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INFORMATION

From:	General Secretariat of the Council
To:	Delegations
Subject:	Working Party on Horizontal Agricultural Questions (Organic farming) on 9 February 2026 - Presentation from the Commission

Item: Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2018/848 as regards certain production, labelling and certification rules and certain rules on trade with third countries

PUBLIC

Working Party on Horizontal Agricultural Questions (Organic Farming)

Brussels, 9 February 2026

European Commission



Block 1

a. Implementation of the CJEU Herbaria II judgment and use of the EU logo

b. Extension of the recognition of equivalence of third countries

Rules on imports from third countries - context

PUBLIC

Recital (2)

- **Rules governing the import** of organic/in-conversion products:
  - **Comply with the Union rules** on organic production**, or**
  - Originate from **third countries** whose organic production and control systems have been **recognised as equivalent** to those of the Union
- Such equivalence may result from:
  - an **international agreement** between the Union and the third country concerned, **or**
  - **recognition** of third countries **for the purpose of equivalence** under **Regulation (EC) No 834/2007**

Herbaria II Ruling

PUBLIC

Recitals (3) & (4)

- In **Case C-240/23 *Herbaria II***, the Court of Justice of the EU (CJEU) interpreted Reg (EU) 2018/848
- The CJEU ruled that products imported from third countries under equivalence **may not bear on their labelling**:
  - the **EU organic production logo, or**
  - in principle, **terms referring to organic production**
- The CJEU further ruled that the **third-country organic logo may be used, even if it contains terms identical to those referring to organic production** (within the meaning of Article 30(1) of Reg (EU) 2018/848 and Annex IV thereof)

Terms referring to organic production

PUBLIC



Terms referring to organic production

PUBLIC

Recitals (5) & (6)

- **Terms referring to organic production**, including derivatives and diminutives, are used in the Union and in third countries to indicate that products and their ingredients have been produced **in accordance with applicable organic production methods**

- This approach is also reflected in the **Codex Alimentarius guidelines (CAC/GL 32)**
  - where terms such as ‘organic’, ‘biological’ or ‘ecological’ are referenced to suggest compliance with organic production methods

- Certain organic production rules in third countries recognised as equivalent require **the use of such terms on a mandatory basis** for products and ingredients produced following their organic production rules

- Not all third countries recognised as equivalent have an **own organic production logo**

Terms referring to organic production

PUBLIC

Recitals (6) & (7)

- **Prohibiting the use of terms** referring to organic production would:
  - **deprive operators** in third countries under equivalence of the possibility to indicate the organic status of their products, and
  - **prevent purchasers** in the Union from being informed that such products originate from organic production methods of their countries of origin

- **Products imported from equivalent third countries should therefore be allowed to bear terms** referring to organic production

Terms referring to organic production

PUBLIC

Proposed amendment to Article 30

(a) paragraph 1 is replaced by the following:

Current paragraph 1

1. For the purposes of this Regulation, a product shall ~~**be regarded as bearing**~~ terms referring to organic production where, in the labelling, advertising material or commercial documents, such a product, its ingredients or feed materials used for its production are described in terms suggesting to the purchaser that the product, ingredients or feed materials have been produced in accordance with this Regulation. In particular, the terms listed in Annex IV and their derivatives and diminutives, such as 'bio' and 'eco', whether alone or in combination, may be used throughout the Union and in any language listed in that Annex for the labelling and advertising of products referred to in Article 2(1) which comply with this Regulation.

Amended paragraph 1

1. For the purposes of this Regulation, a product shall **bear** terms referring to organic production where, in the labelling, advertising material or commercial documents, such a product, its ingredients or feed materials used for its production are described in terms suggesting to the purchaser that the product, ingredients or feed materials have been produced in accordance with this Regulation. In particular, the terms listed in Annex IV and their derivatives and diminutives, such as 'bio' and 'eco', whether alone or in combination, may be used throughout the Union and in any language listed in that Annex for the labelling and advertising of products referred to in Article 2(1) which comply with this Regulation **or are imported from a third country under the conditions laid down in Article 45(1), points (b)(ii) or (iii), for the purpose of placing such products on the market within the Union as organic products.**

Terms referring to organic production

PUBLIC

Proposed amendment to Article 30

(b) in paragraph 2, the first subparagraph is replaced by the following:

Current paragraph 2, 1st subparagraph	Amended paragraph 2, 1st subparagraph
2. For the products referred to in Article 2(1), the terms referred to in paragraph 1 of this Article shall not be used anywhere in the Union, in any language listed in Annex IV, for the labelling, advertising material or commercial documents of a product which does not comply with this Regulation.	2. For the products referred to in Article 2(1), the terms referred to in paragraph 1 of this Article shall not be used anywhere in the Union, in any language listed in Annex IV, for the labelling, advertising material or commercial documents of a product which does not comply with this Regulation **or is not imported from a third country under the conditions laid down in Article 45, points (b)(ii) or (iii), for the purposes of placing that product on the market within the Union as an organic product.**
(…)	(…)

Use of the EU organic logo

PUBLIC



Third countries under equivalence

PUBLIC

Recitals (8) & (9)

- Recognition of a third country's organic production and control system as equivalent means that the **system meets the same objectives and principles** as those of the Union, while applying rules that ensure the same level of assurance of conformity, even if achieved through different means

- Differences between EU rules and the ones applied in third countries under equivalence are **intrinsic to the equivalence scheme:**

  - **some concern rules** that play an important role in the structure of the EU organic system and contribute to achieving the objectives of:
    - satisfying **consumer expectations** regarding organic products, and
    - **ensuring fair competition** within the internal market between products fully complying with Union rules and those complying with equivalent rules

- These rules concern, in particular, **living soil, animal welfare standards, and processing** of food using minimum artificial inputs

EU organic production logo

PUBLIC

Recital (10)

- Last Eurobarometer survey on ‘Europeans, Agriculture and the CAP’ indicated that the **EU organic production logo** is the food product logo of which **Europeans are the most aware**

- The EU organic logo is **essential for**:
  - **consumers,** as it makes it easier to identify organic products, and
  - **producers,** as it helps them to market organic products across the Union

Use of the EU organic logo

PUBLIC

Recitals (11) & (12)

- In order to ensure **fair competition** within the internal market and to respond to **consumer expectations** that imported organic products meet standards as high as those of the Union, the **EU organic production logo should be allowed for products** imported from third countries under equivalence**, provided that, i**n addition to compliance with third countries equivalent rules, they comply with **additional production and control requirements that play an important role in the structure of organic production in the Union.**

  - This contributes to **satisfying consumer expectations** as regards organic products whilst **ensuring fair competition** within the internal market

Use of the EU organic logo

PUBLIC

Proposed amendment to Article 33 [**additions/changes to current Article 33**]

(4) Article 33 is replaced by the following:

'*Article 33*

Organic production logo of the European Union

1. The organic production logo of the European Union may be used in the following cases:

(a) in the labelling, presentation and advertising of products which are produced in accordance with the rules laid down in Chapters II, III and IV;

(b) in the labelling, presentation and advertising of products that are imported in accordance with of Article 45(1), points (b)(ii) or (iii), and that comply with the requirements set out in Annex VII;

(c) for processed food referred to in Article 30(5), point (a), and processed feed referred to in Article 30(6), with ingredients that are imported in accordance with Article 45(1), points (b)(ii) or (iii), provided that those ingredients comply with the requirements set out in Annex VII or represent less than 5% of the organic agricultural ingredients of the product by weight for processed food or less than 5% of the organic ingredients of agricultural origin that are contained in the processed feed;

Use of the EU organic logo

PUBLIC

Proposed Annex VII

(g) The following Annex is added:

'ANNEX VII

Requirements referred to in Article 32(1), point (b) and Article 33(1), points (b) and (c):

(1) point 1.2 of Part I of Annex II;

(2) point 1.7.5 of Part II of Annex II;

(3) point 1.7.11 of Part II of Annex II;

(4) point 2.2.2(f) of Part IV of Annex II'.

Use of the EU organic logo

PUBLIC

Proposed elements of Annex VII

Point 1.2 of Part I of Annex II

- Prohibition of **hydroponic production**

Point 1.7.5 of Part II of Annex II

- Prohibition of **tethering or isolation of livestock**

Point 1.7.11 of Part II of Annex II

- Prohibition of loading and unloading of animals with the use of any type of **electrical or other painful stimulation** to coerce the animals as well as the use of **allopathic tranquillisers**, prior to or during transport

Point 2.2.2(f) of Part IV of Annex II

- **Use of minerals, vitamins, amino acids and micronutrients** only in the cases foreseen by point 2.2.2(f)

Use of the EU organic logo

PUBLIC

Proposed amendment to Article 33 [**additions/changes to current Article 33**]

(d) for information and educational purposes related to the existence and advertising of the logo itself, provided that such use is not liable to mislead the consumer as regards the organic production of specific products, and provided that the logo is reproduced in accordance with the rules set out in Annex V. In such case, the requirements of Article 32(2) and point 1.7 of Annex V shall not apply.

