



# **GUIDANCE DOCUMENT ON EUROPEAN UNION ORGANIC STANDARDS**

**January 2010**

**Please note that this is a living document that will be updated and amended as necessary. There are currently omissions under paragraph 28, Appendix 1 and Appendix 5 of the document as we are awaiting clarification from various sources before we can provide guidance in these areas. We will provide guidance in these areas as soon as we have received the necessary clarification.**

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# GUIDANCE DOCUMENT ON EUROPEAN UNION ORGANIC STANDARDS

## INTRODUCTION

### PURPOSE

1. This document has been produced to assist those who produce, prepare, store, import from a non-EU country or market organic products (referred to in this document and in the EU Regulations as operators) and the inspection bodies which licence them (referred to in this document and in the EU Regulations as control bodies) with implementing the new framework of EU organic standards which came into effect on 1 January 2009.

These standards are set out in

- Council Regulation (EC) No. 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No. 2092/91<sup>1</sup> (referred to in this document as 834/2007); and
- Commission Regulation (EC) No.889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation (EC) No. 834/2007 of 28 June 2007 on organic production and labelling of organic products with regard to organic production labelling and control<sup>2</sup> (referred to in this document as 889/2008);
- Commission Regulation (EC) No 1235/2008 of 8 December 2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries<sup>3</sup> (referred to in this document as 1235/2008);
- Commission Regulation (EC) No 1254/2008 of 15 December 2008 amending Regulation (EC) No 889/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control<sup>4</sup> (referred to in this document as 1254/2008)(regulation regards organic yeast and hard-boiled egg shell colourings); and
- Commission Regulation (EC) No 710/2009 of 5 August 2009 amending Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007, as regards laying down detailed rules on organic aquaculture animal and seaweed production<sup>5</sup> (referred to in this document as 710/2009) which enters into force on 1 July 2010.

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<sup>1</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:189:0001:0023:EN:PDF>

<sup>2</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:250:0001:0084:EN:PDF>

<sup>3</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:334:0025:0052:EN:PDF>

<sup>4</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:337:0080:0082:EN:PDF>

<sup>5</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:204:0015:0034:EN:PDF>

The Organic Product Regulations 2009 (SI 2009 No. 842)<sup>6</sup> provide for the administration and enforcement of the above EU Regulations in the UK.

## CONTENT

### 2. This document

- draws attention to the provisions of 834/2007 and 889/2008 which must be observed by control bodies and operators;
- offers guidance on the interpretation of particular provisions of 834/2007 and 889/2008; and
- describes how Defra (which is the competent authority responsible for ensuring the effective implementation of 834/2007 and 889/2008 in the UK) applies the provisions of 834/2007 and 889/2008 that are left to its discretion.

Operators should familiarise themselves with Regulations 834/2007 and 889/2008 as well as with this Document.

3. There is a separate Guidance Document that clarifies the requirements of the EU legislation on imports of organic produce from outside the EU (Commission Regulation (EC) 1235/2008) at <http://www.defra.gov.uk/foodfarm/growing/organic/imports/pdf/1235-2008.pdf> .

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<sup>6</sup> [http://www.opsi.gov.uk/si/pdf/uksi\\_20090842\\_en.pdf](http://www.opsi.gov.uk/si/pdf/uksi_20090842_en.pdf)

## **THE EU REGULATIONS**

### **GENERAL ISSUES**

#### **OBJECTIVES AND OVERALL PRINCIPLES**

4. One of the objectives of the review of EU legislation on organic standards preceding the development of 834/2007 was to set out a vision of the objectives which should inform organic production and set out a coherent set of overall principles on which organic production should be based. These objectives and principles, which are set out in Articles 3 and 4 of 834/2007, form the general basis on which the appropriateness of operators' activities and planned activities are to be judged.

4A The Regulations cover live or unprocessed agricultural and aquaculture products and processed agricultural and aquaculture products for use as food or feed. The Regulations do not cover products which have been processed into other products which are not food or feed, for example, textiles or personal care items, nor do they cover forestry products or medicinal products.

#### **WHO IS SUBJECT TO THE REGULATIONS**

5. Article 28 (1) of 834/2007 explains that those in the EU who produce, prepare, store, import from a non-EU country, export to a non-EU country or market organic products must make themselves known to the competent authority for the Member State in which they are situated and comply with the control system for organic production. This is done through registering with a control body; paragraphs 65 to 77 below explain how this works. However, Article 1 of 834/2007 explains that "mass catering operations" as defined in its Article 2 (aa) are not subject to the EU control system. Such operations may however be subjected to national rules as is the case in some EU Member states. Pending the introduction of such rules in the UK, mass catering operations are simply subject to general consumer protection law.

6. Two other classes of operator are also not subject to the full impact of the control system. Article 28 of 834/2007 permits Defra to exempt from the control system operators who sell organic products directly to the final consumer or user provided they do not "produce, prepare, store other than in connection with the point of sale, or import such products from a third country". This provision has been used to continue to exempt retailers selling prepackaged goods and their distribution hubs from the control system. Since 1 January 2009, when 834/2007 came into effect, wholesale and storage operations have been subject to the control system. However, the Regulation's Article 27(3) provides for any wholesalers and storage operations dealing with prepackaged goods not to be subject to the annual verification required to be applied to all other operators. These operators must be registered and, as a minimum, be subject to an initial physical inspection, followed by a physical inspection at least every three years. Where appropriate, desk reviews will be conducted in the intervening years. For this purpose wholesalers are those who take title to the prepacked product and storage operations are operators which handle prepacked goods but do not take title to the product.

## **CONTROL BODIES**

7. The organic control bodies approved by Defra<sup>7</sup> and two approved by the Irish Authorities which operate in Northern Ireland<sup>8</sup> remain an essential component of the organic control system. All of these control bodies apply the standards required by 834/2007 and 889/2008 but some apply additional standards and some may be more suitable for particular types of operators than others. Operators are therefore advised to look carefully at what each control body offers before proceeding with registration.

## **GMOS**

8. Article 9 of 834/2007 maintains the existing prohibition on the use of GMOs or products produced from or by GMOs in organic production. However, Article 9 of 834/2007 permits operators, in the case of products to which the GMO labelling rules apply, to accept the absence of a GMO declaration on the labelling of the inputs they use as compliance with the prohibition on the use of GMOs. For products to which the GMO labelling rules do not apply (see [http://www.food.gov.uk/gmfoods/gm/gm\\_labelling](http://www.food.gov.uk/gmfoods/gm/gm_labelling) for a guide to which products are subject to GMO labelling) operators must obtain vendor declarations modelled on Annex XIII of 889/2008 that the product has not been produced by or from GMOs<sup>9</sup>. However, it remains the case that if an input is tested and is found to contain a GMO it must not be used in organic production.

