

# Organic Food & Farming Standards in Ireland

## Edition 1 – Issue 001 01.01.2012 – Amendments Register

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A21	6.04.10	Commission Implementing Regulation 508 & 126/2012	01.12.2012

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A22	6.04.14	Commission Implementing Regulation 508/2012	01.12.2012
A23	6.04.19	Commission Implementing Regulation 508/2012	01.12.2012
A24	6.04.20	Commission Implementing Regulation 508/2012	01.12.2012
A25	6.04.25	Commission Implementing Regulation 508/2012	01.12.2012
A26	6.04.26	Commission Implementing Regulation 508/2012	01.12.2012
A27	6.04.27	Commission Implementing Regulation 508/2012	01.12.2012
A28	6.04.39	Commission Implementing Regulation 508/2012	01.12.2012
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A43	1.04.21	Commission Implementing Regulation (EU) No 392/2013	01.12.2014
A44	1.04.25	Commission Implementing Regulation (EU) No 392/2013	01.12.2014
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A46	5.02.19	Commission Implementing Regulation (EU) No 1364/2013	01.12.2014
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A51	4.09.01	Commission Implementing Regulation (EU) No 354/2014	01.12.2014
A52	4.09.02	Commission Implementing Regulation (EU) No 354/2014	01.12.2014
A53	4.03.09	Commission Implementing Regulation (EU) No 836/2014	01.12.2014
A54	4.08.21	Commission Implementing Regulation (EU) No 836/2014	01.12.2014
A55	1.01.08	ISO 17065	01.12.2014
A56	2.08.02	Commission Regulation (EC) No 889/2008	01.12.2014
A57	5.02.23	Commission Implementing Regulation (EU) No 1030/2013	01.12.2014
A58	5.02.68	Proposed legislative update – Explanatory note	01.12.2014
A59	4.06.11	OPMC Review	01.09.2015
A60	4.05.29	DAFM Review	01.01.2018
A61	4.06.21	DAFM Review	01.01.2018
A62	4.03.09	Commission Implementing Regulation (EU) 2017-2273	01.01.2018
A63	4.08.21	Commission Implementing Regulation (EU) 2017-2273	01.01.2018

A64	2.08.02	DAFM Review	01.01.2018
A65	2.08.03	DAFM Review	01.01.2018
A66	4.05.20	DAFM Review	01.01.2018
A67	4.02.04	DAFM Review	01.01.2018
A68	4.02.10	DAFM Review	01.01.2018
A69	Appendix 1	Article 92 (d) 889/08	01.01.2018
A70	6.02.11, 6.03.35 6.04	Regulation (EC) No 1235/2008 as amended	01.01.2018
A71	1.01.03	Regulation (EU) 625/2017	29.04.2018 and 14.12.2019
A72	6.01.07	Regulation (EU) 625/2017	29.04.2018 and 14.12.2019
A73	6.06.04	Regulation (EU) 625/2017	29.04.2018 and 14.12.2019

\*Regulation officially published 14.06.2012 (implementation dates 01.01.2012 and 15.06.2012), however, notified to OCB operators in tandem with distribution of new standards manual in January 2012 as already agreed at EU level and notified to European OCBs late in 2011. Publication of 505/2012 simply completed the official publication process.

## **Section 2**

**Section 2.02.21 is replaced in its entirety as follows:**

- 2.02.21 (889. 79a) When the control system applying specifically to aquaculture animal production is first implemented, the description of the unit shall include:
- (a) A full description of the installations on land and at sea;
  - (b) The environmental assessment as outlined in Article 6b(3) where applicable;
  - (c) The sustainable management plan as outlined in Article 6b(4) where applicable;
  - (d) In the case of molluscs a summary of the special chapter of the sustainable management plan as required by Article 25q(2).

**Article 79b Aquaculture animal production records.**

The following information shall be provided by the operator in the form of a register which shall be kept up to date and made available for the OCB and the Competent Authority at all times at the premises of the holding:

- (a) the origin, date of arrival and conversion period of animals arriving at the holding;
- (b) the number of lots, the age, weight and destination of animals leaving the holding;
- (c) records of escapes of fish;
- (d) for fish the type and quantity of feed and in the case of carp and related species a documentary record of the use additional feed
- (e) veterinary treatments giving details of the purpose, date of application, method of application, type of product and withdrawal period;
- (f) disease prevention measures giving details of fallowing, cleaning and water treatment.

## Section 3

**Section 3.05.07 is amended as follows:**

3.05.07 (889.35.2) In case of organic plant and seaweed production units, storage of input products other than those authorised under this Regulation is prohibited in the production unit.

## **Section 5**

**Sections 5.02.14 is amended as follows:**

5.02.14 (834.15.1.a) With regard to the origin of the aquaculture animals

- (a) Organic aquaculture shall be based on the rearing of young stock originating from organic broodstock and organic holdings;
- (b) When young stock from organic broodstock or holdings are not available, non-organically produced animals may be brought onto a holding under the specific conditions indicated from 5.02.15 to 5.02.20 inclusive.

## **Section 5**

**Section 5.02.39 is amended as follows:**

5.02.39 (834.15.1.c) With regard to breeding:

- (a) Artificial induction of polyploidy, artificial hybridisation, cloning and production of monosex strains, except by hand sorting, shall not be used;
- (b) The appropriate strains shall be chosen in accordance with the requirements of clauses 5.02.15 and 5.02.16



## Section 5

Section 5.02.44 is amended as follows:

5.02.44 (889.32a.4) Documentary evidence shall be maintained for paragraphs **5.02.41 to 5.02.43** (**889.70.32a 1 to 889.70.32a 3**).

## Section 4

Section 4.08.12 is amended as follows:

4.08.12 Where maternal milk is not available, organic colostrum may be fed.

*Note removed.*

## **Section 4**

Section 4.10.07 is amended as follows

- 4.10.07 (889.35.3) The storage of allopathic veterinary medicinal products and antibiotics is permitted on holdings provided that they have been prescribed by a veterinarian in connection with treatment as referred to in paragraph **4.10.02 (834.14.1.e.ii)** that they are stored in a locked supervised location or cabinet and that they are entered in the livestock record as referred to in **Section 1.05** and paragraphs **4.10.23 & 4.10.24 (889.76)**, or as appropriate, in the aquaculture production records as referred to in paragraph **5.02.92 (889.79b)**.

## **Section 2**

**Section 2.13.07 is amended as follows:**

2.13.07 Water used for the irrigation of crops which are likely to be eaten uncooked should be assessed for its suitability for such use if mains water supply is not being used.

**Note:**

Assessment of the suitability of the source of such water (other than mains supply) should include potential contamination from livestock, industry, intensive farming methods etc. The suitability of the water source should be subject to on-going monitoring to ensure that material changes which occur due to adverse weather conditions (resulting in either very high or low water tables due to floods or drought, pollution and so forth) have not negatively affected the quality of the water.

The quality of non-mains water used for the irrigation of crops likely to be eaten uncooked should be verified at least annually during the irrigation period by testing for E-Coli, Enterococci & Coliforms as a minimum. If material changes occur to the water source as indicated in previous paragraph, additional tests would be required. Storage facilities for irrigation water should be constantly monitored.

## **Section 4**

### **Section 4.03.09 is amended as follows:**

- 4.03.09 (889.42) Where the conditions laid down **in** paragraph **1.09.02(b) (834.22.2b)** apply, and with prior authorisation of the Competent Authority:
- (a) When a flock is constituted for the first time, renewed or reconstituted and organically reared poultry are not available in sufficient numbers, non-organically reared poultry may be brought into an organic poultry production unit, provided that the pullets for the production of eggs and poultry for meat production are less than three days old;
  - (b) (505.6) Non-organically reared pullets for egg production of not more than 18 weeks may be brought into an organic livestock unit until 31 December 2014, when organically reared pullets are not available and provided that the relevant provisions laid down in **Sections 4.08, 4.09 & 4.10 (889. Section 3 and 4 of Chapter 2)** are complied with from day olds onwards (i.e. from up to 3 days old onwards).

## **Section 4**

### **Section 4.08.14 is amended as follows:**

4.08.14 (889.19.1) In case of herbivores, except during the period each year when the animals are under transhumance subject to Article 17(4), at least 60 % of the feed shall come from the farm unit itself or in case this is not feasible, be produced in cooperation with other organic farms in the same region.

(889.19.2) In case of pigs and poultry, at least 20 % of the feed shall come from the farm unit itself or in case this is not feasible, be produced in the same region in cooperation with other organic farms or feed business operators.

(889.19.3) In the case of bees, at the end of the production season hives shall be left with sufficient reserves of honey and pollen to survive the winter.

The feeding of bee colonies shall only be permitted where the survival of the hives is endangered due to climatic conditions. Feeding shall be with organic honey, organic sugar syrups, or organic sugar.

## **Section 4**

**Section 4.08.21 is amended as follows:**

- 4.08.21 (889.43 as amended by 505/2012) Where the conditions laid down in **Section 1.09.02 b) (834.22.2b)** and where farmers are unable to obtain protein feed exclusively from organic production, the use of a limited proportion of non-organic protein feed is allowed for porcine and poultry species.

The maximum percentage of non-organic protein feed authorised per period of 12 months for those species shall be 5 % for calendar years 2012, 2013 and 2014.

The figures shall be calculated annually as a percentage of the dry matter of feed from agricultural origin.

The operator shall keep documentary evidence of the need for the use of this provision.

**Note:** *Non-organic feedstuffs (up to the above specified limits) may only be used where the producer can show to the satisfaction of the OCB that they were unable to obtain, in the first instance, certified organic feedstuffs.*

## Section 4

Section 4.08.23 is amended as follows:

- 4.08.23 (889.22) For the purposes of paragraph **4.08.19**, only the following substances may be used in the processing of organic feed and feeding organic animals:
- (a) Non-organic feed materials of plant or animal origin, or other feed materials that are listed in **Section 4.09**, provided that:
    - (i) They are produced or prepared without chemical solvents; and
    - (ii) The restrictions laid down in **4.08.21 (889.43)** are complied with;
  - (b) Non-organic spices, herbs, and molasses, provided that:
    - (i) Their organic form is not available;
    - (ii) They are produced or prepared without chemical solvents; and
    - (iii) Their use is limited to 1 % of the feed ration of a given species, calculated annually as a percentage of the dry matter of feed from agricultural origin;
  - (c) Organic feed materials of animal origin;
  - (d) Feed materials of mineral origin that are listed in **Section 4.09**;
  - (e) Products from sustainable fisheries, provided that:
    - (i) They are produced or prepared without chemical solvents;
    - (ii) Their use is restricted to non-herbivores; and
    - (iii) The use of fish protein hydrolysate is restricted solely to young animals;
  - (f) Salt as sea salt, coarse rock salt;
  - (g) Feed additives listed in **Section 4.09**.