The organic production logo of the European Union shall not be used for processed food referred to in Article 30(5), points (b) and (c), and for in-conversion products as referred to in Article 30(3).

2. Except where used **in accordance with paragraph 1, point (d)**, the organic production logo of the European Union is an official attestation in accordance with Articles 86 and 91 of Regulation (EU) 2017/625.

3. The use of the organic production logo of the European Union shall be optional for products imported from third countries. Where that logo appears in the labelling of such products **in accordance with paragraph 1**, the indication referred to in Article 32(2) shall also appear in the labelling.

4. The organic production logo of the European Union shall follow the model set out in Annex V, and shall comply with the rules set out in that Annex.

Use of the EU organic logo

PUBLIC

Recital (13)

- The **Commission should be empowered to adopt delegated acts to add or amend those additional rules** where production and control rules change in the Union or in third countries under equivalence

Use of the EU organic logo

PUBLIC

Proposed amendment to Article 33 [**additions/changes to current Article 33**]

5. National logos and private logos may be used in the labelling, presentation and advertising of products which comply with this Regulation.

6. The Commission is empowered to adopt delegated acts in accordance with Article 54 amending Annex V as regards the organic production logo of the European Union and the rules relating thereto.

7. The Commission is empowered to adopt delegated acts in accordance with Article 54 amending Annex VII on the use of the organic production logo of the European Union for products imported in accordance Article 45(1), with points (b)(ii) or (iii), by adding requirements that need to be met to fulfil consumers' expectations and maintain fair competition on the Union market of organic products, or by amending those added requirements, as regards in particular the use of sustainable systems for plant production, of livestock production systems ensuring animal welfare and sustainable nutrition, of food processing methods using minimum artificial inputs, while at the same time taking into account third countries' specificities for products not grown or processed in the Union.';

Use of the EU organic logo

PUBLIC

Recital (14)

- Operators in the Union producing organic food and feed rely on **organic ingredients imported from equivalent third countries**; such ingredients are used in variable proportions and are necessary for a large variety of organic products processed in the Union

- Processing operations in the Union, when using those ingredients, take place in compliance with the production rules set out in **Reg (EU) 2018/848**

- The **EU organic logo** should be allowed for products processed in the Union containing organic ingredients produced under Reg (EU) 2018/848 or imported from third countries under equivalence, and **where those imported ingredients account for 5% or less** of the agricultural ingredients of the product (by weight for food and in general for feed)

- Where those imported ingredients account **for more than 5%**, the EU organic logo should be allowed provided that, **in addition** to compliance with third countries equivalent rules, those ingredients comply with **the additional rules set out in Annex VII**

Use of the EU organic logo

PUBLIC

Proposed amendment to Article 33 [**additions/changes to current Article 33**]

(4) Article 33 is replaced by the following:

'*Article 33*

Organic production logo of the European Union

1. The organic production logo of the European Union may be used **in the following cases:**

(a) in the labelling, presentation and advertising of products which are produced in accordance with the rules laid down in Chapters II, III and IV;

(b) in the labelling, presentation and advertising of products that are imported in accordance with of Article 45(1), points (b)(ii) or (iii), and that comply with the requirements set out in Annex VII;

(c) for processed food referred to in Article 30(5), point (a), and processed feed referred to in Article 30(6), with ingredients that are imported in accordance with Article 45(1), points (b)(ii) or (iii), provided that those ingredients comply with the requirements set out in Annex VII or represent less than 5% of the organic agricultural ingredients of the product by weight for processed food or less than 5% of the organic ingredients of agricultural origin that are contained in the processed feed;

Use of the EU organic logo

PUBLIC

Recital (15)

- Reg (EU) 2018/848 provides that use of the **EU organic logo is obligatory for all organic prepacked food** produced in the EU (cfr. Recital 77 and Article 32(1)(b) of the basic act)

- It is therefore **necessary to exclude from that obligation** prepacked food produced in the Union **with ingredients imported from third countries under equivalence**:

  - where those ingredients **account for more than 5%** of the agricultural ingredients of the product by weight, **and do not comply with** certain additional production and control requirements

Use of the EU organic logo

PUBLIC

Proposed amendment to Article 32(1)

(3) in Article 32(1), point (b) is replaced by the following:

Current point (b)

1. Where products bear terms as referred to in Article 30(1), including products labelled as in-conversion products in accordance with Article 30(3): (a) the code number of the control authority or control body to which the operator that carried out the last production or preparation operation is subject shall also appear in the labelling; and

(b) in the case of prepacked food, the organic production logo of the European Union referred to in Article 33 shall also appear on the packaging, except in cases referred to in Article 30(3) and points (b) and (c) of Article 30(5).