## **IONISING RADIATION**

8A. Article 10 of 834/2007 prohibits the use of ionising radiation which is defined as the transfer of energy in the form of particles or electromagnetic waves of a wavelength of 100 nanometer or less or a frequency of  $3 \times 10^{15}$  Hertz or more capable of producing ions directly or indirectly. However, this prohibition does not apply in the case of:

- (a) foodstuffs exposed to ionising radiation generated by measuring or inspection devices, provided that the dose absorbed is not greater than 0.01 Gy for inspection devices which utilise neutrons and 0.5 Gy in other cases, at a maximum radiation energy level of 10 MeV in the case of X-rays, 14 MeV in the case of neutrons and 5 MeV in other cases;
- (b) the irradiation of foodstuffs which are prepared for patients requiring sterile diets under medical supervision.

## **RULES APPLYING TO CONVERSION OF LAND**

9. The rules applying to conversion are set out in Article 17 of 834/2007 and Articles 36 and 37 of 889/2008. As a normal rule land must complete a conversion period of not less than two years (three years in the case of perennial crops other

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<sup>7</sup> Ascisco, the Biodynamic Agriculture Association, Organic Farmers & Growers Ltd, the Organic Food Federation, , Quality Welsh Food Certification, the Scottish Organic Producers Association and Soil Association Certification Ltd. For contact details see <http://www.defra.gov.uk/foodfarm/growing/organic/standards/certbodies/approved.htm>

<sup>8</sup> the Irish Organic Farmers and Growers Association and the Organic Trust

<sup>9</sup> The terms “produced by GMOs” and “produced from GMOs” are defined at Article 2 of 834/2007.

than forage). However, Article 36 provides for two circumstances in which periods of time prior to the notification by the operator and subjection of the holding to the control system, which would normally be the starting point for conversion, may be recognised by Defra as part of the conversion period. These are that the land

- has been included in an agri-environment programme under which inputs not permitted in organic farming cannot be used, or
- has otherwise not been treated with such inputs.

In addition, Article 37 permits the conversion period for land to be used for non-herbivores to be reduced. Applications for making use of these provisions must be addressed to the operator's control body and must be supported by independently produced, verifiable documentary evidence that the required conditions have been met. Applications to reduce the conversion period by four months or less are determined by the control body, which reports reductions granted to Defra. Applications to reduce the conversion period by more than four months are determined by Defra but must be supported by the control body, which forwards the application to Defra for decision if it is able to support it. However, the maximum reduction that will be permitted under these provisions is twelve months.

10. In respect of crops, only those planted on land which has completed its conversion period may be sold as organic. Pasture and perennial forage crops taken from it can be regarded as organic feed once the land on which it is grown has completed its conversion period. However, Article 21 of 889/2008 also permits a proportion of the diet of organic livestock to be comprised of in-conversion feedingstuffs, that is feedingstuffs produced from land in its second year of conversion. Such feeds can comprise up to 30% of diets where the feed is brought in from outside the holding or 100% where the feed comes from the holding itself. Subject to the overall limits on the use of in conversion feed, up to 20% of the diet can be made up of forage and protein crops grown on land on the holding which is in its first year of conversion.

## **FARMS COMPRISING ORGANIC AND NON-ORGANIC UNITS**

11. Article 11 of 834/2007 states as a principle that holdings shall be managed entirely under organic management. However as an exception to this general principle it permits holdings to comprise both organic and non-organic units provided that there is effective separation between them. In order to implement this it will be required that the non-organic and organic units are physically, financially and operationally separate and that all necessary measures are in place to the satisfaction of the control body to prevent cross contamination or substitution of non-organic products for organic products. For livestock this is developed further in Article 17(1) of 889/2008 which requires that where a holding comprises both a non-organic and an organic unit the varieties of plants and the species of livestock on each unit must be different.

## **CROP AND LIVESTOCK PRODUCTION**

### **CROPS**

#### Principles relevant to crop production

12. The specific principles to be observed for crop production are set out in Article 5 of 834/2007. They emphasise the importance of maintaining soil health and fertility, the principle that the use of external inputs should be reduced to the minimum necessary, the importance of minimising waste and the need for production methods to be in harmony with the local environment.



### Production rules for crop production

13. Article 12 of 834/2007 and Articles 3 and 5 of 889/2008 set out the rules which operators must follow for crop production and which will be enforced by the control bodies. Hydroponic production is explicitly prohibited by Article 4 of 889/2008 and specific rules for mushroom production are set out in Article 6 of 889/2008.

### Permitted inputs for crop production

14. The types of input which are regulated and the basis for permitting their use are set out in Article 16 of 834/2007. The particular inputs permitted for crop production and any specific conditions for their use are specified in Article 3 and Annex I and Article 5 and Annex II of 889/2008. **Because control bodies' private standards may require derogations to be obtained before such inputs are used, it is recommended that farmers consult their control body before using any inputs. In that regard, particular attention is drawn to the inputs listed in Appendix 2 to this document.** It is also very important that operators note:

- that authorisation to use a number of the plant protection products listed in Annex II of 889/2008 has been withdrawn following the recent general EU review of these products and
- that not all of those which have retained EU approval are permitted for use in the UK.

The table at Appendix 4 provides a guide to those plant protection products which may be used by organic operators as at July 2009 but operators are recommended to check regularly that plant protection products they propose to use are still permitted. This can be done by typing the 5 figure registration number into the MAFF/MAPP number field on the search engine on the HSE website at <https://secure.pesticides.gov.uk/garden/prodsearch.asp> or by telephoning 01904 455775.

### Exceptional rules in relation to crop production

15. Article 22 (b) of 834/2007 provides that, by derogation, operators may use seed and seed potatoes from non-organic production where they cannot be obtained from organic production. Detailed rules on how this is to be applied are set out in Article 45 of 889/2008 and also in Articles 48 to 56 of 889/2008 which continue the use of the seed database to support operators in determining whether organic seed and seed potatoes are available. Management of derogations to use conventional seeds and seed potatoes has been delegated by Defra to the organic control bodies. Authorisation for the use of seed mixes for grass and forage seed when permitted by the operator's control body remains in place. Such mixes must contain at least 65% by weight of organic seed. **Operators must have the prior agreement of their control body for the use of non organic seed and seed potatoes. Except in the case of forage and grass seed mixes which contain 65% or more by weight of organic seed the agreement of the control body must be obtained before seed is sown and ideally before it is purchased.**

## **LIVESTOCK**

### Principles of livestock production

16. The specific principles to be observed for livestock production are set out in Article 5 of 834/2007. They emphasise the importance of using breeds and strains of livestock appropriate to organic systems and the location of the holding, the importance of using management practices as the primary support for animal health and welfare, the principle that the use of external inputs should be reduced to the minimum necessary, minimising waste and the need for production methods to be in harmony with the local environment.