# Section 4

## 4.09 Products Permitted in Animal Feeds

Section 4.09.01 is amended as follows:

### Minerals and other feed materials

4.09.01 (505/2012) Feed materials as referred to in paragraph 4.08.23.

Authorisation:

A: authorised under Regulation (EEC) No 2092/91 and carried over by Article 21(2) of Regulation (EC) No 834/2007

B: authorised under Regulation (EC) No 834/2007

#### 1. Feed materials of mineral origin

Authorisation	Substance	Description, conditions for use
A	Calcareous marine shells	
A	Maerl	
A	Lithotamn	
A	Calcium gluconate	
A	Calcium carbonate	
A	Magnesium oxide (anhydrous magnesia)	
A	Magnesium sulphate	
A	Magnesium chloride	
A	Magnesium carbonate	
A	Defluorinated phosphate	
A	Calcium magnesium phosphate	
A	Magnesium phosphate	
A	Monosodium phosphate	
A	Calcium sodium phosphate	
A	Sodium chloride	
A	Sodium bicarbonate	
A	Sodium carbonate	
A	Sodium sulphate	
A	Potassium chloride	

#### 2. Other feed materials

Fermentation (by-)products from microorganisms the cells of which have been inactivated or killed:

Authorisation	Substance	Description, conditions for use
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A	Saccharomyces cerevisiae	
A	Saccharomyces carlsbergiensis	

## Feed additives

4.09.02 (505/2012) Feed additives used in animal nutrition referred to in paragraph **4.08.23**.

Feed additives listed in this Annex must be approved under Regulation (EC) No 1831/2003 of the European Parliament and of the Council [OJ L 268, 18.10.2003, p. 29].

### 1. Technological additives

#### (a) Preservatives

Authorisation	ID numbers		Substance	Description, conditions for use
A	1a	E200	Sorbic acid	
A	1a	E236	Formic acid	
B	1a	E327	Sodium formate	
A	1a	E260	Acetic acid	
A	1a	E270	Lactic acid	
A	1a	E280	Propionic acid	
A	1a	E330	Citric acid	

#### b) Antioxidants

Authorisation	ID numbers		Substance	Description, conditions for use
A	1b	E306	Tocopherol-rich extracts of natural origin	

#### (c) Emulsifying and stabilising agents, thickeners and gelling agents

Authorisation	ID numbers		Substance	Description, conditions for use
A	1	E322	Lecithin	Only if derived from organic raw material Use restricted to aquaculture animal feed

#### (d) Binders, anti-caking agents and coagulants

Authorisation	ID numbers		Substance	Description, conditions for use
B	1	E535	Sodium ferrocyanide	Maximum dose rate of 20 mg/kg NaCl calculated as ferrocyanide anion
A	1	E551b	Colloidal silica	
A	1	E551c	Kieselgur (diatomaceous earth, purified)	
A	1	E558	Bentonite-montmorillonite	
A	1	E559	Kaolinitic clays, free of asbestos	
A	1	E560	Natural mixtures of stearites and chlorite	
A	1	E561	Vermiculite	
A	1	E562	Sepiolite	

B	1	E566	Natrolite-Phonolite	
B	1	E568	Clinoptilolite of sedimentary origin, [Pigs for fattening; Chickens for fattening; Turkeys for fattening; Bovine; Salmon]	
B	1	E599	Perlite	

(e) Silage additives

Authorisation	ID numbers	Substance	Description, conditions for use
A	1k	Enzymes, yeasts and bacteria	Use restricted to production of silage when weather conditions do not allow for adequate fermentation

2. Sensory additives

Authorisation	ID numbers	Substance	Description, conditions for use
A	2b	Flavouring compounds	Only extracts from agricultural products

3. Nutritional additives

(a) Vitamins

Authorisation	ID numbers	Substance	Description, conditions for use
A	3a	Vitamins and provitamins	<p>Derived from agricultural products. If derived synthetically, only those identical to vitamins derived from agricultural products may be used for monogastric animals and aquaculture animals.</p> <p>If derived synthetically, only vitamins A, D and E identical to vitamins derived from agricultural products may be used for ruminants, the use is subject to prior authorisation of the Member States based on the assessment of the possibility for organic ruminants to obtain the necessary quantities of the said vitamins through their feed rations</p>

(b) Trace elements

Authorisation	ID numbers	Substance	Description, conditions for use
A	3b	E1 Iron	ferric oxideferrous carbonateferrous sulphate, heptahydrateferrous sulphate, monohydrate
A	3b	E2 Iodine	calcium iodate, anhydrous
A	3b	E3 Cobalt	basic cobaltous carbonate, monohydrate cobaltous sulphate

			monohydrate and/or heptahydrate	
A	3b	E4 Copper	basic cupric carbonate, monohydratecupric oxidecupric sulphate, pentahydrate	
A	3b	E5 Manganese	manganous carbonatemanganous oxide manganous sulfate, monohydrate	
A	3b	E6 Zinc	zinc oxidezinc sulphate monohydratezinc sulphate heptahydrate	
A	3b	E7 Molybdenum	sodium molybdate	
A	3b	E8 Selenium	sodium selenate sodium selenite	

#### 4. Zootechnical additives

Authorisation	ID numbers	Substance	Description, conditions for use
A		Enzymes and micro-organisms	

# Section 1

**Section 1.05.05 is amended as follows:**

- 1.05.05 The records must be comprehensive and legible so as to demonstrate that these standards have been observed and to demonstrate the balance between input and output. They must be retained for a period of not less than three years.

## **Section 4**

Section 4.05.21 is amended as follows:

- 4.05.21 In the event of an outbreak of Avian Influenza, the Competent Authority may introduce precautionary measures, which require that outdoor access for poultry is restricted or prevented and certain measures must then be put in place to guarantee the continuity of the organic poultry production system. In such a case producers will be permitted to keep their poultry indoors on a continuous basis without losing their organic status subject to adherence to the following specific conditions:
- (a) In the first instance, organic poultry producers will be advised if the Competent Authority deem that such precautionary measures must prevail, together with the implementation date of same;
  - (b) If access to outdoor runs for poultry is restricted or prevented to comply with the precautionary measures stipulated above to prevent the spread of Avian influenza, in order to reduce the negative impact of such measures, poultry must have permanent access to roughage and suitable material allowing each bird to take up roughage, scratch and dust bath according to needs whilst housed in order to meet the poultry's ethological needs – such requirements to be dealt with by the OCB on a case-by-case basis.

## **Section 4**

Section 4.02.05 is amended as follows:

4.02.05 **Note:** *Shared cultivation equipment would be acceptable but separation must be demonstrated for feed, milling and mixing machinery, as well as milking parlour and housing facilities. Refer also to 2.12.08 for cleaning requirements.*

## Section 4

Section 4.02.10 is amended as follows:

4.02.10 (889.17.3) Organic animals may be grazed on common land, providing that:

- (a) The land has not been treated with products not authorised for organic production for at least three years;
- (b) Any non-organic animals which use the land concerned are derived from a farming system equivalent to those as described in paragraph 4.02.06;
- (c) Any livestock products from organic animals, whilst using this land, shall not be regarded as being from organic production, unless adequate segregation from non-organic animals can be proved.
- d) A producer who wants to graze organic and/or simultaneously converting animals on commonage must demonstrate the following at the time of the initial inspection, in order for the OCB to agree to register the area of commonage:
  - (i) That stock are clearly identified (e.g. using ear tags) per 4.05.07
  - (ii) That livestock intended for organic registration do not freely mix with non-organic livestock of the same species;  
*Note: This will require a hefted flock or herd that essentially stays within its own area.*
  - (iii) That the land was not treated with products not authorized for organic production for the three year period prior to registration – this will require a sworn affidavit from the applying organic operator;
  - (iv) Any supplementary feeding that organic stock have access to must comply with the standards;
  - (v) Stocking rates must comply with the requirements of the Commonage Framework Plan

*Note: Commonage is not registered as 'organic' but has its own status and category.*

**Producers who wish to use commonage must complete a specific template which is available from the relevant OCB.**

(889.17.4) During the period of transhumance animals may graze on non-organic land when they are being moved on foot from one grazing area to another. The uptake of non-organic feed, in the form of grass and other vegetation on which the animals graze, during this period shall not exceed 10 % of the total feed ration per year. This figure shall be calculated as a percentage of the dry matter of feedingstuffs from agricultural origin.



## **Section 4**

**Section 4.08.24 is amended as follows:**

- 4.08.24 (889.17.4) During the period of transhumance animals may graze on non-organic land when they are being moved on foot from one grazing area to another. The uptake of non-organic feed, in the form of grass and other vegetation on which the animals graze, during this period shall not exceed 10 % of the total feed ration per year. This figure shall be calculated as a percentage of the dry matter of feedingstuffs from agricultural origin.

## **Section 6**

### **Section 6.03.33 is amended as follows:**

6.03.33 (889.95.10) Packaging material in accordance with the previous revision of these Standards may continue to be used for products brought to the market bearing terms referring to organic production until 1 July 2012, where the product otherwise complies with the requirements of these Standards.

(889.95.10a) Stocks of wines produced until 31 July 2012 in accordance with previous revisions of these Standards may continue to be brought on the market until stocks are exhausted, and subject to the following labelling requirements:

- (a) The Organic logo of the EU may be used provided that the wine-making process complies with paragraphs **6.05.30 to 6.05.40**;
- (b) Operators using the Organic logo of the EU shall keep recorded evidence, for a period of at least five years after they placed on the market that wine obtained from organic grapes, including of the corresponding quantities of wine in litres, per wine category and per year;
- (c) Where the evidence referred to in point (b) of this paragraph is not available, such wine may be labelled as “wine made from organic grapes”, provided that it complies with the requirements of this Regulation except those provided for in paragraphs **6.05.30 to 6.05.40**;
- (d) Wine labelled as “wine made from organic grapes” cannot bear the Organic logo of the EU.

## Section 6

Section 6.04.08 is amended as follows:

6.04.08 The four categories are:

1. **Products imported from EU-recognised third countries providing equivalent guarantees** (see paragraph **6.04.10**)  
The product is imported from an exporter controlled by a control body named in the context of recognition by the Commission of a particular third country (1235/2008 Annex III).
2. **Products imported from other third countries where the control body has been recognised for the purpose of equivalence** (see paragraph **6.04.14**)  
The product is imported from an exporter controlled by a control body named in a list of third country control bodies recognised by the Commission as **applying equivalent standards and control systems** (Article 33(3) of Council Regulation 834/2007).
3. **Products imported from other third countries where the control body has been recognised for the purpose of compliance** (see paragraph **6.04.20**)  
The product is imported from an exporter controlled by a control body named in a list of third country control bodies recognised by the Commission as applying **compliant standards and control systems** (Article 32 of Council Regulation 834/2007).
4. **Transitional rules on equivalent import of products not originating in listed third countries**  
The product is imported from a third country not recognised on the above lists provided the import is covered by an authorisation issued by the competent authority (Article 19 of Regulation 1235/2008).