Amended point (b)

(b) In the case of prepacked food, the organic production logo of the European Union referred in Article 33 shall also appear on the packaging, except in the following cases:

- in the case referred to in Article 30(3);

- in the cases referred to in points (b) and (c) of Article 30(5);

- in the cases where the processed food as referred to in point (a) of Article 30(5) is made with ingredients imported in accordance with Article 45(1), points (b)(ii) or (iii) and where such ingredients account for more than 5% of the organic agricultural ingredients of the product by weight of the processed food and do not comply with the requirements set out in Annex VII.

Extensions of equivalence recognitions

PUBLIC



Extension of recognitions

PUBLIC

Recital (18)

- The **recognitions of the 11 third countries**, whose organic production and control systems have been recognised as equivalent under the previous organic legislation (Reg 834/2007), will **expire on 31 December 2026**

- In 2021, the Council authorised the Commission to open negotiations with those **11 third countries under equivalence** with a view to concluding international agreements on trade in organic products

- The **technical exchanges with third countries show different levels of progress**, due to the diversity of legal and regulatory frameworks

- **To avoid disruptions** in the trade of organic products, it is **necessary and urgent** to continue the recognition of these third countries **until 31 December 2036**

Extension of recognitions

PUBLIC



- **Postponement of expiry** enables both EU and each concerned third country to finalise technical exchanges, negotiations and internal procedures **necessary for ratifying agreements**

Extension of recognitions

PUBLIC

Proposed amendment to Article 48(1)

(7) in Article 48(1), second subparagraph, the date '31 December 2026' is replaced by '31 December 2036'

Current paragraph 1

1. A recognised third country referred to in point (b)(iii) of Article 45(1) is a third country which has been recognised for the purposes of equivalence under Article 33(2) of Regulation (EC) No 834/2007, including those recognised under the transitional measure provided for in Article 58 of this Regulation.

That recognition shall expire on **31 December 2026**

Amended paragraph 1

1. A recognised third country referred to in point (b)(iii) of Article 45(1) is a third country which has been recognised for the purposes of equivalence under Article 33(2) of Regulation (EC) No 834/2007, including those recognised under the transitional measure provided for in Article 58 of this Regulation.

That recognition shall expire on **31 December 2036**

Extension of recognitions

PUBLIC

Estimations of cost savings

- Without equivalence arrangements, **EU operators** would need to be certified as **complying with third countries' national schemes** in order to export their goods
  - E.g., USDA organic, COR organic, JAS organic etc.

- These certifications would **increase administrative costs** for EU operators
  - **Negatively affecting competitiveness** on third country markets either through reduced benefits or increased selling prices

- **Total administrative cost savings** for certification costs in main third countries are **estimated at €15 million annually**
  - Average certification costs for a third country estimated with €750 per operator annually

- **Total administrative cost savings** for operators from third countries under equivalence are **estimated at €1.5 million annually**
  - Average certification costs for certification under the EU compliance import scheme estimated with €750 per operator annually

PUBLIC

Block 2

a. Animal production – Poultry

b. Veterinary treatment – Withdrawal periods

Animal production – Poultry

PUBLIC



Access to open air areas for young poultry

PUBLIC

Recital (21)

- Annex II, Part II, point 1.9.4.4 (e) of Reg (EU) 2018/848 requires for poultry continuous **daytime open air access** as early as practically possible

- In cases of split-rearing systems, poultry may be reared first in a poultry house (of a production unit on a holding) that structurally lacks open air access and, later, transferred to another poultry house (including in a production unit of another holding)

- This can put **at risk safety of young, unfeathered birds** because they need:
  - stable temperatures to develop feeding and drinking behaviours
  - immunisation against infections
  - shelter from any predators

- Thus, open air access should **only be required** for birds that are **sufficiently feathered** to regulate their body temperature when exposed to outdoor conditions

Access to open air areas for young poultry

PUBLIC

Proposed amendment to Annex II, Part II, point 1.9.4.4

(i) point (e) is replaced by the following:

Current point (e)	Amended point (e)
(e) continuous daytime open air access shall be provided from as early an age as ~~**practically possible**~~ **and whenever physiological and physical conditions allow,** except where temporary restrictions have been imposed on the basis of Union legislation;	e) continuous daytime open air access shall be provided from as early an age as **birds are sufficiently feathered to regulate their body temperature when exposed to outdoor climatic conditions and whenever physiological and physical conditions allow,** except where temporary restrictions have been imposed pursuant to Union legislation;

Access to open air areas for young poultry

PUBLIC

Estimations of cost savings

- **7 million young poultry animals** are potentially covered by current requirements
  - One-off adjustment costs to comply are estimated at €15.6 per young poultry head
- Proposed measure may result in **one-off adjustment cost savings of €109.2 million** for operators
- In addition, recurring adjustment cost savings are estimated at **€11.9 million annually** for operators
  - Costs linked to losing young poultry animals are estimated at €1.7 per young poultry head

Poultry houses

PUBLIC

Recital (22)

- Annex II, Part II, Point 1.9.4.4(m) of Reg (EU) 2018/848 provides that the total usable surface area for fattening poultry in poultry houses of any production unit must not exceed 1 600 m^2

- This rule **limits development** of fattening poultry production without additional benefit to animal welfare and the environment

- Therefore, the proposal defines the maximum usable surface area **at the level of poultry houses instead of production unit**

Poultry houses

PUBLIC

Proposed amendment to Annex II, Part II, point 1.9.4.4

(ii) point (m) is replaced by the following:

Current point (m)	Amended point (m)
(m) the total usable surface area for fattening poultry in poultry houses ~~**of any production unit**~~ shall not exceed 1 600 m^2;	(m) the total usable surface area for fattening poultry in poultry houses **shall not exceed 1 600 m^2 in any poultry house**;

Poultry houses

PUBLIC

Estimations of cost savings

- About **16 million fattening poultry** that are in holdings potentially affected by the current requirements
  - ➢ Administrative (recurrent) costs of complying are estimated at €1.56 per head of poultry

➢ Proposed measure may result in **administrative cost savings of €25 million annually** for operators

Quails

PUBLIC

Recital (19)

- Annex II, Part II, point 1.2.2 (c) of Reg (EU) 2018/848 lays down a **conversion period** for poultry for meat production

- Annex II, Part II, point 1.9.4.1 of Reg (EU) 2018/848 lays down a **minimum age at slaughter** in case where slow-growing poultry strains are not used
  - However, no specific conversion period or minimum age at slaughter for quails

- **Quails' production cycle is shorter** than the one applicable to other species
  - Conversion period of **10 weeks is not appropriate** for quails
  - Quails are slaughtered from **42 days of age**
  - With a conversion period of **5 weeks, one week shorter than the age at slaughter**

Quails

PUBLIC

Proposed amendment to Annex II, Part II, point 1.2.2.

(a) in point 1.2.2., points (c) and (d) are replaced by the following:

Current points (c) and (d)	Amended points (c) and (d)
(c) 10 weeks for poultry for meat production, except for Peking ducks, brought in before they are three days old;	(c) 10 weeks for poultry for meat production, except for Peking ducks **and quails**, brought in before they are three days old;
(d) seven weeks for Peking ducks brought in before they are three days old;	(d) seven weeks for Peking ducks **and five weeks for quails** brought in before they are three days old;

Proposed amendment to Annex II, Part II, point 1.9.4.1, third subparagraph

[addition of]

(j) 42 days for quails.

Veterinary treatment – Withdrawal periods

PUBLIC



Withdrawal periods for veterinary treatments – terrestrial animals

PUBLIC

Recital (20)

- Annex II, Part II, point 1.5.2.5 of Reg (EU) 2018/848 provides that for **terrestrial animals**:
  - Withdrawal period must be twice the normal withdrawal period and with a minimum of 48 hours
  - Thus, even if withdrawal period is zero days, period must be minimum 48 hours
- Annex II, Part III, point 3.1.4.2(f) of Reg (EU) 2018/848 provides that **for aquaculture:**
  - Withdrawal period must be twice the normal period or minimum 48 hours if no period is specified
- To avoid burden for terrestrial animals, **provisions should be aligned** with aquaculture

