regulation (EC) No 606/2009;**~~	***deleted***	Deletion seems acceptable
(d) partial dealcoholisation	~~**(d) partial**~~	***deleted***	Deletion seems acceptable

of wine according to point 40 of Annex I A to Regulation (EC) No 606/2009;	~~**dealcoholisation of wine according to point 40 of Annex I A to Regulation (EC) No 606/2009;**~~		
(e) treatment with cation exchangers to ensure the tartaric stabilisation of the wine according to point 43 of Annex I A to Regulation (EC) No 606/2009.	~~**(e) treatment with cation exchangers to ensure the tartaric stabilisation of the wine according to point 43 of Annex I A to Regulation (EC) No 606/2009.**~~	***deleted***	Deletion seems acceptable
3.3 The use of the following oenological practices, processes and treatments is permitted under the following conditions:	~~**3.3. The use of the following oenological practices, processes and treatments is permitted under the following conditions:**~~	Commission proposal unchanged	No agreement IA issue
Amendment 394 Annex II - Part V - point 3.3 (a)			
(a) for heat treatments according to point 2 of Annex I A to Regulation (EC) No 606/2009, the temperature shall not exceed ***70*** °C;	~~**(a) for heat treatments according to point 2 of Annex I A to Regulation (EC) No 606/2009, the temperature shall not exceed 70 °C;**~~	(a) for heat treatments according to point 2 of Annex I A to Regulation (EC) No 606/2009, the temperature shall not exceed ***75*** °C;	No agreement
(b) for centrifuging and filtration with or without an inert filtering agent according to point 3 of Annex I A to Regulation (EC) No 606/2009, the size of the pores shall be	~~**(b) for centrifuging and filtration with or without an inert filtering agent according to point 3 of Annex I A to Regulation (EC) No 606/2009, the size**~~	Commission proposal unchanged	No agreement

not smaller than 0,2 micrometer.	~~**of the pores shall be not smaller than 0,2 micrometer.**~~		
3.4 The use of the following oenological practices, processes and treatments shall be re-examined by the Commission before 1 August 2015 with a view to phase out or to further restrict those practices:	~~**3.4. The use of the following oenological practices, processes and treatments shall be re-examined by the Commission before 1 August 2015 with a view to phase out or to further restrict those practices:**~~	Commission proposal unchanged	No agreement IA issue Alternative COM proposal (3/06) 3.4. The use of the following oenological practices, processes and treatments shall be re-examined by the Commission before 1 August ~~**2015**~~ **2018** with a view to phase out or to further restrict those practices: **(COM comment: Regulation (EU) 2016/673 postpones this date to 2018)** To be further discussed
(a) heat treatments as referred to in point 2 of Annex I A to Regulation (EC) No 606/2009;	~~**(a) heat treatments as referred to in point 2 of Annex I A to Regulation (EC) No 606/2009;**~~	Commission proposal unchanged	No agreement
(b) use of ion exchange resins as referred to in point 20 of Annex I A to Regulation (EC) No 606/2009;	~~**(b) use of ion exchange resins as referred to in point 20 of Annex I A to Regulation (EC) No 606/2009;**~~	Commission proposal unchanged	No agreement
(c) reverse osmosis according to point (b) of	~~**(c) reverse osmosis according to point (b) of**~~	Commission proposal unchanged	No agreement

Section B.1 of Part I of Annex VIII to Regulation (EU) No 1308/2013.	~~**Section B.1 of Part I of Annex VIII to Regulation (EU) No 1308/2013.**~~		
3.5 Any amendment introduced after 1 August 2010, as regards the oenological practice, processes and treatments provided for in Regulation (EC) No 1234/2007 or Regulation (EC) No 606/2009, may be applicable in the organic production of wine only after the adoption of the measures necessary for the implementation of the production rules provided for in this Section 3 and, if required, an evaluation according to Article 19 of this Regulation.	~~**3.5. Any amendment introduced after 1 August 2010, as regards the oenological practice, processes and treatments provided for in Regulation (EC) No 1234/2007 or Regulation (EC) No 606/2009, may be applicable in the organic production of wine only after the adoption of the measures necessary for the implementation of the production rules provided for in this Section 3 and, if required, an evaluation according to Article 19 of this Regulation.**~~	Commission proposal unchanged	No agreement
Part VI: Yeast used as food or feed	Commission proposal unchanged	Commission proposal unchanged	------
Amendment 395 Annex II - Part VI - introductory part			
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.	Commission proposal unchanged	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.	EP text agreed at T6

1 General requirements	Commission proposal unchanged	Commission proposal unchanged	------
1.1 For the production of organic yeast only organically produced substrates shall be used.	1.1. For the production of organic yeast only organically produced substrates shall be used. **However, until 31 December 2020, the addition of up to 5 % non-organic yeast extract or autolysate to the substrate (calculated in dry matter) is allowed for the production of organic yeast, where operators are unable to obtain yeast extract or autolysate from organic production.**	Commission proposal unchanged	No agreement EP will reconsider
1.2 Organic yeast shall not be present in organic food or feed together with non-organic yeast.	Commission proposal unchanged	Commission proposal unchanged	------
1.3 The following substances may be used in the production, confection and formulation of organic yeast:	Commission proposal unchanged	Commission proposal unchanged	------
(a) processing aids authorised for use in organic production pursuant to Article 19;	Commission proposal unchanged	Commission proposal unchanged	------
(b) products and substances referred to in point 2. 2.2. (a) and (d) of Part IV.	Commission proposal unchanged	Commission proposal unchanged	------

Amendment 396 Annex II - Part VI - point 1.3 (b) (a) (new)			
		(ba) addition to the substrate (calculated in terms of dry matter) of up to 5 % non-organic yeast extracts or autolysates shall be authorised for the production of organic yeasts.	Partly acceptable Partly covered by GA, Annex II, part VI, point 1.1
Amendment 397 Annex II - Part VI (a) (new)			
		Part VIa: Labelling of origin	Not acceptable Already covered in Article 22 of GA
		Labelling of origin shall take one of the following forms, as appropriate:	
		1. (a) 'EU Agriculture', where the agricultural raw material has been farmed in the Union;	
		(b) 'non-EU Agriculture', where the agricultural raw material has been farmed in third countries;	
		(c) 'EU/non-EU Agriculture', where a part of the agricultural raw materials has been farmed in the Union and a part of it has been	

		farmed in a third country.	
		The word 'Agriculture' may be replaced by 'Aquaculture' where appropriate.	
		The indication 'EU' or 'non-EU' may be replaced or supplemented by the name of a country if all agricultural raw materials of which the product is composed have been farmed in that country.	
		For the indication 'EU' or 'non-EU' or the country of origin, small quantities by weight of ingredients may be disregarded provided that the total quantity of the disregarded ingredients does not exceed 5 % of the total quantity by weight of agricultural raw materials.	
		The indication 'EU' or 'non-EU' or the country of origin shall not appear in a colour, size and style of lettering more prominent than the name of the food.	
		2. The labelling requirements referred to in point 1 shall not apply in the following cases:	
		– where the origin of all ingredients is specified in the ingredients list referring to the	

		place of agricultural production ;	
		– where labelling of origin is required by Regulation (EC) No 1269/211, Regulation (EC) No 1580/2007 referring to the place of agricultural production;	
		– when products are labelled under Regulation (EC) No 510/2006 referring to the place of agricultural production.	

Text proposed by the Commission			
The minimum surface areas indoors and outdoors and other characteristics for housing porcine animals shall be as follows:			
	Indoors area		Outdoors area
	(net area available to animals)		(exercise area, excluding pasturage)
	Live weight minimum (kg)	M_2/head	M_2/head
Farrowing sows with piglets up to 40 days		7,5 sow	2,5
Fattening porcine animals	up to 50	0,8	0,6
	up to 85	1,1	0,8
	up to 110	***1,3***	***1***
Alternative COM proposal (2/06) **(forgotten in COM proposal)**	**over 110**	**1,5**	**1,2**
Piglets	over 40 days and up to 30 kg	0,6	0,4

Brood porcine animals		2,5 female	1,9
		6 male If pens are used for natural service: 10 m2/boar	8,0
Amendment			
The minimum surface areas indoors and outdoors and other characteristics for housing porcine animals shall be as follows:			
	Indoors area		Outdoors area
	(net area available to animals)		(exercise area, excluding pasturage)
	Live weight minimum (kg)	M2/head	M2/head
Farrowing sows with piglets up to 40 days		7,5 per scrofa	2,5
Fattening porcine animals	up to 50	0,8	0,6
	up to 85	1,1	0,8
	up to 110	1,3	1

	over 110	***1,5***	***1,2***
Piglets	over 40 days and up to 30 kg	0,6	0,4
Brood porcine animals		2,5 female	1,9
		6 male	8,0
		If pens are used for natural service: 10 m2/boar	

Text proposed by the Commission							
The minimum surface area indoors and outdoors and other characteristics of housing for birds of the species *Gallus gallus* shall be as follows:							
	Breeders/ parents	Young stock		Fattening birds		Capons	Layers
Age	Breeding birds	Pullets 0-8 weeks	Pullets 9-18 weeks	Starter ***0-21*** days	Finisher 22 to ***81*** days	***22***-150 days	Laying hens from 19 weeks
In house stocking rate (birds per m² of usable area) for fixed and mobile houses	6 birds	24 birds with a maximum of ***21*** kg liveweight/m²	***15*** birds with a maximum of ***21*** kg liveweight/m²	20 birds with a maximum of ***21*** kg liveweight/m²	10 birds with a maximum of ***21*** kg liveweight/ m²	***10*** birds with a maximum of ***21*** kg liveweight/m²	***6*** birds
Perch space							***18***

(cm)							
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	4	***1***	***4***	1	***4***	4	4

of N/ha/year is not exceeded							

* sub-dividable to produce 3x3 000 or 2x4 800 batches

Amendment

The minimum surface area indoors and outdoors and other characteristics of housing for birds of the species *Gallus gallus* shall be as follows:

	Breeders/ parents	Young stock		Fattening birds		Capons	Layers
Age	Breeding birds	Pullets 0-8 weeks	Pullets 9-18 weeks	Starter ***0-28*** days	Finisher 22 to ***91*** days	***91***-150 days	Laying hens from 19 weeks
In house stocking rate (birds per m² of usable area) for	6 birds	24 birds with a maximum of ***25*** kg liveweight/ m²	***16*** birds with a maximum of ***25*** kg liveweight/m²	20 birds with a maximum of ***25*** kg liveweight/m²	10 birds with a maximum of ***25*** kg liveweight/ m²***However, in the case of mobile housing which does***	***6.5*** birds with a maximum of ***25*** kg liveweight/m²	***9*** birds ***per m²/usable surface excluding veranda***

fixed and mobile houses					***not exceed 150 m^2 decks and which isf left open at night, occupation can be increased to 16 animals provided that the total charge does not exceed 30 kg liveweight/ m^2***		
Perch space (cm)							***15***
Multi-layer systems additional limits/ m^2 of ground floor area		36 birds excluding veranda area	***24*** birds	Not normally applicable			9 birds

(including veranda if 24h access)							
Flock size limits		10 000*	***10 000***	***Maximum 1 flock per poultry house and 4 houses per production unit***	***Maximum 1 flock per poultry house and 4 houses per production unit***	***Maximum 1 flock per poultry house and 4 houses per production unit***	3 000 ***and 9 000 maximum per poultry house and maximum 18 000 per farm***

Open-air run stocking rates (m2/bird), provided that the limit of 170 kg of N/ha/year is not exceeded	4			1	***2***	4	4
* sub-dividable to produce 3x3 000 or 2x4 800 batches							

Text proposed by the Commission								
The minimum surface areas indoors and outdoors and other characteristics of housing for birds of species other than *Gallus gallus* shall be as follows:								
	Turkeys		Geese	Ducks				Guinea fowl
Type	Male	Female	All	Peking	Type	Male	Female	All
In house stocking rate (birds per m^2 of usable area) for fixed and mobile houses	***10*** with a maximum of ***21*** kg liveweight/m^2	***10*** with a maximum of ***21*** kg liveweight/m^2	***10*** with a maximum of ***21*** kg liveweight/m^2	***10*** with a maximum of ***21*** kg liveweight/m^2	***10*** with a maximum of ***21*** kg liveweight/m^2	10 with a maximum of ***21*** kg liveweight/m^2	***10*** with a maximum of ***21*** kg liveweight/m^2	***10*** with a maximum of ***21*** kg liveweight/m^2
Perch space (cm)	***40***	***40***	***Not normally applicable***	***Not normally applicable***	***40***	***40***	***Not normally applicable***	***20***
Flock size limits	2,500	2,500	2,500	4,000 females 3,200	3,200	4,000	3,200	5,200

				males				
Open air stocking rate (m^2/bird) provided that the limit of 170 kg of N/ha/year is not exceeded	***10***	***10***	***15***	***4.5***	***4.5***	***4.5***	***4.5***	***4***
Amendment								
The minimum surface areas indoors and outdoors and other characteristics of housing for birds of species other than *Gallus gallus* shall be as follows:								
	Turkeys		Geese	Ducks				Guinea fowl
Type	Male	Female	All	Peking	Type	Male	Female	All
Starter period	***0-63 days***	***0-63 days***	***0-35 days***	***0-26 days***	***0-35 days***	***0-35 days***	***0-35 days***	***0-28 days***
In house stocking rate (birds per m^2 of usable area) for fixed and mobile	***6.25*** with a maximum of ***35*** kg liveweig	***6.25*** with a maximum of ***35*** kg liveweig	***5*** with a maximum of ***30*** kg livewei	***8*** with a maximum of ***35*** kg liveweight/m^2	***8*** with a maximum of ***35*** kg liveweight/m^2	10 with a maximum of ***25*** kg liveweight/m^2	***8*** with a maximum of ***35*** kg liveweight/m^2	***13*** with a maximum of ***25*** kg liveweight/m^2

houses	ht/m²	ht/m²	ght/m²					
In-house stocking rate (birds per m2 of usable area) for mobile houses with a floor area of not more than 150 m^2	***16 with a maximum of 30 kg liveweight/m^2***							
Flock size limits	2,500	2,500	2,500	4,000 females 3,200 males	3,200	4,000	3,200	5,200
Farm size limits	***A maximum of 1 flock per poultry house and a maximum of 4 buildings per production unit.***							
Open air stocking rate (m^2/bird) provided that the limit of 170 kg of N/ha/year is not exceeded	***6***	***6***	***10***	***2***	***2***	***2***	***3***	***2***

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

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

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

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

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

BLOCKS 5 AND 7

Amendment 197 Article 20			
Commission proposal	Council general approach	COMAGRI vote	Compromise proposal/work in progress
Presence of non-authorised products or substances	~~**Presence of non-authorised products or substances**~~	***deleted***	To be seen in conjunction with non paper on precautionary measures on 16 June To be further discussed
1. Products in which the presence of products or substances that have not been authorised in accordance with Article 19 is detected beyond the levels established taking account in particular of Directive 2006/125/EC, shall not be marketed as organic.	~~**1. Products in which the presence of products or substances that have not been authorised in accordance with Article 19 is detected beyond the levels established taking account in particular of Directive 2006/125/EC, shall not be marketed as organic.**~~	***deleted***	To be seen in conjunction with non paper on precautionary measures on 16 June To be further discussed
2. In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the Commission shall be	~~**2. In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the Commission shall be**~~	***deleted***	To be seen in conjunction with non paper on precautionary measures on 16 June To be further discussed

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.	~~**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	~~**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**~~	***deleted***	To be seen in conjunction with non paper on precautionary measures on 16 June To be further discussed

losses.	~~**Agricultural Policy to cover totally or partially such losses.**~~		
Amendment 198 Article 20 (a) (new)			
		Article 20a ***Precautionary measures to be taken to prevent non-compliance with this Regulation***	To be seen in conjunction with revised non Paper on precautionary measures on 16 June
		1. In order to ensure compliance with this Regulation, operators shall take all necessary precautionary measures in order to avoid the presence of non-authorised processes, products or substances in organic production.	
		2. In particular, where an operator suspects that a process, product or substance which has been sourced, produced or prepared for use in organic farming does not comply with this Regulation, that operator shall:	
		(a) separate and identify the product;	
		(b) set up a system appropriate to the type and size of the operation for the purpose of verification and assessment, following procedures	

		based on a systematic identification of critical procedural steps;	
		(c) if the operator concludes, after having carried out the assessment provided for in point (b), that the suspicion of non-compliance is substantiated, the operator shall withdraw the product from the market and discontinue its processing. The operator shall immediately inform the competent authorities or control body about his findings.	
		3. The following measures shall be taken by competent authorities, control bodies and authorities:	
		(a) in the event that a control authority or a control body:	
		– detects the presence of a non-authorised process, product or substance in organic production, or	
		– receives from an operator reliable information concerning a suspicion concluded as having been substantiated in accordance with point (c) of paragraph 2, or	
		– is informed that an operator	

		intends to place on the market a product which is not in compliance with the organic production rules but which bears a reference to the organic production method,	
		the control authority or control body concerned shall prohibit the placing of the product on the market with an indication referring to the organic production method until it is satisfied that the suspicion or non-compliance has been eliminated;	
		(b) the control authority or control body shall eliminate the suspicion of non-compliance or confirm that suspicion and the prohibition of marketing as soon as possible, taking into account the durability of the product and in any case within two months. In such a case, the operator concerned shall cooperate fully with the control body or authority. Before confirming a suspicion of non-compliance, the control authority or control body shall allow the operator to comment on its findings;	

		(c) where the non-compliance is confirmed, Article 26a shall apply;	
		(d) where the non-compliance is not confirmed within the period of time laid down under point (b), the decision taken pursuant thereto shall be revoked not later than at the expiry of that period of time.	
		4. In order to avoid adventitious contamination with non-authorised products or substances as a result of non-organic farming practices or other non-organic practices in processing, preparation and distribution, which are beyond the control of organic operators, Member States shall establish precautionary measures.	
		5. Where control authorities, control bodies and competent authorities have identified specific risks of non-compliance with this Regulation or specific risks of adventitious contamination of organic products in certain sectors of organic production, Member States shall take adequate precautionary measures against those risks.	

Amendment 199 Article 20 (b) (new)			
	Presence of non-authorised products or substances	***Article 20b*** ***Causes of contamination with plant protection products and responsibilities of competent authorities, control authorities and control bodies***	To be seen in conjunction with revised non Paper on precautionary measures on 16 June
	1. When a competent authority, or where appropriate, a control authority or a control body receives reliable and substantiated information or detects the presence of products or substances that have not been authorised in accordance with Article 19 for the purposes listed in Article 19, it must carry out without delay an investigation in order to determine the source and cause of contamination in view of verifying compliance with Article 7(1)(b).	***1. In the event that a control authority or a control body detects the presence of plant protection products which are non-compliant with Article 19, or receives reliable information concerning such presence, it shall carry out an appropriate investigation into the cause of the contamination. Such investigations must categorise the contamination in one of the following three categories:*** ***(a) technically unavoidable;*** ***(b) technically avoidable;*** ***(c) deliberate or repetitive contamination which is technically avoidable.***	To be seen in conjunction with revised non Paper on precautionary measures on 16 June
	Based on the results of this investigation, the competent authority or, where appropriate,		To be seen in conjunction with revised non Paper on precautionary measures on 16 June

	the control authority or control body shall ensure that such products are not marketed as organic, if the presence is due to the deliberate use by the operator or due to avoidable contamination in the production process.		
	1a. A contamination shall be considered as avoidable when the operator:	***A contamination shall be considered as avoidable when the operator:***	To be seen in conjunction with revised non Paper on precautionary measures on 16 June
	- has not put in place or maintained appropriate, proportionate measures to identify and avoid the risks of contamination of organic products with non-authorised products and substances or;	***– has not put in place or maintained appropriate, proportionate measures to identify and avoid the risks of contamination of organic products with non-authorised products and substances; or***	To be seen in conjunction with revised non Paper on precautionary measures on 16 June
	- has not regularly reviewed and adjusted such appropriate measures, while the risk for contamination has clearly been perceptible or;	***– has not regularly reviewed and adjusted such appropriate measures, while the risk for contamination has clearly been perceptible; or***	To be seen in conjunction with revised non Paper on precautionary measures on 16 June

	- has not taken appropriate measures pursuant to previous requests from the competent authorities or, where appropriate, from the control authority or control body to take steps to avoid contamination or;	***– has not taken appropriate measures pursuant to previous requests from the competent authorities or, as the case may be, from the control authority or control body, to take steps to avoid contamination; or***	To be seen in conjunction with revised non Paper on precautionary measures on 16 June
	- has not complied with relevant requirements of this Regulation or has otherwise failed to take necessary steps in the production process to avoid contamination.	***– has not complied with relevant requirements of this Regulation or has otherwise failed to take necessary steps in the production process to avoid contamination.***	To be seen in conjunction with revised non Paper on precautionary measures on 16 June
	1b. On the basis of the results of the investigation referred to in paragraph 1, the competent authority, or where appropriate the control authority or control body shall identify the possible deficiencies and non-compliances that cause the presence of non-authorised products or substances. The operator concerned shall take the	***2. Products potentially contaminated with plant protection products as referred to in point (a) of the first subparagraph of paragraph 1 may be considered as marketable after examination by competent authorities.*** ***Potential contamination as referred to in point (b) of the first subparagraph of paragraph 1 shall be investigated by the control***	To be seen in conjunction with revised non Paper on precautionary measures on 16 June

	necessary corrective measures to avoid future contamination.	***authority or control body with regard to the nature of the circumstances which have led to the contamination, in accordance with the procedures laid down in Article 20a.*** ***3. In cases of contamination as referred to in point (c) of the first subparagraph of paragraph 1, the competent authority, control authority or control body shall prohibit the operator concerned from placing on the market products bearing any reference, in the labelling and advertising thereof, to the organic production method.*** ***Any production areas or products affected by the non-authorised plant protection products must undergo a new conversion period as referred to in Article 8 running from the date of application of the non-authorised plant protection products or, if that date is not verifiable, from the date of detection. This applies without prejudice to any sanctions that may be imposed.***	

	1c. By way of derogation from paragraphs 1, 1a and 1b, Member States that have, on 31 December 2015, rules in place providing that products containing non-authorised products and substances above a certain level cannot be marketed as organic, may continue to apply these rules until 31 December 2020 provided that these rules do not prohibit, restrict or impede the placing on the market as organic of products produced in other Member States in compliance with the requirements of this Regulation. Member States who apply this provision shall inform the Commission without delay. **By 31 December 2020 at the latest, the Commission shall present a report to the European Parliament and the Council on the state of play of implementation of this article and on the presence of products or substances not authorised in accordance with Article 19 which had been detected in organic products. This report may be**		To be seen in conjunction with revised non Paper on precautionary measures on 16 June

	accompanied, if appropriate, by a legislative proposal..		
	3. The Commission shall adopt implementing acts laying down uniform rules concerning: **- the methodology to be used in order to detect and evaluate the presence of products or substances that have not been authorised in accordance with Article 19;** **- the procedures to be followed in case the presence of products or substances that have not been authorised in accordance with Article 19 is detected;** **- the details of information referred to in paragraph 2 and the format in which it will be transmitted.** **- measures to avoid the risks of contamination of organic products with non-authorised products or substances as referred to in paragraph 1a.**	***4. In order to provide for the best means of detecting and documenting non-compliance with this Regulation, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning:*** ***– the methodology to be used in order to detect and evaluate the presence of plant protection products which do not comply with this Regulation, and specifically with Article 19;*** ***– the procedures to be followed;*** ***– the details to be documented in a common database on non-compliance with this Regulation, including findings of residues of non-authorised plant protection products.***	To be seen in conjunction with revised non Paper on precautionary measures on 16 June

	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).		
Amendment 200 Article 20 (c) (new) (1) (a) (new)			
		Article 20c ***Database on non-compliance with this Regulation and database on findings of non-authorised plant protection products***	To be seen in conjunction with revised non Paper on precautionary measures on 16 June
	(from Art 26e (2) **2. The control authority or control body shall keep records of the investigations carried out.** **By 31 March of each year, Member States shall transmit to the Commission the relevant information, including information collected at border control posts, relating to the previous year concerning the nature of contamination detected, and in particular the cause, the source, the level of contamination and the volume and nature of products contaminated.**	***The Commission shall establish a database on cases of non-compliance with this Regulation, based on national databases established by Member States. Those databases shall be used to facilitate the formulation of best practices to avoid contamination. In collecting the data, the Member States and the Commission shall apply a risk-based approach revealing the reasons for, and categories of, non-compliance or contamination as laid down in points (a), (b) and (c) of the first subparagraph of Article 20b(1). The databases shall be accessible to operators, control bodies, the***	To be seen in conjunction with revised non Paper on precautionary measures on 16 June

		control authority and competent authorities. Member States shall provide an annual report to the Commission.	
		A database of analyses carried out by control bodies and control authorities, including the detection of non-authorised plant protection products, shall be established by Member States. The database shall be accessible to operators, control bodies, control and competent authorities. Member States shall report on an annual basis to the Commission on the findings collected in their national database.	To be seen in conjunction with revised non Paper on precautionary measures on 16 June
BLOCK 7			
Amendment 213 Chapter V - title			
Chapter V			
Organic certification	~~**Organic e**~~**C**ertification	Organic ***controls and*** certification	To be seen in conjunction with revised non Paper on controls on 16 June
Amendment 214 Article 23 (a) (new)			

		Article 23a ***Control system***	To be seen in conjunction with revised non Paper on controls on 16 June
		1. Member States shall set up a system of controls and shall designate one or more competent authorities to be responsible for monitoring compliance with the obligations laid down by this Regulation, in accordance with Article 3 of Regulation (EU) No XX/XXXX (the Official controls Regulation OCR).	
		2. In addition to the conditions laid down in the Official controls Regulation, the control system set up under this Regulation shall comprise at least the application of the precautionary measures provided for by Article 20a and the control measures provided for by this Chapter.	
		3. The nature and frequency of the controls shall be determined on the basis of an assessment of the risk of occurrence and the seriousness of non-compliance with the requirements laid down in this Regulation.	
		All operators and groups of	

		operators shall be subject at least to an annual physical on-site control of their compliance with the applicable rules. Such controls shall be based on inspection, screening and targeted screening, depending on the likelihood of non-compliance. ***The criteria for risk assessments used by control authorities to identify the most risky parts of the food chain are laid down in Annex Vf. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the detailed elements of the risk assessment, the frequency of controls and the proportion of random controls as a fraction of the total number of controls.***	
		4. The competent authority may:	
		(a) delegate its control competences to one or more other control authorities for organic products as defined in point (39) of Article 2 of the Official controls Regulation. Control authorities shall offer adequate guarantees of objectivity and impartiality, and	

		shall have at their disposal the qualified staff and resources necessary to carry out their functions; ***(b) delegate control tasks to one or more control bodies for organic products as defined in point (39) of Article 2 of the Official controls Regulation. In such cases, the Member States shall designate authorities responsible for approving and supervising such bodies.***	
		5. The competent authority may delegate control tasks to a particular control body or control authority only if the conditions laid down in Article 26 of the Official controls Regulation are satisfied, and in particular only where:	
		(a) there is an accurate description of the tasks that the control body or control authority is to carry out, and of the conditions under which it may carry them out; ***(b) the control body or control authority:*** ***(i) has the expertise, equipment and infrastructure required to***	

		carry out the tasks delegated to it; ***(ii) has a sufficient number of suitable qualified and experienced staff; and*** ***(iii) is impartial and free from any conflict of interest as regards the exercise of the tasks delegated to it;***	
		(c) the control body or control authority is accredited in accordance with the most recently notified version, published in the C series of the Official Journal of the European Union, of European Standard EN 17065 or ISO Guide 65 (General requirements for bodies operating product certification systems), and is approved by the competent authorities;	
		(d) the control body or control authority communicates the results of the controls carried out to the competent authority on a regular basis and whenever the competent authority so requests. If the results of the controls show serious non-compliance, the control body shall immediately inform the competent authority;	

		(e) there is effective and documented coordination between the delegating competent authority and the control body or control authority.	
		6. In addition to complying with the provisions of paragraph 5, the competent authority shall take into account the following criteria when approving a control body or control authority:	
		(a) the standard control procedure to be followed, containing a detailed description of the control measures and precautions that the control body or control authority undertakes to apply to operators subject to its control;	
		(b) the measures that the control body intends to apply where non-compliance is found to have occurred.	
		7. The competent authority may not delegate to control bodies or control authorities the following tasks: ***(a) the supervision and audit of other control bodies or control authorities;***	

		(b) the competence to grant derogations, as referred to in Article 17, unless this is provided for in the exceptional production rules.	
		8. In accordance with Article 29 of the Official controls Regulation, competent authorities delegating control tasks to control bodies or control authorities shall organise audits or inspections of the control bodies or control authorities in question, as necessary. If, as a result of an audit or an inspection, it appears that such bodies are failing to carry out properly the tasks delegated to them, the delegating competent authority may withdraw the delegation. It shall withdraw it without delay if the control body or control authority fails to take appropriate and timely remedial action.	
		9. In addition to complying with the provisions of paragraph 8, the competent authority shall: ***(a) ensure that the controls carried out by the control body or control authority are objective and independent;***	

		(b) verify the effectiveness of controls carried out by the control body or control authority; ***(c) take cognisance of any irregularities or infringements found and corrective measures applied;*** ***(d) withdraw approval of any control body or control authority which fails to satisfy the requirements laid down in points (a) and (b) of this paragraph or which no longer fulfils the criteria indicated in paragraphs 5 or 6, or which fails to satisfy the requirements laid down in paragraphs 11, 12 and 14.*** ***10. Member States shall assign a code number to each control authority or control body performing control tasks as referred to in paragraph 4.*** ***11. Control bodies and control authorities shall give the competent authorities access to their offices and facilities, and shall provide any information and assistance deemed necessary by the competent authorities for the fulfilment of their obligations***	

		pursuant to this Article. ***12. Control bodies and control authorities shall ensure that at least the precautionary and control measures referred to in paragraph 2 are applied to operators subject to their control.*** ***13. Member States shall ensure that the control system set up allows for the traceability of each product at all stages of production, preparation and distribution in accordance with Article 18 of Regulation (EC) No 178/2002, in particular, in order to give consumers guarantees that organic products have been produced in compliance with the requirements set out in this Regulation. Member States shall ensure that requests from control bodies or control authorities concerning the traceability of organic products are responded to as quickly as possible, and not later than four working days per production step after receipt of the corresponding request.*** ***14. By 31 January in each year, the control authorities and control bodies shall transmit to the***	

		competent authorities a list of the operators which were subject to their controls on 31 December of the previous year. A summary report of the control activities carried out during the previous year shall be provided by 31 March each year.	
Amendment 215 Article 24			
Organic certification system	Commission proposal unchanged	*Article 24 deleted (AM 215) and replaced by Article 24a (AM 216)* Adherence to the control system	Certification system Agreed at T8
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.	1. Operators or groups of operators that produce, prepare**,** **distribute** 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 **period**, notify their activity to the competent authorities of the Member State(s) where the activity is carried out **and submit their holding to the organic certification and control system.**	*Article 24(1) deleted & replaced by corresponding EP Article 24a (1) (AM 216):* **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**	Alternative text agreed at T8 1. Operators or groups of operators who produce, prepare, distribute or store organic or in-conversion 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, prior to placing on the market any products as 'organic' or as 'in-conversion' or prior to the conversion period shall notify their activity to the competent authorities of the Member State in which their activity is carried out and in which

		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.**	their undertaking is submitted to the control system.
	In case the competent authorithies have conferred their responsabilities or delegated specific official controls tasks or other official activities to more than one control authorithy or control body, the operators or group of operators shall indicate in the notification referred to in subparagraph 1 the control authority or the control body that verifies the compliance of the activity with this Regulation and provides the organic certificate referred to in Article 25(0a).		*Alternative text agreed at T8:* **In case the competent authorit~~h~~ies have conferred their responsabilities or delegated specific official controls tasks or other official activities to more than one control authorithy or control body, the operators or group of operators shall indicate in the notification referred to in ~~sub~~paragraph 1, the control authority or the control body that verifies the compliance of the activity with this Regulation and provides the ~~organic~~ certificate referred to in Article 25(0a).**
	1a. Member States may exempt from the notification obligation referred to in paragraph 1 operators who sell products directly to the final consumer or user provided that they do not produce, prepare, store other than in connection with the point	*Article 24a (2) (AM 216)* **2. Member States shall exempt from the application of this Article organic operators who sell pre-packed products directly to the final consumer or user, provided that they do not produce, process, prepare or**	*Alternative text agreed at T9* **2. Operators who sell pre-packed organic products directly to the final consumer or user, provided that they do not produce, ~~process,~~ prepare or store such products other than in connection with the point of sale, do not import such**

	of sale, organic products or import such products from a third country or have not contracted out such activities to a third party.	**store such products other than in connection with the point of sale and they do not import such products from a third country and have not subcontracted such activities to another operator.**	**products from a third country or have not subcontracted such activities to another operator, are exempted from the notification obligation referred to in paragraph 1.**
		In accordance with point (c) of Article 26c Member States may exempt from the application of point (b) of the first subparagraph of paragraph 1 of this Article operators who sell less than a limited quantity per year of unpacked organic products to the final consumer or user, provided that they notify their activity to the responsible authorities and do not produce, prepare or store such products other than in connection with the point of sale, do not import such products from a third country and have not subcontracted such activities to a third party.	[Member States may exempt from the notification obligation referred to in paragraph 1 operators who sell up to 500 kilogrammes per year, representing a turnover not exceeding 5000 Euro of unpacked organic products directly to the final consumer or user, provided that they do not produce, prepare, or store other than in connection with the point of sale, do not import such products from a third country or have not subcontracted such activities to a third party.] *No agreement on T9. To be further discussed* exemption from the certification system is acceptable for EP. However, in its view, the operator

			should still be required to inform the CA about its activities COM in favour of an across the board derogation in order to ensure harmonisation and level playing field for all operators.
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.	2. Where operators or groups of operators subcontract any of their activities to **a** third ~~**party**~~ **parties**, both the operators or groups of operators and the third parties to whom activities have been subcontracted**,** shall comply with paragraph 1**, except where the operator or groups of operators declares in the notification referred to in paragraph 1 that the responsibility as regards organic production remains with the operator or groups of operators and is not transferred to the subcontractor so that the compliance of the sub contracted activities with this Regulation is verified by the competent authorities**.	*Article 24a (1) 2nd subparagraph (AM 216)* **Where an operator or group of operators subcontracts any of its activities to a third party, that operator or group of operators shall none the less be subject to the requirements laid down in points (a) and (b) of the first subparagraph, and the subcontracted activities shall be subject to the control system**	Alternative draft compromise text agreed at T8: **3. Where operators or groups of operators subcontract any of their activities to third parties, both the operators or groups of operators and the third parties to whom activities have been subcontracted, shall comply with paragraph 1, except where the operator or groups of operators declares in the notification referred to in paragraph 1 that the responsibility as regards organic production remains with the operator or groups of operators and is not transferred to the subcontractor. In such cases the compliance of the sub contracted activities with this Regulation is verified by the competent authorities in the framework of the control of the operators or groups of operators**

			who have subcontracted their activities.
		Article 24a (3)(AM 216) **3. Member States shall designate an authority or approve a body to receive notifications under point (a) of the first subparagraph of paragraph 1 of this Article.**	Alternative draft compromise text agreed at T8 **4. Member States shall designate an authority or approve a body to receive the notifications referred to in paragraph 1**
3. Operators and groups of operators shall keep records on the different activities they engage in, in accordance with this Regulation.	3. Operators ~~**and,**~~ groups of operators **and subcontractors** shall keep records on the different activities they engage in, in accordance with this Regulation.	*Deleted and replaced by* *Article 24a(5)(AM 216)* **5. Operators and groups of operators shall keep records of the different activities in which they engage, in accordance with this Regulation.**	Alternative text agreed at T8: 5. Operators ~~**and,**~~ groups of operators **and subcontractors** shall keep records of the different activities they engage in, in accordance with this Regulation.
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	4. ~~**Competent authorities**~~ **Member States** shall keep updated list**s kept in an appropriate manner** 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). **Member States** ~~**The competent authorities**~~ shall	*Deleted and replaced by* *Article 24a(6)(AM 216)* **6. Competent authorities shall keep an updated list containing the names and addresses of operators and groups of operators that have notified their activities in accordance with point (a) of the first subparagraph of paragraph 1 of this Article, and shall make that list public in an appropriate**	Alternative draft text agreed at T9: 6. **Member States shall keep updated lists containing the names and addresses of operators and groups of operators that have notified their activities in accordance with paragraph 1 and shall make public in an appropriate manner, including by means of links to a single internet website, a comprehensive**

Parliament and of the Council[91].	respect the requirements of the protection of personal data under Directive 95/46/EC of the European Parliament and of the Council[92].	**manner, including by means of publication on the internet, together with the information relating to their organic certificates as referred to in Article 25(1), and using the model set out in Annex Vd to this Regulation. The competent authorities shall respect the requirements of the protection of personal data laid down by Directive 95/46/EC of the European Parliament and of the Council .**	**list of this data, together with the information relating to their ~~organic~~ certificates as referred to in Article 25(0a). Member States shall respect the requirements of the protection of personal data under Directive 95/46/EC of the European Parliament and of the Council.**
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.	Commission proposal unchanged	*Deleted and replaced by Art 24a(4) from EP* **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.**	Alternative text agreed at T8: **7. Member States shall ensure that any operator or group of operators who complies with this Regulation, and who, if a fee is collected in accordance with Articles 76 and 77 of Regulation (EU) No XX/XXXX (Official Controls Regulation), pays a reasonable fee covering the cost of controls, is entitled to be covered by the control system**

[91] 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).

[92] 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).

			and that fees that may be collected are made public.
6. In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the requirements for keeping records, the requirements for publication of the list referred to in paragraph 4 of this Article and the requirements and procedures to be applied for publication of the fees referred to in paragraph 5 of this Article and for supervision by the competent authorities of the application of those fees.	6. ~~**In order to ensure the effectiveness, efficiency and transparency of the organic production and labelling system, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the requirements for keeping records, the requirements for publication of the list referred to in paragraph 4 of this Article and the requirements and procedures to be applied for publication of the fees referred to in paragraph 5 of this Article and for supervision by the competent authorities of the application of those fees.**~~	***deleted***	Alternative draft compromise text agreed at T9: **8. 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 amending the requirements for keeping records laid down in Annex II.**
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	7. The Commission may adopt implementing acts to provide details and specifications regarding**:**	*Deleted and replaced by AM 216* *Article 24a(7)***)** **7. The Commission may adopt implementing acts prescribing details and specifications regarding the content, form and method of notification referred to in paragraph 1, and the model referred to in paragraph 6 of this Article. Those implementing acts**	Following text agreed 9.The Commission may adopt implementing acts to provide details and specifications regarding:

Article 37(2).		**shall be adopted in accordance with the examination procedure referred to in Article 37(2).**	
	-the r**equirements,** content, form and way of **the** notification referred to in paragraph 1**:**		**- the format and technical means of the notification referred to in paragraph 1,**
	-the keeping of records referred to in paragraph 3,		~~**- the keeping of records referred to in paragraph [3],**~~
			~~- the model referred to in paragraph [6] of this Article;~~
	-the publication of the list referred to in paragraph 4		~~**- the publication of the list referred to in paragraph [4];**~~ **- the modalities of the publication of the lists referred to in paragraph [6] and,**
	-the requirements and procedures to be applied for the publication, including its form, of the fees referred to in paragraph 5, and for the supervision by the competent authorities of the application of those fees. and the form of publication of the fees referred to in paragraph 5.		**- the procedures and modalities of publication of the fees referred to in paragraph [7].**

	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).		**Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).**
Article 25			
Amendment 217 Article 25 - title			
Organic certificate	Commission proposal unchanged	Certificate	Keep EP text Agreed at T8
	0a. Competent authorities or, where appropriate, control authorities or control bodies shall provide an organic certificate to any operator or group of operators that have notified their activity in accordance with Article 24(1) and comply with this Regulation. The organic certificate shall certify that the notified activity is in compliance with this Regulation.		*Alternative text agreed at T9* *:* **0a. Competent authorities or, where appropriate, control authorities or control bodies shall provide a~~n organic~~ certificate to any operator or group of operators that have notified their activity in accordance with Article 24(1) and comply with this Regulation. The ~~organic~~ certificate shall certify that the**

			notified activity is in compliance with this Regulation and shall be issued in accordance with the model set out in Annex Vd
	0b. Operators and group of operators shall be in possession of an organic certificate as referred to in paragraph 0a prior to the placing on the market of products referred to in Article 2(1).		Alternative text agreed at T8 **0b. Operators and groups of operators shall be in possession of ~~an~~organic certificate as referred to in paragraph 0a prior to the placing on the market of products referred to in Article 2(1).**
	0c. The organic certificate is an official certification within the meaning of Articles 85 and 86 of Regulation (EU) No XXX/XXX (Official controls Regulation).		Alternative text agreed at T8 **0c. The ~~organic~~ certificate is an official attestation ~~certification~~within the meaning of Articles 85 and 86 of Regulation (EU) No XXX/XXX (Official controls Regulation).**
	0d. The organic certificate, issued in electronic form wherever possible, shall at least allow the identification of the operator or group of operators including the list of the members, the category of products covered		Alternative text agreed at T8 **0d. The ~~organic~~ certificate, issued in electronic form wherever possible, shall at least allow the identification of the**

	by the organic certificate and its period of validity.		**operator or group of operators including the list of the members, the category of products covered by the certificate and its period of validity.**
Amendment 218 Article 25 (1)			
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.	~~**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.**~~	1. Operators and groups of operators that have notified their activity ***and submitted their undertaking to the control system*** in accordance with Article ***24a***(1) and ***that*** comply with this Regulation shall be entitled to be provided with an organic certificate. The organic certificate, issued in electronic form wherever possible, shall 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.	Deletion of GA text agreed at T6
Amendment 219 Article 25 (2)			
2. The organic certificate is an official certification within the meaning of Articles 85 and 86 of Regulation (EU) No XXX/XXX	~~**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***	Deletion agreed at T6

(Official controls Regulation).			
Amendment 220 Article 25 (3)			
3. Operators and groups of operators shall not be entitled to be provided with an organic certificate by different control authorities or control bodies for the same group of products, including when those operators and groups of operators engage in different stages of production, preparation and distribution.	3. Operators and groups of operators shall not be entitled to be provided with an organic certificate by different ~~control authorities or~~ control bodies **for activities carried out in one Member State, ~~for~~ as regards** the same **category ~~group~~** of products, including when those operators and groups of operators engage in different stages of production, preparation and distribution.	3. Operators and groups of operators shall not be entitled to be provided with an organic certificate by different control ***bodies for activities carried out in one Member State, as regards*** the same group of products, including when those operators and groups of operators engage in different stages of production, preparation and distribution.	Alternative text is agreed at T8 3. Operators and groups of operators shall not be entitled to be provided with a~~n~~ **~~[organic]~~** certificate by different ~~control authorities or~~ control bodies **for activities carried out in one Member State, ~~for~~ as regards** the same **category ~~group~~** of products, including when those operators and groups of operators engage in different stages of production, preparation and distribution.
Article 25 (3a) EP (new) Amendment 221 (AM 221 withdrawn)			
		3a. The groups of products referred to in the paragraph 3 are as follows:	AM 221 withdrawn. GA text agreed at T6. see article 25(5a) GA
		– vegetables and plant products;	AM 221 withdrawn. GA text agreed at T6. see article 25(5a) GA
		– animals and animal products;	AM 221 withdrawn. GA text agreed at T6. see article