## Section 6

Section 6.04.10 is amended as follows:

6.04.10 The countries that the Commission has recognised as having equivalent production rules and inspection systems are listed in Annex III of Commission Regulation 1235/2008 as amended and include:

- Argentina
- Australia
- Canada
- Costa Rica
- India
- Israel
- Japan
- New Zealand
- Switzerland
- Tunisia
- United States of America

The details for each country, including the product categories, origin, production standards, control bodies, certificate issuing bodies and the duration of the approval are listed in **Annex III of Regulation 1235/2008**, as amended by **Annex 1 of Regulation 508/2012 - LIST OF THIRD COUNTRIES AND RELEVANT SPECIFICATIONS**.

**Note:** *An up-to-date version of this Annex can be found on the OCB Website, linked to these Standards titled 'Third Country Imports – Annexes'.*

Operators must ensure that produce imported from a recognised country meets the specific conditions attached to that country.

**Non-EU European Economic Area countries (Iceland, Liechtenstein and Norway)**

## **Section 6**

### **Section 6.04.14 is amended as follows:**

6.04.14 Article 33(3) of Council Regulation 834/2007 provides for the Commission to draw up a list of individual control bodies operating in third countries which it recognises as applying production and control standards equivalent to EU standards.

The control bodies that the Commission has recognised as having equivalent production rules and inspection systems are listed in **Annex I of Regulation 1235/2008** as amended by **Annex II of Regulation 508/2012 - LIST OF CONTROL BODIES AND CONTROL AUTHORITIES FOR THE PURPOSE OF EQUIVALENCE AND RELEVANT SPECIFICATIONS.**

***Note:** An up-to-date version of this Annex can be found on the OCB Website, linked to these Standards titled 'Third Country Imports – Annexes'.*

The details for each control body or control authority, including the address, internet address, third country code number, product categories, any exceptions and the duration of the approval are listed.

Operators must ensure that produce imported from an exporter certified by a recognised body meets the specific conditions attached to that body.

## Section 6

Section 6.04.19 is amended as follows:

6.04.19 Organic products from countries in this category must comply with the same procedures as paragraph 6.04.13.

**3. Products imported from other third countries where the control body has been recognised for the purpose of compliance (CPS)**

## **Section 6**

### **Section 6.04.20 is amended as follows:**

6.04.20 Article 32 of Council Regulation 834/2007 provides for the Commission to recognise individual control bodies in third countries as applying EU production and control standards – referred to as “compliant”.

The control bodies that the Commission has recognised as having compliant production rules and inspection systems are listed in **Annex I of Regulation 1235/2008** as amended.

**Note:** *There are currently no control bodies listed. When issued, the up-to-date version of this Annex can be found on the OCB Website, linked to these Standards titled ‘Third Country Imports – Annexes’.*

The details for each control body or control authority, including the address, code number, third country, product categories, the duration of the approval and internet address are listed.

Operators must ensure that produce imported from an exporter certified by a recognised body meets the specific conditions attached to that body by checking the internet address for current details.

## **Section 6**

**Section 6.04.25 is amended as follows:**

- 6.04.25 Organic products from countries in this category must comply with the same procedures as paragraph **6.04.13** above with the exception of paragraph **(d)**. In this case the Certificate of Inspection may be replaced with the Certificate/Trading Schedule of the certification body in the country of origin provided that it meets the minimum criteria specified.



# Section 6

Section 6.04.26 is amended as follows:

**4. Transitional rules on equivalent import of products not originating in listed third countries (CPS) and approved by the competent authority**

6.04.26 As the lists of equivalent and compliant control bodies foreseen by sections 6.04.14 and 6.04.20 have not been fully established, the existing system of permitting Member States to issue authorisations to import organic produce from third countries remains in place as a transitional measure.

## **Section 6**

**Section 6.04.27 is amended as follows:**

6.04.27 In Ireland, DAFM and in Northern Ireland, DEFRA grant such authorisations. As the control body lists are put in place, authorisations issued by DAFM/DEFRA will progressively become redundant and will be withdrawn from 1<sup>st</sup> January 2014.

## **Section 6**

**Section 6.04.39 is amended as follows:**

6.04.39 (1235.13.3) The EC Certificate of Inspection must be completed by the control body or authority in the country of origin. The country, body and product category must be included on:

- (a) The list of recognised countries and control bodies/authorities referred to in paragraph **6.04.10**;
- (b) The list of recognised control bodies/authorities recognised for the purpose of equivalence, referred to in paragraph **6.04.14**;
- (c) On the DAFM/DEFRA Approval document to import products from the country referred to in paragraphs **6.04.26** to **6.04.37**.

If the certification body is not listed on one of these authorisations, the Certificate of Inspection is not valid.

## Section 6

Section 6.04.40 is amended as follows:

- 6.04.40 (1235.13.5) The Certificate must be based on the model set out in **Appendix 2** to these Standards – CERTIFICATE OF INSPECTION FOR IMPORT OF PRODUCTS FROM ORGANIC PRODUCTION INTO THE EUROPEAN COMMUNITY and provided in English.

## **Section 6**

**Section 6.04.57 is amended as follows:**

6.04.57 From 1<sup>st</sup> June 2012 the EU and U.S. have recognised each other's organic production rules and control systems as equivalent under their respective rules so that products certified to the EU organic standards may be sold and labelled as organic in both the U.S.

## **Section 6**

**Section 6.04.58 is amended as follows:**

- 6.04.58 The arrangement includes products that have been produced in the EU, excluding wine and products that contain organic ingredients from third countries that have been imported as organic into the EU, whose final processing or packaging occurs within the EU.

## **Section 6**

**Section 6.04.59 is amended as follows:**

6.04.59 Agricultural products derived from animals treated with antibiotics shall not be marketed as organic in the United States. For animal products, For products containing ingredients from animals, the OCB's Certificate of Inspection for Export must demonstrate that antibiotics have not been used.

**Note:** *Operators must contact their OCB when considering exporting to the US.*

## **Section 6**

**Section 6.05.09 is amended as follows:**

6.05.09 (889.27.1) Only the following substances can be used in the processing of organic food, with the exception of wine, for which the provisions of sections 6.05.30 to 6.05.40 shall apply;



## Section 6

Sections 6.05.30 to 6.05.40 are new clauses which relate to wine production as follows:

### Specific rules for the making of wine

- 6.05.30 (889.29b.1) This Chapter lays down specific rules for the organic production of the products of the wine sector as referred to in Article 1(1)(l) of Council Regulation (EC) No 1234/2007 (OJL 299, 16.11.2007,p.1).
- (889.29b.2) Commission Regulations (EC) No 606/2009 (OJL 193, 24.7.2009,p.1) and (EC) No 607/2009 (OJL 193, 24.7.2009,p.60.) shall apply, save as explicitly provided otherwise in this Chapter.
- Use of certain products and substances**

- 6.05.31 (889.29c.1) Products of the wine sector shall be produced from organic agricultural raw material.
- 6.05.32 (889.29c.2) Only the non-agricultural products and substances listed in paragraph **6.05.40** can be used for the making of products of the wine sector, including during the processes and oenological practices, subject to the conditions and restrictions laid down in Regulation (EC) No 1234/2007 and Regulation (EC) No 606/2009 and in particular in Annex I A to that Regulation.
- 6.05.33 (889.29c.3) Products and substances listed in **Annex** and marked with an asterisk, derived from organic raw material, shall be used if available.

### Oenological practices and restrictions

- 6.05.34 (889.29d.1) Without prejudice to Article 29c and to specific prohibitions and restrictions provided for in paragraphs 2 to 5 of this Article, only oenological practices, processes and treatments, including the restrictions provided for in Article 120c and 120d of Regulation (EC) No 1234/2007 and in Articles 3, 5 to 9 and 11 to 14 of Regulation (EC) No 606/2009 and in their Annexes, used before 1 August 2010 are permitted.
- 6.05.35 (889.29d.2) Use of the following oenological practices, processes and treatments is prohibited:
- Partial concentration through cooling according to point (c) of Section B.1 of Annex XVa to Regulation (EC) No 1234/2007;
  - Elimination of sulphur dioxide by physical processes according to point 8 of Annex I A to Regulation (EC) No 606/2009;
  - Electrodialysis treatment to ensure the tartaric stabilisation of the wine according to point 36 of Annex I A to Regulation (EC) No 606/2009;
  - Partial dealcoholisation of wine according to point 40 of Annex I A to Regulation (EC) No 606/2009;
  - Treatment with cation exchangers to ensure the tartaric stabilisation of the wine according to point 43 of Annex I A to Regulation (EC) No 606/2009.
- 6.05.36 (889.29d.3) Use of the following oenological practices, processes and treatments is permitted under the following conditions:
- For heat treatments according to point 2 of Annex I A to Regulation (EC) No 606/2009, the temperature shall not exceed 70 °C;
  - For centrifuging and filtration with or without an inert filtering agent according to point 3 of Annex I A to Regulation (EC) No 606/2009, the size of the pores shall be not smaller than 0,2 micrometer.
- 6.05.37 (889.29d.4) Use of the following oenological practices, processes and treatments shall be re-examined by the Commission before 1 August 2015 with a view to phase out or to further restrict those practices:

- (a) Heat treatments as referred to in point 2 of Annex I A to Regulation (EC) No 606/2009;
- (b) Use of ion exchange resins as referred to in point 20 of Annex I A to Regulation (EC) No 606/2009;
- (c) Reverse osmosis according to point (b) of Section B.1 of Annex XVa to Regulation (EC) No 1234/2007.

6.05.38 (889.29d.5) Any amendment introduced after 1 August 2010, as regards the oenological practice, processes and treatments provided for in Regulation (EC) No 1234/2007 or Regulation (EC) No 606/2009, may be applicable in the organic production of wine only after the adoption of the measures necessary for the implementation of the production rules provided for in Article 19(3) of Regulation (EC) No 834/2007 and, if required, an evaluation process according to Article 21 of that Regulation.

#### Catastrophic circumstances

6.05.39 (889.47e) DAFM/DEFRA may authorise on a temporary basis the use of sulphur dioxide up to the maximum content to be fixed in accordance with the Annex I B to Regulation (EC) No 606/2009 if the exceptional climatic conditions of a given harvest year deteriorate the sanitary status of organic grapes in a specific geographical area because of severe bacterial attacks or fungal attacks, which oblige the winemaker to use more sulphur dioxide than in previous years to obtain a comparable final product.

Upon approval by DAFM/DEFRA, the individual operators shall keep documentary evidence of the use of the above exceptions. DAFM/DEFRA shall inform other Member States and the Commission on the exceptions they have granted under the above paragraph within one month from their approval.

6.05.40 (889 ANNEX VIIIa) Products and substances authorised for use or addition in organic products of the wine sector referred to in paragraph **6.05.32**

Type of treatment in accordance with Annex I A to Regulation (EC) No 606/2009	Name of products or substances	Specific conditions, restrictions within the limits and conditions set out in Regulation (EC) No 1234/2007 and Regulation (EC) No 606/2009
Point 1: Use for aeration or oxygenation	Air Gaseous oxygen	
Point 3: Centrifuging and filtration	Perlite Cellulose Diatomeaceous earth	Use only as an inert filtering agent
Point 4: Use in order to create an inert atmosphere and to handle the product shielded from the air	Nitrogen Carbon dioxide Argon	
Points 5, 15 and 21: Use	Yeasts	For the individual yeast strains: if available, derived from organic raw material.
Point 6: Use	Di-ammonium phosphate Thiamine hydrochloride	
Point 7: Use	Sulphur dioxide Potassium bisulphite or Potassium metabisulphite	(a) The maximum sulphur dioxide content shall not exceed 100 milligrams per litre for red wines as referred to in point 1(a) of Part A of Annex I B to Regulation (EC) No 606/2009 and with a residual sugar level lower than 2 grams per litre; (b) The maximum sulphur dioxide content shall not exceed 150 milligrams per litre for white and rosé wines as referred to in point 1(b) of Part A of Annex I B to Regulation (EC) No 606/2009 and with a residual sugar level lower than 2

		grams per litre; (c) For all other wines, the maximum sulphur dioxide content applied in accordance with Annex I B to Regulation (EC) No 606/2009 on 1 August 2010, shall be reduced by 30 milligrams per litre.
Point 9: Use	Charcoal for oenological use	
Point 10: Clarification	Edible gelatine Plant proteins from wheat or peas Isinglass Egg white albumin Tannins	Derived from organic raw material if available.
	Casein Potassium caseinate Silicon dioxide Bentonite Pectolytic enzymes	
Point 12: Use for acidification purposes	Lactic acid L(+)Tartaric acid	
Point 13: Use for deacidification purposes	L(+)Tartaric acid Calcium carbonate Neutral potassium tartrate Potassium bicarbonate	
Point 14: Addition	Aleppo pine resin	
Point 17: Use	Lactic bacteria	
Point 19: Addition	L-Ascorbic acid	
Point 22: Use for bubbling	Nitrogen	
Point 23: Addition	Carbon dioxide	
Point 24: Addition for wine stabilisation purposes	Citric acid	
Point 25: Addition	Tannins	Derived from organic raw material if available.
Point 27: Addition	Meta-tartaric acid	
Point 28: Use	Acacia gum = gum arabic	Derived from organic raw material if available.
Point 30: Use	Potassium bitartrate	
Point 31: Use	Cupric citrate	
Point 31: Use	Copper sulphate	Authorised until 31 July 2015
Point 38: Use	Oak chips	
Point 39: Use	Potassium alginate	
Type of treatment in accordance with Annex III, point A(2)(b) to Regulation (EC) No 606/2009	Calcium sulphate	Only for "vino generoso" or "vino generoso de licor"

**APPENDIX 1**

Appendix 1 is amended as follows:

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**Measures in cases of Irregularities & Manifest Infringements plus Appeals Procedure**

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**Measures in case of suspicion of infringements and irregularities**

1. (889.91.1) Where an operator considers or suspects that a product which he has produced, prepared, imported or that he has received from another operator, is not in compliance with organic production rules, he shall initiate procedures either to withdraw from this product any reference to the organic production method or to separate and identify the product. He may only put it into processing or packaging or on the market after elimination of that doubt, unless it is placed on the market without indication referring to the organic production method.
2. In case of such doubt, the operator shall immediately inform the OCB or authority. The control authority or OCB may require that the product cannot be placed on the market with indications referring to the organic production method until it is satisfied, by the information received from the operator or from other sources, that the doubt has been eliminated.
3. (889.91.2) Where a control authority or OCB has a substantiated suspicion that an operator intends to place on the market a product not in compliance with the organic production rules but bearing a reference to the organic production method, this control authority or OCB can require that the operator may provisionally not market the product with this reference for a time period to be set by that control authority or OCB. Before taking such a decision, the control authority or OCB shall allow the operator to comment. This decision shall be supplemented by the obligation to withdraw from this product any reference to the organic production method if the control authority or OCB is sure that the product does not fulfill the requirements of organic production.
4. However, if the suspicion is not confirmed within the said time period, the decision referred to in the first subparagraph shall be cancelled not later than the expiry of that time period. The operator shall cooperate fully with the OCB or authority in resolving the suspicion.
5. (889.91.3) Member States shall take whatever measures and sanctions are required to prevent fraudulent use of the organic indications and the organic logo of the EU, referred to in **Section 6.03 of these Standards (Title IV of Regulation (EC) No 834/2007)**.

**Non-compliant products imported from a third country**

6. (1267.2) Without prejudice to any measures or actions taken in paragraphs **1 to 5** above, the release for free circulation in the Union of products not in conformity with the requirements of these Standard shall be conditional on the removal of references to organic production from the labelling, advertising and accompanying documents.
7. (1267.2) Without prejudice to any measures or actions to be taken in paragraphs **1 to 5** above, in case of suspicion of infringements and irregularities as regards compliance of the products imported in accordance with the requirements of these Standards, the importer shall take all necessary measures in accordance with paragraph 1 above.
8. The importer and the control authority or control body which issued the certificate of inspection as referred to in paragraph **6.04.39** shall immediately inform the control bodies, control authorities and competent authorities of the Member States concerned and of the third countries involved in the organic production of the products in question and, where appropriate, the Commission. The control authority or control body may require that the product cannot be placed on the market with indications referring to the organic production method until it is satisfied, by the information received

from the operator or from other sources, that the doubt has been eliminated.

9. (1267.3) Without prejudice to any measures or actions to be taken in paragraphs **1 to 5**, where a control authority or control body of a Member State or a third country has a substantiated suspicion of an infringement or irregularities as regards compliance of the products imported in accordance with paragraphs **6.04.14** it shall take all necessary measures in accordance with paragraph **3** above and shall immediately inform the control bodies, control authorities and competent authorities of the Member States concerned and of the third countries involved in the organic production of the products in question and the Commission.

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## Appeals Procedure

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An **Appeals Procedure** common to the approved OCBs in Ireland has been agreed.

The details of the Appeals Procedure are as follows:

- a) All OCB Certification Panel decisions will be communicated to the appropriate operator in writing. Such decisions can include notification of decisions taken regarding Deviations, Irregularities or Manifest Infringements and the associated penalty/ies imposed.
- b) The operator/s can appeal any decision notified by the relevant OCB under the common penalties system and subsequent Appeals Procedure.

Outlined below are the components of the **Common Appeals Procedure** - the steps outlined below must be adhered to sequentially by the operator/s concerned:

- i) In the first instance, the operator may appeal the decision, in writing, to the Certification Panel (CP) within 14 days of the date of notification of the specific decision. This letter should be addressed to the office of the OCB. On receipt of same, administration personnel will forward the new information to the Inspector involved in the inspection which identified the specific non-compliance. The Inspector will review the additional information and will submit an opinion in respect of same to the OCB within 10 days. All information will then be considered at the next scheduled CP meeting and the operator will be notified of the CP decision within 14 days of the date of the specific Certification Panel Meeting.
- ii) Should the operator be dissatisfied with the decision under i) above, the operator may then appeal to the Board of Management of the appropriate OCB within 14 days of the date of notification of the specific decision. The operator must furnish a detailed written explanation regarding the reasons for their dissatisfaction with the outcome of i) above. Administration personnel will forward the details of the written appeal to the Board of Management within 10 days of receipt of same.
- iii) The Board of Management will consider the details of the appeal. The Board of Management reserves the right to obtain further clarification on any aspect of the case under review from all available sources including the Inspectorate, the CP, administration personnel and the Competent Authority. The Board of Management will advise Administration personnel of the outcome of their deliberations within 14 days. Administration personnel will notify the operator concerned of the decision of the Board of Management within 10 days of receipt of same.
- iv) If an operator in the Republic of Ireland is dissatisfied with the relevant OCB Board decision, he/she can then appeal, in writing, to the Organic Unit of the Department of Agriculture, Food & the Marine, Johnstown

Castle Estate, Co Wexford **within 28 days** of the notification of the decision by the relevant OCB. The appeal will be considered and a decision will be conveyed to the Operator concerned by the Organic Unit within 31 days of receipt of same.

If Northern Ireland operators are dissatisfied with the Board decision, he/she can request, in writing, that the appeal be referred to an independent Arbitrator, whose decision shall be binding on all parties. The applicant can choose that the decision be reached on the basis of a written submission or an oral hearing. Such Arbitrator may be a council member of The Soil Association or other **mutually agreed competent organic expert**. The specific procedure to be followed by Northern Ireland applicants in such circumstances is outlined in the contract between Northern Ireland applicants and the OCB.

***Sanctions imposed on an operator by an OCB will remain in force during the entire period of any subsequent appeal until the outcome of such appeal (i.e. if, for example, the OCB suspends or withdraws an operator's licence, such suspension/withdrawal shall remain in force during the entire period of any subsequent appeal until the outcome of the appeal).***

***In circumstances where an OCB has withdrawn a licence from an operator, the operator concerned cannot apply for certification from another OCB during the period of the withdrawal.***

**APPENDIX 2**

Appendix 2 is published as follows:

**CERTIFICATE OF INSPECTION FOR IMPORT OF PRODUCTS FROM ORGANIC PRODUCTION INTO THE EUROPEAN COMMUNITY**

(Annex V of Regulation 1235/2008)

1. Issuing body or authority (name and address)	2. Council Regulation (EC) 834/2007, Article 33(2) <input type="text" value="0"/> or Article 33(3) <input type="text" value="0"/> or Commission Regulation (EC) No 1235/2008 Article 19 <input type="text" value="0"/>	
3. Serial number of the certificate of inspection	4. Reference No authorisation under Article 19	
5. Exporter (name and address)	6. Control body or control authority (name and address)	
7. Producer or preparer of the product (name and address)	8. Country of dispatch	
	9. Country of destination	
10. First consignee in the Community (name and address)	11. Name and address of the importer	
12. Marks and numbers. Container No(s). Number and kind. Trade name of the product	13. CN Codes	14. Declared quantity

This is to certify that this certificate has been issued on the basis of the checks required under Article 13(4) of Regulation (EC) No 1235/2008 and that the products designated above have been obtained in accordance with the rules of production and inspection of the organic production method which are considered equivalent in accordance with the provisions of Regulation (EC) No 834/2007.