Withdrawal periods for veterinary treatments – terrestrial animals

PUBLIC

Proposed amendment to Annex II, Part II

(b) point 1.5.2.5. is replaced by the following:

Current point	Amended point
1.5.2.5. The withdrawal period ~~**between the last administration to an animal of a chemically synthesised allopathic veterinary medicinal product, including of an antibiotic, under normal conditions of use, and the production of organically produced foodstuffs from that animal shall be twice the withdrawal period referred to in Article 11 of Directive 2001/82/EC, and shall be at least 48 hours.**~~	1.5.2.5. The withdrawal period**, as defined in Article 4, point (34), of Regulation (EU) 2019/6 of the European Parliament and of the Council*, of a chemically synthesized allopathic veterinary medicinal product, including of an antimicrobial veterinary medicinal product, shall be twice the withdrawal period referred to in:** **(a) the product information for veterinary medicinal products used within the terms of their marketing authorisation; or** **(b) Article 115 of that Regulation, where a medicinal product is used outside of the terms of the marketing authorisation in accordance with Article 113 of that Regulation.**

* Regulation (EU) 2019/6 of the European Parliament and of the Council of 11 December 2018 on veterinary medicinal products and repealing Directive 2001/82/EC (OJ L 4, 7.1.2019, p. 43, ELI: http://data.europa.eu/eli/reg/2019/6/oj).

Withdrawal periods for veterinary treatments – terrestrial animals

PUBLIC

Proposed amendment to Annex II, Part II – adjustments to references and wording

- Appropriate references to the horizontal legislation on veterinary medicinal products, Reg.(EU) 2019/6 that repealed Directive 2001/82 (see Annex IV for correlation table)
- Reference to the definition of withdrawal period: Article 4, point (34) of Reg.(EU) 2019/6
- “Between the last administration to an animal” removed since redundant
- “Antibiotic” replaced with “antimicrobial veterinary medicinal product”
- “Under normal conditions of use” removed. Not relevant anymore as all cases of conditions of use are covered by Reg.(EU) 2019/6
- “The production of organically produced foodstuffs from that animal” removed since redundant
- Differentiation as per Reg.(EU) 2019/6, between the use of veterinary medicinal products **within** and **outside of** the terms of their marketing authorisation, with appropriate references to Articles 113 and 115 of Reg.(EU) 2019/6

Withdrawal periods for veterinary treatments – aquaculture

PUBLIC

Proposed amendment to Annex II, Part III

(b) in Part III, point 3.1.4.2(f) is replaced by the following:

Current point (f)

(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 referred to in Article 11 of Directive 2001/82/EC or, where this period is not specified, 48 hours;**~~

Amended point (f)

The withdrawal period**, as defined in Article 4, point (34), of Regulation (EU) 2019/6, of an allopathic veterinary medicinal product shall be twice the withdrawal period referred to in:**

(a) the product information for veterinary medicinal products used within the terms of their marketing authorisation; or

(b) Article 115 of that Regulation, where a medicinal product is used outside the terms of the marketing authorisation in accordance with Article 114 of that Regulation.

Withdrawal periods for veterinary treatments – aquaculture

PUBLIC

Proposed amendment to Annex II, Part III – adjustments to references and wording

- Appropriate references to the horizontal legislation on veterinary medicinal products, Reg.(EU) 2019/6 that repealed Directive 2001/82 (see Annex IV for correlation table)
- Reference to the definition of withdrawal period: Article 4, point (34) of Reg.(EU) 2019/6
- “Parasite treatment” removed since redundant
- “Veterinary treatment” replaced with “veterinary medicinal product”
- “Treatments under compulsory control and eradication schemes” removed since redundant
- Differentiation as per Reg.(EU) 2019/6, between the use of veterinary medicinal products **within** and **outside of** the terms of their marketing authorisation, with appropriate references to Articles 114 and 115 of Reg.(EU) 2019/6

Withdrawal periods for veterinary treatments

PUBLIC

Estimations of cost savings

- **Likely ~190 million eggs cannot be sold as organic** due to current rules
  - On average, laying hens are treated four times per year with products having a zero-day withdrawal period

- These are either sold under other labels, conventional or destroyed
  - Proposed measure may bring **EUR 9.5 million in annual adjustment cost savings** for operators

PUBLIC

Block 3

a. Cleaning and disinfection of facilities

b. Exemption for smaller operators from certification

c. Requirements for the composition of groups of operators

Cleaning and disinfection

PUBLIC



Cleaning and disinfection

PUBLIC

Recital (1)

