

The New European Organic Regulation

**Technical Handbook
on the impacts
of Regulation (EU) 2018/848**



CONTENT

INTRODUCTION

Page 4 - Background

Page 5 - Regulatory framework

Page 6 - Transition

PLANT PRODUCTION

Page 8 - #1: Plant reproductive materials

Page 10 - #2: Conversion and mixity

Page 11 - #3: Inputs and practices

ANIMAL HUSBANDRY

Page 13 - #4: Herbivores

Page 15 - #5: Pork

Page 18 - #6: Poultry

Page 23 - #7: Beekeeping

Page 24 - Technical annexes

AQUACULTURE

Page 26 - #8 General changes

Page 27 - #9 Algae

Page 29 - #10 Fish

PROCESSING

Page 35 - #11 Composition Rules

Page 36 - #12 Specific cases

Page 38 - #13 Processing methods

LABELLING

Page 40 - #14 Compulsory indications

IMPORT/EXPORT

Page 42 - #15 Change in trade rules with third countries

Page 43 - #16 Certificate of Inspection

Page 44 - #17 Specific case of the UK

GROWER GROUPS

Page 46 - #18 Eligibility criteria

Page 48 - #19 External control rules

Page 50 - #20 Internal control rules

SUMMARY

INTRODUCTION



Why a Technical Handbook?

On 1st January 2022, the **new European Organic Regulation (EU) 2018/848**, has come into force.

In order to allow you to take note of the main changes and impacts for your activity, this practical handbook provides you with technical information dedicated to the new regulation.

This handbook is a 'living document' and likely to be updated regularly according to the secondary acts still to be published by the European Union.

It aims to guide any operator in the transition to the new European Organic Regulation.



Structure of the Handbook

This handbook introduces the **regulatory changes to date** and is organized by topic. For each topic, technical sheets allow to identify at a glance the evolutions and impacts of the new European Organic Regulation.

Some evolutions have not yet all been acted upon within the Regulation: changes are therefore still to be expected. Any information that still requires the publication of secondary acts will be highlighted **in this way**.

Note: *The handbook details the evolutions between the new European Organic Regulation, Regulation (EU) 2018/848 and the previous requirements defined in the Regulation (EC) No. 834/2007 and Control Bodies' Organic Standards (CBOS - standards equivalent to the previous EU organic regulation, and referenced in third countries; see "Transition to the New Regulation").*

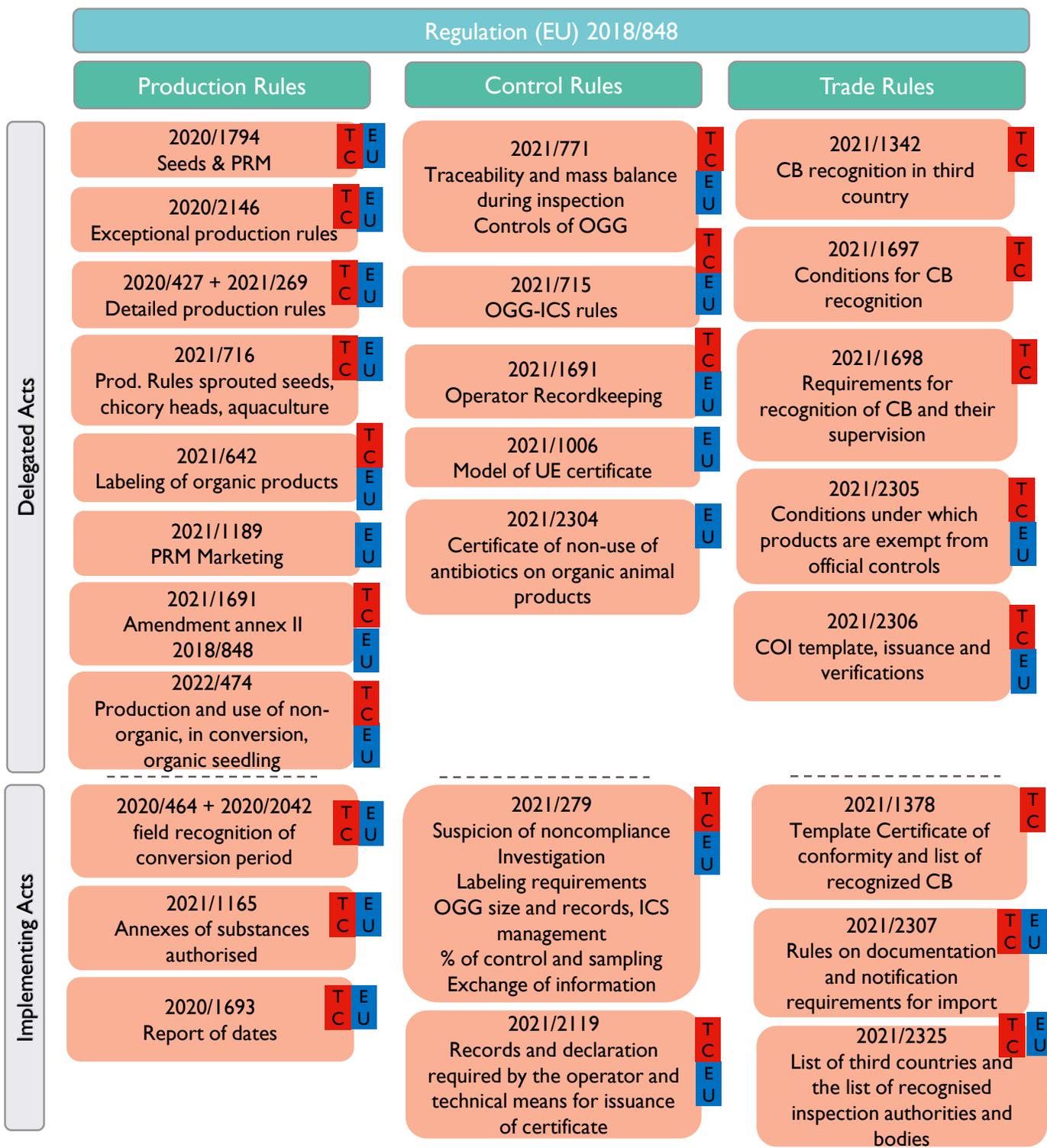
REGULATORY FRAMEWORK

Regulatory framework

The new texts on organic farming are composed of three types:

- The basis act is the Regulation (EU) 2018/848
- The secondary acts, which include (1) implementing acts and (2) delegated acts

- Draft IA or DA
- Official published IA or DA
- TC Applicable in Third Countries
- EU Applicable in the EU



TRANSITION TO THE NEW REGULATION

BEFORE

Two ways for products outside the EU to be recognized as organic according to EU:

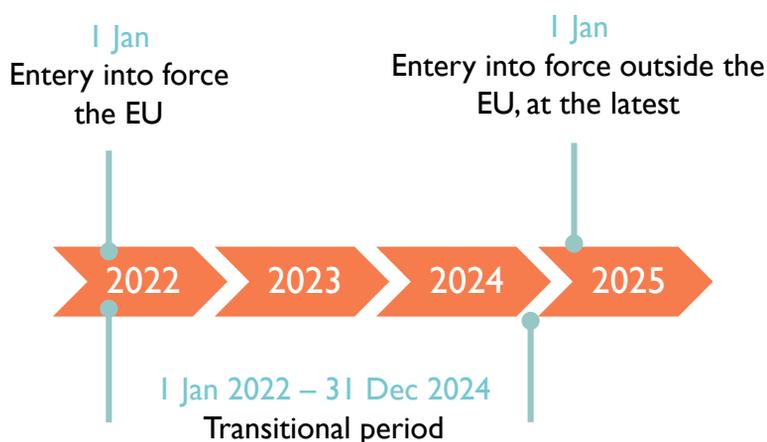
- Coming from countries whose regulation is considered as equivalent
- To be certified by a Control Body (CB) recognized and supervised by the European Commission. The standards used by the CB must be validated as equivalent to the EU regulation (Control Body Organic Standard CBOS)

In order to simplify this handbook, when we refer to the former EU organic regulation, we will use the regulatory reference of R(EC) 834/2008 and 889/2008 and not of the different CBOSs.

TRANSITION TO THE NEW REGULATION

ARTICLE 46 OF Regulation (EU) 2018/848

In regard to countries outside the EU, a transitional period is suggested by the European Commission for the transition from equivalent CB organic standards (CBOS) to the new regulation, where full compliance is requested: **between 1 January 2022 and 31 December 2024**. This means in practice that you will have to obtain certification according to the new European regulation by 31 December 2024 at the latest to continue exporting your products to Europe. Beyond this date, at the end of the transitional period, all equivalent standards (CBOS) listed in Annex II of Regulation (EU) 2021/2325 will **no longer be recognized by the European Commission**. Only certification according to the new European regulation will be recognized for exporting organic products to Europe.



The **CBs willing to operate outside the EU must obtain the prior agreement of the Commission** to be able to offer you compliant certification according to the new Regulation (EU) 2018/848. Once validated, the Commission will publish in an official secondary act the list of control bodies «recognized for compliance».

PLANT PRODUCTION



#1 – PLANT REPRODUCTIVE MATERIAL

PERENNIAL CROPS

Point 1.8.2 Annex II Part I of Regulation (EU) 2018/848

For a plant to be certified organic, the rootstock must come from a mother plant* that has been organically grown for at least two (2) growing seasons.

PLANT REPRODUCTIVE MATERIAL (PRM)

Articles 10.4.a and 30.3

The sale of PRM* marketed in *Conversion* will now be possible for PRM* from plots after 12 months of conversion.

Points 1.7.3 and 1.8.5.3 Annex II Part I

No more derogation for the use of conventional treated PRM*.

Regulation (EU) 2020/1794

Possible use of conventional PRM* until 31/12/2036 under conditions:

- With derogation
- Only for non-treated PRM*
- Proof of unavailability as organic / in conversion

For PRM* in conversion, possibility to use without derogation, if there is a proof of unavailability as organic.

Regulation (EU) 2022/474

Use of in conversion and non-organic seedlings possible under conditions.



PRM

Plant Reproductive Material

= any type of plant material, capable of producing plants: seeds, seedlings, cuttings...



MOTHER PLANT

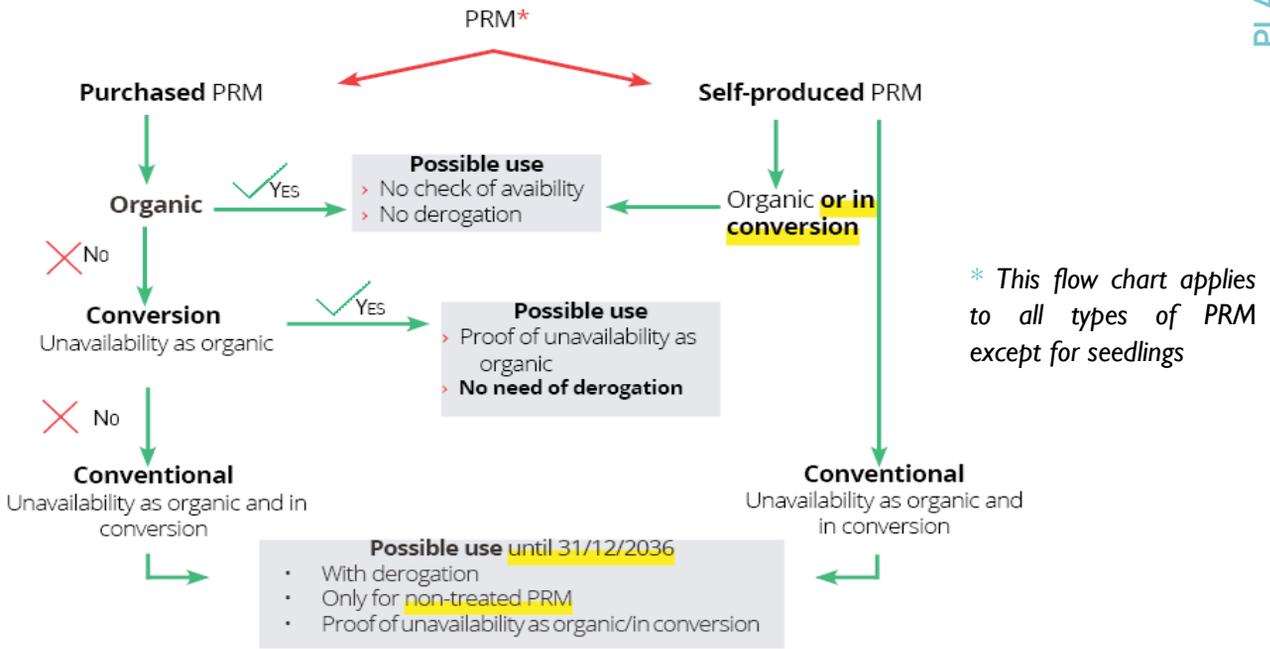
= Identified plant from which plant reproductive material is taken for the reproduction of new plants (article 3 of Regulation (EU) 2018/848).

SEEDLING

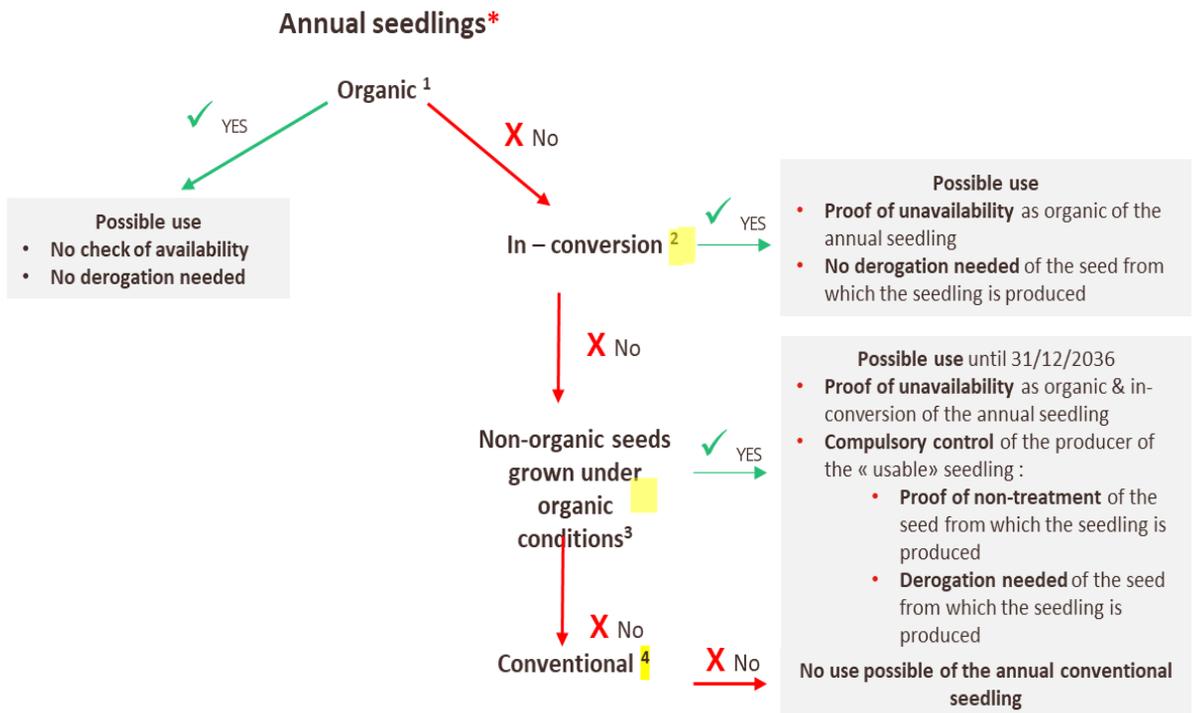
= a young plant originating from seed and not from cutting (annex III of Regulation (EU) 2020/464)

#1 – PLANT REPRODUCTIVE MATERIAL

USE OF PRM



USE OF ANNUAL SEEDLINGS



* : young plant originating from seeds and not cutting. Self produced and/or purchased annual seedlings.

#2 – CONVERSION AND PARALLEL PRODUCTION

RETROACTIVE RECOGNITION OF THE CONVERSION PERIOD

Article 24 of Regulation (EU) 2021/1698

The conditions for accessing retroactive recognition of the land conversion period are expected to become more stringent.

Derogation for an immediate conversion of a land to organic will only be granted as follows:

- an official and detailed request from the operator, and
- a thorough analysis by his control body of the risks of treatment and/or contamination of the land over the last 3 years. This analysis will lead to an on-site audit which must take place before any cultivation practice, during which samples for analysis could be taken.

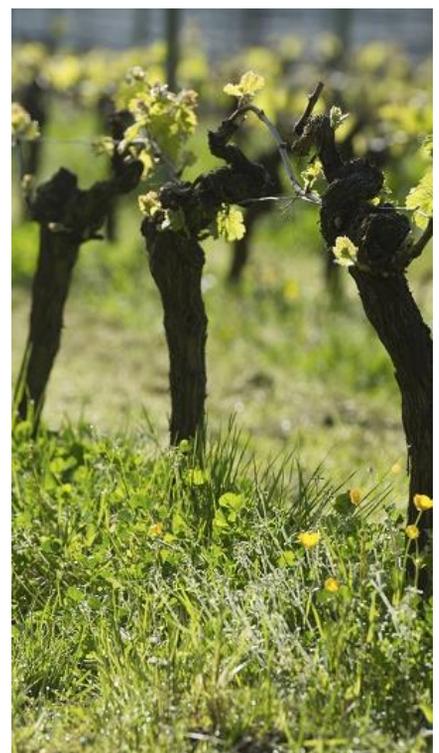
The derogation can only be accepted if the risks / doubts about a possible contamination of the plots over the last 3 years are removed.

PARALLEL PRODUCTION

Article 9.8 of Regulation (EU) 2018/848

On derogation, it is still possible to grow organic and conventional perennial crops of the **same variety** (*new precision in Regulation (EU) 2018/848*) or of different varieties that are difficult to distinguish to the eye. One condition of the derogation is the implementation of a 5-years conversion plan for conventional crops.

However, this condition changed: conversion will have to start **not later than year 2** (before: no later than year 5).



#3 – INPUTS AND PRACTICES

AUTHORIZED INPUTS

Article 45.2 of Regulation (EU) 2018/848 + list to come

The list of authorized inputs is changing. Some inputs (not currently authorized in the EU but authorized by CBOS) for plant protection may no longer be usable:

Wood vinegar; vegetable ashes, soybean oil, ethylene in cultivation, ; some plant extracts...

The final list of authorized inputs is available in Regulation (EU) 2021/1165.



The European Commission may nevertheless grant, upon request of the control bodies, specific authorizations for the use of certain products and substances in countries outside the EU, for two years and renewable.

CROP ROTATION

Annex II part I point 1.9.2 of Regulation (EU) 2018/848

Concerns all types of crops except grassland and perennial forage.

If the objectives of rotation remain the same, crop rotation will now be required to include mandatory leguminous crops as a main or cover crop, as well as other green manure crops.

In the case of greenhouses and perennial crops, it will also be necessary to include short-term green manure crops and legumes and introduce plant diversity.

SPROUTED SEEDS PRODUCTION

Regulation (EU) 2020/427 + Regulation (EU)2021/716

Sprouted seeds (including sprouts, shoots and cress), as an exception to the soil link rule since they are only moistened in water, must be produced from organic seeds. Please note that organic and non-organic production for the same variety will be forbidden.



ANIMAL HUSBANDRY



#4 - HERBIVORES

ANIMAL WELFARE

TETHERING OF CATTLE

Point 1.7.5 Annex II Part II of Regulation (EU) 2018/848

Only farms with fewer than 50 adult animals are now eligible to derogation regarding tethering of cattle.

END OF INDOOR FATTENING

It will no longer be possible to carry out the final fattening phase of adult cattle for meat production exclusively indoors.

GRAZING ON WET SOILS

Point 1.6.10 Annex II Part II of Regulation (EU) 2018/848

As today, the animals will have to access to the outdoors as soon as conditions permit it. It has been specified yet that the enclosures may not be built on wet or marshy ground.

SHADED OUTDOOR AREAS

Point 1.6.2 Annex II Part II of Regulation (EU) 2018/848

Even if buildings still are not compulsory, when weather conditions allow animals to live outdoors all year round, the animals will now need to have access to shelters or shaded areas to protect themselves from bad weather.

DEROGATIONS

PURCHASES IN CASE OF BREEDS THREATENED TO BE LOST

Regulation (EU) 2018/848 Annex II part II point 1.3.4.I

There is no longer a 40% limit on the purchase of non-nuliparous animals in this case.

#4 - HERBIVORES

NUTRITION

STRENGTHENING FEED AUTONOMY

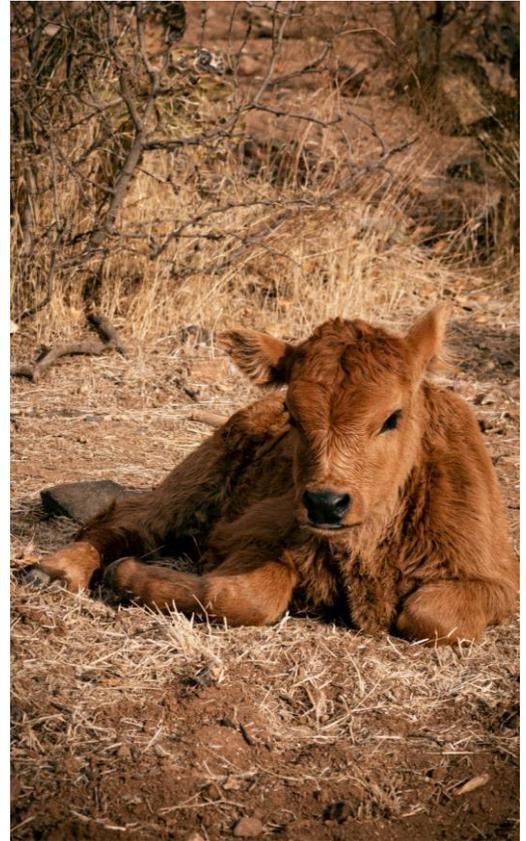
Point 1.9.1.1 Annex II Part II of Regulation (EU) 2018/848

The proportion of feed coming from the farm itself or, if not possible, produced in regional cooperation remains at 60% initially, but will increase to 70% as from 1 January 2024.

MILK REPLACER BEFORE WEANING

Point 1.4.1.g Annex II Part II of Regulation (EU) 2018/848

If animal feeding with maternal milk is not possible, the organic milk replacer must be 100% organic (i.e. must not contain synthetic chemical components authorized as additives, or components of plant origin, including organic components, before weaning).



LESS FEED IN CONVERSION FROM OUTSIDE

Point 1.4.3 Annex II Part II of Regulation (EU) 2018/848

Maximum of 25% of 2nd year conversion feed (C2) not coming from the own farm (30% so far).

Maximum of 25% of accumulated 2nd year in-conversion feed from outside the farm and 1st year self-produced in-conversion feed (perennial forage, protein crops) (30% so far).

Feed from the own farm in the second year of conversion may always make up 100% of the ration.

#5 - PORK

NUTRITION

STRENGTHENING FEED AUTONOMY

POINT 1.9.3.1 ANNEX II PART II OF THE Regulation (EU) 2018/848

The proportion of food coming from the own farm or, if this is not possible, produced in regional cooperation, is increased to 30% (20% so far).

LESS FEED IN CONVERSION FROM OUTSIDE

POINT 1.4.3.1 ANNEX II PART II OF Regulation (EU) 2018/848 »

Maximum of 25% of 2nd year conversion feed (C2) not coming from the farm (30% so far).

Maximum of 25% of accumulated 2nd year in-conversion feed from outside the farm and 1st year self-produced in-conversion feed (C1) (perennial forage, protein crops) (30% so far).

The share of 1st year self-produced in-conversion feed (C1) still is maintained at 20%.



MILK REPLACER BEFORE WEANING

Point 1.4.1 Annex II Part II of Regulation (EU) 2018/848

If animal feeding with maternal milk is not possible, the organic milk replacer must be “100% milk”. It must not contain synthetic chemical components authorized as additives, or components of plant origin, including organic components, before weaning.

NON-ORGANIC PROTEIN FEEDS: ONLY FOR YOUNG PIGLETS

1.9.3.1.C Annex II Part II of Regulation (EU) 2018/848

It will still be possible to use non-organic protein feeds up to a maximum of 5% in the ration per 12-month period, provided that there is no organic protein feed available, and that it is prepared without chemical solvents as it is today. On the other hand, they must be intended only for piglets of 35 kg maximum. The possibility to use non-organic protein feed should end on 31 December 2026, after a review by the European Commission in 2026.

#5 - PORK

ANIMAL WELFARE

REARING ON WET SOILS

Point 1.6.10 Annex II Part II of Regulation (EU) 2018/848

As today, the animals will have to access to the outdoors as soon as conditions permit. It has been specified yet that the pens may not be built on wet or marshy ground.

HARD SURFACE FOR OUTDOOR SPACES

Regulation (EU) 2020/464 - Article 11

At least half of the minimum surface area of indoor and outdoor spaces shall be hard surface (without grating or grid).

MUTILATION

Regulation (EU) 2018/848 Annex II part II point 1.7

Tooth trimming is no longer allowed.

GROUP LIVING

Regulation (EU) 2018/848 Annex II part II point 1.9.3.2.d

Sows must be kept in groups.

FARROWING PERIOD AND LACTATION

Regulation (EU) 2018/848 - Annex II part II - point 1.9.3.2.d)

At the end of pregnancy and during lactation, sows may be isolated. However, they must be able to move freely in their pen. If their movement must be restricted, it must not exceed a short period.

Regulation (EU) 2018/848 - Annex II part II - point 1.9.3.2.e)

A few days before farrowing, straw or any other natural material is made available to the sows for the construction of nests.

SHADED OUTDOOR AREAS

Point 1.6.2 Annex II Part II of Regulation (EU) 2018/848

Even if buildings still are not compulsory, when weather conditions allow animals to live outdoors all year round, the animals will now need to have access to shelters or shaded areas to protect themselves from bad weather.



#5 - PORK

DEROGATIONS

PURCHASES IN CASE OF BREEDS THREATENED TO BE LOST

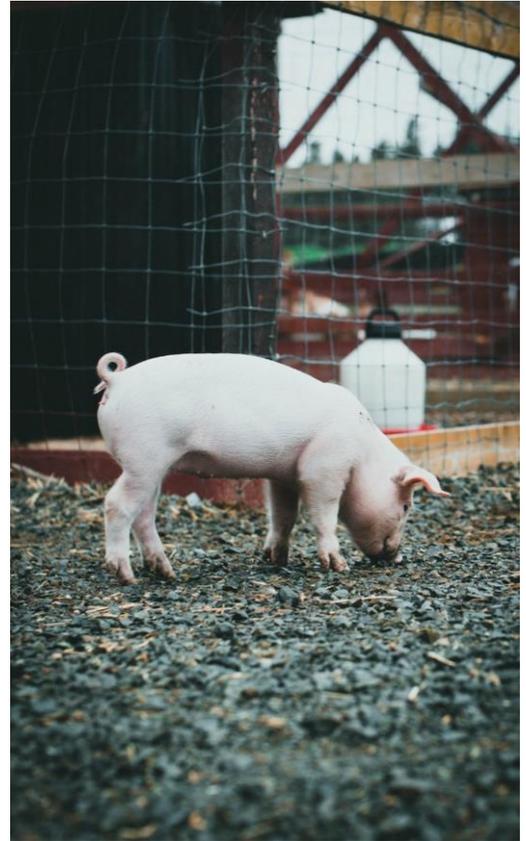
Regulation (EU) 2018/848 Annex II part II point 1.3.4.1

There is no longer a 40% limit on the purchase of non-nuliparous animals in this case.

DENSITY

Regulation (EU) 2020/2146 - Article 3 point 4

It will be possible to derogate from the rules on maximum stocking density in buildings and the minimum areas of indoor and outdoor spaces in case of disaster situations, such as earthquakes or floods destroying pastures or buildings.



PURCHASES OF ANIMALS

Regulation (EU) 2018/848 Annex II part II point 1.3.4.4

All requests for purchases of non-organic animals are subject to derogation after consultation of the database set up by the competent authority in EU, or by other relevant authority in third countries.

The animals must not exceed 35 kg.

#6 - POULTRY

NON ORGANIC ANIMALS

NON-ORGANIC CHICKS

POINT 1.3.4.3 OF ANNEX II PART II AND ARTICLE 53.1 of Regulation (EU) 2018/848

It will still be possible to purchase non-organic chicks under 3 days old for the creation and renewal of the flock, but this derogation should end on 31 December 2036.

prophylaxis rules of organic farming (Article 42.b of Regulation (EC) 889/2008), may no longer be used. The rearing of pullets over 3 days old must therefore comply with the organic specifications and in particular the housing conditions and indoor and outdoor densities.

NON-ORGANIC PULLETS

Non-organic pullets under 18 weeks of age, only complying with the feeding and

ANIMAL PRODUCTION

STRENGTHENING FEED AUTONOMY

POINT 1.9.4.2 ANNEX II PART II of Regulation (EU) 2018/848

The proportion of food coming from the farm itself or, if this is not possible, produced in regional cooperation, is increased to 30% (20% so far).

LESS FEED IN CONVERSION FROM OUTSIDE

POINT 1.4.3.1 ANNEX II PART II of Regulation (EU) 2018/848

Maximum of 25% of 2nd year conversion feed (C2) not coming from the farm (30% currently).

Maximum of 25% of accumulated 2nd year in-conversion feed from outside the farm and 1st year self-produced in-conversion feed (perennial forage, protein crops) (30% so far).

Self-produced feed in the second year of conversion may always make up 100% of the ration.



#6 - POULTRY

NUTRITION

NON-ORGANIC PROTEIN FEEDS: ONLY FOR YOUNG POULTRY POINT

1.9.4.2.C.III ANNEX II PART II AND ARTICLE 53.4 of Regulation (EU) 2018/848

It will still be possible to use non-organic protein feeds up to a maximum of 5% in the ration per 12-month period, provided that there is no organic protein feed available, and that it is prepared without chemical solvents (same as so far). On the other hand, they must be intended only for young poultry. The possibility to use non-organic protein feed should end on 31 December 2026, after a review by the European Commission in 2026.

LACK OF FOOD IN THE OUTDOOR AREA

POINT 1.9.4.4.I ANNEX II PART II of Regulation (EU) 2018/848

When feed is no longer naturally available in the open air (snow, aridity...), roughage must be brought to the animals.

HOUSES

PERCH AND/OR RAISED RESTING PLATFORM

ARTICLE 15.5 AND ANNEX I PART IV of Regulation (EU) 2020/464

This type of accommodation should be available not only for layers, but also for all poultry from an early age except ducks and geese. The dimensions are laid down in Regulation (EU) 2020/464.

PENS MAY NOT BE BUILT ON WET OR MARSHY GROUND

ANNEX II PART II POINT 1.6.10 of Regulation (EU) 2018/848



#6 - POULTRY

HOUSES

MULTI-TIERED SYSTEMS

ARTICLE 15.4 of Regulation (EU) 2020/464

Multi-tiered systems may only be used for *Gallus gallus* species, with the exception of poultry for fattening: i.e. for breeding *Gallus gallus*, laying hens, pullets for future egg production, future breeding pullets and male chickens of laying breeds.

There must be no more than 3 levels, including the ground, and access to the different levels and outdoor areas must be easily possible for all birds.

STOCKING DENSITY

ANNEX I PART IV of Regulation (EU) 2020/464

Minor changes for minimum surfaces per bird in houses and on outdoor areas:

Addition of categories of poultry: male pullets and chickens of laying breeds, breeding hens and chickens, capons and poulards

Fattening poultry: the number of animals per m² will no longer be considered as today for the minimum stocking density, but only the live weight per m² (21 kg /m²).

Mobile poultry houses: minimum density of 30 kg live weight/m² instead of 16 birds/m² (for houses of less than 150 m²).

BARRIER-FREE ACCESS TO THE ENTRY/EXIT POP-HOLES

Regulation (EU) 2020/464 - Article 15.1.c and e and Annex I Part IV

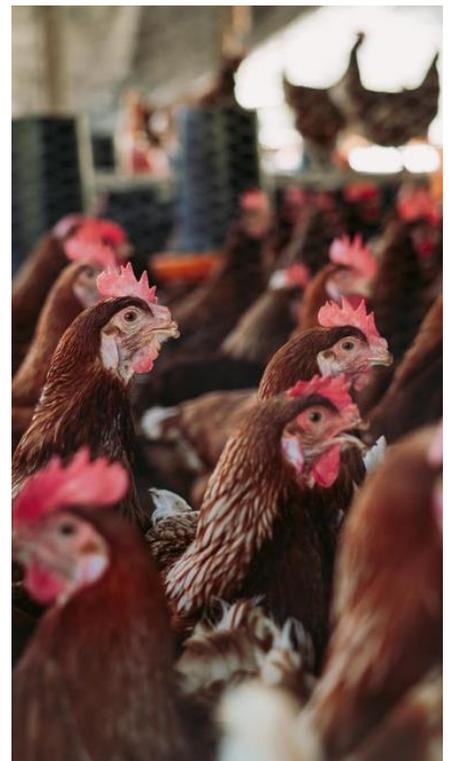
No obstacle must prevent access to pop-holes, moreover, for pop-holes at height, a ramp must be provided

Calculation for the dimensions of the pop-holes leading to the outside will now be made in relation to the minimum surface area of the building

ACCESS TO OPEN AIR AREAS

POINT 1.9.4.4.E OF PART II ANNEX II of Regulation (EU) 2018/848

Poultry should have continuous daytime open-air access from as early an age as practically possible. A definition of «early age» is currently under consideration.



#6 - POULTRY

ANIMAL WELFARE

Points 1.9.4.3 and 1.7.8 Annex II Part II of Regulation (EU) 2018/848

It is clearly stated that plucking of live poultry is prohibited.

The beak can still be trimmed by way of derogation if it is done during the first three days of life.



OPEN-AIR SPACES

CONVERSION FOR OUTDOOR RUNS AND OPEN-AIR SPACES

POINT 1.7.5.B ANNEX II PART I of Regulation (EU) 2018/848

It will still be possible to convert land in just one year, but the new regulation no longer provides for conversion in 6 months.

POULTRY KEPT IN THE OPEN AIR

POINT 1.6.2 ANNEX II PART II of Regulation (EU) 2018/848

As is already the case at present, poultry houses will not be compulsory if weather conditions allow, but the animals will then need to have access to shelters or shady places.

LAYOUT OF OUTDOOR AREAS

ARTICLE 16 of Regulation (EU) 2020/464

Outdoor areas must be provided with a wide variety of plants, trees and shrubs distributed throughout the area to allow for a balanced use of all the space available to the birds.

The open-air area should not extend beyond 150 m from the nearest entry/exit pop-hole. An extension of up to 350 m will be acceptable if the space has enough shelters from weather and predators, distributed at regular intervals (minimum 4 shelters/ha).

For geese, the presence of grass is necessary to satisfy their needs to eat grass.

Waterfowl shall have access to water to dip their head therein to clean their plumage under all circumstances (including in houses if they are temporarily confined). - Point 1.9.4.4.k Part II Annex II of Regulation (EU) 2018/848

#6 - POULTRY

VERANDAS

THE NEW REGULATION NOW REGULATES THE USE OF VERANDAS

Point 1.6.5 Annex II Part II Regulation (EU) 2018/848.

The surface of the veranda is not taken into account in the calculation of stocking densities and minimum indoor areas, unless the space meets the criteria for indoor rearing: the space in question is accessible 24 hours a day, meets the animal welfare conditions and is covered and insulated in such a way as to provide conditions different from the

outdoor climate - Article 15.2.c of Regulation (EU) 2020/464.

For fattening poultry, the surface of the veranda is not to be considered in the total usable surface of the poultry houses (1600 m² maximum) - Article 15.2.d of R(EU) 2020/464.

VERANDA



= An additional, roofed, non-insulated outdoor part, usually equipped with a fence or screen on its longest side, where the conditions are those of the outdoor climate. Lighting is natural and, if necessary, artificial, and the floor is covered with litter.

(Regulation (EU) 2018/848)

DIMENSION OF THE POP-HOLES

Article 15.2.b of Regulation (EU) 2020/464

The pop-holes giving access to the veranda have the following length:

- Between the poultry house and the veranda: 2 m for 100m² minimum surface of the indoor area.
- Between the veranda and the outside: 4m per 100 m² minimum surface of the indoor area.



#7 - BEEKEEPING

BEESWAX SOON ELIGIBLE TO CERTIFICATION

ANNEX I to Regulation (EU) 2018/848

Beeswax was previously not eligible to certification because it was not regarded as an agricultural product; beeswax is now included in the scope of the new regulation and becomes an organic product fully eligible to certification. In addition to the current attestation «suitable for organic farming», it will therefore be possible to issue a certificate and certificates of inspection (COI) for organic wax. However, as long as operators are certified to an equivalent CBOS, the certification and export of organic wax is not possible.

PURCHASE OF NON-ORGANIC ANIMALS

POINT 1.3.4.2 PART II ANNEX II to Regulation (EU) 2018/848

There will be an increase in the maximum authorised threshold with the new regulation: it will be possible to renew one's apiaries up to 20% per year with non-organic queens and swarms (only 10% so far), under the same conditions as today. In any case, each year a swarm or queen may be replaced by a non-organic swarm or queen.

POLLEN FEEDING

Point 1.9.6.2 Part II Annex II to Regulation (EU) 2018/848 amended by Reg.(EU) 2020/427 and Reg.(EU) 2020/2146

Where the survival of colonies is threatened due to a situation recognized as a disaster, it will be possible to feed them with organic pollen in addition to the organic honey, sugar or sugar syrup already provided for under previous regulations.

FORAGING IN NON-COMPLIANT AREAS

Regulation (EU) 2020/2146

The possibility, for pollination purposes, of moving organic hives to non-conforming areas will now only be granted by derogation in the event of disasters that drastically reduce the sources of nectar and pollen and threaten the survival of the colony (earthquakes, fires, etc.)



TECHNICAL ANNEXES

– for all types of animal husbandry

DEROGATIONS IN THE EVENT OF DISASTERS

Article 22 of Regulation (EU) 2018/848 and Regulation (EU) 2020/2146

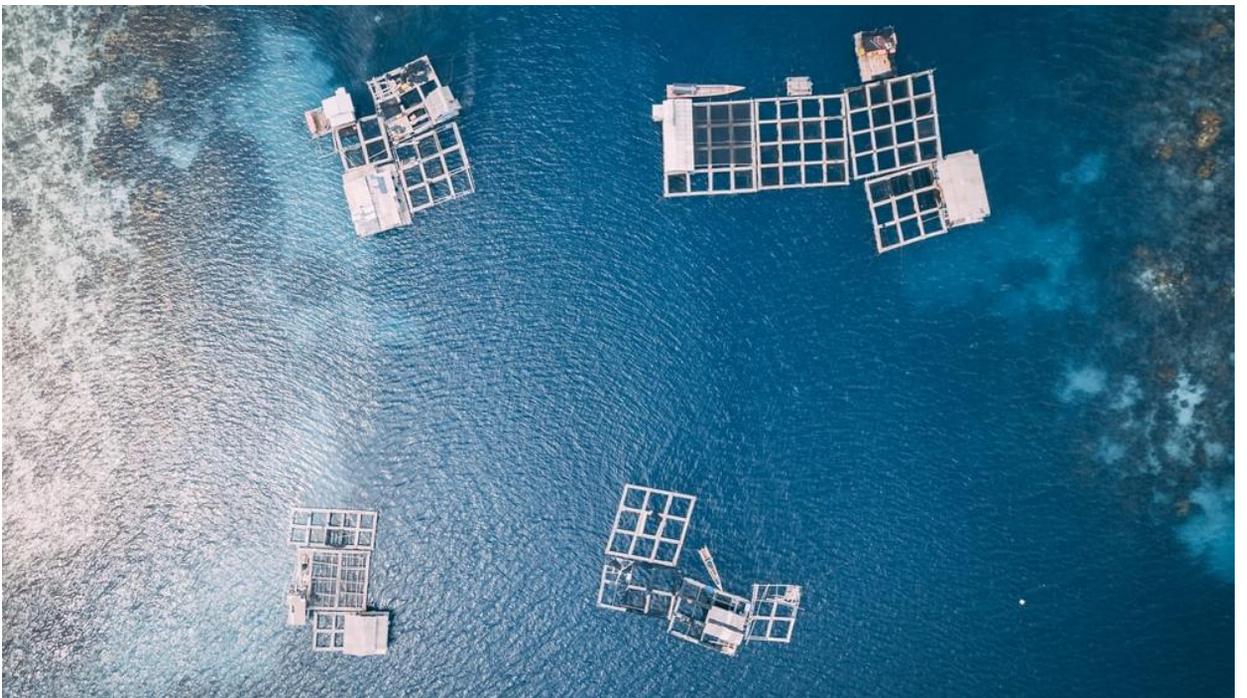
As currently applied, by way of derogation, it will be possible to use non-organic animals or non-organic feed if a disaster situation is recognized: adverse climatic event, animal diseases, environmental incident, natural disaster, or any other catastrophic event.

New possibilities of derogation are offered: stocking density in buildings and the minimum areas for indoor and outdoor spaces (earthquakes or floods).

In case of loss of feed production (extreme weather events), using non-organic feed by way of derogation, is still possible, but: the percentage of dry matter consisting of roughage, fresh, dried or silage fodder, in the daily ration may be reduced, provided that the nutritional needs of the animal are met.



AQUACULTURE



#8 – GENERAL CHANGES

PRODUCTION PRACTICES

PARALLEL PRODUCTION

ARTICLE 9(7) of Regulation (EU) 2018/848

It is still possible to produce organic and non-organic products simultaneously for algae and aquaculture animals.

These may be the same species, if there is a clear and effective separation between the production sites or units.

Article 25 of Regulation (EC) 889/2008 concerning the authorization to be requested from the Competent Authority in the case of simultaneous production of aquaculture animals is now deleted.

MANGROVE

POINT 1.4 OF ANNEX II, PART III of Regulation (EU) 2018/848

The destruction of mangroves is prohibited for any aquaculture production (algae, fish, molluscs, crustaceans etc.).

FERTILISATION

ANNEX II of Regulation (EU) 2021/1165

Nutrients of plant and mineral origin in Annex II of Regulation (EU) 2021/1165 may be used for land-based installations.



LABELLING

ARTICLE 32(2) of Regulation (EU) 2018/848

The EU/non-EU origin of the raw materials listed under the reference to the Control Body code when the Euroleaf logo is used can be shown as "Aquaculture" instead of "Agriculture" (the threshold for disregarding origin is increased to 5% from the previous 2%)

#9 – ALGAE

SEEDS

ARTICLE 26 of Regulation (EU) 2018/848

Regular collection of young seaweed from the wild should still be carried out in order to maintain and develop the diversity of cultured stocks in closed facilities.

In European Union, a database will list the organic Plant Breeding Material (seeds) available in the Member States.

This database will not apply in Third Countries and will be replaced by a system of **attestation of unavailability**.

FOULING

Restrictions regarding fouling removal in algae production has been removed in new EU regulation.

ALGAE PROCESSING

POINT I.10 OF ANNEX II, PART III of Regulation (EU) 2018/848

Specificities on seaweed processing (Article 29(a) of R(EC) 889/2008) has been removed in new EU regulation.

Common foodstuffs rules apply for algae/seaweed processing



#9 – ALGAE

WATER QUALITY

From 1 January 2022, organic seaweed production and harvesting areas must comply with at least one of the following two criteria :

CRITERIA

EXAMPLES OF DETAILS GIVEN FOR FRANCE

Have a high ecological status, corresponding to **very good ecological status**, according to the 2000/60 EC Directive.

(EU Directive will not apply directly in Third Countries (TC), however the target values described in this Directive are valid).

The certification will be based on the ecological status of the water body transmitted every 6 years as part of the official reporting to the European Commission.

OR

Be of equivalent quality to the A or B classified area of Regulation (EU) 2019/627 article 53 and 54

(EU regulation will not apply directly in Third Countries (TC), however the target values described in this regulation are valid).

The collection or cultivation area must not be close to a source of contamination, or have an unfavourable situation with regard to potential risks of contamination.

For edible seaweed:

- if a classification under Regulation (EU) 2019/627 has been made for the area concerned, it must be classified A or B for at least one group of molluscs (burrowing bivalves, non-burrowing bivalves); refused for groups classified C or D;

The sanitary classification is verified on the basis of the prefectural decrees of the production zones.

- if the area has not been the subject of such a classification, the operator must implement a voluntary procedure of the same type as that leading to the classification, based on the methodologies established by IFREMER for these classifications

#10 - FISH

ANIMAL ORIGIN

WILD CATCH AND NON-ORGANIC AQUATIC ANIMALS

POINT 3.1.2. OF ANNEX II, PART III of Regulation (EU) 2018/848

For breeding purposes, wild caught or non-organic aquatic animals may be introduced into a holding only in duly justified situations :

- Where **no organic breeds** are available;
- Or where **new genetic stock for breeding** is introduced into the production unit **after authorization by the control body**, for the purpose of improving the quality of the genetic stock.

These animals will have to **undergo a 3-month conversion period** before they can be used as breeding stock (no organic valuation of the fish).

For animals listed in the IUCN Red List of Threatened Species, permission to use wild-caught specimens may only be granted in the context of conservation programs recognized by the competent public authority responsible for the conservation effort.

INTRODUCTION OF NON-ORGANIC JUVENILES

POINT 3.1.2. OF ANNEX II, PART III of Regulation (EU) 2018/848

Control Bodies or Control Authorities may allow the introduction for fattening purposes into an organic production unit of **up to 50 % of non-organic juveniles** of species which have not been organically reared in either the Union or the territory of the country in which the holding is located.

Non-organic juveniles must then be subject to **organic farming rules at least the last 2/3 of their production cycle**.

These derogations may be granted for a **maximum period of two years and are not renewable**.

EASING OF RESTRICTIONS

There are no longer **any restrictions on the taking of eels/scallops in the wild** for breeding purposes (*deletion of Art. 25.4b of 889/2008*).