### Production rules for livestock production

17. The types of livestock to which the EU regulations apply are listed in Article 7 of 889/2008. The rules to be observed are set out in Articles 8, 11 and 14 of 834/2007. These rules are further elaborated in Articles 8 to 12 and 14 to 25 of 889/2008 which make certain of them subject to decision by Defra. These are handled in the following manner.

18. Article 9(4) of 889/2008 provides for Defra to authorise increasing the percentage of non-organic animals brought on to the farm to renew bloodlines beyond the normal annual allowance. Defra has delegated the authority to make decisions on the use of Article 9 (4) to the control bodies and operators must obtain the consent of their control body before additional stock are brought on to the farm. In taking decisions control bodies must act within the criteria set by Article 9(4).

19. Article 12 (3) (e) of 889/2008 sets out the maximum number of poultry to be contained in a house. In the UK these numbers are regarded as maximum flock sizes and thus a building may contain more than one flock. However, where a building is subdivided into more than one house to contain more than one flock, each house must have its own dedicated grazing (as specified in Annex III of 889/2008), air space, ventilation, feed and water;

20. Article 12(5) of 889/2008 requires Defra to establish what is meant by the term “slow growing strains” of poultry for the purposes of the restriction on slaughter age established by this Article. For this purpose poultry are regarded as slow growing if under organic management the live weight gain per day does not exceed 45 g or in the case of turkeys 55 g per day. In due course this may be supplemented by a list of particular strains regarded as slow growing.

21. Article 15 of 889/2008 provides that stocking densities must be such that the limit of 170 kg of nitrogen per hectare per year is observed and gives EU Member States the task of determining for their territories the stocking densities which secure that this limit is observed. Annex IV of 889/2008 provides a guideline to work from but in the UK the stocking densities which are to be observed for the purposes of the 170kgN/ha/year limit are those set out in the table at Appendix 3 of this Document which have been derived from the figures for the daily nitrogen produced by animals set out in Schedule 1 to the Nitrate Pollution Prevention Regulations 2008.

22. Article 17(2) of 889/2008 permits non-organic livestock to be present on organic land for a limited period of time each year. In the UK “a limited period of time each year” is interpreted as meaning a total period in a particular calendar year not exceeding 120 days.

23. Article 17(3) of 889/2008 permits organic animals to be grazed on common land subject to certain restrictions relating to the common land itself and to the sale of products from animals whilst they are using common land. Operators who wish to make use of this provision should discuss with their control body how to accommodate doing so within their management plan.

24. Article 18(1) of 889/2008 permits a variety of operations such as tail docking and dehorning to be authorised by Defra in certain circumstances. Responsibility for authorising these operations has been delegated to the control bodies and operators must obtain the consent of their control body before they are carried out. The control body must also consider what is necessary in respect of minimising pain and distress arising from these operations, in particular what is necessary in terms of the “adequate” analgesia or anaesthesia provided for by Article 18(1) and by reference to the Codes of Practice on Animal Welfare<sup>10</sup>. However, Article 95(4) of 889/2008 permits castration of piglets to be carried out without analgesia or anaesthesia during a transitional period ending on 31 December 2011. Control bodies will manage compliance with these provisions by monitoring the operator’s health plan.

25. Article 23(5) of 889/2008 requires that when the production of each batch of poultry has been completed, runs must be left empty to allow vegetation to grow back but leaves Defra to determine the period during which runs must be left empty. In the UK the period for which runs shall be left empty between batches of layers must be not less than two months and in the case of poultry for meat production the total of the periods in any one year that runs are empty must be not less than two months per year.

26. Article 46 of 889/2008 carries forward the existing permission for the final fattening phase for cattle to take place indoors provided that this indoors period does not exceed one fifth of the animals’ life and lasts no more than three months. Indoor fattening of pigs and sheep is also permitted, by Article 95 (3) of 889/2008, but only for a transitional period ending on 31 December 2010.

#### Disease control and veterinary treatment

27. Articles 23 and 24 of 889/2008 provide for disease control and veterinary treatment. **Operators should manage these provisions in the context of an animal health plan agreed with their control body.**

#### Conversion of livestock

28. We are currently awaiting clarification from the European Commission on the text of the EU Regulation regarding the conversion of livestock and will provide guidance on this matter shortly.

#### Exceptional rules in relation to livestock production

29. As an exception to the general rule in Article 14(1) (b) (vi) of 834/2007 that animals must not be tethered, Article 39 of 889/2008 permits Defra to authorise cattle on a small holding to be tethered if it is not possible to keep them in groups appropriate to their behavioural requirements. Defra has delegated the responsibility for applying this provision to the control bodies, on condition that for this purpose “small holding” is to be interpreted as a holding with not more than 20 female

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<sup>10</sup> see <http://www.defra.gov.uk/foodfarm/farmanimal/welfare/onfarm/index.htm#we>

breeding bovines and that the animals concerned are to have daily access to pasture or open air exercise areas where weather conditions preclude access to pasture. **Operators must consult their control body on managing this provision.**

30. As an exception to the general rule that only organic livestock must be brought onto the holding, Article 42 of 889/2008 permits Defra to authorise the use of non organic day old chicks and also, until 31 December 2011, non organic pullets from day old to 18 weeks which in terms of feed and veterinary treatment have been managed in accordance with the rules for organic production. Defra has delegated the responsibility for applying this provision to the control bodies. **Operators must consult their control body on managing this provision.**

31. Article 47 of 889/2008 permits Defra to authorise the use of non organic animals to reconstitute herds and flocks and to authorise the use of non organic feed in response to the effect of natural disasters etc. Defra has delegated the responsibility for applying the first of these provisions to the control bodies and **operators must consult their control body on managing this provision.** Defra will retain control of the second of these provisions but applications for it to be used will need to be made through the control bodies and must be supported by them.

## **LIVESTOCK FEED**

### Principles applying to feed for organic livestock

32. The specific principles to be observed in the case of livestock feed are set out in Article 5 and Article 7 of 834/2007. They emphasise the importance of using feed sourced from organic production and other natural substances, reducing the use of additives and processing aids and the principle that the use of external inputs should be reduced to the minimum necessary.

### Production rules for feed for organic livestock

33. The rules to be observed in respect of organic farming (in addition to the general rules set out in Regulation 183/2005 - see <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:035:0001:0022:EN:PDF>) are set out in Article 14 (d) of 834/2007. The aim is that feed should be produced on the holding or from other organic farms in the region ("region" is undefined and can be interpreted widely); that feed must meet an animal's nutritional requirements at all stages of its development, that non-organic feed materials of plant origin, organic and non-organic ingredients of animal origin, products and by-products from fisheries, minerals and feed additives etc can only be used if they are specifically authorised by the European Commission; that growth promoters and synthetic amino acids may not be used and that suckling animals should be fed with natural, preferably maternal milk. "Natural milk" is interpreted as meaning organic milk either as liquid or powder. These rules are further elaborated in Articles 19 to 22 of 889/2008.