			25(5a) GA
		– seaweed and aquaculture animals;	AM 221 withdrawn. GA text agreed at T6. see article 25(5a) GA
		– processed foods and fodder, including yeasts;	AM 221 withdrawn. GA text agreed at T6
		– wine.	AM 221 withdrawn. GA text agreed at T6. see article 25(5a) GA
4. Members of a group of operators shall not be entitled to be provided with an individual organic certificate for any of the activities covered by the certification of the group.	Commission proposal unchanged	Commission proposal unchanged	Alternative draft compromise text agreed at T8 4.Members of a group of operators shall not be entitled to be provided with an individual~~[organic]~~ certificate for any of the activities covered by the certification of the group.
5. Operators shall systematically verify the organic certificate of operators that are their suppliers.	5. Operators shall ~~**systematically**~~ verify the organic certificate of operators that are their suppliers.	Commission proposal unchanged	Agreed 5.Operators ~~systematically~~ shall verify the~~[organic]~~ certificate of operators that are their suppliers.
	5a. The categories of products referred to in paragraphs 0d and 3 are the following:	*Article 25 (3a) new (AM 221 withdrawn)* **3a. The groups of products referred to in the paragraph 3 are as follows:**	Alternative draft compromise text Agreed at T8 **5a.The categories of products referred to in paragraphs 0d and 3 are the following:**

	- plant and plant products;	**– vegetables and plant products;**	~~**- plant and plant products;**~~ unprocessed plants and plant products, including seed and other plant reproductive material;
	- livestock and livestock products;	**– animals and animal products;**	~~**- livestock and livestock products;**~~ - livestock and unprocessed livestock products;
	- algae and aquaculture animals;	**– seaweed and aquaculture animals;**	~~**- algae and aquaculture animals;**~~ - algae and unprocessed aquaculture products;
	- processed food and feed, including yeast;	**– processed foods and fodder, including yeasts;**	~~**- [processed] food and feed, including yeast;**~~ - processed agricultural products, including aquaculture products, for use as food;
			- feed;
	- wine;	**– wine.**	GA text agreed at T6 **- wine;**
	- other products listed in Annex I to this Regulation or not covered by previous categories.		GA text agreed at T6 (AM 221 withdrawn) **-other products listed in Annex I to this Regulation or not covered**

			by previous categories.
Amendment 222 Article 25 (6)			
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.	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***	Alternative text agreed at T9: 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 amending the model of the certificate set out in Annex Vd.
	6a. The Commission shall adopt implementing acts to provide details and specifications regarding the content and the form of the organic certificate referred to in paragraph 0a.		Alternative text agreed at T9: 6a. The Commission shall adopt implementing acts to provide details and specifications regarding the form of the certificate referred to in paragraph 0a and the technical means by which it is issued.
	Those implementing acts shall be adopted in accordance with the examination procedure referred		Alternative text agreed at T9: Those implementing acts shall be

	to in Article 37(2).		adopted in accordance with the examination procedure referred to in Article 37(2).
Article 26			
Group of operators	Commission proposal unchanged	Commission proposal unchanged	---------
1. Each group of operators shall establish a system for internal controls. That system shall consist of a documented set of control activities and procedures, in accordance with which an identified person or body is responsible for verifying compliance with this Regulation of each member of the group.	1. Each group of operators shall**:**	Commission proposal unchanged	Alternative text agreed: 1. Each group of operators shall:
	- be established in a Member State or a third country;		**- be established in a Member State or a third country;**
	- have a legal entity;		**- have a legal ~~entity~~** personality
	- set up a joint marketing system;		**- set up a joint marketing system** for the organic products produced by the group;
	- establish a system for internal controls. **~~That~~ This** system shall consist of a documented set of control activities and procedures, in accordance with which an identified person or body is responsible for verifying compliance with this Regulation of		- establish a system for internal controls. **~~That~~ This** system shall consist of a documented set of control activities and procedures, in accordance with which an identified person or body is responsible for verifying compliance with this Regulation of

	each member of the group.		each member of the group.
Amendment 223 Article 26 (2)			
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 **in** paragraph 1, in particular as regards failures to detect or address non-compliance by individual members of the group of operators that affect the integrity of organic products, may result in the withdrawal of the organic ~~**certification**~~ **certificate referred to in Article 25** for the whole group.	2. Deficiencies in the set-up or functioning of the system for internal controls referred ***to*** in paragraph 1, in particular as regards failures to detect or address non-compliance by individual members of the group of operators that affect the integrity of organic products, ***shall*** result in the withdrawal of the organic ***certificate referred to in Article 25*** for the whole group.	Alternative COM proposal agreed at T8 2. Deficiencies in the set-up or functioning of the system for internal controls referred ***to*** in paragraph 1, in particular as regards failures to detect or address non-compliance by individual members of the group of operators that affect the integrity of organic products, ***shall*** result in the withdrawal of the **certificate referred to in Article 25** for the whole group.
	2a. The members of the group of operators shall be located in geographical proximity.		*EP text agreed at T6, as follows:* 2a. The production activities of the members of the group shall take place in geographical proximity to each other
	2b. Member States shall have a choice to apply one or a		Combination of criteria agreed at T9

	combination of more criteria (turnover, standard output, area in ha) referred to in Article 3(7).		2b. Member States shall have a choice to apply one or a combination of more criteria [(~~turnover, standard output,~~ area in ha, turn over per certification cost ratio)] referred to in Article [3(7)].
Amendment 224 Article 26 (3)			
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. 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***.	T9: No agreement on the following draft compromise text. To be seen together with 26(4) [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~~ supplementing paragraphs 1 and 2 in particular as regards:***

			-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 criteria to determine the geographical proximity of the members of the group;]** -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 and the criteria to qualify deficiencies in

			the set-up or functioning of the system for internal controls ***./*** *To be further discussed*
Amendment 225 Article 26 (4)			
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).	4. The Commission ~~**may**~~ **shall** adopt implementing acts **laying down specific rules** concerning**:**	***deleted***	No agreement at T9 on the following draft compromise text. To be seen together with 26(3) 4. The Commission **may** adopt implementing acts **laying down specific rules** concerning**:**
	- the composition and dimension of a group of operators as well as the criteria to determine the geographical proximity of the members of the group;		**- [the criteria to determine the geographical proximity of the members of the group;]**
	- the conditions for participation in a group of operators, including regarding the categories of products they produce;		-

	- the set-up and functioning of the group's system for internal controls, including the scope, content and frequency of the controls, the documentation and record keeping systems, the system for internal traceability and the list of operators;		**- the documentation and record keeping systems, the system for internal traceability and the list of operators;**
	- the responsibilities and obligations of the individual members of a group of operators and		
	- 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.		- 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).		Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37 (2).]

			To be further discussed
	Chapter Va		To be seen in conjunction with revised non Paper from PRES on 12/05 – chapter Va
	Controls		
	Article 26a		
	General provision		To be seen in conjunction with AM 214
	In addition to the provisions laid down in Regulation (EU) No XX/XXXX (Official Controls Regulation), the specific rules provided for in this Chapter shall apply to the official controls and other official activities carried out in relation to organic production and labelling of organic products.		To be seen in conjunction with AM 214
	Article 26b		
	Official controls in relation to organic production and labelling of organic products		To be seen in conjunction with AM 214

	1. Official controls in relation to organic production and labelling of organic products shall be performed for the verification of compliance with the provisions of this Regulation and shall include, in particular, the verification of the application of preventive measures, as defined in Article 3(4), of the conditions for the exemption from the notification obligation referred to in Article 24(1a), and of the effective separation between organic and non-organic production and products, referred to in Articles 7 and 8, including through the control of the non-organic production units or sites.		To be seen in conjunction with AM 214
	2. The nature and frequency of the official controls shall be determined on the basis of the likelihood of non-compliance, taking into account in particular the following:		To be seen in conjunction with AM 214
	- the type, size and structure of the operators and groups of operators;		To be seen in conjunction with AM 214

	- the length of time during which operators and groups of operators have been in organic production, preparation and distribution;		To be seen in conjunction with AM 214
	- the product categories;		To be seen in conjunction with AM 214
	- the type, quantity and value of products and their development over time;		To be seen in conjunction with AM 214
	- the possibility of commingling of products;		To be seen in conjunction with AM 214
	- the application of derogations or exceptions to the rules by operators and groups of operators;		To be seen in conjunction with AM 214
	- the critical points for non-compliance and likelihood of non-compliance at any stage of production, preparation and distribution, as defined in Article 3(27).		To be seen in conjunction with AM 214
	In any case, all operators and groups of operators with the exception of those referred to in		To be seen in conjunction with AM 214

	Article 24(1a) shall be subject to a verification of compliance at least once a year. The verification of compliance shall imply a physical on-the-spot inspection, except where Member States decide that in duly justified cases, taking into account the elements referred to in the first subparagraph, the operators and group of operators concerned present a proven low-risk profile and fulfill the criteria of compliant track-record of at least 3 years. In those duly justified cases, however, the period between two physical on-the-spot inspections shall not exceed thirty months.		
	3. For the purpose of paragraph 2 of Article 12 of Regulation (EU) No XX/XXXX (Official Controls Regulation), the written records on the official controls performed for the verification of compliance with the provisions of this Regulation shall be countersigned by the operator or group of operators concerned or by their representative.		To be seen in conjunction with AM 214

	Article 26c		To be seen in conjunction with revised non Paper on controls on 16 June
	Delegation of tasks to control bodies		
	1. Official control tasks or other official activities may only be delegated by the competent authorities in accordance with Chapter III of Regulation (EU) No XX/XXXX (Official Controls Regulation) if the following conditions are also met:		
	(a) the control bodies are accredited in accordance with the international harmonised standard 'Conformity assessment – Requirements for bodies certifying products, processes and services', the reference of which has been published in the Official Journal of the European Union;		
	(b) the delegation of the competent authorities contains a detailed description of delegated		

	control tasks and other official activities, of the reporting obligations and other specific obligations;		
	(c) the control bodies submit to the competent authorities for prior approval:		
	(i) their risk assessment procedures determining in particular the basis for the intensity and frequency of the verification of compliance of the operators and group of operators;		
	(ii) the standard control procedure to be followed, containing a detailed description of the control measures and precautions that the body undertakes to impose on operators and groups of operators subject to its controls;		
	(iii) the measures that the control body		

	intends to apply where non-compliances are found;		
	(d) the competent authorities have procedures and arrangements in place to ensure the supervision of control bodies, including the verification of the effectiveness, independence and objectiveness of the way in which the delegated tasks are carried out, in particular as regards the intensity and frequency of the verification of compliance.		
	2. The competent authorities shall not delegate to control bodies the competence to grant exceptions except for the use of plant reproductive material not obtained from organic production.		
	3. For the purpose of Article 31 of Regulation (EU) No XX/XXXX (Official Controls Regulation), the competent authorities shall ensure that information on any non-		

	compliance and likelihood of non-compliance identified by control bodies and on the measures applied is collected and used in order to supervise the activities of control bodies.		
	4. In the cases where there is evidence that a control body is failing to properly perform the official control tasks delegated to it, the competent authorities may, before withdrawing the delegation in accordance with Article 32 of Regulation (EU) No XX/XXXX (Official Controls Regulation), fully or partly suspend it.		
	Article 26d	**Article 26 (a) (new) AM 226**	To be seen in conjunction with revised non Paper on controls on 16 June
	Measures in case of non-compliance	**Duties of competent authorities in the event of non-compliance**	
	1. In the event of non-compliance that affects the organic status of the products throughout any of the stages of production, preparation and distribution, the competent	**Article 26a** **Duties of competent authorities in the event of non-compliance** **Competent authorities shall:**	

	authorities, or where appropriate, the control authorities or the control bodies shall ensure that no reference is made to organic production in the labelling and advertising of the entire lot or production run concerned.	**(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;**	
	2. In the event of serious, repetitive or continued non-compliance, competent authorities or where appropriate, the control authorities or the control bodies shall ensure that the operators or the group of operators concerned, in addition to the measures referred to in paragraph 1 and any appropriate measures taken in particular in accordance with Article 135 of Regulation (EU) No XX/XXXX (Official Controls Regulation), are prohibited from marketing products which refer to organic production for a given period,	**(b) ensure, in the event of repetitive, continued or fraudulent non-compliance, that the operators or group of operators concerned, in addition to being subjected to the measures referred to in point (a) of this Article, are prohibited from marketing products which refer to organic production, and that their organic certificate is suspended or withdrawn as appropriate.**	

	and that their organic certificate be suspended or withdrawn accordingly.		
		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.**	To be seen in conjunction with revised non Paper on controls on 16 June
	3. In addition to the requirements laid down in Article 104(1) of Regulation (EU) No XX/XXXX (Official Controls Regulation), competent authorities, control authorities and control bodies shall immediately share information with other competent authorities, control authorities and control bodies as appropriate on any non-compliance or likelihood of non-compliance affecting the organic status of the products.	**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.	
	Article 26e		To be seen in conjunction with revised non Paper on controls on 16 June
	Presence of non-authorised products or substances		
	1. When a competent authority, or where appropriate, a control authority or a control body receives reliable and		

	substantiated information or detects the presence of products or substances that have not been authorised in accordance with Article 19 for the purposes listed in Article 19, it must carry out without delay an investigation in order to determine the source and cause of contamination in view of verifying compliance with Article 7(1)(b).		
	Based on the results of this investigation, the competent authority or, where appropriate, the control authority or control body shall ensure that such products are not marketed as organic, if the presence is due to the deliberate use by the operator or due to avoidable contamination in the production process.		
	1a. A contamination shall be considered as avoidable when the operator:		
	- has not put in place or maintained appropriate, proportionate measures to identify and avoid the risks of contamination of organic		

	products with non-authorised products and substances or;		
	- has not regularly reviewed and adjusted such appropriate measures, while the risk for contamination has clearly been perceptible or;		
	- has not taken appropriate measures pursuant to previous requests from the competent authorities or, where appropriate, from the control authority or control body to take steps to avoid contamination or;		
	- has not complied with relevant requirements of this Regulation or has otherwise failed to take necessary steps in the production process to avoid contamination.		
	1b. On the basis of the results of the investigation referred to in paragraph 1, the competent authority, or where appropriate		

	the control authority or control body shall identify the possible deficiencies and non-compliances that cause the presence of non-authorised products or substances. The operator concerned shall take the necessary corrective measures to avoid future contamination.		
	1c. By way of derogation from paragraphs 1, 1a and 1b, Member States that have, on 31 December 2015, rules in place providing that products containing non-authorised products and substances above a certain level cannot be marketed as organic, may continue to apply these rules until 31 December 2020 provided that these rules do not prohibit, restrict or impede the placing on the market as organic of products produced in other Member States in compliance with the requirements of this Regulation. Member States who apply this provision shall inform the Commission without delay.		
	2. The control authority or control body shall keep records of		

	the investigations carried out.		
	By 31 March of each year, Member States shall transmit to the Commission the relevant information, including information collected at border control posts, relating to the previous year concerning the nature of contamination detected, and in particular the cause, the source, the level of contamination and the volume and nature of products contaminated.		
	By 31 December 2020 at the latest, the Commission shall present a report to the European Parliament and the Council on the state of play of implementation of this article and on the presence of products or substances not authorised in accordance with Article 19 which had been detected in organic products. This report may be accompanied, if appropriate, by a legislative proposal..		
	3. The Commission shall adopt implementing acts laying down uniform rules concerning:		

	- the methodology to be used in order to detect and evaluate the presence of products or substances that have not been authorised in accordance with Article 19;		
	- the procedures to be followed in case the presence of products or substances that have not been authorised in accordance with Article 19 is detected;		
	- the details of information referred to in paragraph 2 and the format in which it will be transmitted.		
	- measures to avoid the risks of contamination of organic products with non-authorised products or substances as referred to in paragraph 1a.		
	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).		

