



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Brussels,
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Dear [REDACTED]

I would like to thank for your email of 26 July 2021 (Int. Ref. Ares (2021)4776487), in which you ask clarification with respect to the provisions of Article 9(9) of Regulation (EU) 2018/848¹, in particular: *“What is covered by “breeding operations”? Plant-related breeding operations or animal-related breeding operations (i. e. operators who breed animals) or both?”*

In this respect, please be informed that Article 9(9) reads as follows: *“The requirements concerning different species and varieties, laid down in points (a) and (b) of paragraph 7, shall not apply in the case of research and educational centres, plant nurseries, seed multipliers and breeding operations.”*

Paragraph 7 of the same Article provides for the following: *“Notwithstanding paragraph 2, a holding may be split into clearly and effectively separated production units for organic, in-conversion and non-organic production, provided that for the non-organic production units:*

(a) as regards livestock, different species are involved;

(b) as regards plants, different varieties that can be easily differentiated are involved.

As regards algae and aquaculture animals, the same species may be involved, provided that there is a clear and effective separation between the production sites or units.”

Therefore, on the basis of the reference to points (a) and (b) of paragraph 7, “breeding operations” should be relevant for livestock and plants.

Moreover, for the sake of clarity, it has to be underlined that here the term “breeding operations” is used with a restrictive meaning, referring to genetic improvement. Indeed, I would like to bring to your attention the translation of “breeding operations” in Article 9(9) in German (*Zuchtbetrieben*), French (*opérations de sélection*) and Italian (*operazioni di miglioramento genetico*), which are duly referring to genetic improvement operations, hence to specialised selection.

The present opinion is provided on the basis of the facts as set out in your email of 26 July 2021 and expresses the view of the Commission services and does not commit the European Commission. In the event of a dispute involving Union law it is, under the

¹ [Regulation \(EU\) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation \(EC\) No 834/2007 \(OJ L 150, 14.6.2018 p.1 \)](#)

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Treaty on the Functioning of the European Union, ultimately for the European Court of Justice to provide a definitive interpretation of the applicable Union law.

Yours sincerely,



c.c.:

