



ORGANIC REFORM

Production rules

**Empowerments that need to be
activated in the IAs and DAs?**

AGRI B4

COP

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1st IMPLEMENTING ACT ON PRODUCTION RULES

Which articles shall be activated?

- Art. 10(6) **Conversion**
- Art. 14(3) **Livestock production rules**
- Art. 15(3) **Production rules for algae and aquaculture animals**
- Art. 16(3) **Production rules for processed food**
- Art. 17(3) **Production rules for processed feed**
- Art. 26(7) **Collection of data concerning the availability on the market of organic and in-conversion plant reproductive material, organic animals and organic aquaculture juveniles**

2nd IMPLEMENTING ACT ON PRODUCTION RULES

- Art. 24(9) **Authorisation of products and substances that may be used in organic production**

Art. 10(6) Conversion

*The Commission **shall**, where appropriate, adopt implementing acts **specifying the documents to be supplied** for the purpose of the retroactive recognition of a previous period in accordance with paragraph 3 of this Article.*

Art. 14(3) Livestock production rules

The Commission ***shall***, where appropriate, adopt implementing acts regarding Part II of Annex II providing rules on:

- a) the **minimum period** to be complied with for **feeding** of suckling animals with **maternal milk**, referred to in point 1.4.1(g);
- b) the **stocking density** and the **minimum surface** for indoor and outdoor areas that are to be complied with for specific livestock species to ensure that the developmental, physiological and ethological needs of animals are met in accordance with points 1.6.3, 1.6.4 and 1.7.2,
- c) the **characteristics** of and **technical requirements** for the minimum surface for **indoor and outdoor areas**;
- d) the **characteristics** of and **technical requirements** for **buildings and pens** for all livestock species other than bees, to ensure that the developmental, physiological and ethological needs of animals are met in accordance with point 1.7.2;
- e) requirements for **vegetation** and the **characteristics** of **protected facilities** and **open air areas**.

Art. 15(3) Production rules for algae and aquaculture animals

*The Commission **shall**, where appropriate, adopt implementing acts laying down detailed rules per species or per group of species on the **stocking density**, and on the **specific characteristics for production systems and containment systems**, in order to ensure that the species-specific needs are met.*

Art. 16(3) Production rules for processed food

*The Commission **may** adopt implementing acts laying down the **techniques** authorised in the processing of food products.*

Art. 17(3) Production rules for processed feed

*The Commission may adopt implementing acts laying down the **techniques** authorised for use in the processing of feed products.*

Art. 26(7) Collection of data concerning the availability on the market of organic and in-conversion plant reproductive material, organic animals and organic aquaculture juveniles

The Commission **may** adopt implementing acts providing:

- a) **technical details** for establishing and maintaining the **databases**;
- b) specifications as regards the **collection of information**;
- c) specifications as regards the **arrangements for participation** in the databases and in the systems; and
- d) details as regards the **information to be provided by Member States** in accordance with Article 53(6).

Art. 24(9) Authorisation of products and substances that may be used in organic production

The Commission **shall** adopt implementing acts concerning the **authorisation** or withdrawal of authorisation of **products and substances** in accordance with paragraphs 1 and 2 that may be **used in organic production** in general and in the production of processed organic food in particular, and **establishing the procedures to be followed for such authorisations and the lists of such products and substances** and, where appropriate, their description, compositional requirements and conditions for use.

DELEGATED ACT ON PRODUCTION RULES

Which articles shall be activated?

- Art. 9(11) **General production rules**
- Art. 10(5) **Conversion**
- Art. 12(2) **Plant production rules**
- Art. 14(2) **Livestock production rules**
- Art. 15(2) **Production rules for algae and aquaculture animals**
- Art. 16(2) **Production rules for processed food**
- Art. 17(2) **Production rules for processed feed**
- Art. 18(2) **Production rules for wine**
- Art. 19(2) **Production rules for yeast used as food or feed**
- Art.21(1) **Production rules for products not falling within the categories of products referred to in Art. 12 to 19**
- Art.22(1) **Adoption of exceptional production rules**
- Art. 23(2) **Collection, packaging, transport and storage**
- Art. 24(6) **Authorisation of products and substances used in organic production**
- Art. 53(2-4) **Derogations, authorisations and report**

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- Art.13(3) **Specific provisions for the marketing of plant reproductive material of organic heterogeneous material**

Art. 9(11) General production rules

*The Commission is empowered to adopt delegated acts in accordance with Article 54 **amending** paragraph 7 of this Article **by adding further** rules on the **splitting of a holding into organic, in-conversion and non-organic** production units, in particular in relation to products listed in Annex I, or by amending those added rules*

Art. 10(5) Conversion

*The Commission is empowered to adopt delegated acts in accordance with Article 54 **amending** point 1.2.2 of Part II of Annex II **by adding conversion rules for species other than those regulated in Part II of Annex II** on ... [the date of entry into force of this Regulation], or by amending those added rules.*

Art. 12(2) Plant production rules

*The Commission is empowered to adopt delegated acts in accordance with Article 54 **amending**:*