	Article 26f		To be seen in conjunction with revised non Paper on controls on 16 June
	Implementing powers in relation to official controls for organic production and labelling of organic products	**Article 26c new (AM 228)** **Delegated powers with regard to the control system**	
	The Commission may, by means of implementing acts, lay down rules establishing uniform modalities and specific requirements for the performance of official controls and other official activities carried out in relation to organic production and labelling of organic products, as regards:	**In order to supplement the rules relating to the control system provided for in Article 23a and 24a, and to ensure their full compatibility with the Official controls Regulation, the Commission shall be empowered to adopt delegated acts in accordance with Article 36 laying down rules on:**	
	(a) the specific tasks of the competent authorities;	**(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;	
	(b) methods and techniques for the performance of official 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;	
	(c) the range of samples and the stage of production, processing and distribution where the sample shall be taken according to the methods to be used for sampling and laboratory analysis;		
	(d) the modalities for establishing the likelihood of non-compliance and the frequency of sampling;		
	(e) specific reporting obligations for the competent authorities, the control authorities and the control bodies;		
	(f) specific obligations, arrangements and undertakings by operators;		
	(g) the cases where the competent authorities, in relation to specific suspicion of non compliance and established non-compliance are to take one or more of the actions and measures		

	referred to in Article 26d (1) and (2);		
	(h) the exchange of information between competent authorites, control authorities and control bodies concerning cases of non-compliance or likelihood of non-compliance including the exchange of relevant information on the results of their controls upon a request duly justified by the need to guarantee that a product has been produced in accordance with this Regulation.	**(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.**	
	(i) the elements referred to in subparagraph 1 of Article 26b(2) to determine the risk-profile referred to in subparagraph 2 of Article 26b(2) for those Member States that decide to exempt operators and groups of operators from the annual physical on-the-spot inspection in accordance with subparagraph 2 of Article 26b(2).		
	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(2).		

Amendment 226 (*moved up*) Article 26 (a) (new)			
Amendment 227 (*moved up*) Article 26 (b) (new)			
Amendment 228 (*moved up)* Article 26 (c) (new)			
		(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;	
Amendment 229 Article 26 (d) (new)			
		Article 26d ***Implementation of this Regulation***	Not discussed
		By 1 January 2020, the Commission shall establish the necessary administrative structures within competent Union authorities so as to fulfil its responsibilities with regard to	

		improved harmonisation and implementation of this Regulation in Member States, specifically concerning controls within the Union and imports from third countries, and improved communication between Member States and with the Union's Institutions.	
		The tasks to be carried out by those structures are set out in Annex Va.	

Amendment 254 Article 44			
Article 44	~~***Article 44***~~	***deleted***	Acceptable
Amendments to Regulation (EU) No […][on official controls]	~~**Amendments to Regulation (EU) No […][*on official controls*]**~~	***deleted***	Acceptable To be confirmed at trilogue
Regulation (EU) No XXX/XXXX (Official controls Regulation) is amended as follows:	~~**Regulation (EU) No XXX/XXXX (Official controls Regulation) is amended as follows:**~~	***deleted***	
1. In Article 2, points 38 and 39	~~**1. In Article 2, points 38 and**~~	***deleted***	

are replaced by the following:	~~39 are replaced by the following:~~		
"38. 'delegated body' means a third party to which the competent authorities have delegated specific official control tasks or other official activities;	~~"38. 'delegated body' means a third party to which the competent authorities have delegated specific official control tasks or other official activities;~~	*deleted*	
39. 'control authority for organic production and labelling of organic products' means a public administrative organisation of a Member State to which the competent authorities have conferred, in whole or in part, their competences in relation to the application of the Union legislation in the area referred to in Article 1(2)(j), including, where appropriate, the corresponding authority of a third country or operating in a third country;";	~~39. 'control authority for organic production and labelling of organic products' means a public administrative organisation of a Member State to which the competent authorities have conferred, in whole or in part, their competences in relation to the application of the Union legislation in the area referred to in Article 1(2)(j), including, where appropriate, the corresponding authority of a third country or operating in a third country;";~~	*deleted*	
2. Article 3 is amended as follows:	~~2. Article 3 is amended as follows:~~	*deleted*	
(a) Paragraph 3 is replaced by the following:	~~(a) Paragraph 3 is replaced by the following:~~	*deleted*	
"3. Competent authorities responsible for the verification of compliance	~~"3. Competent authorities 3responsible for the verification of compliance~~	*deleted*	

with the rules referred to in point (j) of Article 1(2) may confer official control tasks or other official activities to one or more control authorities for organic production and labelling of organic products. In such cases, they shall allocate a code number to each of them.";	~~with the rules referred to in point (j) of Article 1(2) may confer official control tasks or other official activities to one or more control authorities for organic production and labelling of organic products. In such cases, they shall allocate a code number to each of them.";~~		
(b) In paragraph 4, point (c) is replaced by the following:	~~(b) In paragraph 4, point (c) is replaced by the following:~~	*deleted*	
" (c) the control authorities for organic production and labelling of organic products referred to in paragraph 3;";	~~" (c) the control authorities for organic production and labelling of organic products referred to in paragraph 3;";~~	*deleted*	
3. Article 23 is replaced by the following:	~~3. Article 23 is replaced by the following:~~	*deleted*	
"Article 23	~~*"Article 23*~~	*deleted*	New Article 23 will result from inter-institutional agreement on the OCR
Specific rules on official controls and on action to be taken by the competent authorities in relation to organic products and to protected	~~*Specific rules on official controls and on action to be taken by the competent authorities in relation to organic products and to*~~	*deleted*	

designations of origin, protected geographical indications and traditional specialties guaranteed	***~~protected designations of origin, protected geographical indications and traditional specialties guaranteed~~***		
1. In relation to the rules referred to in point (j) of Article 1(2), competent authorities shall:	**~~1. In relation to the rules referred to in point (j) of Article 1(2), competent authorities shall:~~**	***deleted***	
(a) in the event of non-compliance that affects the integrity of organic products throughout any of the stages of production, preparation and distribution and export, in particular due to the use of prohibited or non-authorised substances and techniques or commingling with non-organic products, ensure that no reference is made to organic production in the labelling and advertising of the entire lot or production run concerned;	**~~(a) in the event of non-compliance that affects the integrity of organic products throughout any of the stages of production, preparation and distribution and export, in particular due to the use of prohibited or non-authorised substances and techniques or commingling with non-organic products, ensure that no reference is made to organic production in the labelling and advertising of the entire lot or production run concerned;~~**	***deleted***	
(b) in the event of repetitive or ***continued non-compliance, ensure that the operators or the group of operators concerned, as defined in***	**~~(b) in the event of repetitive or continued non-compliance, ensure that the operators or the group of operators concerned, as~~**	***deleted***	

points (6) and (7) of Article 3 of Regulation (EU) No [organic production] of the European Parliament and of the Council*, in addition to the measures referred to in point (a) of this paragraph, are prohibited from marketing products which refer to organic production, and that their organic certificate be suspended or withdrawn as appropriate.	~~**defined in points (6) and (7) of Article 3 of Regulation (EU) No [organic production] of the European Parliament and of the Council*, in addition to the measures referred to in point (a) of this paragraph, are prohibited from marketing products which refer to organic production, and that their organic certificate be suspended or withdrawn as appropriate.**~~		
2. The Commission shall be empowered to adopt delegated acts in accordance with Article 139 concerning rules for the performance of official controls and other official activities to verify compliance with the rules referred to in points (j) and (k) of Article 1(2), and on action to be taken by the competent authorities following such official controls and other official activities.	~~**2. The Commission shall be empowered to adopt delegated acts in accordance with Article 139 concerning rules for the performance of official controls and other official activities to verify compliance with the rules referred to in points (j) and (k) of Article 1(2), and on action to be taken by the competent authorities following such official controls and other official activities.**~~	***deleted***	
3. In relation to the rules referred to in point (j) of Article 1(2), the delegated acts referred to in	~~**3. In relation to the rules referred to in point (j) of Article 1(2), the delegated acts referred**~~	***deleted***	

paragraph 2 of this Article shall lay down rules on:	~~to in paragraph 2 of this Article shall lay down rules on:~~		
(a) the specific responsibilities and tasks of the competent authorities, in addition to those provided for in Articles 4, 8, 9, 10(1), 11 to 13, 34(1) and (2), and 36, and in addition to Articles 25, 26, 28, 29, 30 and 32 for the approval and supervision of delegated bodies, and to Articles 85 to 90 concerning official certification;	~~(a) the specific responsibilities and tasks of the competent authorities, in addition to those provided for in Articles 4, 8, 9, 10(1), 11 to 13, 34(1) and (2), and 36, and in addition to Articles 25, 26, 28, 29, 30 and 32 for the approval and supervision of delegated bodies, and to Articles 85 to 90 concerning official certification;~~	*deleted*	
(b) requirements additional to those referred to in Article 8(1) for risk assessment and for establishing the frequency of official controls, and of sampling as appropriate, taking into account the risk of the occurrence of non-compliance;	~~(b) requirements additional to those referred to in Article 8(1) for risk assessment and for establishing the frequency of official controls, and of sampling as appropriate, taking into account the risk of the occurrence of non-compliance;~~	*deleted*	
(c) the frequency of official controls on operators, and the cases where and conditions under which certain such operators are to be exempted	~~(c) the frequency of official controls on operators, and the cases where and conditions under which certain such~~	*deleted*	

from certain official controls;	~~operators are to be exempted from certain official controls;~~		
(d) methods and techniques for official controls additional to those referred to in Article 13 and Article 33(1) to (5), and specific requirements for the performance of official controls aimed at ensuring the traceability of organic products at all stages of production, preparation and distribution, and at providing assurances as to compliance with the rules referred to in point (j) of Article 1(2);	~~(d) methods and techniques for official controls additional to those referred to in Article 13 and Article 33(1) to (5), and specific requirements for the performance of official controls aimed at ensuring the traceability of organic products at all stages of production, preparation and distribution, and at providing assurances as to compliance with the rules referred to in point (j) of Article 1(2);~~	*deleted*	
(e) actions and measures additional to those provided for in Article 134(2) and (3) in case of suspicion of non-compliance, criteria additional to those referred to in the second subparagraph of Article 135(1), and criteria and measures additional to those provided for in Article 135(2) and in paragraph 1 of this Article in the event of	~~(e) actions and measures additional to those provided for in Article 134(2) and (3) in case of suspicion of non-compliance, criteria additional to those referred to in the second subparagraph of Article 135(1), and criteria and measures additional to those provided for in Article 135(2) and in~~	*deleted*	

non-compliance;	~~**paragraph 1 of this Article in the event of non-compliance;**~~		
(f) requirements additional to those provided for in point (f) of Article 4(1) in relation to the facilities and equipment necessary to carry out official controls and specific and additional conditions and obligations to those referred to in Articles 25, 26, 28, 29, and 30 to 32 for the delegation of official control tasks and other official activities to delegated bodies;	~~**(f) requirements additional to those provided for in point (f) of Article 4(1) in relation to the facilities and equipment necessary to carry out official controls and specific and additional conditions and obligations to those referred to in Articles 25, 26, 28, 29, and 30 to 32 for the delegation of official control tasks and other official activities to delegated bodies;**~~	***deleted***	
g) reporting obligations additional to those referred to in Articles 12, 28 and 31 for the competent authorities, the control authorities and the delegated bodies in charge of official controls and other official activities;	~~**(g) reporting obligations additional to those referred to in Articles 12, 28 and 31 for the competent authorities, the control authorities and the delegated bodies in charge of official controls and other official activities;**~~	***deleted***	
(h) specific criteria and conditions for the activation and the functioning of the	~~**(h) specific criteria and conditions for the activation and the functioning of the**~~	***deleted***	

mechanisms of administrative assistance provided for in Title IV, including the exchange of information concerning instances of non-compliance or the likelihood of non-compliance between competent authorities, control authorities and delegated bodies.	~~**mechanisms of administrative assistance provided for in Title IV, including the exchange of information concerning instances of non-compliance or the likelihood of non-compliance between competent authorities, control authorities and delegated bodies.**~~		
4. In relation to the rules referred to in point (k) of Article 1(2), the delegated acts referred to in paragraph 3 of this Article shall lay down rules on:	~~**4. In relation to the rules referred to in point (k) of Article 1(2), the delegated acts referred to in paragraph 3 of this Article shall lay down rules on:**~~	***deleted***	
(a) requirements, methods and techniques additional to those referred to in Articles 11 and 13 for official controls performed to verify compliance with product specifications and labelling requirements;	~~**(a) requirements, methods and techniques additional to those referred to in Articles 11 and 13 for official controls performed to verify compliance with product specifications and labelling requirements;**~~	***deleted***	
(b) methods and techniques additional to those referred to in Article 13 for the performance of official	~~**(b) methods and techniques additional to those referred to in Article 13 for the performance of**~~	***deleted***	

controls aimed at ensuring the traceability of products falling within the scope of the rules referred to in point (k) of Article 1(2) at all stages of production, preparation and distribution, and at providing assurances as to compliance with those rules;	~~**official controls aimed at ensuring the traceability of products falling within the scope of the rules referred to in point (k) of Article 1(2) at all stages of EN 62 EN production, preparation and distribution, and at providing assurances as to compliance with those rules;**~~		
(c) specific criteria and content additional to those provided for in Article 108, for the preparation of the relevant parts of the multi-annual national control plan provided for in Article 107(1), and specific additional content of the report provided for in Article 112;	~~**(c) specific criteria and content additional to those provided for in Article 108, for the preparation of the relevant parts of the multi-annual national control plan provided for in Article 107(1), and specific additional content of the report provided for in Article 112;**~~	***deleted***	
(d) specific criteria and conditions for activating the mechanisms of administrative assistance provided for in Title IV;	~~**(d) specific criteria and conditions for activating the mechanisms of administrative assistance provided for in Title IV;**~~	***deleted***	
(e) specific measures to be taken, in addition to those referred to in Article 135(2) in	~~**(e) specific measures to be taken, in addition to those referred to in Article**~~	***deleted***	

the event of non-compliance and of serious or recurrent non-compliance.	~~135(2) in the event of non-compliance and of serious or recurrent non-compliance.~~		
5. Where appropriate, the delegated acts referred to in paragraphs 3 and 4 shall derogate from the provisions of this Regulation referred to in those paragraphs.	~~5. Where appropriate, the delegated acts referred to in paragraphs 3 and 4 shall derogate from the provisions of this Regulation referred to in those paragraphs.~~	*deleted*	
** OJ L …, p. …"*	~~* OJ L …, p. …"~~	*deleted*	
4. In Article 128, paragraph 1 is replaced by the following:	~~4. In Article 128, paragraph 1 is replaced by the following:~~	*deleted*	
"1. In the areas governed by the rules referred to in Article 1(2), with the exclusion of points (d), (e), (g), (h) and (j) of Article 1(2), the Commission may, by means of implementing acts, recognise that measures applied in a third country, or regions thereof, are equivalent to the requirements laid down in those rules, on the basis of:	~~"1. In the areas governed by the rules referred to in Article 1(2), with the exclusion of points (d), (e), (g), (h) and (j) of Article 1(2), the Commission may, by means of implementing acts, recognise that measures applied in a third country, or regions thereof, are equivalent to the requirements laid down in those rules, on the basis of:~~	*deleted*	
(a) a thorough examination of information and data provided by the third country concerned pursuant to Article	~~(a) a thorough examination of information and data provided by the third country concerned~~	*deleted*	

124(1);	~~pursuant to Article 124(1);~~		
(b) where appropriate, the satisfactory outcome of a control performed in accordance with Article 119(1);	~~(b) where appropriate, the satisfactory outcome of a control performed in accordance with Article 119(1);~~	*deleted*	
Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 141(2)."	~~Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 141(2)."~~	*deleted*	
5. In Article 141, paragraph 1 is replaced by the following:	~~5. In Article 141, paragraph 1 is replaced by the following:~~	*deleted*	
"1. The Commission shall be assisted by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011. For measures falling within the area referred to in Article 1(2)(j) of this Regulation, the Commission shall be assisted by the Organic production Committee established by Article 37(1) of Regulation (EU) No [organic production]."	~~"1. The Commission shall be assisted by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011. For measures falling within the area referred to in Article 1(2)(j) of this Regulation, the Commission shall be assisted by the Organic production Committee established by Article 37(1) of Regulation (EU) No [organic production]."~~	*deleted*	

Amendment 398 Annex V (a) (new)			
		ANNEX Va	No agreement at T9 EP is checking what is now covered by the draft compromises on blocks 5 and 7. It has already appeared that 2 items are not covered and need to be tackled preferably in the articles. The rest could be deleted once it is confirmed that these provisions are covered elsewhere.
		Specific tasks of the Commission, Member States and the competent Union authorities	
		The Commission, Member States and the competent Union authorities shall perform the following specific tasks:	
		– continuous exchange of relevant information between operators and responsible authorities to ensure the smooth functioning and	

		development of the organic sector;	
		– identification and analysis of gaps and deficiencies in the supply of inputs (organically bred seeds, feed and livestock);	Agreed at T9 that this provision should be taken into account when drafting an article requiring the establishment of datacollection at national level
		– identification of those areas in which there is a particular risk of non-compliance with this Regulation;	
		– monitoring of the organic sector, scientific findings and consultations with stakeholders in the sector and other interested parties;	
		– assessment concerning the amendment or supplementation of the provisions contained in this Regulation or the Annexes hereto;	
		– collection, analysis and hosting of relevant scientific and technical data as specified in and relevant for the implementation of this Regulation in Member States and in third countries;	
		– setting-up of communication procedures and tools, data exchange and information	

		exchange between the competent Union authorities, Member States and accreditation bodies as required by this Regulation;	
		– facilitation of the requirements for controls by competent authorities and bodies and for supervision of the recognition of control bodies and control authorities within the Union and in third countries;	
		– coordination of harmonised implementation of controls and of procedures for the exchange of information and activities in cases of suspected non-compliance where more than one Member State or third country is involved as referred to in Articles 20a and 26b;	
		– management and regular updating of all relevant directories of recognised control bodies and control authorities authorised for third countries pursuant to Article 29(4);	
		– revision of lists of authorised procedures and substances in accordance with Article 19;	

		– monitoring and coordination of the European organic action plan, including development of the organic seed sector and the market for organic feed;	Statement to be provided by COM at the moment of the adoption of the Regulation?
		– facilitation of exchanges of information with the organic sector on the implementation of this Regulation, proposed changes and demands from the sector.	
Amendment 399 Annex V (c) (new)			
		ANNEX Vc	T9: no agreement
		Control arrangements and undertaking by the operator	To be further discussed at TM
		1. Implementation of control arrangements	To be further discussed at TM
		1.1. When the control arrangements are first implemented, the operator shall draw up, implement and subsequently keep record of:	To be further discussed at TM
		(a) a full description of the unit and/or premises and/or activity;	
		(b) all the practical measures to be taken at the level of the unit and/or premises and/or activity to	

		ensure compliance with the organic production rules;	
		(c) the precautionary measures to be taken in order to reduce the risk of non-compliance with the applicable rules and the cleaning measures to be taken in storage places and throughout the operator's production chain.	
		Where appropriate, the description and measures provided for in the first subparagraph may form part of a quality system set up by the operator (organic critical control points – OCCP).	
		1.2. The description and the measures referred to in point.1.1 shall be contained in a declaration, signed by the responsible operator and by any subcontractor(s). In addition, that declaration shall include an undertaking by the operator:	
		(a) to perform the operations in accordance with the organic production rules;	
		(b) to accept, in the event of infringement or irregularities, enforcement of the measures provided for by the organic	

		production rules;	
		(c) to inform the buyers of the product in writing, so as to ensure that the indications referring to the organic production method are removed from the production concerned;	
		(d) in cases where the operator and/or the operator's subcontractors are checked by different control authorities or control bodies in accordance with the control system set up by the Member State concerned, to accept the exchange of information between those authorities or bodies;	
		(e) in cases where the operator and/or the operator's subcontractors change their control authority or control body, to accept the transmission of their control files to the subsequent control authority or control body;	
		(f) in cases where the operator withdraws from the control system, to inform the relevant competent authority and control authority or control body without delay of such withdrawal;	

		(g) in cases where the operator withdraws from the control system, to keep the control file for a period of at least five years;	
		(h) to inform the relevant control authority or control body without delay of any irregularity or infringement affecting the organic status of the operator's product or of organic products received from other operators or subcontractors.	
		The declaration provided for in the first subparagraph shall be verified by the control body or control authority that issues a report identifying the possible deficiencies and instances of non-compliance with the organic production rules. The operator shall countersign that report and take the necessary corrective measures.	
		1.3. For the application of Article 24a(1), the operator shall notify the following information to the competent authority:	
		(a) name and address of operator;	
		(b) location of premises and, where appropriate, parcels (land	

		register data) where operations are carried out;	
		(c) nature of operations and products;	
		(d) in the case of an agricultural holding, the date on which the producer ceased to apply products not authorised for organic production on the parcels concerned;	
		(e) the name of the control body to which the operator entrusted control of his undertaking, where the Member State concerned has implemented the control system by approving such bodies.	
		2. Modification of control arrangements	To be further discussed at TM
		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	To be further discussed at TM
		3.1. The operator shall:	

		(a) give the control authority or control body, for control purposes, access to all parts of the unit and all premises, as well as to the accounts and relevant supporting documents;	
		(b) provide the control authority or control body with any information reasonably necessary for the purposes of the control;	
		(c) when requested so to do by the control authority or control body, submit the results of his own quality assurance programmes.	
		3.2. In addition to the requirements set out in point 3.1., importers and first consignees shall submit to the control authority or control body the information on imported consignments referred to in point 9.3.	
		4. Specific control requirements for plants and plant products from farm production or collection	To be further discussed at TM
		4.1. Control arrangements	
		4.1.1. The full description of the unit as referred to in point 1.1.(a) shall:	

		(a) be drawn up even where the operator limits his activity to the collection of wild plants;	
		(b) indicate the storage and production premises and land parcels and/or collection areas and, where applicable, premises where certain processing and/or packaging operations take place; and	
		(c) specify the date of the last application on the parcels and/or collection areas concerned of products the use of which is not compatible with the organic production rules.	
		4.1.2. In the case of collection of wild plants, the practical measures referred to in point 1.1.(b) shall include any guarantees given by third parties which the operator can provide to ensure that the provisions of Annex II, Part I, point 2.2. are complied with.	
		4.2. Communications	
		Each year, before the date indicated by the control authority or control body, the operator shall notify the control authority or	

		control body of its schedule of production of crop products, giving a breakdown by parcel.	
		4.3. Several production units run by the same operator	
		Where an operator runs several production units in the same area, the units producing non-organic crops, together with storage premises for farm input products, shall also be subject to the general and the specific control requirements laid down in points 1, 2, 3, 4.1 and 4.2..	
		5. Specific control requirements for algae	To be further discussed at TM
		When the control system applying specifically to algae is first implemented, the full description of the unit as referred to in point 1.1.(a) shall include:	
		(a) a full description of the installations on land and at sea;	
		(b) the environmental assessment as outlined in point 2.3. of Annex II, Part III, where applicable;	
		(c) the sustainable management plan as outlined in points 2.4. and 2.5. of Annex II, Part III, where	

		applicable;	
		(d) for wild algae, a full description and a map of shore and sea collection areas and land areas where post-collection activities take place.	
		6. Specific control requirements for livestock and livestock products produced by animal husbandry	To be further discussed at TM
		6.1. Control arrangements	
		6.1.1. When the control system applying specifically to livestock production is first implemented, the full description of the unit as referred to in point 1.1.(a) shall include:	
		(a) a full description of the livestock buildings, pasturage, open air areas, etc., and, where applicable, of the premises used for the storage, packaging and processing of livestock, livestock products, raw materials and inputs;	
		(b) a full description of the installations used for the storage of livestock manure.	
		6.1.2. The practical measures referred to in in point 1.1.(b) shall	

		include:	
		(a) a plan for spreading manure agreed with the control body or authority, together with a full description of the areas given over to crop production;	
		(b) where appropriate, as regards the spreading of manure, the written arrangements with other holdings as referred to in Annex II, Part I, point 1.5.5 complying with the organic production rules;	
		(c) a management plan for the organic-production livestock unit.	
		6.2. Identification of livestock	
		The livestock shall be identified permanently using techniques adapted to each species, individually in the case of large mammals and individually or by batch in the case of poultry and small mammals.	
		6.3. Control measures in respect of veterinary medicinal products for livestock	
		Whenever veterinary medicinal products are used, the livestock treated shall be clearly identified, individually in the case of large	

		animals and individually or by batch or hive in the case of poultry, small animals and bees.	
		6.4. Specific control measures in respect of beekeeping	
		6.4.1. A map on an appropriate scale listing the location of hives shall be provided to the control authority or control body by the beekeeper. The beekeeper shall provide the control authority or control body with appropriate documentation and evidence, including suitable analyses where necessary, that the areas accessible to his colonies fulfil the conditions laid down in this Regulation.	
		6.4.2. The following information shall be entered in the register of the apiary with regard to the use of feeding: type of product, dates, quantities and hives where it is used.	
		6.4.3. Whenever veterinary medicinal products are to be used, the type of product, including the indication of the active pharmacological substance, together with details of the diagnosis, the posology, the	

		method of administration, the duration of the treatment and the legal withdrawal period, shall be recorded clearly and declared to the control body or authority before the products are marketed as organically produced.	
		6.4.4. The zone where the apiary is situated shall be registered together with the identification of the hives. The control body or authority shall be informed of any moving of apiaries by a deadline agreed on with the control authority or body.	
		6.4.5. Particular care shall be taken to ensure adequate extraction, processing and storage of beekeeping products. All the measures taken to comply with this requirement shall be recorded.	
		6.4.6. Removals of the supers and the honey extraction operations shall be entered in the register of the apiary.	
		6.5. Several production units run by the same operator	
		Where an operator manages several production units, the units which produce non-organic	

		livestock or non-organic livestock products shall also be subject to the control system laid down in points 1, 2, 3 and 6.1 to 6.4 of this Annex.	
		7. Specific control requirements in respect of aquaculture animal production	To be further discussed at TM
		7.1. Control arrangements	
		When the control system applying specifically to aquaculture animal production is first implemented, the full description of the unit as referred to in point 1.1.(a) shall include:	
		(a) a full description of the installations on land and at sea;	
		(b) the environmental assessment as outlined in Annex II, Part III, point 2.3, where applicable;	
		(c) the sustainable management plan outlined in Annex II, Part III, points 2.4 and 2.5, where applicable.	
		7.2. Several production units run by the same operator	
		Where an operator manages several production units, the units	

		which produce non-organic aquaculture animals shall also be subject to the control system laid down in points 1, 2, 3 and 7.1 of this Annex.	
		8. Specific control requirements in respect of units for the preparation of plant, algae, livestock and aquaculture animal products and foodstuffs composed thereof	To be further discussed at TM
		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	To be further discussed at TM
		9.1. Scope	
		The provisions of this point shall apply to any operator involved, as importer and/or as first consignee, in the import and/or reception, for his own account or for the account of another operator, of organic products.	
		9.2. Control arrangements	
		9.2.1. In the case of the importer, the full description of the unit as referred to in point 1.1.(a) shall include the importer's premises and import activities, indicating the points of entry of the products into the Union and any other facilities which the importer intends to use for the storage of the imported products pending their delivery to the first consignee.	
		9.2.2. In addition, the declaration referred to in point 1.2. shall include an undertaking by the importer to ensure that any facilities that the importer will use	

		for storage of products are submitted to control, to be carried out either by the control body or by the control authority or, when those storage facilities are situated in another Member State or region, by a control body or authority approved for control in that Member State or region.	
		9.2.3. In the case of the first consignee, the full description of the unit as referred to in point 1.1.(a) shall show the facilities used for reception and storage.	
		9.2.4. Where the importer and the first consignee are the same legal person and operate in one single unit, the reports referred to in the second paragraph of point 1.2 may be formalised within one single report.	
		9.3. Information in respect of imported consignments	
		The importer shall, in due time, inform the control body or control authority of each consignment to be imported into the Union, providing:	
		(a) the name and address of the first consignee;	

		(b) any details which the control body or authority may reasonably require, including:	
		(i) in the case of products imported in accordance with point (b)(i) of Article 28(1), the documentary evidence referred to in that Article;	
		(ii) in the case of products imported in accordance with point (b)(ii) of Article 28(1), a copy of the certificate of inspection referred to in that Article.	
		Upon request by the control body or control authority of the importer, the latter shall forward the information referred to in the first paragraph to the control body or control authority of the first consignee.	
		9.4. Control visits	
		Where the importer performs the import operations using different units or premises, he shall make available upon request the reports referred to in the second paragraph of point 1.2 in respect of each of those facilities.	