34. Article 20 of 889/2008 provides for the use of "natural" milk for feeding young mammals. This is interpreted as including dried milk and milk, fresh or dried, to which any of the feed additives or feed ingredients permitted by 834/2007 and 889/2008 for ruminants has been added.

34 A Article 20 of 889/2008 also provides for maximising the use of pasture for herbivores and setting a minimum content of 60% for roughage, fresh or dried forage or silage in ruminant diets. Roughage, fresh or dried forage or silage are also to be

made available to pigs and poultry. Article 21 of 889/2008 provides for the use of in-conversion feed – see paragraph 10.

35. Article 22 of 889/2008 requires that in the case of herbivores at least 50% of the feed must come from the farm unit itself or be produced from other farms in the same region (“region” is undefined and can be interpreted widely). Article 22 of 889/2008 permits feed for organic livestock to contain certain non-organic ingredients of plant origin, certain organic and non-organic ingredients of animal origin, certain products and by-products from fisheries and certain minerals. Those which are permitted (ie those which are authorised by the European Commission as mentioned in paragraph 33 above) are listed in Annex V of 889/2008. Annex V of 889/2008 does not apply quantitative restrictions to the products listed in it though it prohibits the use of products and by-products from sustainable fisheries in diets for ruminants. However, the use of non-organic ingredients of plant or animal origin listed in Annex V is restricted by Article 43 of 889/2008 so that they are only permitted in feeds for non-ruminants and their use in these feeds is progressively phased out. Article 43 of 889/2008 provides that they must not exceed 10% of the feed up to 31 December 2009 and must not exceed 5% between 1 January 2010 and 31 December 2011 after which they can no longer be used. The use of the products and by-products from fisheries and minerals listed in Annex V of 889/2008 is not restricted in the same way and thus is not subject to the percentage limits applied to non-organic ingredients of plant or animal origin.

36. The feed additives etc which may be used in feed for organic livestock are set out in Annex VI to 889/2008. Section 1.1 of Annex VI to 889/2008 makes the addition of synthetic vitamins A, D and E to feed for ruminants subject to approval by Defra and subject to it being demonstrated that the necessary quantities of vitamins A, D and E cannot be obtained through the animals’ feed. Defra has delegated management of this provision to the control bodies. **Operators who want to make use of the provision must present documented veterinary advice to their control body to support a case for permission to add these vitamins in synthetic form to ruminant feeds.**

## **AQUACULTURE**

### **FISH AND MOLLUSC PRODUCTION**

37. The general production rules for aquaculture animals are set out in Article 15 of 834/2007. In this section, references to Articles and Annexes in 889/2008 are to the Articles and Annexes added to 889/2008 by 710/2009.

#### Transitional Measures

38. Article 95 (11) of 710/2009 provides that existing organic aquaculture operations working to nationally accepted organic aquaculture rules can stay in operation under those rules until 1 July 2013 providing that there is no undue pollution of water with substances not permitted in organic production and providing that the operations concerned are notified to the competent authority. Under this provision, Defra will permit operators already working to the aquaculture standards operated by Soil Association Certification Ltd and the Organic Food Federation prior to 9 August 2009 to continue to work to those standards until 1 July 2013.

## Scope

39. The species of fish and other aquatic animals and the stocking densities which must be observed when keeping them are set out in Annex XIIIa of 889/2008. The animals covered are-

*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 (Hucho hucho)*

*Cod (Gadus morhua) and other Gadidae, sea bass (Dicentrarchus labrax), sea bream (Sparus aurata), meagre (Argyrosomus regius), turbot (Psetta maxima [= Scopthalmus maximus]), red porgy (Pagrus pagrus [= Sparus pagrus]), red drum (Sciaenops ocellatus) and other Sparidae, and spinefeet (Siganus spp.)*

*Mulletts (Liza, Mugil) and eel (Anguilla spp.) Sturgeon Acipenser family*

*Carp (Cyprinidae) and other associated species in the context of polyculture, including perch, pike, catfish, coregonids, sturgeon.*

*Penaeid shrimps and freshwater prawns (Macrobrachium spp.)*

*Molluscs and echinoderms*

*Milkfish (Chanos chanos), tilapia (Oreochromis spp.), siamese catfish (Pangasius spp.).*

## Production Rules

40. Article 6 b of 889/2008 covers both seaweed and aquaculture animals and requires that production units must be sited so as to ensure that they are not contaminated or polluted by substances not permitted in organic production. In addition it provides that organic aquaculture units must be adequately separated from non-organic units and sets out the criteria to be taken into account for this purpose. Where Member States establish separation distances these have to be reported to other operators, other Member States and the European Commission.

41. Article 6b also requires an environmental assessment to be carried out before any new unit producing more than 20 tonnes of product per year is accepted by a control body for licensing for organic production. The environmental assessment has to follow the form set out in Annex IV of Council Directive 85/337 – see Appendix 6 to this Document.

42. Article 6b supplemented by Article 25b requires a management plan to be drawn up and updated annually. The management plan must record the environmental effect of the operation and how it is monitored. It must include defensive and preventative measures against predators and it must be coordinated with neighbouring production units (where applicable coordination with neighbours must be verifiable). Article 25b also requires waste management measures (filter beds, settlement ponds etc) to be in place and effluent monitoring to be carried out.

43. Article 6e of 889/2008 provides that biofouling organisms must be removed by physical means or by hand

44. Article 25c permits simultaneous production of organic and conventional stock in aquaculture operations but there are different conditions for handling this depending on whether the stock are in the hatchery or grow out phase.

#### Origin of Stock

45. Articles 25d and 25e of 889/2008 require preference to be given to locally grown species<sup>11</sup> and set out the conditions under which non-organic stock can be brought on to the unit.

#### General Husbandry Rules

46. Articles 25f, 25g and 25h of 889/2008, set out the husbandry rules applying to organic aquaculture. In particular, with Annex XIIIb, they describe the conditions under which animals are to be kept, provide rules on containment systems (including dealing with escapes), describe how stock is to be handled and slaughtered and prescribe the conditions under which lighting and aeration can be used.