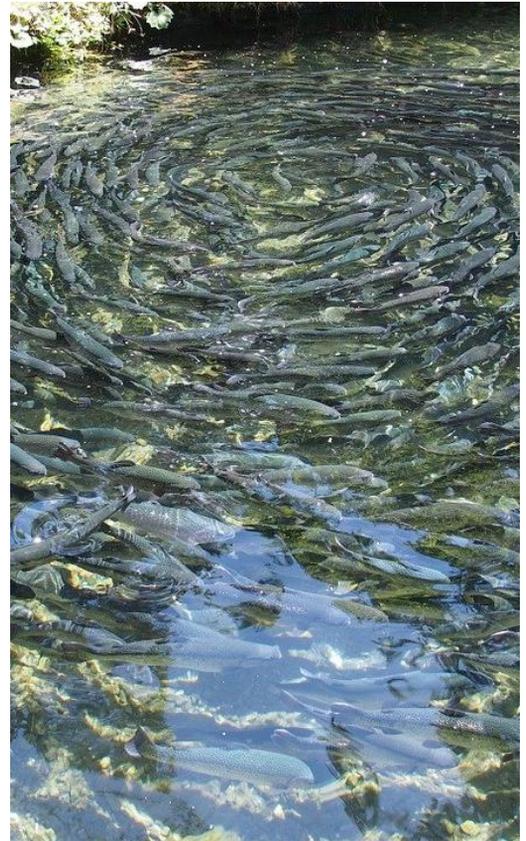
In regard to the taking of **wild fry and crustacean larvae in extensive aquaculture** (*Point 3.1.2.1.e)ii) of the 2018/848*), there is no longer a requirement for dykes or banks to close off the taking areas (*Art 25.4c 889/2008*).

#10 - FISH

ANIMAL PURCHASE

ARTICLE 26 of Regulation (EU) 2018/848

All requests for the purchase of non-organic juveniles will be subject to derogation after verification by the control body of an unavailability attestation.



JUVENILES PRODUCTION

ANNEX II, PART III, POINT 3.1.2.3 of Regulation (EU) 2018/848, amended by Regulation (EU) 2020/427

For larval rearing of marine fish species, rearing systems meeting the following criteria may be used:

- The initial stocking density is **less than 20 eggs** or larvae per litre;
- The larval rearing tank has a **minimum volume of 20 m³**;
- The **larvae feed on natural plankton** growing in the tank (possible addition of externally produced phytoplankton and zooplankton)

#10 - FISH

ANIMAL FEED

ANNEX II, PART III, POINT 3.1.3.3 of Regulation (EU) 2018/848, amended by Regulation (EU) 2021/716 and Regulation (EU) 2021/1165 ANNEX A.2.

FATTENING PHASE AND EARLY STAGE OF LIFE CYCLE IN HATCHERIES

Organic and non-organic (in case organic is not available) **cholesterol** may be used to supplement the diets of penaeid shrimps and freshwater prawns (*Macrobrachium* spp.), in order to cover their quantitative dietary requirements.

CARNIVOROUS AQUACULTURE ANIMALS

There is **no longer a limit on the percentage of non-organic feed of plant origin** (compared to a maximum of 60% under R(EC) 889/2008).

CRUSTACEANS AND MOLLUSCS

Are included in the categories of organic aquaculture oils and trimmings **allowed in feed** for carnivorous aquaculture animals.



PRODUCTION FACILITY

FOULING

ANNEX II, PART III, POINT 3.1.4.1.e of Reg. (EU) 2018/848

Organic fouling shall be removed by physical means and discharged into the sea at a **safe distance from the aquaculture facilities** for fish, shellfish and molluscs.

LAND-BASED AQUACULTURE FARMS

ANNEX II, PART III, POINT 3.1.5.5.b of Reg. (EU) 2018/848

At **least 10%** of the perimeter area of the farm (water/land interface) is **natural vegetation** (so far 5%).

LIGHTING

ANNEX II, PART III, POINT 3.1.6.3.b of Reg. (EU) 2018/848

The accumulation of daylight and artificial lighting is limited to 14 hours per day (so far 16 hours) except, if necessary, for reproduction purposes.

VETERINARY TREATMENTS

ANNEX II, PART III, POINT 3.1.4.2.e of Regulation (EU) 2018/848

The number of treatments is limited :

FOR SALMONS

Maximum of 2 treatments per year or 1 treatment per year when the production cycle is less than 18 months.

FOR ALL SPECIES OTHER THAN SALMON

Maximum of 2 treatments per year or 1 treatment per year when the production cycle is less than 12 months.

FOR ALL SPECIES

Maximum of 4 treatments in total, regardless of the length of the production cycle of the species.



MOLLUSCS SPECIFICITIES

SEEDS

ANNEX II, PART III, POINT 3.2.1.d of Reg. (EU) 2018/848

The use of **wild seeds** may be collected after **authorization by the Control body**.

ENVIRONMENTAL MANAGEMENT

ANNEX II, PART III, POINT 3.2.3. of Reg. (EU) 2018/848

The farming of molluscs on the flat and on the ground is possible if it **does not have a significant impact on the environment at the collection and production sites**.

- **A study and report setting out the evidence of minimal environmental impact shall be attached to the sustainable management plan** and returned to the control authority or control body before the start of the activities.

#10 – FISH

WATER QUALITY

ANNEX II, PART III, POINT 3.1.3.2 of Regulation (EU) 2018/848

Over the entire production cycle (= for catchment, the start of the production cycle is the date of harvesting of the collectors), **shellfish growing areas** must comply with at least one of the following three criteria:

CRITERIA

1	Have a very good ecological status , according to the 2000/60 EC Directive (<i>EU Directive will not apply in Third Countries, however the target values described in this Directive are valid</i>).
OR	
2	Have a Good environmental status as defined by Directive 2008/56/EC (<i>EU Regulation will not apply in Third Countries, however the target values described in this Regulation are valid</i>).
OR	
3	Have equivalent quality to the corresponding classification zones defined in the implementing acts adopted by the Commission in accordance with Article 18(8) of Regulation (EU) 2017/Art 53 of the EU Regulation 2019/627. (= according to 834/2007 we could have zones in classification A or B. From 1/1/2022, according to 2018/848, only A zones can be used) <i>(EU Regulation will not apply in Third Countries, however the target values described in this Regulation are valid).</i>

PROCESSING



#11 - COMPOSITION RULES

USE OF NON-ORGANIC AGRICULTURAL INGREDIENTS

Regulation (EU) 2021/1165 article 7

Regulation (EU) 2021/1165 Annex V part B

The list of non-organic products that can be used as ingredients in processed organic foods without a request for a derogation has been revised and greatly reduced (compare Appendix V, Part B).

Non-organic agricultural ingredients of Annex IX of 889/2008 can continue to be used until 31 December 2023. Processed organic foodstuffs that have been produced before January 1, 2024 with these non-organic agricultural ingredients can be placed on the market after this date until stocks are exhausted.



USE OF ADDITIVES, PROCESSING AIDS

Regulation (EU) 2021/1165 article 6

Regulation (EU) 2021/1165 – Annex V part A

Authorised products and substances for use in the production of processed organic food and of yeast used as food or feed are listed in Annex V, Part A, of the EU Regulation 2021/1165.

Several of these products and substances can be used only from organic production, such as lecithins and guar gum.

It is recalled that their use must be consistent with the Regulation (EC) No 1333/2008 on food additives.

#12 – SPECIFIC CASES

USE OF FLAVOURINGS

Flavorings are now considered as agricultural ingredients.

Authorized flavorings are now to be considered when calculating the percentage of organic agricultural ingredients in the finished product, which was not the case previously.

Only substances classified as “Natural Flavoring of X”* (organic or not) may be authorized.

The “natural flavorings of X with other natural flavorings” and the “natural flavorings” (without flavoring specification) will no longer be usable.

Regulation (EU) 2018/848: Part IV of Annex II Points 2.2.4.b and 2.2.2.b: Rules for the use of flavorings

Article 30.5.a.iii : Rules for the certification of organic flavorings

Regulation (EC) 1334/2008, article 16 points 2, 3 and 4



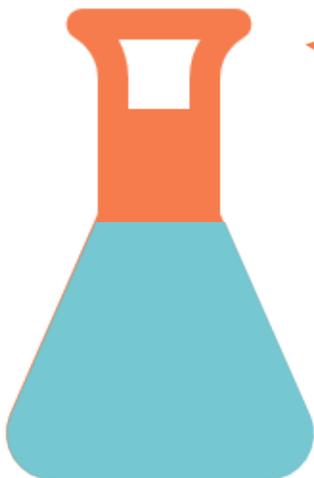
“NATURAL FLAVOURING OF X”

= flavouring component obtained by at least 95% of the X*

(article 16. 4 of Regulation (EC) 1334/2008)

* The X designates the source used to produce the flavour (e.g., thyme, strawberry, jasmine, etc.). The natural flavour of X (organic or not) respects the following rules:

- 1) its **components are natural** and provide the total taste of X. **The flavour must be recognisable** (lemon, mint, etc. compliant but not smoky, grenadine, cookie, etc.).
- 2) the natural flavouring part **comes from at least 95% of X**



The flavouring component

Natural flavouring substance and/or flavouring preparation



Carriers

Non-flavouring ingredients of the flavouring and additives



Minimum 95% organic

Maximum 5% NON-organic without derogation

Minimum 95% organic

agricultural ingredients
Organic agricultural additives (with*) listed in Annex V Part A of Regulation (EU) 2021/1165

Maximum 5% NON-organic

Non-organic ingredients listed in Annex V Part B of Regulation (EU) 2021/1165 until 1.1.2024 or with derogation
Non-organic additives (with*) listed in Annex V Part A of Regulation (EU) 2021/1165

#12 – SPECIFIC CASES

YEAST PRODUCTION

Regulation (EU) 2018/848 – Annex II Part VII

For the production of organic yeast, only organically produced substrates can be used.