- Article 24(1) of Reg (EU) 2018/848: **provisions for the authorisation of products and substances** for use in organic production
  - E.g., **cleaning and disinfection products** in processing and storage facilities
  - Commission may include them in **restrictive lists**

- However, establishing such lists poses **numerous challenges:**
  - **Large number of products** and substances currently available in the Union
  - Processing and storage takes place in **many different types of establishments**, involving use of a **wide range of equipment**, machinery and buildings
  - Equipment and machinery must be cleaned and disinfected according to **manufacturers' specifications** to ensure appropriate maintenance and operation
  - See also EGTOP reports in this regard

- The proposal **removes** the requirement for the Commission to authorise and include them in **restrictive lists**

Cleaning and disinfection

PUBLIC

Proposed amendments

(1) in Article 24(1), point (g) is deleted;

- ~~**(g) as products for cleaning and disinfection in processing and storage facilities.**~~

(c) in Annex II, part IV (Processed food production rules), point 2.2.3. is deleted;

- ~~**2.2.3. Only the products for cleaning and disinfection authorised pursuant to Article 24 for use in processing shall be used for that purpose.**~~

(d) in Annex II, part V (Processed feed production rules), point 2.4. is deleted;

- ~~**2.4. Only the products for cleaning and disinfection authorised pursuant to Article 24 for use in processing shall be used for that purpose.**~~

(e) in Annex II, part VII (Yeast used as food or feed), point 1.4. is deleted;

- ~~**1.4. Only the products for cleaning and disinfection authorised pursuant to Article 24 for use in processing shall be used for that purpose.**~~

(f) in Annex III, point 7.5. (storage facilities) is deleted;

- ~~**7.5. Only the products for cleaning and disinfection authorised pursuant to Article 24 for use in organic production shall be used in storage facilities for that purpose.**~~

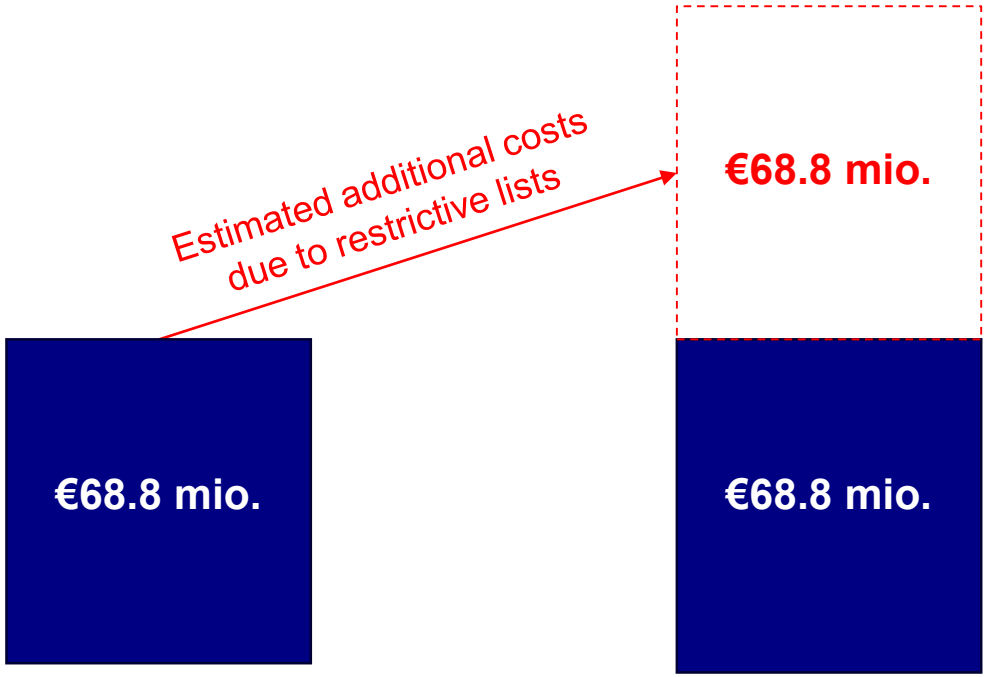
Cleaning and disinfection

PUBLIC

Estimations of cost savings

- EU food and feed processors of organic products spend a total of EUR 68.8 million p.a.