#### Breeding

47. Article 25i of 889/2008 prohibits the use of hormones.

#### Feed

48. Articles 25j, 25k, 25l and 25m of 889/2008 set out the rules for feeding organic aquaculture animals. Article 25j sets out the objectives to be aimed at by feeding regimes. Article 25k sets out the rules applying to carnivorous fish, in particular setting out a hierarchy for obtaining fish products to emphasise the use of product from sustainable sources as a priority. Article 25k also sets a maximum limit of 60% for the inclusion of plant products in feed for carnivorous fish and permits the use of astaxanthin. Article 25l requires that carp, perch, pike, catfish, coregonids, sturgeon, milkfish, tilapia, siamese catfish, penaeid shrimps and freshwater prawns must usually be fed on feed naturally available in ponds and lakes though it permits other plant material to be used where necessary and in the case of penaeid shrimps, freshwater prawns and siamese catfish permits up to 10% of fishmeal or fish oil to be fed.

#### Specific rules for molluscs

49. Articles 25n Article 25o, Article 25p, Article 25 q, Article 25r of 889/2008 set out the rules covering the production of molluscs. In particular they cover the areas in which molluscs shall be grown , the marking of such areas and impact on other species including predators (Article 25n); the sourcing of seed (Article 25o);

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<sup>11</sup>“ Locally grown” is defined by reference to Regulation 708/2007 and those species in Annex IV of that regulation are specifically considered locally grown. It means a species which is neither alien nor locally absent. “Alien” a species or subspecies of an aquatic organism occurring outside its known natural range and the area of its natural dispersal potential or a polyploid organism or fertile artificially hybridised species irrespective of its natural range or dispersal potential. “Locally absent “ means a species or subspecies of an aquatic organism which is locally absent from a zone within its natural range of distribution for biogeographical

reasons. For this purpose, Rainbow trout, *Oncorhynchus mykiss*, Brook trout, *Salvelinus fontinalis*, Common carp, *Cyprinus carpio*, Grass carp, *Ctenopharyngodon idella*, Silver carp, *Hypophthalmichthys molitrix*, Big head carp, *Aristichthys nobilis*, Pacific cupped oyster, *Crassostrea gigas*, Japanese or Manila clam, *Ruditapes philippinarum*, Large-mouth bass, *Micropterus salmoides*, Arctic char, *Salvelinus alpinus* are taken as locally grown.

management in terms of stocking densities and dealing with biofouling organisms (Article 25p) and cultivation methods (Articles 25 q and r).

#### Disease prevention and veterinary treatment

50. Article 25s of 889/2008 provides for biosecurity and disease management, including requirements for cleaning, disinfection and fallowing. Article 25t of 889/2008 prescribes how veterinary treatment is to be organised should it be necessary if preventative measures have failed.

#### Transport of live fish

51. Article 32a of 889/2008 sets out the conditions under which live fish are to be transported so that their physiological needs are met and stress resulting from transport is kept at an acceptable level in terms of the needs of the stock being transported.

#### Conversion

52. Article 38a sets out the measures required for converting aquaculture units and the stock they contain to organic production.

#### **SEAWEED**

53. The general rules applying to the harvesting of wild seaweed and to cultivating seaweed are set out in Article 13 of 834/2007.

#### Scope

54. Article 6a of 889/2008 provides that the EU rules apply both to the collection and farming of seaweed and *mutatis mutandis* to the production of all multi-cellular marine algae or phytoplankton and micro-algae for further use as feed for aquaculture animals.

#### Siting of operations and management plan

55. Article 6 b of 889/2008 provides that production units must be sited so as to ensure that they are not contaminated or polluted by substances not permitted in organic production. In addition it provides that organic aquaculture units must be adequately separated from non-organic units and sets out the criteria to be taken into account for this purpose. Where Member States establish separation distances these have to be reported to other operators, other Member States and the European Commission.

56. Article 6b also requires an environmental assessment to be carried out before any new unit producing more than 20 tonnes of product per year is accepted by a control body for licensing for organic production. The environmental assessment has to follow the form set out in Annex IV of Council Directive 85/377 – see Appendix 6 to this Document.

#### Harvesting of wild seaweed

57. Article 6c of 889/2008 provides that harvesting of wild seaweed shall not cause a significant impact on the aquatic environment and requires operators harvesting



wild seaweed to maintain documentary evidence to demonstrate that this condition has been complied with.

#### Cultivation of seaweed

58. Article 6d of 889/2008 sets out conditions on nutrient use in organic seaweed cultivation including the nutrient levels in water released from production units.

#### Cleaning and drying seaweed

59. Article 29a of 889/2008 provides for the water which may be used for flushing and prescribes how seaweed is to be dried.

#### Conversion of harvesting and production sites for seaweed

60. Article 36a of 889/2008 provides for conversion. There are different conditions for this depending on whether the site is for the harvesting of wild seaweed or for the cultivation of seaweed.

### **FOOD PROCESSING**

#### Principles applying to food processing

61. The specific principles to be observed in the case of organic food production are set out in Article 6 of 834/2007. They emphasise the importance of using only organic ingredients, reducing the use of additives and processing aids to the minimum and ensuring that production methods neither mislead the consumer as to the nature of the product nor are based on synthetic processes. Although not explicitly stated, de-ionisation is not permitted.

#### Production rules for food processing

62. The production rules for organic food are set out in Articles 19 to 21 of 834/2007 and in Articles 26 to 28 of 889/2008.

#### Permitted inputs for food processing

63. The food additives etc which are permitted in organic food are set out in Annex VIII and the non organic ingredients which are permitted in organic food are set out in Annex IX of 889/2008. The addition of nitrates and nitrites as permitted by Annex VIII is subject to the additional condition that use is subject to Defra being satisfied that no technological alternative to their use is available which gives the same guarantees as regards safety and/or permits maintaining the specific features of the product. Pending the outcome of ongoing investigation into possible alternatives to their use for the purposes of the review required by Article 27 (3) of 889/2008 to take place by 31 December 2010, Defra is permitting the use of these products subject to the restrictions specified in the sixth column of Annex VIII and has delegated authorising their use to the control bodies.

#### Exceptional rules for food processing

64. Article 29 of 889/2008 permits Member States to authorise the use of non organic ingredients not listed in Annex IX to 889/2008 provided that such ingredients are not available in organic form. Defra is continuing to issue such authorisations on

the basis of documentary evidence of non-availability submitted by operators in accordance with the detailed rules set out in Article 29 of 889/2008. These authorisations are issued for a period of twelve months renewable twice after which the Commission has to take a decision on whether the ingredient concerned should be included in Annex IX of 889/2008.

## **THE CONTROL SYSTEM**

### Control Bodies

65. The system for controlling the production of organic food and feed is set out in Articles 27 to 31 of 834/2007. Article 27 describes the obligations of the Member States in respect of setting up a control system and the mechanisms they may adopt for putting the system into effect. Member States may implement and enforce the system wholly through a competent authority or they may operate the control system through a partnership between a competent authority and subordinate control authorities or a partnership between a competent authority and control bodies. In the UK the control system continues to be operated by control bodies approved and supervised by Defra. Defra thus acts in accordance with paragraph 5 to 12 of Article 27 of 834/2007 and is assisted in that task by the UK Accreditation Service (UKAS).