		10. Specific control requirements for units involved in the production, preparation or import of organic products and which have subcontracted to third parties, wholly or in part, the actual operations concerned	To be further discussed at TM
		10.1. Control arrangements	
		With regard to operations which are subcontracted to third parties, the full description of the unit as referred to in point 1.1.(a) shall include:	
		(a) a list of the subcontractors with a description of their activities and an indication of the control bodies or authorities to which they are subject;	
		(b) written agreement by the subcontractors that their holding will be subject to the control regime and certification system provided for by Chapter V (Articles 24 to 26);	
		(c) details of all the practical measures, including an appropriate system of documentary accounts, to be taken at the level of the unit to ensure	

		that the products which the operator places on the market can be traced to, as appropriate, the suppliers, sellers, consignees and buyers of those products.	
		11. Control requirements for units preparing feed	To be further discussed at TM
		11.1. Scope	
		This point applies to any unit involved in the preparation of products referred to in point (c) of Article 2(1) on its own account or on behalf of a third party.	
		11.2. Control arrangements	
		11.2.1.1. The full description of the unit as referred to in in point 1.1.(a) shall indicate:	
		(a) the facilities used for the reception, preparation and storage of the products intended for animal feed before and after the operations concerning them;	
		(b) the facilities used for the storage of other products used to prepare feedingstuffs;	
		(c) the facilities used to store products for cleaning and	

		disinfection;	
		(d) where necessary, a description of the compound feedingstuff which the operator intends to produce and the livestock species or class for which the compound feedingstuff is intended;	
		(e) where necessary, the name of the feed materials that the operator intends to prepare.	
		11.2.2. The measures to be taken by operators, as referred to in in point 1.1.(b), to guarantee compliance with the organic production rules shall include the indications of measures referred to in Annex II, Part IV, point 1.	
		11.2.3. The control authority or control body shall use those measures to carry out a general evaluation of the risks attendant on each preparation unit and to draw up a control plan. That control plan shall provide for a minimum number of random samples, depending on the potential risks.	
Amendment 400 Annex V (d) (new)			

		See Annex8 to the Annex	T9: not discussed (revised content from COM awaited) Agreed at T6 to introduce Annex Vd But content of the Annex Vd to be revisited
Amendment 401 Annex V (e) (new)			
		ANNEX Ve	If appropriate, to be regulated via IA.
		Criteria for certification of group operators	
		(To be defined at a later stage)	To be clarified with EP
Amendment 402 Annex V (f) (new)			
		ANNEX Vf	Withdrawn by EP at T8
		Criteria in respect of risk assessments	
		(To be defined at a later stage)	Withdrawn by EP at T8

ANNEX Vd **Model of the certificate revised in line with categories of Article 25 to be drafted by COM**

Model of the certificate referred to in Article 25(0a)

Document number:

Name and address of operator:	***Name, address and code number of control body/authority:***
Main activity (producer, processor, importer, etc):	***Defined as:***
Group of products as set out in Article 25(3a)/Activity:	***Organic production, in-conversion products; and also non-organic production where parallel production/processing pursuant to Article 7 of Regulation (EU) No XXX/XXXX occurs***
– vegetables and plant products;	
– animals and animal products;	
– seaweed and aquaculture animals;	
– processed foods and fodder, including yeasts;	

– wine.

Validity period: ***Date of control(s):***

– vegetables and plant products from...to...

– animals and animal products from...to...

– seaweed and aquaculture animals from...to...;

– processed foods and fodder, including yeasts from...to... ;

– wine from...to....

This document has been issued on the basis of Article 24a(5) of Regulation (EU) No XXX/XXXX. The declared operator has submitted his activities under control and meets the requirements laid down in the said Regulation.

Date, place:

Signature on behalf of the issuing control body/authority:

ANNEX V

NON PAPER ON PRECAUTIONARY MEASURES/MESURES TO BE TAKEN IN CASE OF PRESENCE OF NON AUTHORISED PRODUCT OR SUBSTANCE

Outcome of Trilogue 9 - 16/06/2016

Draft compromise on precautionary measures

Article XX[93]

Obligations of and actions by the operator in the event of suspicion of non-compliance

Where an operator suspects that a product or a process in a product he has produced, prepared, imported or that he has received from another operator is not in compliance with the requirements of this Regulation, that operator shall:

(a) separate and identify the product(s) concerned;

(b) not place the product(s) concerned on the market as organic or in-conversion product(s) and not use it in organic production until the investigation is finalised

[(c) check whether the suspicion can be substantiated and documented;

(d) immediately inform the relevant competent authority or, as appropriate, the relevant control authority or control body [with, where appropriate, available elements[94]]

(e)[95] fully cooperate in verifying and identifying the reasons for [the presence of [96]]the suspected non-compliance [and fully cooperate][97] with the relevant competent authority or, as appropriate, with the relevant control authority or control body.]

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93 Exact location still to be decided. Meant to be a chapeau Article before Article 20a OK for the PRES to be there

94 T9: 'elements' not clear enough for lawyer-linguists

95 Points (c) to (e) coherence needed with drafting of 3 (c) to (e) in Article 20a

96 COM suggests to delete "the presence of".

97 COM: Insertion of second "fully cooperate" not required.

Article 20a

Precautionary measures and actions to be taken in the event of the presence of non-authorised products or substances

1. Without prejudice to Article 7 (1) (cb) operators shall take all necessary precautionary measures to prevent the presence of non-authorised products or substances that has not been authorised in accordance with Article 19 for the purposes listed in Article 19.

2. In order to avoid contamination with products and substances that are not allowed to be used in organic production in accordance with Article 7(1)(b) first subparagraph, operators shall take the following precautionary measures at all stages of production, preparation and distribution:

(a) Put in place and maintain proportionate and appropriate measures to identify risks of contamination of organic production and products with non-authorised products and substances, including systematic identification of critical procedural steps;

(b) Put in place and maintain proportionate and appropriate measures to avoid risks of contamination of organic production and products with non-authorised products and substances;

(c) Regularly review and adjust such measures; and,

(d) Comply with other relevant requirements of this Regulation that ensure the separation of organic and non-organic products.

3.Where an operator suspects the presence of a non-authorised product or substance and which has been sourced, produced or prepared for use in production and/or products to be marketed as organic, that operator shall:

(a) separate and identify the product(s) concerned;

(b) not place the product(s) concerned on the market as organic or in-conversion product(s) and not use it in organic production until the investigation referred to in paragraph 4 is finalised;

[(c) check whether the suspicion can be substantiated and documented;

(d) immediately inform the relevant competent authority or, as appropriate, the relevant control authority or control body [with, where appropriate, available elements[98]]

(e)[99] fully cooperate in verifying and identifying the reasons for the presence of non-authorised products and substances [and fully cooperate][100] with the relevant competent authority or, as appropriate, the relevant control authority or control body.]

4. When a competent authority, or where appropriate, a control authority or control body, receives substantiated information about the presence of non-authorised products or substances, is informed by an operator in accordance with paragraph 3 or detects such products or substances in an organic or an in-conversion product:

(a) it shall carry out immediately an investigation to be completed as soon as possible, within a reasonable period of time, taking into account the durability of the product and the complexity of the case, with a view to determine the source and the cause of contamination in view of verifying compliance with Article 7(1)(b) and paragraph 2 of this article.

(b) it shall provisionally prohibit the marketing of the products concerned as organic or in conversion products while expecting the results of the investigation as referred to in (a);

The operator concerned shall be allowed to give his comments on the results of the investigation. The competent authority, or where appropriate, the control authority or control body, shall keep records of the investigation carried out.

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98 T9: 'elements' not clear enough for lawyer-linguists

99 Points (c) to (e) have to be adapted to the wording of the 'chapeau' article

100 "and fully cooperate" should be deleted as not necessary.

4a. When the competent authority has not established within the reasonable period of time referred to in paragraph 4(letter a)[101] that the operator concerned:

- has used the non-authorised products or substances in organic production as prohibited by Article 7(1)(b) first subparagraph or;

- has failed to take the precautionary measures referred to in paragraph 2,

the operator may market the product as an organic or in-conversion product and use it in organic production.

5. When the competent authority has established that the operator concerned:

(a) has used non-authorised products or substances in organic production or:

(b) has not taken the precautionary measures referred to in paragraph 2; or

(c) has not taken measures pursuant to previous requests from the competent authorities, control authorities or control bodies,

the product shall not be marketed as an organic or in-conversion product or used in organic production.

6. On the basis of the results of the investigation referred to in paragraph 4(letter a), the competent authority, or where appropriate the control authority or control body shall identify the causes of the presence, if any, of non-authorised products and substances. Where required, the operator concerned shall take the necessary corrective measures to avoid future contamination.

[By way of derogation from paragraph 4, products in which the presence of products or substances used as plant protection products, but not allowed to be used in organic production pursuant to Article 7(1)(b) first subparagraph is detected beyond a level [of XX][that is twice the limit of determination], shall not be marketed as an organic or in-conversion product, unless

[101] T9: correction further to the new wording in point (a) 'within a reasonable period of time'

the operator concerned supplies evidence to the competent authority showing that the presence stems from unavoidable contamination.]

[By way of derogation to paragraph 4 and 5, products in which the presence of more than one product or substance used as plant protection product, but not allowed to be used in organic production pursuant to Article 7(1)(b), is detected, shall not be marketed as an organic or in-conversion product or used in organic production.]

7. By way of derogation from paragraphs 4 to 6 Member States that have on 31 December 2015, rules in place providing that products containing non-authorised products and substances above a certain level cannot be marketed as organic, may continue to apply these rules [until 31 December 2020] provided that these rules do not prohibit, restrict or impede the placing on the market as organic of products produced in other Member States in compliance with the requirements of this Regulation. Member States who apply this provision shall inform the Commission without delay.

8. The results of the investigations referred to in paragraph 4 shall be documented by competent authorities together with any measures taken with a view to formulating best practices and further measures to avoid the presence of non-authorised products and substances in organic production.

Member States shall make this information available to the other Member States and to the Commission via a computer system enhancing exchanges of documents and information made available by the Commission.

[Member States may[102] take appropriate measures on their territory to avoid the unintended presence of non-authorised products and substances in organic agriculture. Such measures shall not prohibit, restrict or impede the placing on the market as organic or in-conversion of products produced in other Member States in compliance with the requirement of this Regulation. Member States which apply this provision shall inform the Commission and the other Member States without delay.]

102 T9: EP asks for 'shall'

9. The Commission may adopt implementing acts regarding:

- the methodology on detection and evaluation of the presence of non-authorised products and substances to be applied by control authorities and control bodies;
- the procedures to be followed by operators in the event they suspect non-compliance as referred to in paragraph 3;
- detailed measures to be adopted by operators to avoid the risks of contamination as referred to in paragraph 2;
- the details of the information to be transmitted by Member States to the Commission as referred to in paragraph 10.

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

10. By 31 March of each year, Member States shall transmit by electronic way to the Commission the relevant information, including information collected at border control posts, relating to the previous year concerning the nature of contamination detected, and in particular the cause, the source, the level of contamination and the volume and nature of products contaminated. This information on findings of non-authorised products and substances shall be collected by the Commission in the database as referred to in Article XX and shall be used to facilitate the formulation of best practices to avoid contamination.

11. By 31 December [2020] at the latest, the Commission shall present a report to the European Parliament and the Council on the state of play of implementation of this article and on the presence of products and substances not authorised in accordance with Article 19 which had been detected in organic products. This report may be accompanied, if appropriate, by a legislative proposal [establishing the levels of unauthorised products or substances applicable to organic products and the systems for compensating operators for losses in connection with contamination where they have taken proper measures which may reasonably be implemented to prevent the risk of contamination.]

ANNEX VI

NON PAPER ON CONTROLS

OUTCOME OF TRILOGUE 16 JUNE 2016

DRAFT COMPROMISE ON CONTROLS

Chapter Va

Official controls and other official activities

Article 26a[103]

Relationship with Regulation (EU) No XX/XXX (Official Controls Regulation) and additional rules for official controls and other official activities in relation to organic production and labelling of organic products

The specific rules of this Chapter shall apply, in addition to the rules laid down in Regulation (EU) No XX/XXX (Official Controls regulation), in relation to official controls and other official activities performed to verify, at all stages of production, preparation and distribution throughout the process, that products as referred to in Article 2(1) have been produced in compliance with the requirements laid down in this Regulation.

Article 26b

Additional rules on official controls and on action to be taken by the competent authorities

1. Official controls performed in accordance with Article 8 of Regulation (EU) XX/XXXX (Official Controls Regulation) for the verification of compliance with the requirements laid down in this Regulation shall:

[103] Title to be checked with lawyer-linguists

(a) include, in particular,

(i) the verification of the application by operators of preventive and precautionary measures, as referred to in Article 7 (1)(cb) and in [[104](XX)] of this Regulation, at all stages of production, preparation and distribution;

(ii) in the cases where the holding includes non-organic and/or in-conversion production units, the verification of the records and of the measures or procedures or arrangements in place to ensure the clear and effective separation between organic, in-conversion and non organic production units, between products produced by the organic, in-conversion and/or non-organic production units, and of the substances and products used for organic and non-organic production units; such verification shall include checks on parcels for which a previous period was recognised retroactively as part of the conversion period and checks on the non-organic production units;

(iii) in the cases where organic and non-organic products are collected simultaneously by operators, or prepared or stored in the same [[105]preparation unit] or area or premise, or transported to other operators or [units], the verification of the records and of the measures or procedures or arrangements in place to ensure that operations are carried out separated by place or time, that suitable cleaning measures and, as appropriate, measures to prevent substitution of products are implemented, that organic products are identified at all times and stored, before and after the prepation operations, separate by place or time from non-organic products;

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104 Cross reference to be adapted later to the results of negotiations on precautionary measures

105 Provisionally agreed; the final wording will depend on the final wording agreed for Annex II, Part IV, point 1.5.and Annex III."