- a) *points 1.3 and 1.4 of Part I of Annex II as regards **derogations**;*
- b) *point 1.8.5 of Part I of Annex II as regards the **use of in-conversion and non-organic plant reproductive material**;*
- c) *point 1.9.5 of Part I of Annex II by adding further provisions concerning **agreements between operators of agricultural holdings**, or by amending those added provisions;*
- d) *point 1.10.1 of Part I of Annex II by adding further **pest- and weed-management measures**, or by amending those added measures;*
- e) *part I of Annex II by adding further **detailed rules and cultivation practices for specific plants and plant products**, including rules for sprouted seeds, or by amending those added rules.*

Art. 14(2) Livestock production rules

The Commission is empowered to adopt delegated acts in accordance with Article 54 **amending**:

- a) points 1.3.4.2, 1.3.4.4.2 and 1.3.4.4.3 of Part II of Annex II **by reducing the percentages as regards the origin of animals**, once sufficient availability on the Union market of organic animals has been established;
- b) point 1.6.6 of Part II of Annex II **as regards the limit on organic nitrogen** linked to the total stocking density;
- c) point 1.9.6.2(b) of Part II of Annex II **as regards the feeding of bee colonies**;
- d) points 1.9.6.3(b) and (e) of Part II of Annex II **as regards the acceptable treatments** for the **disinfection of apiaries** and the methods and treatments to **fight against Varroa** destructor;
- e) Part II of Annex II **by adding detailed rules on livestock production for species other than species regulated in that Part** on ... [the date of entry into force of this Regulation], **or by amending** those added rules, as regards:
 - i. **derogations as regards the origin of animals;**
 - ii. **nutrition;**
 - iii. **housing and husbandry practices;**
 - iv. **health care;**
 - v. **animal welfare.**

Art. 15(2) Production rules for algae and aquaculture animals

*The Commission is empowered to adopt delegated acts in accordance with Article 54 **amending**:*

- a) point 3.1.3.3 of Part III of Annex II as regards **feed for carnivorous** aquaculture animals;*
- b) point 3.1.3.4 of Part III of Annex II by adding further **specific rules on feed** for certain aquaculture animals, or by amending those added rules;*
- c) point 3.1.4.2 of Part III of Annex II as regards **veterinary treatments** for aquaculture animals;*
- d) Part III of Annex II by adding further detailed **conditions** per species for **broodstock management, breeding and juvenile production**, or by amending those added detailed conditions.*

Art. 16(2) Production rules for processed food

*The Commission is empowered to adopt delegated acts in accordance with Article 54 **amending**:*

- a) point 1.4 of Part IV of Annex II as regards **precautionary measures and preventive measures** to be taken by **operators**;*
- b) point 2.2.2 of Part IV of Annex II as regards **the types and composition of products and substances** that are **allowed** for use in processed food, as well as **conditions** under which they may be used;*
- c) point 2.2.4 of Part IV of Annex II as regards **the calculation of the percentage of agricultural ingredients** referred to in points (a)(ii) and (b)(i) of Article 30(5), **including the food additives** authorised pursuant to Article 24 for use in organic production that are considered as agricultural ingredients for the purpose of such calculations.*

Those delegated acts shall not include the possibility of using flavouring substances or flavouring preparations which are neither natural, within the meaning of Article 16(2), (3) and (4) of Regulation (EC) No 1334/2008 of the European Parliament and of the Council , nor organic.

Art. 17(2) Production rules for processed feed

*The Commission is empowered to adopt delegated acts in accordance with Article 54 **amending** point 1.4 of Part V of Annex II by adding further precautionary and preventive measures to be taken by **operators**, or by amending those added measures.*

Art. 18(2) Production rules for wine

*The Commission is empowered to adopt delegated acts in accordance with Article 54 **amending**:*

- a) point 3.2 of Part VI of Annex II **by adding further oenological practices, processes and treatments** that are prohibited, or by amending those added elements;*
- b) point 3.3. of Part VI of Annex II (**conditions** for permitted oenological practices, processes and treatments).*

Art. 19(2) Production rules for yeast used as food or feed

*The Commission is empowered to adopt delegated acts in accordance with Article 54 **amending** point 1.3 of Part VII of Annex II by adding further detailed yeast production rules, or by amending those added rules*

Art. 21(1) Production rules for products not falling within the categories of products referred to in Articles 12 to 19

*The Commission is empowered to adopt delegated acts in accordance with Article 54 **amending** Annex II **by adding detailed production rules**, as well as rules on the obligation to convert, **for products that do not fall** within the categories of products referred to **in Articles 12 to 19**, or by amending those added rules.*

Those delegated acts shall be based on the objectives and principles of organic production laid down in Chapter II and shall comply with the general production rules laid down in Articles 9, 10 and 11 as well as existing detailed production rules laid down for similar products in Annex II. They shall lay down requirements concerning, in particular, the treatments, practices and inputs that are allowed or prohibited, or conversion periods for the products concerned.