### Notification by operators

66. Article 28 (3) of 834/2007 requires operators wishing to produce, prepare, store, import or market products which are subject to 834/2007 and 889/2008 to notify their activity and submit their operation to the control system. Defra has delegated the task of receiving these notifications to the control bodies, so in practice for operators this means securing registration with one of the control bodies operating in the UK<sup>12</sup> - See paragraph 7.

67. Article 28 (1) of 834/2007 requires operators who export products which comply with its provisions to notify this to their control body.

### Controls applying to operators

68. Articles 63 to 90 of 889/2008 set out the detailed rules relating to the controls which control bodies are to apply to organic operators. When submitting an operation to the control system, which as noted above means registration with a control body, the operator must submit a full description of the operation as required by Article 63 of 889/2008, supplemented as appropriate by the additional information specified in the Regulation's Articles 70 (collection of wild plants), **73a (seaweed)**, 74 (livestock), **79a (aquaculture animals)**, 80 (preparation of crop or livestock products and processed products), 82 (imports), 86 (operators subcontracting to others) and 88 (feed mills). Any changes to the description initially submitted must be notified to the control body in due time.

69. Article 71 of 889/2008 requires operators to provide a forward cropping plan and a management plan for livestock to their control body. The cropping plan must show by field parcel which crop products are to be produced in the coming year. The cropping plan is to be produced by a date to be set by the control body. Article 74(2) (c) of 889/2008 requires operators keeping organic livestock to have in place a management plan for their livestock unit. **The precise form of the management**

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**plan is not prescribed but operators must include in their management plan a health and welfare plan agreed with their control body. The absence of a health and welfare plan will be regarded as non-compliant.**

70. Operators are required by Articles 66, 83 and 89 of 889/2008 to keep documentary accounts and by its Articles 72, **73b**, 76, **79b** and 84 to keep records relating respectively to crop production, **seaweed production**, livestock production, **aquaculture animal production** and imports to enable inputs and outputs to be audited. Articles 65, **79c (bivalve molluscs)**, 85 (imports) and 90 (feed) of 889/2008 specify the parameters of control visits to be carried out by the control bodies. Article 65 of 889/2008 requires at least annual physical inspections to be carried out of operators' operations (wholesalers selling pre-packaged goods are not subject to this provision see paragraph 6 above).

71. However, for all operators it is necessary for the control bodies to determine by reference to risk the degree of intensity of the annual verification in relation to particular operators and how best to deploy the random unannounced inspections which are to be carried out. Article 90 of 889/2008 requires inspection of a feed mill to have regard to its HACCP arrangements. Article 67 of 889/2008 requires operators to grant all necessary access and provide all necessary information to allow controls to be carried out effectively

72. Articles 73 and 79 of 889/2008 require that where an operator runs non-organic units as well as organic units in the same area the non-organic units also are subject to the control system. This continues existing practice.

73. Article 77 of 889/2008 makes the sale of products from livestock which have been treated with veterinary medicines subject to prior notification to the control body. Control bodies will have in place measures to enable this to be implemented with due regard to practicality.

74. Article 75 of 889/2008 carries forward the existing requirement for livestock to be identified to support traceability.

75. Article 27 of 834/2007 requires control bodies to provide Defra with a range of information about their operation of the control system and the operators they license. But operators should note that in addition Article 28(5) of 834/2007 requires the control bodies to maintain an updated list of operators containing their names and addresses and to make the list available to interested parties. **This means that each control body is obliged to supply any enquirer with a list containing the names and addresses of all the operators it licenses at the time the enquiry is made. However, information about licensees other than names and addresses is not required to be disclosed under this provision.**

76. The terms "irregularities", "severe infringements" and "infringements with prolonged effect" referred to in Article 30 of 834/2007 are not defined in the EU Regulations. The broad definitions of these terms which Defra and the control bodies are working to are set out in Appendix 5.

77. Article 29 of 834/2007 provides for documentary evidence to be supplied to operators by their control body which identifies the operator, confirms that the operator complies with the requirements of the EU Regulations and confirms the products produced by the operator. A model for the required document is provided for by Article 68 and Annex XII of 889/2008. The intention is that so far as possible existing documentation issued by UK control bodies will remain in use but some

adaptation may be necessary to ensure that all the information the model specifies is provided.

## **LABELLING - FOOD**

78. The rules on labelling for organic food are set out in Articles 23 to 25 of 834/2007 and Articles 57 and 58 of 889/2008.

79. The term “organic” and its equivalents in the other official languages of the EU (they are listed in the Annex to 834/2007), diminutives of them like “bio” and “eco” and any terms suggesting that the product or its ingredients or feed materials are organic, are reserved for products which have been produced in accordance with the rules laid down in 834/2007 and 889/2008 unless the products they are applied to are not agricultural products in food or feed or clearly have no connection with organic production. Thus, even though generally “bio” would not be understood in the UK as meaning organic its use on a non-organic product needs to be carefully considered and it will be worth considering including some form of disclaimer on the labelling to avoid any possibility of consumers believing that the product has been produced according to the organic production method. If a product is likely to be marketed in a Member State where “bio” or “eco” are understood as meaning produced organically it is even more necessary to carefully consider whether another description might be more safely used and whether a disclaimer is needed.

80. The use which can be made of the term “organic” in describing a particular product depends on the content of organically produced ingredients in the product. If 95% or more of the content of agricultural ingredients has been produced organically the product itself can be described as organic. If less than 95% of the content of agricultural ingredients has been produced organically, the term “organic” can only be placed in the list of ingredients on the product label or in accompanying documentation against those ingredients that have been produced organically. (This is a liberalisation of the former rule which required a minimum content of 70% of organic ingredients for any mention of organic production to be permitted.) In this case the ingredients list must also carry a declaration of the proportion of the content of agricultural ingredients which has been produced organically.

81. There are special rules for a product whose main ingredient derives from hunting or fishing and consequently cannot be described as organic but which also contains ingredients produced organically. In this case, provided that the product complies with the rules on the production of organic food in relation to separation from the production of non-organic food and the use of additives etc, the organic ingredients in the product can be described as organic on the ingredient list and in the same visual field as the sales description.

82. Until 1 July 2010 it will be possible to use the system for calculating the percentage of organic ingredients laid down in 2092/91 which does not differentiate between additives of agricultural origin in the same way as 889/2008. Certain of the additives listed in Annex VIII of 889/2008 (those marked with an asterisk) are treated as agricultural ingredients.