(iv) in the cases where operators are exempted from notification obligations as provided in Article XX[106] of this Regulation, the verification that the requirements for the exemption are fulfilled.

(b) be performed throughout the entire production process at all stages of production, preparation and distribution on the basis of the likelihood [or suspicion][107] of non-compliance with the rules laid down in this Regulation, which shall be determined taking into account, in addition to the elements referred to in Article 8 of Regulation (EU) No XX/XXX (Official Controls Regulation), in particular the following elements:

(i) the type, size and structure of the operators and groups of operators;

(ii) the length of time during which operators and groups of operators have been in organic production, preparation and distribution;

(iia) the results of the controls performed in accordance with this Article;

(iii) the point in time relevant for the activities carried out;

(iv) the product categories;

(v) the type, quantity and value of products and their development over time;

(vi) the possibility of commingling of products or contamination with unauthorised products or substances;

(vii) the application of derogations or exceptions to the rules by operators and groups of operators;

(viii) the critical points for non-compliance and likelihood of non compliance at all stages of production, preparation and distribution of organic products.

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106 Cross reference to be adapted later further to the results of negotiations on certification

107 T9 : consistent approach to be taken through the whole text

(c)[108] In any case, all operators and group of operators shall be subject to a verification of compliance at least once every twelve months.

The verification of compliance shall imply a physical on-the-spot inspection except when operators and group of operators comply with the following conditions:

(i) the previous controls of the operator or group of operatorconcerned have not revealed [any serious non-compliance affecting the integrity of organic product] [~~with this Regulation~~] during at least three consecutive years; and

(ii) the operator or group of operator concerned have been assessed on the basis of the elements referred to in point b) and in Article 8 of Regulation (EU) No XX/XXX (Official Controls Regulation) as presenting low likelihood of non-compliance.

In this case, the period between two physical on-the-sport inspections shall not exceed 24 months.

(d) The delivery or the renewal of the certificate referred to in Article 25(0a) shall be based on the results of the verification of compliance as described in this paragraph

3. The written record to be drawn up on each official control performed to verify compliance with the rules laid down in this Regulation in accordance with paragraph 2 of Article 12 of Regulation (EU) XX/XXXX (Official Controls Regulation) shall be countersigned by the operator or group of operators.

4. Paragraph 2 of Article 12 of Regulation (EU) XX/XXX (Official Controls Regulation) shall not apply to the audits and inspections carried out by competent authority/ies in the

[108] T9 EP comment : point (c) acceptable but need to either include the substance of Article 65 (4) 'control visits' of Reg 889/2008 or to make a reference to the corresponding provision in the new OCR which says that controls are primarily unannounced except in exceptional cases.

context of their supervisory activities over control bodies to which specific official control tasks and other official activities were delegated.

Article 26c

Additional rules on the delegation of specific official control tasks and other official activities

1. Competent authorities may delegate to control bodies specific official control tasks and other official activities only if the following conditions, in addition to those set out in Chapter III of Regulation (EU) No XX/XXX (Official Controls Regulation), are complied with:

(a) the delegation contains a detailed description of the delegated control tasks and other official activities, including reporting and other specific obligations, and of the conditions under which the control body may carry them out. In particular the control body shall submit to the competent authorities for prior approval:

(i) its risk assessment procedure, determining in particular the basis for the intensity and frequency of the verification of compliance of the operators and group of operators and established on the basis of the elements referred to in Article 8 of Regulation (EU) No XX/XXX (Official Controls Regulation) and of Article 26b of this Regulation, to be followed for the performance of official controls on operators and group of operators~~,~~

(ii) the standard control procedure in place, containing a detailed description of the control measures that the control body undertakes to apply to operators and groups of operators subject to its controls;

(iii) a list of measures, in conformity with the measures laid down by competent authorities, to be applied to operators and group of operators

in case of the establishment, likelihood, or suspicion[109] of non-compliance;

(iv) the arrangements for effective monitoring and reporting on the official control tasks and other official activities performed on operators and group of operators.

Any subsequent amendment of the elements referred to in points (i) to (iv) shall be notified by the control body to the competent authority.

(b) competent authorities have procedures and arrangements in place to ensure the supervision of control bodies, including the verification of the effectiveness, independence and objectiveness of the way in which the delegated tasks are carried out, in particular as regards the intensity and frequency of the verification of compliance.

2. For the purpose of Article 26 (1) (b) (iv) of Regulation (EU) No XX/XXX (Official Controls Regulation), the relevant standard for the delegation of specific official control tasks and other official activities to verify compliance with this Regulation in the area covered by this Regulation is the most recently notified version of the international harmonised standard 'General requirements for bodies operating product certification systems', the reference of which has been published in the Official Journal of the European Union.

3. Competent authorities shall not delegate to control bodies:

(a) specific official control tasks or other official activities to natural persons;

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

(c) the possibility to grant derogations [except[110] [111]for the use of plant reproductive material not obtained from organic production;] (CSL mandate)

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[109] New wording agreed, COM to check the consistency of the whole text in line with these changes

[110] COM suggestion following T7 : Suggestion: "except for the use of non-organic plant reproductive material".

[111] Final wording to depend on final text agreed for Annex II (derogations for seeds, feed, animals)

/ provision to be confirmed according to the results of discussions on this point]; (EP mandate)

(d) the reception of the notification of the activity by operators or groups of operators, as referred to under Article 24(1) of this Regulation

(e) the assessment of the likelihood of non-compliance with the provisions laid down in this Regulation determining the frequency rate of the physical checks to be performed on organic consignments prior to their release for free circulation into the Union according to Article 52 of Regulation (EU) No XX/XXX (Official Controls Regulation).

4. Competent authorities shall ensure that information received from control bodies on the basis of Article 31 of Regulation (EU) No XX/XXX (Official Controls Regulation) and information on the measures applied by control bodies in case of established or likely non-compliance is collected and used by the competent authorities in order to supervise the activities of those controls bodies.

5. In case of full or partial withdrawal of the delegation of specific official control tasks and other official activities in accordance with Article 32 of Regulation (EU) No XX/XXX (Official Controls), competent authorities shall decide on the validity of the certificates beyond the date of the decision on partial or full withdrawal issued by the control bodies concerned before the date of that partial or full withdrawal and shall inform the operators.

6. Without prejudice to Article 32 of Regulation (EU) No XX/XXX (Official Controls Regulation), competent authorities may, before fully or partly withdrawing the delegation of official control tasks and other official activities in the cases referred to in Article 32, fully or partly suspend that delegation:

a) for a time period that shall not exceed 12 months and during which the control body shall take action to remedy shortcomings identified during audits and inspections or address non-compliances for which information is exchanged with other control authorities and control bodies, competent authorities as well as with the Commission according to Article 26e; or

b) for the time period during which accreditation as referred to in Article 26 (1) (b) (iv) of Regulation (EU) No XX/XXX (Official Controls Regulation) and Article 26c (2) of this Regulation is suspended.

In case of suspension of the delegation on official controls and other official activities, control bodies concerned shall not issue organic certificates for the parts for which the delegation has been suspended. Competent authorities shall decide on the validity beyond the date of suspension of the certificates issued before the partial or full suspension and shall inform the operators concerned on this decision.

Without prejudice to Article 32 of Regulation (EU) No XX/XXX (Official Controls Regulation), the competent authorities shall lift the suspension of the delegation of official control tasks and other official activities as soon as possible when the control body has taken action to remedy the shortcomings or non-compliances referred to under point a) of the first subparagraph or when the accreditation body has lifted the suspension of the accreditation referred to under point b) of the first subparagraph.

7. Where a control body to whom competent authorities have delegated specific official control tasks or other official activities has also been recognised by the Commission in accordance with Article 29(1) of this Regulation for carrying out control activities in third countries, and the Commission intends to withdraw or has withdrawn the recognition of this control body, competent authorities shall organise audits and inspections on the control body as regards its activities in the Member State(s) concerned, in accordance with Article 32 of Regulation (EU) No XX/XXX (Official Controls Regulation).

8. The control bodies shall transmit to the competent authorities

(a) by 31 January of each year, a list of the operators which were subject to their controls on 31 December of the previous year;

(b) by 31 March each year, information on the official controls and other official activities carried out in the previous year to support the preparation of the part on organic production and labelling of organic products of the annual report referred to in Article 112 of the Regulation (EU) XX/XXX (Official Controls Regulation).

[9[112]The Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning the additional rules for the performance of official controls and other official activities to verify compliance with the rules laid down by this Regulation. Those delegated acts shall lay down rules on

(a) additional conditions for the delegation of official controls tasks and other official activities to control bodies to those laid down in paragraph 1;

(b)additional responsibilities, official control tasks and other official activities that shall not be delegated to those laid down in paragraph 3.]Article 26d

Additional rules on measures in case of non-compliance

1. In the event of non-compliance that affects the integrity[113] of organic products throughout any of the stages of production, preparation and distribution, such as due to the detection of non-authorised substances and techniques or commingling with non-organic products, competent authorities and, as appropriate, control authorities and control bodies shall ensure, in addition to the measures to be taken in accordance with Article 135 of the Regulation (EU) No XX/XXXX (Official Controls Regulation) that no reference is made to organic production in the labelling and advertising of the entire lot or production run concerned.

NB: Provision to be confirmed or reviewed according to the results of discussions on the definition of integrity and on specific provisions for gradual sanctioning of non-compliance (in accordance with Article 135 OCR).

2. In the event of serious, or repetitive or continued non-compliance, competent authorities and/or as appropriate, control authorities and/or control bodies shall ensure that the operators or the group of operators concerned, in addition to the measures referred to in paragraph 1 and ~~the~~ any appropriate measures taken in particular in accordance with Article 135 of the Regulation (EU) No XX/XXX (Official Controls Regulation, are prohibited from marketing products which refer to organic production for a given period, and that their organic certificate be suspended or withdrawn as appropriate.

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112 T9: to be checked further to OCR negotiations results. PRES suggests to delete this DA and leave such changes to codecision.

113 T9: COM to provide a definition of 'integrity.' 'Wholesomeness' rather refers to hygiene rules and not relevant to organic rules.

Article 26e

Additional rules on the exchange of information

1. In addition to the obligations laid down in Article 104(1) of the Regulation (EU) XX/XXXX (Official Controls Regulation), competent authorities, control authorities and control bodies[114] shall immediately share information with other competent authorities, control authorities and control bodies as appropriate as well as with the Commission on any established or likely non–compliance affecting the integrity of organic production.

Competent authorities shall share information with other competent authorities and the Commission via a computer system enabling electronic exchanges of documents and information made available by the Commission[115].

2. In addition to the obligations laid down in Article 31 of Regulation (EU) XX/XXXX (Official Controls Regulation), control bodies to whom competent authorities delegated specific official control tasks or other official activities, shall immediately inform those authorities if the results of the controls carried out on operators or group of operators show established or likely non-compliance affecting the integrity of organic production.

3. Upon a request duly justified by the need to guarantee that a product has been produced in accordance with this Regulation, competent authorities, control authorities and control bodies shall exchange information on the results of their controls with other competent authorities, control authorities and control bodies as well as with the Commission.

T9: Articles 26f (EP) and Articles 26g (CSL) to be examined in drafting group on the basis of new Article 23 OCR agreed in trilogue 15.06 on the basis of a COM proposal

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[114] COM comment : Following the insertion of control authorities and control bodies, the related implementing act under Art. 26f should give the possibility to define which actors have to notify which actors.

[115] COM proposal agreed to address the EP request for information to be inserted in a database, including the presence of unauthorised products and substances. COM added on the need of an empowerment for the definition of the information flow among actors. See below Art. 26f

NB: article 26f deleted in CSL mandate, partially replaced by Article 26g (on next page)

[Article 26f (EP mandate)

(to be aligned with BLOC 2 of the official controls regulation approach, when known)

Implementing powers in relation to specific rules on official controls and other official activities

The Commission may, by means of delegated acts, lay down uniform minimum frequency of official controls referred to in paragraph 1 of article 26b, having regard the criteria referred to in point b of paragraph 1 of article 26b.

The Commission may, by means of implementing acts, lay down rules establishing uniform modalities for the performance of official controls and other official activities to verify compliance with the requirements laid down by this Regulation regarding:

a) NB: Provision to be developed, as appropriate, according to the results of discussions on the harmonised approach for non-authorised products or substances – eg. specific rules on the analytical methods to be applied.

b) specific rules for the implementation of the conditions for the delegation of specific official controls tasks and tasks related to other official activities to control bodies as laid down in point (a) of paragraph 1 of Article 26c;

c) the specific information to be provided by the competent authorities, the control authorities and control bodies in charge of official controls and other official activities in accordance with Article 26e [,the relevant recepients of this information], the means by which this information shall be provided, including the modalities of the computer system referred to in paragraph 1 of Article 26e.

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

NB: article 26g CSL not present in EP mandate, some provisions are covered by Art 23 OCR in joint AGRI-ENVI mandate

[Article 26g (CSL mandate)

Delegation of powers and implementing powers in relation to official controls and other official activities for organic production and labelling of organic products

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 36 concerning rules for the performance of official controls and other official activities to verify compliance with the rules on organic production and the labelling of organic products.

Those delegated acts shall lay down rules on the modalities for establishing the likelihood of non-compliance as referred to in Article 26b(1)(c) and the frequency of sampling

2. The Commission may, by means of implementing acts, lay down rules establishing uniform modalities and specific requirements for the performance of official controls and other official activities carried out to verify compliance with the requirements laid down by this Regulation regarding:

- the range of samples and the stage of production, preparation and distribution where samples shall be taken according to the methods to be used for sampling and laboratory analyses established in accordance with Article 33 (7)(a) and (b) of Regulation XX/XXXX (Official Controls Regulation);

- methods and techniques for the official controls and for the performance of official controls aimed at ensuring the traceability of organic products at all staged of production, preparation and distribution;

- -specific reporting obligations for the competent authorities, the control authorities and the control bodies;

- [specific obligations, arrangements and undertaking by operators];

- the cases where the competent authorities, in relation to specific suspicion of non compliance and established non-compliance are to take one or more of the actions and measures referred to in Article 26d (1) and (2);

- the exchange of information between competent authorities, control authorities and control bodies concerning cases of non-compliance or likelihood of non-compliance including the exchange of relevant information on the results of their controls upon a request duly justified by the need to guarantee that a product has been produced in accordance with this Regulation;

- the elements referred to in Article 26b(1)(b) to determine the risk-profile referred to in Article 26b(1)(c) as a condition to exempt operators and groups of operators from the annual physical on-the-spot inspection in accordance with Article 26b(1)(c).

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