The authorized processing aids will be the same as at present (Regulation (EU) 2021/1165 Annex V Part A), however until December 31, 2024, the addition of extract or autolysate of non-organic yeast up to 5% remains authorized in the substrate in case of unavailability in organic production.



SALT PRODUCTION

Regulation (EU) 2018/848 – Annex I

Sea salt and rock salt for food and feed are included in the scope of the new organic regulation. However, the rules of production have not yet been defined.

Non-organic salt will remain usable in organic food and there will be no need for proof of non-availability. Salt is also not taken into account in the calculation of the organic percentage of the finished product.

#13 - PROCESSING METHODS

ION EXCHANGE RESIN

Regulation (EU) 2020/464 considering 7 and Article 23.2

Ion exchange resin and adsorption techniques are allowed for the following baby foods:

- infant formulae, follow-on formulae, processed cereal-based foods and baby foods referred to in Article 1(1), (a) and (b) of Regulation (EU) No 609/2013
- products covered by Directive 2006/125/EC

NANOMATERIALS

The certification of foodstuffs containing or consisting of engineered nanomaterials* is prohibited.

NANOMATERIALS

= intentionally produced material of the order of 100 nm or less or composed of parts of the order of 100 nm or less
Regulation (EU) 2015/2283 art. 3, § 2, point f



TRANSPORT

Regulation (EU) 2018/848 – Annex III point 2.2

It is now specified that the transport of bulk goods (except feed) is carried out only between two controlled operators and must include only organic products OR only in-conversion products.

CLEANING AND DISINFECTION PRODUCTS

A list of authorized products for cleaning and disinfection of processing and storage facilities is planned (EU Regulation 2021/1165 article 5.3.).

This is Annex IV part C of this regulation. This annex is currently empty. Pending the inclusion of products on this list, the products currently authorized remain (EU Regulation 2021/1165 Article 5.4.).



LABELLING



#14 - COMPULSORY INDICATIONS

NO MAJOR CHANGE

The compulsory indications remain unchanged: organic production logo of the European Union (green leaf), code of the control body, origin of the product, etc.

PLACE OF ORIGIN

ARTICLE 32 of Regulation (EU) 2018/848

No origin needs to be mentioned for ingredients present in small quantities: as of now, ingredients that make up less than 5% of the total quantity do not have to be declared (2% under the previous regulation).

PRODUCTS IN CONVERSION

ARTICLE 30.3 of Regulation (EU) 2018/848

With the new regulation, the label of some products exported to the European Union can now include the words "in conversion" after 12 months of conversion: plant reproductive materials and products containing a single plant ingredient of agricultural origin: for example, wine made with in-conversion grapes, if they are the unique plant ingredient of agricultural origin.

REFERENCE TO ORGANIC IN A NAME

ARTICLE 30.2 of Regulation (EU) 2018/848

As with brand names, if your company name refers to organic farming, you will not be able to put that name on the label of conventional products if you produce some.

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Non-EU Agriculture



EXPORT



#15 - CHANGES IN TRADE RULES WITH THIRD COUNTRIES

TRADE RULES ARE CHANGING

The European Commission is planning some changes regarding the Certificate of Inspection (COI) on TRACES, which apply as early as 1st January 2022. Other changes on the issuance of the COI will be applicable once your products are certified according to Regulation (EU) 2018/848 (latest by 31 December 2024).

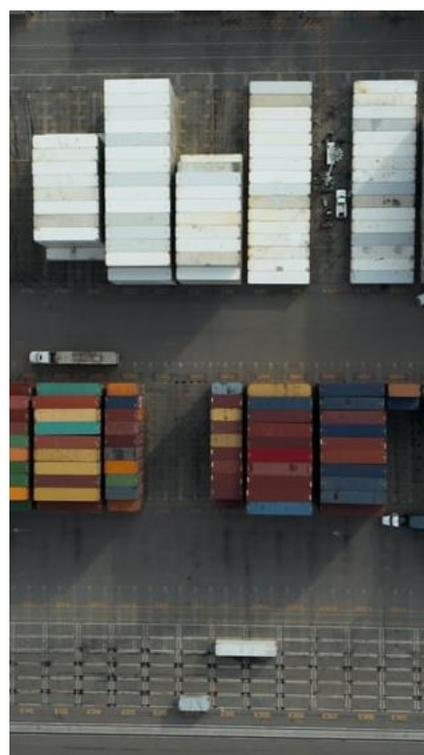
TRANSITION PERIOD



TRANSITION PERIOD

Currently, the CBOS are recognized by the European Commission as “equivalent to the European Regulation”. Thanks to this recognition, your CBOS certification allows you to export your products to the European Union until 31/12/2024 at the latest.

This “equivalence regime” will disappear with the new regulation, and **certification according to the new regulation** will be mandatory. Certification bodies will grant a certification “in compliance with Regulation (EU) 2018/848” so that you may continue to export your products to the European Union.



#16 – CERTIFICATE OF INSPECTION

01/01/2022: FIRST CHANGES APPLICABLE

Annex I of Regulation (EU) 2021/2306

ON THE CERTIFICATE OF INSPECTION (COI) TEMPLATE

- New box identifying traders, registration on TRACES
 - New box indicating the estimated time of arrival in the EU
 - Product category to be mentioned
 - Commercial documents must be uploaded on TRACES
 - Possibility to clear part of the consignment as organic through customs
- **It will be possible to still be CBOS certified while using this updated COI template.**

ENHANCED VERIFICATIONS ON THE CONSIGNMENT BEFORE ISSUING THE COI

- Consistency of exported quantities
- Traceability of products and ingredients

LATEST by 31/12/2024: ADDITIONAL CHANGES

Regulation (EU) 2021/1698

MORE VERIFICATIONS ON THE CONSIGNMENT BEFORE ISSUING THE COI

- Detailed "Travel Plan" between the exporter and the EU point of entry for bulk products.
- Physical check by the certifier before export, based upon a risk assessment
- For products considered as 'high risk' by the Commission:
 - Systematic physical audit and sampling by the Control Body before export
 - The same procedure applies at the arrival of concerned products in the EU by the competent authorities.

NEW PRODUCTS ELIGIBLE FOR EXPORT TO THE EU WITH A COI

- Products in 2nd and 3rd year of conversion (Article 45.1 of Regulation (EU) 2018/848).
- New products included in the scope of the new regulations (see chapter: New products eligible to certification)

#17 - SPECIFIC CASE OF UNITED KINGDOM

BREXIT

Since 1 February 2020 the United Kingdom is no longer a member of the European Union. Your current certification will still be recognized for the export to the UK, as well as the certification of products according to the new Regulation (EU) 2018/848.



IMPACTS ON EXPORT

The COI is no longer issued on TRACES, a paper GB COI, hand signed by the Control Body before exporting the products is issued instead.

A trade agreement was signed at the end of 2020 between the EU and the UK, guaranteeing mutual recognition of their respective organic regulations. With the implementation of the new EU regulation, it would be renegotiated by December 2023.

ORGANIC GROWER GROUPS



#18 – ELIGIBILITY CRITERIA

GROUP MEMBERSHIP CRITERIA

ACTIVITY

ARTICLE 36.1 of Regulation (EU) 2018/848

A **Group of Operators** may only be composed of members who are either **farmers** or **operators that produce algae or aquaculture animals**, and who in addition may be engaged in processing, preparation or placing on the market of food or feed. The following criteria need to be fulfilled:

OPTION	CRITERIA 1	CRITERIA 2
OPTION 1	<ul style="list-style-type: none"> - Individual certification cost OR - Standard output of organic production → Represents more than 2 % of each member's turnover 	<ul style="list-style-type: none"> - Annual Organic Turnover < 25 000 € OR - Standard Output of Organic Production < 15 000 € per year
OPTION 2	Members who have each holdings of maximum: <ul style="list-style-type: none"> - 5 hectares, - 0,5 hectares, in the case of greenhouses, or - 15 hectares, exclusively in the case of permanent grassland 	

ADDITIONAL REQUIREMENTS

ARTICLE 36.1 of REgulation (EU) 2018/848

Group of operators shall be composed of members who

- ✓ are established in a Member State or a Third Country;
- ✓ whose production activities take place in geographical proximity;
- ✓ operate a joint marketing system;
- ✓ have established a system for internal controls;
- ✓ form a legal entity as a group.