Date

Signature on behalf of the issuing control body/authority

Stamp of the issuing authority or body

16. Declaration of the competent authority of the Member State of the European Union who granted the authorisation or its designate.

This is to certify that the products designated above have been authorised for marketing in the European Community in accordance with the procedure of Article 19 of Regulation (EC) No 1235/2008 under the authorisation number mentioned in box 4.

Date:

Name & signature of the authorised person

Stamp of the competent authority or its designate in the Member State

17. Verification of the consignment by the relevant authority in the Member State.

Member state:

Member State:

Import registration (type, number, date and office of the customs declaration):

Date:

Name & signature of the authorised person

Stamp

18. Declaration of the first consignee.

This is to certify that the reception of the goods has been carried out in accordance with the provisions of Article 34 of Regulation (EC) No 889/2008.

Name of company:

Date:

Name & signature of the authorised person:

### *Explanatory Notes*

Box 1. Authority or body or other designated authority or body referred to in Article 13(3) of Regulation (EC) 1235/2008. This body also completes box 3 and 15.

Box 2. This box indicates the EC Regulations which are relevant for the issue of this certificate: indicate the relevant person.

Box 3. The serial number of the certificate given by the issuing body or authority in accordance with Article 13(4) of Regulation (EC) No 1235/2008.

Box 4. The authorisation number in case of import under Article 19. This box is completed by the issuing body or,



when the information is not yet available at the time that the issuing body endorses box 15, by the importer.

- Box 5. Name and address of the exporter.
- Box 6. Control body or authority for monitoring compliance of the last operation (production, preparation, including packaging and labeling) with the rules of the organic production methods in the third country of dispatch.
- Box 7. Operator who carried out the last operation (production, preparation, including packaging and labeling) on the consignment in the third country mentioned in box 6.
- Box 9. Country of destination means the country of the first consignee in the Community.
- Box 10. Name and address of the first consignee in the Community. The first consignee shall mean the natural or legal person where the consignment is delivered and where it will be handled for further preparation and/or marketing. The first consignee shall also complete box 18.
- Box 11. Name and address of the importer. The importer shall mean the natural or legal person within the European Community who presents the consignment for release for free circulation into the European Community, either on its own or through a representative.
- Box 13. Combined Nomenclature Codes for the products concerned.
- Box 14. Declared quantity, expressed in appropriate units (Kg of net mass, litres etc).
- Box 15. Declaration of the body or authority issuing the certificate. The signature and the stamp must be in a colour different to that of the printing.
- Box 16. Only for imports under the procedure laid down in Article 19 of Regulation (EC) No 1235/2008. To be completed by the competent authority in the Member State which granted the authorisation, or by the delegated body or authority in the case of delegation in accordance with Article 13(7b) of Regulation No 1235/2008. Not to be completed where the derogation of Article 13(7c) of Regulation (EC) No 1235/2008 applies.
- Box 17. Shall be completed by the relevant Member State's authority either at the verification of the consignment in accordance with Article 13(1), or before the preparation or splitting operation in the circumstances referred to in Article 14 of Regulation (EC) No 1235/2008.
- Box 18. Shall be filled in by the first consignee at the reception of the products, when he has carried out the checks provided for in Article 34 of Regulation (EEC) No 889/2008.

## Section 2

### 2.10 Fertilisers and Supplementary Nutrients

Section 2.10.01 is amended as follows (i.e. the inclusion of hoof, horn and bone meal as permitted inputs).

2.10.01 (889.3.1) Where the nutritional needs of plants cannot be met by measures provided for in these standards, only fertilisers referred to in the following table may be used in organic production and only to the extent necessary. Operators shall keep documentary evidence of the need to use the product.

**Note:** The following fertilising materials are permitted, subject to the conditions of use and the requirements set out below. This is a positive list and materials not listed, such as mineral nitrogen fertilisers, shall not be used.

Compound products or products containing only materials listed hereunder:	Description, compositional requirements, conditions for use	Documentary Evidence Required to Substantiate Use (information to be retained in operator's Record Book)
Products or by-products of animal origin as below: hoof meal horn meal bone meal or degelatinized bone meal fish meal feather, hair and 'chiquette' meal wool fur hair dairy products	For fur: maximum concentration in mg/kg of dry matter of chromium (VI): 0	Reason for use; soil analysis (if appropriate); source; quantity; storage arrangements

## Section 8

### 8.02 Sales of Organic Animals at Conventional Livestock Marts

- 8.02.01 Organic animals may be sold at conventional livestock marts and the following best-practice guidelines apply:
- If possible, a dedicated sales ring for organic stock or organic pens to be made available
  - It is recommended that sales of organic animals occur as the first operation on the day of the Mart, however, alternative timings are permitted if they are deemed to provide more optimum conditions for the sale of organic animals
  - Clear notices indicating Organic Stock For Sale to be made available by the Mart organisers
  - Tanoy announcements regarding organic stock for sale and their specific status to be provided by the Mart organisers on the day of the Mart.
  - It is recommended that one or more organic producer /s take responsibility for the above arrangements on the days on which organic animals are to be sold.
  - Each organic producer wishing to sell organic animals at conventional marts must ensure that the following paperwork is brought to the mart on the day of the sale:
    - 1) Copies of the organic licence of the organic farmer (i.e. one copy for each animal to be sold)
    - 2) Copies of the completed Livestock Sales Declaration Form (i.e. one copy for each animal to be sold)
    - 3) Blue Cards/Passports for all animals offered for sale
- 8.02.02 All organic operators who intend to purchase organic animals offered for sale at conventional marts must ensure that they verify the organic status of such animals prior to final purchase. It is emphasized that unlike the dedicated organic marts, the status of organic animals sold at conventional marts **will not be verified** by the organic certification bodies prior to the sales taking place, therefore, caveat emptor (***let the buyer beware***) to be observed.
- 8.02.03 When advertising organic animals for sale at conventional marts, it is important to indicate in the advertisement that **'this is not a dedicated organic mart'** and to include the name/address of the Mart organizer to be contacted when booking-in organic animals for sale at any such marts. It is recommended that all Marts who intend to offer organic animals for sale notify the organic certification bodies of the dates and times of such marts, i.e. Organic Trust Ltd 01 8530271 and IOFGA 090 64 33680.

## **Section 2**

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### **2.13 Environmental Pollution & Contamination**

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2.13.07 **As previously amended by Amendment A8, 2.13.07 is further amended as follows:**

Care shall be taken to ensure that water used for irrigation is free from contamination by prohibited materials. If a mains water supply is not available, water used for the irrigation of crops which are likely to be eaten uncooked shall be assessed for its suitability in the first instance and tested at least annually. Records must be available for inspection. The following parameters must be met:

E. coli	0/100ml
Enterococci	0/100ml

Industry codes of best practice should be applied in all instances. Storage facilities for irrigation water should be constantly monitored and maintained in a hygienic condition.

**Note:**

Assessment of the suitability of the source of irrigation water (other than mains supply) should include potential contamination from livestock, industry, intensive farming methods etc. The suitability of the water source should be subject to on-going monitoring to ensure that material changes which occur due to adverse weather conditions (resulting in either very high or low water tables due to floods or drought, pollution) have not negatively affected the quality of the water.

# Section 2

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## 2.02 Certification & Control Arrangements for Producers

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2.02.27      **Section 2.02.27 is amended as follows:**

Where a processing or packing operation includes any of the following arrangements, the Operation must be assessed for compliance with the relevant processing Standards in Section 6:

- (a) Inclusion of brought-in products for re-sale irrespective of the value of such brought-in products/produce;
- (b) Use of subcontractors for part of the process;
- (c) Parallel processing or packing of organic and non-organic products;
- (d) A processing/preparation operation which involves changes to the nature of the product, such as peeling, slicing, cooking, freezing, juicing and so forth.

## **Section 6**

Section 6.04 is replaced in its entirety as the rules relating to Third Country or Non-EU Imports and Exports are currently in a state of constant change. Therefore, Sections 6.04.01 to 6.04.60 are replaced in their entirety as outlined in this Amendment A41.

The Third Country Import Annexes were published to date on the websites of the OCBs as a stand-alone .pdf document to serve as a reference point for those operators directly importing organic produce and products from non-EU countries. These Annexes have now been removed from the websites as the requirements of Commission Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries is in a constant state of change and update. It is the intention of the OCBs to place a link on the OCB websites to a consolidated version of the Third Country Import Annexes as soon as it becomes available, therefore, **in the interim period it is recommended that all operators who intend to directly import organic produce from non-EU countries contact their OCB for verification of the status of such imports prior to import.**

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### **6.04 Importing & Exporting**

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6.04.01 There are three categories of imports, each of which has different regulations and conditions attached to them.

- Imports from another EU Member State, i.e. Regulation 834/2007 Article 34.1 indicates:

Competent authorities, control authorities and control bodies may not, on grounds relating to the method of production, to the labelling or to the presentation of that method, prohibit or restrict the marketing of organic products controlled by another control authority or control body located in another Member State, in so far as those products meet the requirements of this Regulation. In particular, no additional controls or financial burdens in addition to those foreseen in Title V of this Regulation may be imposed.

- Imports of approved organic products from a Third Country listed by the EU (1235/2008 Annex III)
- Imports of approved organic food products from a Third Country where the Control Body or Control Authority is listed by the EU (1235/2008 Annex IV).

**Note:**

*The link to the current listing of countries, control bodies/control authorities listed in Annex III and IV of 1235/2008 and the specific conditions for import will be placed on the OCB websites as soon as a link to a consolidated version of Commission Regulation (EC) No 1235/2008 becomes available.*

#### **Imports from Another EU Member State**

6.04.02 Produce from within the EU can be imported into Ireland and Northern Ireland and sold freely as organic, provided it is produced or processed by an operator registered with an approved EU approved Organic Control Body and provided the importer is registered for storage and distribution with either Organic Trust Ltd or IOFGA.

*Note: Organic products moved between Ireland and Northern Ireland fall under this category. In addition prepackaged and pre-labelled organic products imported directly by a retailer for direct sale to the end user are exempt from the certification requirement.*

- 6.04.03 Where further processing or re-labelling is to take place as specified below, the Importer effectively becomes a Processor and has to comply with the OCB's Processing Standards.

These include:

- Bulk consignments such as grain transferred into bulk storage.
- Bulk products further processed such as by cleaning or grading, packing and prepacking.
- The re-labelling of any product after it leaves the processor in the exporting state.
- The application of the OCB's Certification Logo, to the labelling or packaging of a product by the processor within the exporting state.

- 6.04.04 Where the OCB's Certification Logo is to be used by a brand owner on a product packed in another member state, the processor must be certified by the OCB which will either inspect the processor directly or will make an arrangement with the processor's certification body to inspect on its behalf.

### **Products imported from outside the EU**

- 6.04.05 Council Regulation 834/2007, which came into force on 1 January 2009, establishes three categories of organic produce depending on the third country from which the goods are imported.

- 6.04.06 **These categories are:**

1. **Approved Products imported from EU-recognised third countries** (see **paragraph 6.04.08**)

The product is imported from an exporter controlled by a control body named in the context of recognition by the Commission of a particular third country (1235/2008 Annex III).

2. **Products imported from other third countries where the control body has been recognised as applying equivalent standards**

The product is imported from an exporter controlled by a control body named in a list of third country control bodies recognised by the Commission as applying standards equivalent to EU organic standards in specified third countries (Article 33(3) of Council Regulation 834/2007).

3. **Products imported from other third countries where the control body has been recognised as applying EU organic standards**

The product is imported from an exporter controlled by a control body named in a list of third country control bodies recognised by the Commission as applying EU organic standards in specified third countries (Article 32 of Council Regulation 834/2007).

#### **Note:**

*The link to the current listing of countries, control bodies/control authorities listed in Annex III and IV of 1235/2008 and the specific conditions for import will be placed on the OCB websites as soon as a link to a consolidated version of Commission Regulation (EC) No 1235/2008 becomes available.*

### **Products imported from EU-recognised third countries (CPS)**

- 6.04.07 Article 33(2) of Council Regulation 834/2007 provides for the European Commission to reach agreements with third countries recognising that they operate production rules and a system of inspection equivalent to that operating within the EU.

- 6.04.08 The list of countries which the Commission has recognised so far as having equivalent production rules and inspection systems are listed in Annex III of Commission Regulation 1235/2008 with the control bodies and types of produce for which recognition is granted – operators must ensure that produce imported from these countries has been certified by control bodies listed in Regulation 1235/2008. As indicated earlier, the link to the list of countries outlined in Annex III of 1235/2008 will be placed on the OCB websites as soon as a consolidated version of this Regulation is published by the EU Commission.
- 6.04.09 The non-EU European Economic Area countries (Iceland, Liechtenstein and Norway) apply EU law on organic production and are treated as if they were EU Member States.
- 6.04.10 Imports of organic products from these listed countries are permitted without prior approval from DAFM or DEFRA provided that:
- The importer is registered with one of the organic control bodies approved by DAFM or DEFRA.
  - The conditions of their equivalence agreement under Commission Regulation No 1235/2008 are met; and
  - A Certificate of Inspection in the form set out in Annex V to Commission Regulation 1235/2008 is produced by one of the approved third country control bodies listed in Annex III to Commission Regulation 1235/2008 for each consignment entering the EU. The Certificate of Inspection needs to be checked and endorsed by:
    - Ireland – the port authority notified by DAFM.
    - Northern Ireland - the Port Health Authority.

#### **Procedures for an approved product imported from EU-recognised third countries**

- 6.04.11 The following procedure applies to organic products imported from EU-Recognised Third Countries:
- (a) The importer must be subject to inspection and certification by an approved certification body.
  - (b) The product must be certified by one of the certification bodies and conform to the product types and origins specified on the EC Regulation giving Approval to the country in question.
  - (c) Each product must be certified by the OCB, with the exporting country and certification body indicated on the License.
  - (d) Each consignment must be accompanied by the Certificate of Inspection, completed by the certification body in the exporting country and supplied in its original form with the shipping documents.
  - (e) The documentation for the consignment must be approved by the relevant authority at the port of entry:
    - (i) For Ireland, the importer must notify the Organic Unit at DAFM of the consignment, in writing and not less than 10 days prior to the consignment arriving. DAFM will notify the authority at the port of entry of the approval.
    - (ii) For Northern Ireland, the UK Port Health Authority (PHA) is responsible for checking the documentation and permitting the consignment entry into the UK and must be notified at least 24 hours in advance and supplied with the original EC Certificate of Inspection. They will check that the Certificate of Inspection is complete and matches up with the up-to-date list of EU Approvals by product type, certification body and country.
  - (f) Where the documentation cannot be endorsed by the relevant authority due to errors or omissions, the consignment will be quarantined until the correct paperwork has been supplied or the organic references have been removed or it is re-exported.



- (g) Only when the relevant authority has approved the product can it be released for collection.
- (h) The first operator to receive the consignment, if not the importer (first consignee), must sign box 18 of the original EC Certificate of Inspection to confirm that it has been checked for authenticity and send the completed document to the importer.
- (i) A copy of the EC Certificate of Inspection must be emailed or faxed to the OCB as a notification that the consignment has arrived, as specified in paragraph **6.04.24** and subsequent paragraphs.
- (j) Copies of all the documents must be retained for inspection.

**Products imported from other third countries where the control body has been recognised as applying equivalent standards (CPS)**

- 6.04.12 Article 33(3) of Council Regulation 834/2007 provides for the Commission to draw up a list of individual control bodies operating in third countries which it recognises as applying production and control standards equivalent to EU standards.
- 6.04.13 The procedure these third country control bodies must follow when applying for recognition, including the information and supporting material which must be provided to enable a decision to be taken on whether recognition of equivalence can be granted, is set out in Commission Regulation 1235/2008 and accompanying guidelines.
- 6.04.14 Amongst the supporting material which must be provided is the address of a website on which can be found each operator licensed by the control body, the products for which each operator is licensed and the third countries in which each operator is licensed to operate.
- 6.04.15 When a control body is included on the list of equivalent control bodies its address will be included in the entry on the list for that control body, to enable verification of consignments of organic produce from third countries that are supplied by an exporter who is under the control of a recognised control body.
- 6.04.16 Imports of organic products exported by an exporter licensed by a control body included on the Article 33(3) list are permitted without prior approval from the Competent Authority provided that:
- The importer is registered with one of the organic certifying authorities approved by DAFM/DEFRA, i.e. the OCB;
  - The conditions specified for the control body on the Article 33(3) list are met including an entry for the exporter on the control body website confirming that the exporter is licensed for the produce being exported; and
  - A Certificate of Inspection is produced by one of the approved third country inspection bodies listed in Annex IV to Commission Regulation 1235/2008 for each consignment entering the EU. The Certificate of Inspection needs to be checked and endorsed by the relevant authority at the port or airport at which the consignment arrives in the country.

**Procedures for a product imported from other third countries where the control body has been recognised as applying equivalent standards**

- 6.04.17 Organic products from countries in this category must comply with the same procedures as paragraph **6.04.11**.

**Products imported from other third countries where the control body has been recognised as applying EU organic standards (CPS)**

- 6.04.18 Article 32 of Council Regulation 834/2007 provides for the Commission to recognise individual control bodies in third countries as applying EU production and control standards – referred to as “compliant”.

- 6.04.19 The procedure third country control bodies must follow when applying for recognition of compliance, including the information and supporting material which must be provided to enable a decision to be taken to accept that EU standards are fully applied, is set out in Commission Regulation 1235/2008.
- 6.04.20 Amongst the supporting material which must be provided is the address of a website on which can be found each operator licensed by the control body, the products for which each operator is licensed and the third countries in which each operator is licensed to operate.
- 6.04.21 When a control body is included on the list of compliant control bodies its address will be included in the entry on the list for that control body to enable verification of consignments of organic produce from third countries which are supplied by an exporter who is under the control of a recognised control body.
- 6.04.22 Imports of organic products exported by an exporter licensed by a control body included on the Article 33(3) of Regulation 834/2007 list are permitted without prior approval from the Competent Authority provided that:
- The importer is registered with one of the organic certifying authorities approved by the Competent Authority.
  - The conditions specified for the exporter's control body on the list at Annex 1 of Commission Regulation 1235/2008 are met including an entry for the exporter on the control body website confirming that the exporter is licensed for the produce being exported;
  - A form of documentary evidence in the form set out at Annex II of Commission Regulation 1235/2008 is provided by the operator exporting the produce. The form of documentary evidence needs to be checked and endorsed by the relevant authority at the port or airport at which the consignment arrives in the country.

### **Operating procedures**

- 6.04.23 Organic products from countries in this category must comply with the same procedures as paragraph **6.04.11** above with the exception of paragraph (d). In this case the Certificate of Inspection may be replaced with the normal Certificate/Trading Schedule of the certification body in the country of origin.

### **EC Certificate of Inspection (CPS)**

- 6.04.24 (1235.13.3) The EC Certificate of Inspection must be completed by the certification body in the country of origin. The certification body must be included on list of certification bodies specified for the Approved country or recognised certification bodies in paragraph **6.04.08**;  
If the certification body is not listed, the Certificate of Inspection is not valid.
- 6.04.25 (1235.13.5) The Certificate must be provided in English.
- 6.04.26 (1235.13.6) The Certificate must be the original document with pages 1 and 2 back to back. The signature and/or company stamp should be in colour to differentiate it from photocopies. The port authority will not accept a copy.
- 6.04.27 (1235.13.6) However where a copy is made for notifying the OCB or for issuing to a customer where required, it must be stamped COPY or DUPLICATE.
- 6.04.28 (1235.13.9) Where a consignment is sent to a warehouse or store not under the control of the importer, box 18 must be signed by the recipient and the document sent to the importer. Where the importer is also the recipient, box 18 must be signed by the importer.
- 6.04.29 The original documents must be kept for inspection and for at least three years.
- 6.04.30 (1235.13.9) The first consignee shall, at the reception of the consignment, complete box 18 of the original of the certificate of inspection, to certify that the reception of the consignment has been carried out in accordance with Article 34 of Regulation (EC) No 889/2008.

The first consignee shall then send the original of the certificate to the importer mentioned in box 11 of the certificate, for the purpose of the requirement laid down in the second subparagraph of Article 33(1) of Regulation (EC) No 834/2007, unless the certificate has to further accompany the consignment referred to in paragraph 1 of this Article.

### **Special rules for the reception of products from a third country (CPS)**

- 6.04.31 (889.34) Organic products shall be imported from a third country in appropriate packaging or containers, closed in a manner preventing substitution of the content and provided with identification of the exporter and with any other marks and numbers serving to identify the lot and with the certificate of control for import from third countries as appropriate.
- 6.04.32 (889.34) The operator receiving the consignment must check that the consignment is secure, and uncontaminated and that the identification numbers on the containers or accompanying documents correspond with those on the Certificate of Inspection. This check must be recorded.

### **Special customs procedures**

- 6.04.33 (1235.14.1) Where a consignment coming from a third country is assigned to customs warehousing or inward processing in the form of a system of suspension as provided for in Council Regulation (EEC) No 2913/92, and subject to further packaging, repackaging, or labelling, additional rules apply, as specified in Article 14 of COMMISSION REGULATION (EC) No 1235/2008.
- 6.04.34 (1235.14.2) Importers proposing to split up a consignment for repacking or relabelling, before it is released by customs, must contact the OCB.

### **Documentary accounts (CPS)**

- 6.04.35 (889.83) The importer and the first consignee shall keep separate stock and financial records, unless where they are operating in one single unit.
- 6.04.36 (889.83) On request of the OCB or DAFM/DEFRA, any details of the transport arrangement from the exporter in the third country to the first consignee and, from the first consignee's premises or storage facilities to the consignees within the Community shall be provided.

### **Information on imported consignments**

- 6.04.37 The importer shall have available the current Certificates/Trading Schedules for the operator, who carried out the last operation and the exporter, demonstrating that the product and operators comply with the requirements of these Standards.
- 6.04.38 (889.84) The importer shall, in due time, inform the OCB of each consignment to be imported into the Community, providing:
- (a) The name and address of the first consignee;
  - (b) Any details the control body or authority may reasonably require,
    - (i) In case of Compliant products imported in accordance with paragraphs **6.04.18 to 6.04.23**, the documentary evidence referred to;
    - (ii) In case of Equivalent products imported in accordance with paragraphs **6.04.12 to 6.04.17**, a copy of the certificate of inspection referred to. On the request of the OCB or DEFRA/DAFM the importer shall forward the information referred to in the first paragraph to the control body or control authority of the first consignee.
- 6.04.39 The following import records are required:

- a) The origin, nature and quantity of imported consignments, bill of lading and any details on the transport arrangements from the exporter in the third country to the importer's premises/storage facilities.
- b) The nature, quantities and consignees of the imported consignments and any details of the transport arrangements from the importer's premises or storage facilities to that of the consignee.
- c) Import certificate referred to in paragraphs **6.04.24 to 6.04.30**.

### Exporting Products (CPS)

- 6.04.40 (834.28.1) An operator who exports organic products to a third country shall be subject to the requirements of these Standards and register the operation with an approved certification body.
- 6.04.41 The consignment shall be accompanied by the OCB's Certificate of Inspection for Export.

### Exporting organic products to the US

- 6.04.42 Organic products **eligible for export** to the US:
- Organic food products certified by a recognized and approved EU organic certification body
  - Products containing a minimum of 95% organic ingredients from agricultural origin
  - Organic products produced within the EU
  - Organic products where the final processing or packing occurs within the EU. This includes products processed or packed in the EU which contain ingredients from foreign sources that have been certified to EU organic standards.
- 6.04.43 Organic products **not eligible** for export to the US:
- Organic animal and plant products and their derivatives from organic aquaculture
  - Agricultural products derived from organic animals that have been treated with antibiotics
- 6.04.44 Each consignment shall be accompanied by a US Importation Certificate. Prospective Irish organic producers wishing to export organic produce to the US should apply to their OCB for a US **Importation** Certificate.

### Labelling of organic products for export to the US

- 6.04.45 Organic products for export to the US shall comply with the following labelling requirements:

- Producers exporting organic produce to the US shall use the EU logo and certification details in accordance with EU Regulations
- Producers exporting organic produce to the US shall use the USDA logo in accordance with their requirements set out at:

<http://www.ams.usda.gov/AMSv1.0/ams.fetchTemplateData.do?&template=TemplateA&navID=NationalOrganicProgram&leftNav=NationalOrganicProgram&page=NOPOrganicSeal&description=The%20Organic%20Seal&acct=nopgeninfo>

- There are also **general rules** regarding the labelling of food products to be sold in the US. These rules are amended from time to time and have specific requirements depending on the type of food product involved. **For these reasons it is the responsibility of each producer exporting organic produce to the US to meet all the labelling requirements in the destination country.**

- All proposed labeling of organic produce for export to the US must be submitted to your OCB for approval prior to final printing. The OCBs are only responsible for approving the organic labelling requirements of the labels (organic I.D.) and not the specific requirements of US labelling legislation.

#### **Measures in cases of suspicion of infringements and irregularities (CPS)**

6.04.46 (1235.15a) In case of suspicion of infringements and irregularities as regards compliance of imported organic products from third countries specified in **paragraph 6.04.08**, imported organic products controlled by control authorities or control bodies recognized in accordance with paragraph **6.04.12** with the requirements laid down in that Regulation, the importer shall take all necessary measures in accordance with the **Measures in Cases of Suspicion of Infringements and Irregularities**.

6.04.47 (1235.15.b) Where a control authority or control body of a Member State or a third country has a substantiated suspicion of an infringement or irregularity as regards compliance of imported organic products from third countries or imported organic products controlled by control authorities or control bodies, it shall take all necessary measures in accordance with the **Measures in Cases of Suspicion of Infringements and Irregularities** and shall immediately inform the control bodies, control authorities and competent authorities of the Member States concerned and of the third countries involved in the organic production of the products in question and the Commission.

6.04.48 (1235.15.c) Where a competent authority of a third country or a control authority or control body is notified by the Commission after having received a communication from a Member State informing it of a substantiated suspicion of an infringement or irregularity as regards compliance of imported organic products with the requirements laid down in that Regulation or this Regulation, it shall investigate the origin of the suspected irregularity or infringement and shall inform the Commission and the Member State which sent the initial communication of the result of the investigation and of the action taken. That information shall be sent within 30 calendar days from the date of sending of the original notification by the Commission.

The Member State which sent the initial communication may ask the Commission to request additional information, if needed, which shall be sent to the Commission and to the Member State concerned. In any case, after receiving a reply or additional information, the Member State which sent the initial communication shall make the necessary entries and updates in the computer system referred to in the **Measures in Case of Suspicion of Infringements and Irregularities**.

# Section 1

**Section 1.04.12 is amended as follows:**

- 1.04.12 (889.63.2) The description and the measures referred to in paragraph **1.04.11 (889.63.1)** shall be contained in a declaration, signed by the responsible operator. In addition, this declaration shall include an undertaking by the operator:
- (a) To perform the operations in accordance with the organic production rules;
  - (b) To accept, in the event of infringement or irregularities, the enforcement of the measures of the organic production rules;
  - (c) To inform in writing the buyers of the product in order to ensure that the indications referring to the organic production method are removed from this production.
  - (d) to accept, in cases where the operator and/or the subcontractors of that operator are checked by different control authorities or control bodies in accordance with the control system set up by Member State concerned, the exchange of information between those authorities or bodies;
  - (e) to accept, in cases where the operator and/or the subcontractors of that operator change their control authority or control body, the transmission of their control files to the subsequent control authority or control body;
  - (f) to accept, in cases where the operator withdraws from the control system, to inform without delay the relevant competent authority and control authority or control body;
  - (g) to accept, in cases where the operator withdraws from the control system, that the control file is kept for a period of at least five years;
  - (h) to accept to inform the relevant control authority or authorities or control body or bodies without delay of any irregularity or infringement affecting the organic status of their product or organic products received from other operators or subcontractors.

The declaration provided for in the first subparagraph shall be verified by the OCB or control authority that issues a report identifying the possible deficiencies and non-compliances with the organic production rules. The operator shall countersign this report and take the necessary corrective measures.

**Note:** Reference (c) above, in the event of manifest infringement or irregularities arising.

# Section 1

Section 1.04.21 is replaced with the following:

1.04.21 (889.65.2) The control authority or control body shall take and analyse samples for detecting of products not authorised for organic production, for checking production techniques not in conformity with the organic production rules or for detecting possible contamination by products not authorised for organic production. The number of samples to be taken and analysed by the control authority or control body every year shall correspond to at least 5 % of the number of operators under its control. The selection of the operators where samples have to be taken shall be based on the general evaluation of the risk of non-compliance with the organic production rules. This general evaluation shall take into account all stages of production, preparation and distribution.

The control authority or control body shall take and analyse samples in each case where the use of products or techniques not authorised for organic production is suspected. In such cases no minimum number of samples to be taken and analysed shall apply. Samples may also be taken and analysed by the control authority or control body in any other case for detecting of products not authorised for organic production, for checking production techniques not in conformity with the organic production rules or for detecting possible contamination by products not authorised for organic production.

**Note:** All sampling procedures and tests must be fully in conformity with the requirements of ISO 17065 and ISO 17025 respectively.

# Section 1

**Section 1.04.25 is amended as follows:**

1.04.25 (889.68) For the purpose of the application of paragraph **1.04.23** the control authorities and the control bodies (OCBs) shall use the model of the documentary evidence set out in **Annex XII to Regulation 889/2008**.

(889.68) In case of electronic certification as referred to in **paragraph 1.04.24**, the signature in box 8 of the documentary evidence shall not be required if the authenticity of the documentary evidence is otherwise shown by a tamper-proof electronic method.



## **Section 5**

**Section 5.02.02 is amended as follows:**

5.02.02 (889.95.11) The competent authority may authorise for a period expiring on **1 July 2015**, those aquaculture animal and seaweed production units which are established and produce under nationally accepted organic rules before entry into force of this Regulation, to keep their organic status while adapting to the rules of this Regulation, provided there is no undue pollution of the waters with substances not allowed in organic production. Operators benefiting from this measure shall notify the facilities, fishponds, cages or seaweed lots which are concerned to the competent authority.

## **Section 5**

**Section 5.02.19 is amended as follows:**

5.02.19 (889.25e.3) The maximum percentage of non-organic aquaculture juveniles introduced to the farm shall be 80 % by 31 December 2011, 50 % by 31 December 2014 and 0 % by 31 December 2015.

## **Section 5**

### **Section 5.02.56 is amended as follows:**

5.02.56 (889.25o.1) Provided that there is no significant damage to the environment and if permitted by local legislation, wild seed from outside the boundaries of the production unit can be used in the case of bivalve shellfish provided it comes from:

- (a) Settlement beds which are unlikely to survive winter weather or are surplus to requirements; or
- (b) Natural settlement of shellfish seed on collectors.

Records shall be kept of how, where and when wild seed was collected to allow traceability back to the collection area.

However, the maximum percentage of seed from non-organic bivalve shellfish hatcheries that may be introduced to the organic production units shall be 80 % by 31 December 2011, 50 % by 31 December 2014 and 0 % by 31 December 2015.