Art. 22(1) Adoption of exceptional production rules

*The Commission is empowered to adopt delegated acts in accordance with Article 54 **supplementing this Regulation** by laying down:*

- a) **the criteria** to determine whether a situation qualifies as **catastrophic circumstances** deriving from an 'adverse climatic event', 'animal diseases', an 'environmental incident', a 'natural disaster' or a 'catastrophic event', as defined in points (h), (i), (j), (k) and (l) of Article 2(1) of Regulation (EU) No 1305/2013, respectively, as well as any comparable situation;*
- b) **specific rules**, including possible derogations from this Regulation, **on how Member States are to deal with** such catastrophic circumstances if they decide to apply this Article; and*
- c) **specific rules on monitoring and reporting** in such cases.*

Those criteria and rules shall be subject to the principles of organic production laid down in Chapter II.

Art. 23(2) Collection, packaging, transport and storage

*The Commission is empowered to adopt delegated acts in accordance with Article 54 **amending**:*

- a) point 2 of Annex III (**packaging and transport** to other operators or units);*
- b) points 3, 4 and 6 of Annex III by adding further special **rules** for the **transport and reception** of the products concerned, or by amending those added rules.*

Art. 24(6) Authorisation of products and substances used in organic production

*The Commission is empowered to adopt delegated acts in accordance with Article 54 **amending** paragraphs 3 and 4 of this Article **by adding** **further criteria** for the **authorisation of products and substances** referred to in paragraphs 1 and 2 of this Article for use in organic production in general, and in the production of processed organic food in particular, as well as further criteria for the withdrawal of such authorisations, or by amending those added criteria.*

Art. 53(2) Derogations, authorisations and report

*From 1 January 2028, based on the conclusions as regards availability of organic plant reproductive material and animals presented in the report provided for in paragraph 7 of this Article, the Commission shall be empowered to adopt delegated acts in accordance with Article 54 **amending** this Regulation by:*

- a) **ending the derogations** referred to in point 1.8.5 of Part I of Annex II and in points 1.3.4.3 and 1.3.4.4 of Part II of Annex II, with the exception of point 1.3.4.4.2 of Part II of Annex II, at an earlier date than 31 December 2035 or extending them beyond that date; or*
- b) **ending the derogation** referred to in point 1.3.4.4.2 of Part II of Annex II.*

Art. 53(3) Derogations, authorisations and report

*From 1 January 2026, the Commission shall be empowered to adopt delegated acts in accordance with Article 54 **amending** point (b) of Article 26(2) **to extend the scope of the information system** referred to in Article 26(2) **to pullets** and point 1.3.4.3 of Part II of Annex II **to base the derogations concerning pullets on the data collected in accordance with this system.***

Art. 53(4) Derogations, authorisations and report

*From 1 January 2025, the Commission shall be empowered to adopt delegated acts in accordance with Article 54, based on the information as regards availability of organic protein feed for poultry and porcine animals made available by Member States in accordance with paragraph 6 of this Article or presented in the report referred to in paragraph 7 of this Article, **ending the authorisations to use non-organic protein feed** in the nutrition of poultry and porcine animals referred to in points 1.9.3.1(c) and 1.9.4.2(c) of Part II of Annex II at an earlier date than 31 December 2025 **or extending them** beyond that date.*

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Art. 13(3) Specific provisions for the marketing of plant reproductive material of organic heterogeneous material

*The Commission is empowered to adopt delegated acts in accordance with Article 54 **supplementing this Regulation** by setting out **rules governing the production and marketing of plant reproductive material of organic heterogeneous material** of particular genera or species, as regards:*

- a) the description of the organic heterogeneous material, including the relevant breeding and production methods and parental material used;*
- b) the minimum quality requirements for seeds lots, including identity, specific purity, germination rates and sanitary quality;*
- c) labelling and packaging;*
- d) information and samples of production to be kept by the professional operators;*
- e) where applicable, maintenance of the organic heterogeneous material.*

Needed for the production rules:

IA

- Art. 10(6) **Conversion**
- Art. 14(3) **Livestock production rules**
- Art. 15(3) **Production rules for algae and aquaculture animals**
- Art. 26(7) **Collection of data concerning the availability on the market of organic and in-conversion plant reproductive material, organic animals and organic aquaculture juveniles**

[Moved to the Controls group...]

Art. 28(3) **Precautionary measures**

Art. 29(8) **Measures to be taken in cases of presence of non-authorized products and substances]**

IA

- Art. 24(9) **Authorisation of products and substances that may be used in organic production**

DA

- Art.14(2) **Livestock production rules**
- Art.15(2) **Production rules for algae and aquaculture animals**
- Art.21(1) **Production rules for products not falling within the categories of products referred to in Art. 12 to 19**
- Art.22(1) **Adoption of exceptional production rules**

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- Art.13 (3) **Specific provisions for the marketing of plant reproductive material of organic heterogeneous material**

PRODUCTION RULES

WHAT ALREADY EXISTS ?

Next COP...

- ❖ **Discussion on empowerments relevant for the Controls and Trade groups that need to be activated in the IAs and DAs**
- ❖ **What already exists?**