



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B. Quality, Research & Innovation, Outreach
The Director

Brussels,
PP/nb(2019)8617579

Dear [REDACTED],

Thank you for your e-mail of 17 April 2019 (Int. Ref. ARES (2019)2742626) by which you bring to our attention the fact that “conventional” straw is authorised for bedding in organic farms in Denmark and on the basis of the assumption that straw could be contaminated by glyphosate, you suggest that the “*organic farmers should state whether the straw is certified and tested for glyphosate/AMPA using LC/MS/MS with accreditation ISO 17025 and ILAC*”. Please accept my apologies for the very late reply.

In order to address your concern, I refer to Article 4 of Regulation (EC) No 834/2007¹ laying down the overall principles for the production of organic food. The following principles, among others, apply to the case you presented:

“(a) the appropriate design and management of biological processes based on ecological systems **using natural resources which are internal to the system by methods that:**

(i) use living organisms and mechanical production methods;

(ii) **practice land-related crop cultivation and livestock production** or practice aquaculture which complies with the principle of sustainable exploitation of fisheries;

(iii) exclude the use of GMOs and products produced from or by GMOs with the exception of veterinary medicinal products;

(iv) are based on risk assessment, and **the use of precautionary and preventive measures**, when appropriate;

“(b) **the restriction of the use of external inputs**. *Where external inputs are required or the appropriate management practices and methods referred to in paragraph (a) do not exist, these shall be limited to:*

(i) **inputs from organic production**;

(ii) **natural or naturally-derived substances**;

¹ 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. <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02007R0834-20081010&qid=1396976187958&from=EN>

(iii) low solubility mineral fertilisers;”.

Moreover, under Article 5 on specific principles applicable to farming, among others: *“(b) the minimisation of the use of non-renewable resources and **off-farm inputs**;”*

In addition, Article 12 of the same Regulation concerning plant production rules clearly lays down under its paragraph 1 (b) that *“the fertility and biological activity of the soil shall be maintained and increased by multiannual crop rotation including legumes and other green manure crops, and by the application of livestock manure or organic material, both preferably composted, from organic production;”*.

Finally, Article 11 of Regulation (EC) No 889/2008², concerning specific housing conditions and husbandry practices for mammals, lays down: *“The housing shall be provided with a comfortable, clean and dry laying/rest area of sufficient size, consisting of a solid construction which is not slatted. Ample dry bedding strewn with litter material shall be provided in the rest area. The litter shall **comprise straw or other suitable natural material. The litter may be improved and enriched with any mineral product listed in Annex I.**”* Not only for mammals but also Article 12 provides for all poultry : *“(a) at least one third of the floor area shall be solid, that is, not of slatted or of grid construction, and covered with a litter material such as straw, wood shavings, sand or turf;”*.

Therefore, on the basis of above, it is possible to use conventional straw for bedding in organic livestock production. However, the operator should give priority to the use of organic or in conversion straw and only in extreme cases, rely on non-organic off-farm inputs.

To address your suggestion on specific analyses to ensure absence of residues of active substances such as glyphosate, I recall that in accordance with Article 63(1)(c) of Regulation (EC) No 889/2008, the operator must draw up and subsequently maintain *“precautionary measures to be taken in order to reduce the risk of contamination by unauthorised products or substances and the cleaning measures to be taken in storage places and throughout the operator's production chain”*.

Hence, the operator has the responsibility to ensure that any critical processing step does not jeopardise the integrity of organic products. This is particularly relevant when off-farm inputs are used such as straw and precautionary measures could also include analyses. However, it is the responsibility of the operator to identify and apply the best precautionary measures to ensure integrity of the specific organic production.

The present opinion is provided on the basis of the facts as set out in your e-mail of 17 April 2019 and expresses the view of the Commission services and does not commit the

² Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control (OJ L 250, 18.9.2008, p. 1–84).

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 sincerely,