➢ **Repealing restrictive lists could avoid a doubling of annual adjustment costs**



Exemption on operator certificate

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Exemption on operator certificate

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Recital (16)

- Article 35(8) of Reg (EU) 2018/848 lays down conditions under which Member States may **exempt smaller operators** from the obligation to be in possession of an **operator certificate** pursuant to Article 35(1)
- The current requirements have **created barriers:**
  - **Increased turnovers of unpacked organic products** other than feed due to increasing costs
  - Difficulties in respecting the **turnover-related conditions**
  - In turn, results in **higher costs due to obligation** of possessing certificate
- To allow smaller operators to qualify for exemption:
  - abolish conditions relating to **annual turnover rules**,
  - while **increasing annual sales** conditions

Exemption on operator certificate

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Proposed amendment to Article 35(8)

(5) in Article 35(8), the first subparagraph is replaced by the following:

Current subparagraph	Amended subparagraph
8. Member States may exempt from the obligation to be in the possession of a certificate, provided for in paragraph 2, operators that sell unpacked organic products other than feed directly to the final consumer, provided that those operators do not produce, prepare, store other than in connection with the point of sale, or import such products from a third country, or subcontract such activities to a third party, **and provided that:** ~~**(a) such sales do not exceed 5 000 kg per year;**~~ ~~**(b) such sales do not represent an annual turnover in relation to unpacked organic products exceeding EUR 20 000; or**~~ ~~**(c) the potential certification cost of the operator exceeds 2 % of the total turnover on unpacked organic products sold by that operator.**~~	8. Member States may exempt from the obligation to be in the possession of a certificate referred to in paragraph 2 operators that sell unpacked organic products other than feed directly to the final consumer, provided that those operators do not produce, prepare, store other than in connection with the point of sale, or import such products from a third country, or subcontract such activities to a third party, **and provided that such sales do not exceed 10 000 kg per year.**

Exemption on operator certificate

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Estimations of cost savings

- **19 500 operators** expected to benefit from amended conditions
  - 75% are in MS where inspection/certification costs are covered by public authorities
  - Average annual cost are estimated at €400 per non-exempted operator

- Thus, amendment could bring **administrative cost savings of €7.8 million annually**
  - €5.9 million for administrators and €1.9 million for operators

Composition of groups of operators

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Composition of groups of operators

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Recital (17)

- Evidence shows **implementation challenges** of Reg (EU) 2018/848 **provisions on the composition of groups of operators**. Difficulties include:
  - requirements regarding the **annual turnover** in light of increasing costs and
  - issues on the **legal personality, due to administrative costs** and **reorganisation of producer groups** currently in e.g., farmer cooperative associations, operator cooperatives, associations, federations or organisations
- These difficulties **prevent smaller operators from becoming members**
  - Hinders development of organic farming in the EU and third countries
- Reorganisations in third countries can affect supply chains, risking trade disruptions
- The proposal abolishes **annual turnover requirements**, while **increasing maximum eligible surface** requirement

Composition of groups of operators

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Proposed amendment to Article 36(1)

(a) point (b) is replaced by the following:

Current point (b)

(b) only be composed of members:

~~**(i) of which the individual certification cost represents more than 2 % of each member's turnover or standard output of organic production and whose annual turnover of organic production is not more than EUR 25 000 or whose standard output of organic production is not more than EUR 15 000 per year; or**~~

~~**(ii) who have each holdings of maximum:**~~

~~**— five hectares,**~~

~~**— 0,5 hectares, in the case of greenhouses, or**~~

~~**— 15 hectares, exclusively in the case of permanent grassland;**~~

Amended point (b)

(b) only be composed of members **who each have holdings of maximum:**

— (i) 10 hectares,

— (ii) one hectare, in the case of greenhouses, or

— (iii) 30 hectares, exclusively in the case of permanent grassland;

Composition of groups of operators

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Proposed amendment to Article 36(1)

(b) point (d) is replaced by the following:

Current point (d)	Amended point (d)
(d) have legal personality;	(d) have legal personality **or be part of a farmer cooperative association, operator cooperative, association, federation or organisation that has legal personality;**

Composition of groups of operators

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Estimations of cost savings

- Estimations concern **third-country operators** supplying the EU market, where groups of operators are widely used
  - Notably, in Latin America, the Caribbean, Asia, Africa and the non-EU Mediterranean area
  - Around 70% of groups, covering around 1.1 million farmers, are expected to benefit
  - Average cost savings of around €70 per member, linked to reduced administrative certification requirements

➢ Administrative **cost savings estimated at €77 million annually** (occurring outside the EU)

Conclusion

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Thank you



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