83. Article 24 of 834/2007 provides that where a product is described as organic (that is at least 95% of its agricultural ingredients have been produced organically) the packaging (or tickets or labels at point of sale where products are sold loose) must carry an EU organic logo and a declaration of origin as specified in Article 24 of 834/2007. If less than 95% of the content of agricultural ingredients of a product has been produced organically the logo cannot be used. The logo may be used on

products and animal feeds imported from third countries which comply with the 95% rule but it is not compulsory for such products. However, where third country organic products carry the EU logo they must also carry the declaration of origin. The operation of the provision of Article 24 on the logo and the declaration of origin has been deferred until 31 July 2010 pending the European Commission finalising a design for an appropriate EU organic logo.

84. Article 24 of 834/2007 carries forward the requirement that the labelling of organic products shall carry the code number of the control body which controls the operator who carried out the most recent operation on the product. For these purposes, we interpret “operation” as meaning a process that physically changes the product such as manufacture, processing and packaging/ labelling. It would not cover activities where the product is not physically changed such as storage and wholesaling. The option of using the control body’s symbol alone rather than its code number has not been carried forward although the use of control body or other national or private symbols in addition to the code number is permitted by Article 25(2) of 834/2007. Where a product is imported into the UK, the packaging should include the control body code of the organic control body which controls the operator who carried out the most recent operation on the product.

85. Article 58 of 889/2008 formalises how the control body code numbers are to be constructed. They are to have three elements, the acronym for the country as set out in ISO 3166, a term establishing a link with organic production and a reference number for the control body. This requires the existing code numbers used in the UK for the purposes of 2092/91 to be changed. The term for the UK in ISO 3166 is GB and this has to be the first element of the UK codes. For the element of the code referring to organic production we propose either “*ORGANIC CERTIFICATION*” or “*ORGANIC*”. For the final element of the code it is proposed to retain the existing code numbers. On that basis, subject to the transitional measure at Article 95(8) of 889/2008 which permits the existing code numbers to be used until 1 July 2010, in future the codes for the control bodies based in the UK are as follows –

Biodynamic Agriculture Association (BDAA)	<i>GB ORGANIC [CERTIFICATION]</i> 6
Organic Farmers & Growers (OF&G)	<i>GB ORGANIC [CERTIFICATION]</i> 2
Organic Food Federation (OFF)	<i>GB ORGANIC [CERTIFICATION]</i> 4
Quality Welsh Food Certification (QWFC)	<i>GB ORGANIC [CERTIFICATION]</i> 13
Scottish Organic Producers Association (SOPA)	<i>GB ORGANIC [CERTIFICATION]</i> 3
Soil Association Certification Ltd (SACL)	<i>GB ORGANIC [CERTIFICATION]</i> 5
Ascisco	<i>GB ORGANIC [CERTIFICATION]</i> 15

86. Packaging which complies with Council Regulation 2092/91 may continue to be used until 1 January 2012 provided that the product otherwise complies with the requirements of 834/2007.

87. Stocks of products that have been produced, packaged and labelled in accordance with Council Regulation 2092/91 prior to 1 January 2009 may continue to be sold until stocks are exhausted.

## **LABELLING – FEED**

88. Article 26 of 834/2007 provides for labelling rules for feed, in conversion products and seed and vegetative propagating material to be established by the Commission. Article 59 of 889/2008 provides that the detailed rules on feed labelling do not apply to pet food, food for fur animals or aquaculture but provide that

where the term “organic” or its equivalents in the other official languages of the EU (they are listed in the Annex to 834/2007), diminutives of them like “bio” and “eco” or any terms suggesting that the product or its ingredients or feed materials are organic used on such products, at least 95% of the dry matter content of agricultural origin must be comprised of ingredients produced organically.

89. Labelling rules for feed are set out in Articles 60 and 61 of 889/2008. Feed can be described as organic if at least 95% of its dry matter content of agricultural origin has been produced organically and it complies with the rules set out in Article 14 (1) (d) on livestock feed and Article 18 on processed feed of 834/2007 and Articles 22 and 26 of 889/2008, which further develop those provisions. Feed which is comprised of in conversion and/or non-organic ingredients as well as organic ingredients may be sold with the designation “may be used in organic production in accordance with Regulations (EC) 834/2007 and (EC) 889/2008”, provided that it complies with the rules set out in Article 14 (1) (d) on livestock feed and Article 18 on processed feed of 834/2007 and Articles 22 and 26 of 889/2008.

90. The organic labelling has to be separate from the labelling required by the Council Directives 79/393/EEC and 96/25/EC setting out the general labelling requirements for feedingstuffs and must not be more prominently displayed than that information. The organic labelling must show the respective total percentages in the product of feed materials which are organic, in conversion and from non-organic production as well as the total percentage of the feed comprised of agricultural ingredients. The labelling must also list the ingredients which are organic and those which are in conversion products.

91. Rules for labelling in conversion feed are set out in Article 62 of 889/2008. Products may carry the designation “product under conversion to organic farming”, provided that when it was harvested the land on which it was grown had completed at least twelve months of its conversion period, the designation is not more prominently displayed than any other indications the product is required to carry, it is comprised only of one crop ingredient and it bears the code number of the control body which controls the producer.

92. Labelling rules for seed will be established at a later stage.

# **GUIDANCE DOCUMENT ON EUROPEAN UNION ORGANIC STANDARDS**

## **APPENDIX 1**

To be inserted when discussions on determining the exemption of retailers and mass caterers are completed.

## GUIDANCE DOCUMENT ON EUROPEAN UNION ORGANIC STANDARDS

### APPENDIX 2

#### INPUTS TO BE DISCUSSED WITH CONTROL BODY BEFORE USE (Paragraph 14)

The following inputs are subject to the need recognised by Control Body and require approval according to the CB's standards:

Farmyard manure  
Dried FYM & dehydrated Poultry Manure  
Composted animal excrements including poultry manure and composted farmyard manure  
Liquid animal excrements (slurry, urine etc)  
Composted or fermented household waste  
Peat - only allowed for propagating media  
Guano  
Composted or fermented mixture of vegetable matter  
Basic slag  
Crude potassium salt or kainit  
Potassium sulphate possibly containing magnesium salt.  
Calcium chloride solution  
Industrial lime from sugar  
Industrial lime from vacuum salt production  
Elemental Sulphur

