



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B – Quality, Research & Innovation, Outreach

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I would like to thank you for your email of 1 November<sup>1</sup> related to the breeding of cervine animals in organic farming.

You would like to know how to proceed for the breeding of cervids kept in forest areas (deer-parks) regarding the conversion period. You mention in your email that cervids have a conversion period of 12 months but that there is no conversion period for the forest (as land) in the Regulation. Large number of cervids are bred in deer-parks that are forested. You ask how to determine the conversion period for such land. You also ask whether only farm breeding can be certified organic.

Please take into account that for the purpose of my reply to you below, I assume that you use the term “breeding“ in the sense of “livestock production as defined in Article 3, point (27), of Regulation (EU) 2018/848, that is to say the production of domestic or domesticated terrestrial animals.

The rules related to the production of organic cervine animals and conversion are laid down in Regulation (EU) 2018/848<sup>2</sup> and Commission Implementing Regulation (EU) 2020/464<sup>3</sup>. Only an ‘organic product’ as defined in Article 3, point (2), of Regulation (EU) 2018/848 as “*a product resulting from organic production*”, other than a product produced during the conversion period referred to in Article 10 of Regulation (EU) 2018/848 and excluding the products of hunting or fishing of wild animals, can be certified. Further, livestock production is defined in Article 3, point (27), of Regulation (EU) 2018/848 as “*the production of domestic or domesticated terrestrial animals*” and hence only domestic or domesticated cervine animals can be certified as organic.

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<sup>1</sup>Ares (2021)6790221

<sup>2</sup><https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02018R0848-20201114&qid=1636556533495>

<sup>3</sup><https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02020R0464-20201215&qid=1636556594311>

Regarding the rules on conversion applying to deer-parks that are part of forest areas, I would refer in particular to the provisions of Article 10, point 1.7 of Part I of Annex II to Regulation (EU) 2018/848 and point 1.2 of Part II of Annex II to Regulation (EU) 2018/848. In the case you describe, you may consider verifying whether the conditions for a retroactive period of conversion of land parcels could be fulfilled under the conditions set respectively in Article 10(3) of Regulation (EU) 2018/848 and Article 1 of Commission implementing Regulation (EU) 2020/464.

Concerning „deer-parks“, I would also refer you to the provisions of Commission implementing Regulation (EU) 2020/464, and in particular to:

- Article 6 on stocking density and minimum surface areas;
- Article 7 on the characteristics of and technical requirements for outdoor enclosures or pens;
- Article 8 on the requirements for vegetation and characteristics of protected facilities and open air areas; and
- Part II of Annex I.

These provisions refer to enclosures or pens and require in particular in Article 8(4) that *„Fences around outdoor enclosures or pens shall be constructed in such a way that cervine animals cannot escape.“*

So, in the case at stake, you may need to ensure that the deer-parks that are forested to which you refer to fulfill these requirements.

The present opinion is provided on the basis of the facts as set out in your email 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 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 faithfully,