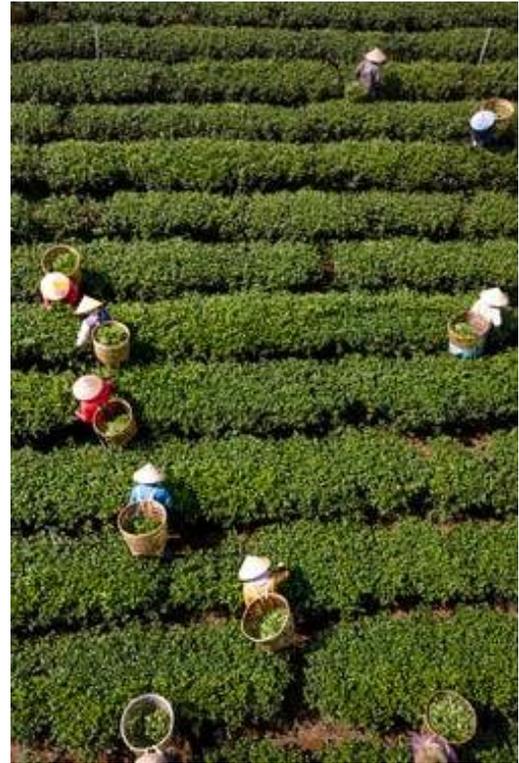
#18 – ELIGIBILITY CRITERIA

MAXIMUM GROUP SIZE

REQUIREMENT

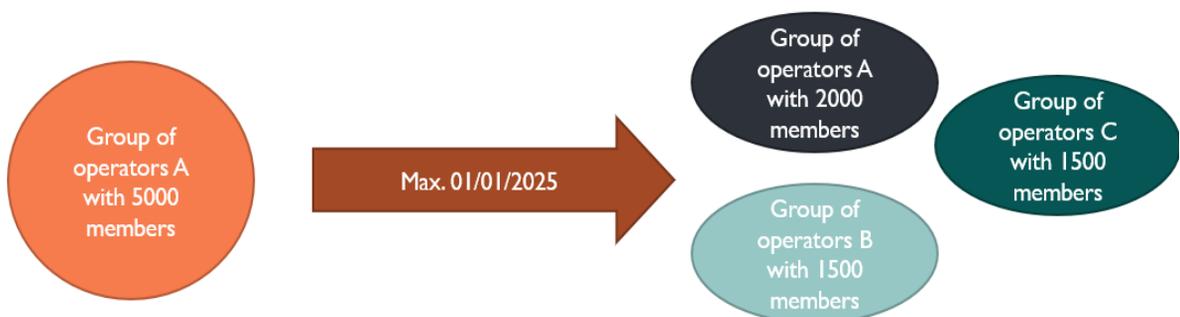
ARTICLE 4 of Regulation (EU) 2021/279

The maximum size of a group of operators shall be **2 000 members**.



TRANSITIONAL PROVISIONS

ARTICLE 10.1 of Regulation (EU) 2021/279



#19 – INTERNAL CONTROL RULES

INTERNAL CONTROL SYSTEM (ICS)

ARTICLE 36.1 of Regulation (EU) 2018/848 and I.b of Regulation (EU) 2021/715

Internal Control System (ICS) shall include procedures on:

- ✓ Registration of members;
- ✓ Internal inspections (inspection records, measures in case of non-compliance, etc.);
- ✓ Approval for new members;
- ✓ Training of ICS staff and members;
- ✓ Internal traceability.



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ICS MANAGER

ARTICLE 36.1 of Regulation (EU) 2018/848 and I.c of Regulation (EU) 2021/715

Internal Control System (ICS) manager shall :

- ✓ Verify each member's eligibility and keep the updated list of members;
- ✓ Ensure there is a written agreement between each member and the group;
- ✓ Be the liaison between members and competent authorities (e.g. in case of derogations);
- ✓ Develop ICS procedures and records;
- ✓ Check conflict of interest issues with internal inspectors;
- ✓ Ensure ICS inspectors are well trained and qualified.

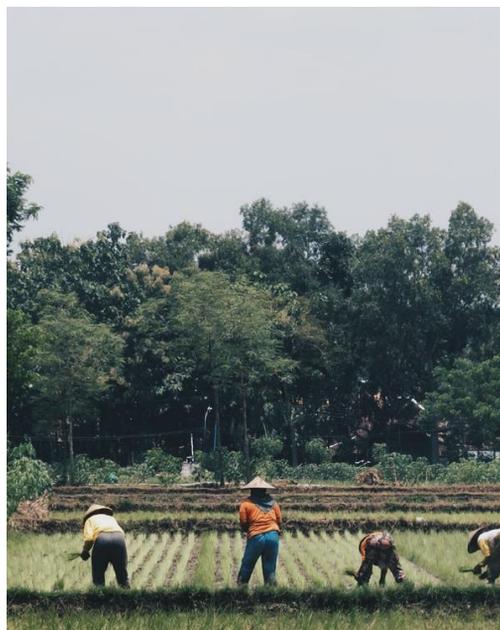
#19 – INTERNAL CONTROL RULES

INTERNAL INSPECTOR

ARTICLE 36.1 of Regulation (EU) 2018/848 and I.c of Regulation (EU) 2021/715

ICS internal inspector shall :

- Carry out internal inspections;
- Draft internal inspection reports;
- Submit written and signed statement on conflict of interest;
- Participate in trainings.



DOCUMENTS AND RECORDS

ARTICLE 5 of Regulation (EU) 2021/279

Group of operators and ICS staff shall keep the following documents and records:

List of members
Signed membership agreements and contracts
Internal inspections reports signed by inspectors and members
Measures taken in case of non-compliance
Training followed by inspectors and members
Traceability records
Appointment of ICS manager and inspectors

#20 – EXTERNAL CONTROL RULES

NUMBER OF EXTERNAL CONTROLS

ARTICLE 38.4 of Regulation (EU) 2018/848 and 7 of Regulation (EU) 2021/279

The following rules on minimum percentages apply for groups of operators :

- Minimum 5% of the members of a group, but no less than 10 members, shall be subject to re-inspection each year.
- Minimum 2% of the members of a group shall be subject to sampling each year.
- Minimum 10% of controls of groups of operators shall be carried out without prior notice each year.



GROUP OF OPERATORS CERTIFICATE

ARTICLE 35 of Regulation (EU) 2018/848

A group of operators shall not be entitled to obtain a certificate from more than one control body in relation to activities carried out in the same Third Country regarding the same category of products, including cases in which that operator or group of operators operates at different stages of production, preparation and distribution.

Members of a group of operators shall not be entitled to obtain an individual certificate for any of the activities covered by the certification of the group of operators to which they belong.



SUMMARY



MAIN CHANGES

SCOPE

With the new regulation, the EU enlarged the scope of products to be certified organic:

- ✓ wool (not carded or combed);
- ✓ cotton (not carded or combed);
- ✓ silkworm cocoons;
- ✓ raw and untreated hides;
- ✓ all essential oils, even if not intended for human consumption;
- ✓ natural corks stoppers not agglomerated and without binder;
- ✓ beeswax;
- ✓ sea or mine salt;
- ✓ gums and natural resins.

Products belonging to the same product category will be required to be certified by the same certification body (Article 35.4 and 35.7 of Regulation 2018/848).

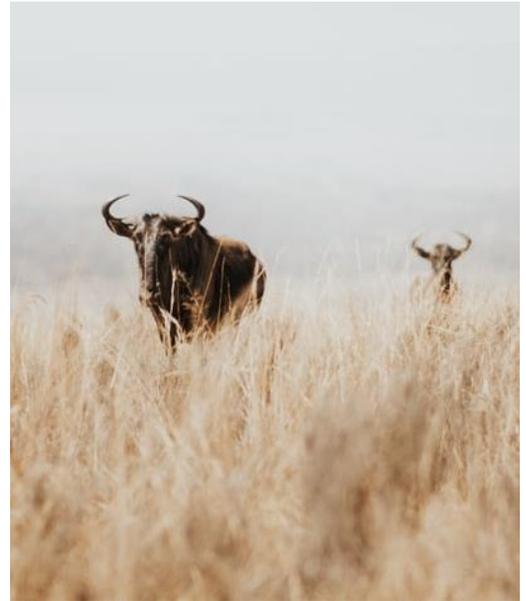


CROP

- The derogation for conducting parallel production on perennial crops (same varieties or different but not easily distinguishable) in case of 5-year conversion plan has been changed : conversion will have to start **not later than year 2** (before: no later than year 5).
- No derogation for the use of conventional treated PRM.
- Parallel production of sprouted seeds (organic and non-organic management in the same unit) can not be carried out.
- Crop rotation must include leguminous crops as a main or cover crop, as well as other green manure crops.

ANIMAL PRODUCTION

- » Herbivores: including the end of fattening in buildings and the possibility of requesting a derogation for cattle tethering in farms with less than 50 adults
- » Pigs and poultry: including the end of the 5% protein feed for adults and new requirements for livestock buildings
- » Rabbits: production rules set at the European level that replace the national rules



FISH AND ALGAE

- » New list of nutrients usable for land-based installations in Regulation (EU) 2021/1165 Annex II
- » Water quality criteria : High ecological status

Regarding fish only:

- » Number of treatments : 4 max in total for all species (other conditions may apply)
- » The accumulation of daylight and artificial lighting is limited to 14 hours per day
- » Changes regarding animal origin/purchase (larval rearing conditions, conditions for non-organic animals introduction, etc.)
- » Changes regarding feed (organic and nonorganic cholesterol, crustaceans and molluscs in carnivorous animals' feed, etc.)



PROCESSING

- » The use of flavours reduced to only natural flavours of X (X defined in the processing sheet #12)
- » The ban on manufactured nanomaterials
- » Parallel production of sprouted seeds (organic and non-organic management in the same unit) can no longer be carried out.



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INTERNAL CONTROL SYSTEM

- » Group of operators shall be composed of members who are farmers or operators that produce algae or aquaculture animals; they have to fulfill certain criteria in regard to size, turnover and certification costs.
- » The maximum size of a group of operators shall not exceed 2 000 members.
- » Minimum 10% of all official (external) controls of groups of operators shall be carried out without prior notice each year. Minimum 2% of the members of a group shall be subject to sampling each year. Minimum 5% of the members of a group, but no less than 10 members, shall be subject to re-inspection each year.

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