Rotenone  
Spinosad  
Copper  
Lime Sulphur  
Mineral oils



**GUIDANCE DOCUMENT ON EUROPEAN UNION ORGANIC STANDARDS**

**APPENDIX 3**

**OUTDOOR STOCKING DENSITIES TO COMPLY WITH N LIMIT  
(Paragraph 21)**

<b>Livestock type</b>	<b>Category</b>	<b>Stocking Rate per Ha</b>
<b>Pigs</b>		
	7kg--<13 kg	114
	13kg - <31kg	33
	31kg - < 66kg	19
	66kg> intended for slaughter	14
	Breeding sow before first litter	12
	Sow with litter up to 7kg	10
	Breeding boar 66kg - 150kg	14
	Breeding boar >150kg	10
<b>Cattle</b>		
	Calves up to 3mths	20
	Dairy cows 3 mths to <13 mths	5
	Dairy cows 13 mths to first calf	3
	Dairy cows after first calf	2
	Beef cows or steers 3mths - <13mths	5
	Beef cows or steers 13mths - <25mths	3
	Beef cows or steers from 25mths for slaughter	3
	Females from 25 mths for breeding, up to 500kg	3
	Females from 25 mths for breeding, over 500kg	2
	Bulls, non-breeding 3mths+	3
	Bulls for breeding, 3mths -<25 mths	3
	Bulls for breeding, 25 mths and older	4
<b>Sheep</b>		
	6mths - 9mths	85
	From 9mths to first lambing, tuppig or slaughter	119
	After lambing or tuppig <60kg	22
	After lambing or tuppig 60kg +	14
<b>Goats</b>		11
<b>Deer</b>		
	Breeding	11
	Other	14

<b>Horses</b>		8
<b>Poultry</b>		
	Layers <17 weeks	728
	Layers 17 weeks +	311
	Broilers	439
	Breeding stock <25 weeks	542
	Breeding stock 25 weeks +	231
<b>Turkeys</b>		
	Male	125
	Female	165
<b>Ducks</b>		188
<b>Ostriches</b>		122
<b>Rabbits</b>		100

PLANT PROTECTION PRODUCTS LISTED IN ANNEX II COMMISSION REGULATION 889/2008 PERMITTED FOR USE IN THE UK

APPENDIX 4

PRODUCT	CONDITIONS FOR USE	EU APPROVAL	UK APPROVAL
<b>1. Substances of crop or animal origin</b>			
Beeswax	Pruning agent	Permitted as a food additive	Not needed
Plant oils (e.g. mint oil, pine oil, caraway oil).	Insecticide, acaricide, fungicide and sprout inhibitor.	Only citronella, clove, rape seed, spearmint oils permitted until 31/8/2019 (Food grade garlic juice concentrate also permitted )	Only citronella oil
Pyrethrins extracted from <i>Chrysanthemum cinerariaefolium</i>	Insecticide	Included to 31/8/2019	Yes
Rotenone extracted from <i>Derris</i> spp. and <i>Lonchocarpus</i> spp. and <i>Terphrosia</i> spp.	Insecticide	Not authorised (temporarily permitted under essential use designation) Essential use permitted on apple, pear, peach, cherry, ornamentals and potato until 31/10/2011. Limited to professional users with appropriate protective equipment.	Yes
<b>2. Micro-organisms used for biological pest and disease control</b>			
<i>Bacillus thuringiensis</i> subsp. <i>kurstaki</i>	Insecticide	Authorised to 30/4/2019	Yes
<i>Beauveria bassiana</i>	Insecticide	Authorised to 30/4/2019	Yes
<i>Cydia pomonella</i> <i>Granulovirus (CpGV)</i>	Insecticide	Authorised to 30/4/2019	Yes
<i>Lecanicillium muscarium</i> (formerly <i>Verticillium lecanii</i> )	Insecticide	Authorised to 30/4/2019	Yes
<i>Phlebiopsis gigantea</i>	Fungicide	Authorised to 30/4/2019	Yes

<i>Coniothyrium minitans</i>	Fungicide	Authorised to 30/12/2013	Yes
<i>Bacillus subtilis</i> str. QST 713	Fungicide	Authorised to 31/1/2017	Yes
<b>3. Substances produced by micro-organisms</b>			
Spinosad	Insecticide Only where measures are taken to minimize the risk to key parasitoids and to minimize the risk of development of resistance	Authorised to 31/10/2017	Yes
<b>4. Substances to be used in traps and/or dispensers</b>			
Pheromones (Straight chain lepidoptera pheromones)	Attractant; sexual behaviour disrupter; only in traps and dispensers	Authorised to 31/8/2019	Yes
Pyrethroids (only deltamethrin or lambda-cyhalothrin)	Insecticide; only in traps with specific attractants; only against <i>Bactrocera oleae</i> and <i>Ceratitis capitata</i> Wied.	Deltamethrin authorised to 31/10/2013 Lambda-cyhalothrin authorised to 31/12/2011	Yes
<b>5. Preparations to be surface spread between cultivated plants</b>			
Ferric phosphate (iron (III) orthophosphate)	Molluscicide	Authorised until 31/10/2011	Yes
<b>6. Other substances from traditional use in organic farming</b>			
Copper in the form of copper hydroxide, copper oxychloride, (tribasic), copper octanoate	Fungicide up to 6 kg copper per ha per year For perennial crops, Member States may, by derogation from the previous paragraph, provide that the 6 kg copper limit can be exceeded in a given year provided that the average quantity actually used over a 5-year period consisting of that year and of the four preceding years does not exceed 6 kg	Authorised to 30/11/2016	Yes
Ethylene	Only use as a plant growth regulator. In organic production for degreening bananas, kiwis and kakis; Degreening of citrus fruit only as part of a strategy for the prevention of fruit fly damage in citrus; Flower induction of pineapple; sprouting inhibition in potatoes and onions	Authorised until 31/8/2019	Yes

Fatty acids	Insecticide, acaricide, herbicide and plant growth regulator.	Authorised until 31/8/2019	Yes
Sulphur	Fungicide, acaricide, repellent	Authorised to 31/12/2013	Yes
<b>7. Other substances</b>			
Potassium bicarbonate (potassium hydrogen carbonate)	Fungicide	Authorised until 31/8/2019	Yes

## **GUIDANCE DOCUMENT ON EUROPEAN UNION ORGANIC STANDARDS**

### **APPENDIX 5**

To be inserted when discussions on determining the definitions, sanctions and timescales for different types of compliance with the organic rules are completed.

**ANNEX IV TO COUNCIL DIRECTIVE 85/337**

**FORM OF ENVIRONMENTAL ASSESSMENT**

1. Description of the project, including in particular:

- a description of the physical characteristics of the whole project and the land-use requirements during the construction and operational phases,
- a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used,
- an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed project.

2. An outline of the main alternatives studied by the developer and an indication of the main reasons for this choice, taking into account the environmental effects.

3. A description of the aspects of the environment likely to be significantly affected by the proposed project, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors.

4. A description<sup>13</sup> of the likely significant effects of the proposed project on the environment resulting from:

- the existence of the project,
- the use of natural resources,
- the emission of pollutants, the creation of nuisances and the elimination of waste, and the description by the developer of the forecasting methods used to assess the effects on the environment.

5. A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.

6. A non-technical summary of the information provided under the above headings.

7. An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the developer in compiling the required information.

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<sup>13</sup> This description should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the project.