## **Section 4**

**Section 4.10.13 is replaced as follows:**

4.10.13 (889.24.2) Phytotherapeutic and homeopathic products, trace elements and products listed in **Section 4.09 (889. Annex V, & Annex. VI)** shall be used in preference to chemically-synthesised allopathic veterinary treatment or antibiotics, provided that their therapeutic effect is effective for the species of animal, and the condition for which the treatment is intended.

## Section 2

Section 2.10.01 is replaced as follows:

### 2.10 Fertilisers and Supplementary Nutrients

2.10.01 (889.3.1) Where the nutritional needs of plants cannot be met by measures provided for in these standards, only fertilisers referred to in the following table may be used in organic production and only to the extent necessary. Operators shall keep documentary evidence of the need to use the product.

**Note:** *The following fertilising materials are permitted, subject to the conditions of use and the requirements set out below. This is a positive list and materials not listed, such as mineral nitrogen fertilisers, shall not be used.*

Authorisation A = 889/2008 B = 834/2008	Name	Description, compositional requirements, conditions for use
	<b>Compound products or products containing only materials listed hereunder:</b>	
A	Farmyard manure	Product comprising a mixture of animal excrements and vegetable matter (animal bedding). Factory farming origin forbidden
A	Dried farmyard manure and dehydrated poultry manure	Factory farming origin forbidden
A	Composted animal excrements, including poultry manure and composted farmyard manure included	Factory farming origin forbidden
A	Liquid animal excrements	Use after controlled fermentation and/or appropriate Dilution. Factory farming origin forbidden
B (354/2014)	Composted or fermented household waste	Product obtained from source separated household waste, which has been submitted to composting or to anaerobic fermentation for biogas production Only vegetable and animal household waste Only when produced in a closed and monitored collection system, accepted by the Member State Maximum concentrations in mg/kg of dry matter: cadmium: 0,7; copper: 70; nickel: 25; lead: 45; zinc: 200; r (total): 70; chromium (VI): not detectable'
A	Peat	Use limited to horticulture (market gardening, floriculture, arboriculture, nursery)
A	Mushroom culture wastes	The initial composition of the substrate shall be limited to products of this Annex
A	Dejecta of worms (vermicompost) and insects	
A	Guano	
A	Composted or fermented mixture of vegetable matter	Product obtained from mixtures of vegetable matter, which have been submitted to composting or to anaerobic fermentation for biogas production

B (354/2014)	Biogas digestate containing animal by-products co-digested with material of plant or animal origin as listed in this Annex	Animal by-products (including by-products of wild animals) of category 3 and digestive tract content of category 2 (categories 2 and 3 as defined in Regulation (EC) No 1069/2009 of the European Parliament and of the Council) <sup>(1)</sup> must not be from factory farming origin.  The Processes have to be in accordance with Commission Regulation (EU) No 142/2011 <sup>(2)</sup> .  Not to be applied to edible parts of the crop
B (354/2014)	Products or by-products of animal origin as below:  Hoof meal Horn meal Bone meal or degelatinised bone meal Fish meal  Feather, hair and "chiquette" meal Wool Fur (1) Hair Dairy products Hydrolysed proteins (2)	(1) Maximum concentration in mg/kg of dry matter of chromium (VI): not detectable (2) Not to be applied to edible parts of the crop'
A	Products and by-products of plant origin for fertilizers	Examples: oilseed cake meal, cocoa husks, malt culms
A	Seaweeds and seaweed products	As far as directly obtained by: (i) physical processes including dehydration, freezing and grinding (ii) extraction with water or aqueous acid and/or alkaline solution (iii) fermentation
A	Sawdust and wood chips	Wood not chemically treated after felling
A	Composted bark	Wood not chemically treated after felling
A	Wood ash	From wood not chemically treated after felling
A	Soft ground rock phosphate	Product as specified in point 7 of Annex IA.2. to Regulation (EC) No 2003/2003 of the European Parliament and of the Council (1) relating to fertilisers , 7  Cadmium content less than or equal to 90 mg/kg of P205
A	Aluminium-calcium phosphate	Product as specified in point 6 of Annex IA.2. of Regulation 2003/2003, Cadmium content less than or equal to 90 mg/kg of P205 Use limited to basic soils (pH > 7,5)
A	Basic slag	Products as specified in point 1 of Annex IA.2. of Regulation 2003/2003
A	Crude potassium salt or kainit	Products as specified in point 1 of Annex IA.3. of Regulation 2003/2003
A	Potassium sulphate, possibly containing magnesium salt	Product obtained from crude potassium salt by a physical extraction process, containing possibly also magnesium salts
A	Stillage and stillage extract	Ammonium stillage excluded

A	Calcium carbonate (chalk, marl, ground limestone, Breton ameliorant, (maerl), phosphate chalk)	Only of natural origin
A	Magnesium and calcium carbonate	Only of natural origin e.g. magnesian chalk, ground magnesium, limestone
A	Magnesium sulphate (kieserite)	Only of natural origin
A	Calcium chloride solution	Foliar treatment of apple trees, after identification of deficit of calcium
A	Calcium sulphate (gypsum)	Products as specified in point 1 of Annex ID. of Regulation 2003/2003 Only of natural origin
A	Industrial lime from sugar production	By-product of sugar production from sugar beet
A	Industrial lime from vacuum salt production	By-product of the vacuum salt production from brine found in mountains
A	Elemental sulphur	Products as specified in Annex ID.3 of Regulation 2003/2003
A	Trace elements	Inorganic micronutrients listed in part E of Annex I to Regulation 2003/2003
A	Sodium chloride	Only mined salt
A	Stone meal and clays	
B (354/2014)	Leonardite (Raw organic sediment rich in humic acids)	Only if obtained as a by-product of mining activities
B (354/2014)	Chitin (Polysaccharide obtained from the shell of crustaceans)	Only if obtained from sustainable fisheries, as defined in Article 3(e) of Council Regulation (EC) No 2371/2002 <sup>(3)</sup> or organic aquaculture
B (354/2014)	Organic rich sediment from fresh water bodies formed under exclusion of oxygen (e.g. sapropel)	Only organic sediments that are by-products of fresh water body management or extracted from former freshwater areas When applicable, extraction should be done in a way to cause minimal impact on the aquatic system Only sediments derived from sources free from contaminations of pesticides, persistent organic pollutants and petrol like substances Maximum concentrations in mg/kg of dry matter: cadmium: 0,7; copper: 70; nickel: 25; lead: 45; zinc: 200; m chromium (total): 70; chromium (VI): not detectable

## Section 2

Section 2.12.04 is replaced as follows:

### 2.12 Control of Plants Pests, Diseases

2.12.04 (889.5.1) Where plants cannot be adequately protected from pests and diseases by measures provided for in these Standards, only products referred to in the tables 1 to 7 below may be used in organic production. Operators shall keep documentary evidence of the need to use the product: in the record book issued to all operators. Such evidence shall indicate the reason for use of the specific measure; its source; quantity and any applicable storage arrangements.

#### 1. Substances of crop or animal origin

Authorisation A = 889/2008 B = 834/2008	Name	Description, compositional requirement, conditions for use
A	Azadirachtin extracted from <i>Azadirachta indica</i> (Neem tree)	Insecticide
A	Beeswax	Pruning agent
B (354/2014)	Hydrolysed proteins excluding gelatine	Attractant, only in authorized applications in combination with other appropriate products of this list
A	Lecithin	Fungicide
B (354/2014)	Plant oils (e.g. mint oil, pine oil, caraway oil)	Insecticide, acaricide, fungicide, bactericide and sprout inhibitor. Products as specified in the Annex to Commission Implementing Regulation (EU) No 540/2011.
A	Pyrethrins extracted from <i>Chrysanthemum cinerariaefolium</i>	Insecticide
A	Quassia extracted from <i>Quassia amara</i>	Insecticide, repellent

#### 2. Micro-organisms used for biological pest and disease control

Authorisation A = 889/2008 B = 834/2008	Name	Description, compositional requirement, conditions for use
A (354/2014)	Micro-organisms	Products as specified in the Annex to Implementing Regulation (EU) No 540/2011 and not from GMO origin

#### 3. Substances produced by micro-organisms

Authorisation A = 889/2008 B = 834/2008	Name	Description, compositional requirement, conditions for use
A	Spinosad	Insecticide Only where measures are taken to minimize the risk to key parasitoids

#### 4. Substances to be used in traps and/or dispensers



Authorisation A = 889/2008 B = 834/2008	Name	Description, compositional requirement, conditions for use
A (354/2014)	Pheromones	Attractant, sexual behaviour disrupter; only in traps and dispensers. Products as specified in the Annex to Implementing Regulation (EU) No 540/2011 (numbers 255, 258 and 259)
A	Pyrethroids (only deltamethrin or lambda-cyhalothrin)	Insecticide; only in traps with specific attractants; only against <i>Bactrocera oleae</i> and <i>Ceratitis capitata</i> Wied.

#### 5. Preparations to be surface-spread between cultivated plants

Authorisation A = 889/2008 B = 834/2008	Name	Description, compositional requirement, conditions for use
A	Ferric phosphate (iron (III) orthophosphate)	Molluscicide

#### 6. Other substances from traditional use in organic farming

Authorisation A = 889/2008 B = 834/2008	Name	Description, compositional requirement, conditions for use
B (354/2014)	Copper compounds in the form of: copper hydroxide, copper oxychloride, copper oxide, Bordeaux mixture, and tribasic copper sulphate	Only uses as bactericide and fungicide up to 6 kg copper per ha per year. For perennial crops, Member States may, by derogation from the first paragraph, provide that the 6 kg copper limit can be exceeded in a given year provided that the average quantity actually used over a 5-year period consisting of that year and of the four preceding years does not exceed 6 kg. Risk mitigation measures shall be taken to protect water and non-target organisms such as buffer zones. Products as specified in the Annex to Implementing Regulation (EU) No 540/2011 (number 277)
A (354/2014)	Ethylene	Degreening bananas, kiwis and kakis; degreening of citrus fruit only as part of a strategy for the prevention of fruit fly damage in citrus; flower induction of pineapple; sprouting inhibition in potatoes and onions. Only indoor uses as plant growth regulator may be authorised. Authorisations shall be limited to professional users.
A	Fatty acid potassium salt (soft soap)	Insecticide
A	Lime sulphur (calcium polysulphide)	Fungicide, insecticide, acaricide
A (354/2014)	Paraffin oil	Insecticide, acaricide Products as specified in the Annex to Implementing Regulation (EU) No 540/2011 (numbers 294 and 295)
A	Quartz sand	Repellent
A	Sulphur	Fungicide, acaricide, repellent
B (354/2014)	Repellents by smell of animal or plant origin/sheep fat	Repellent Only on non-edible parts of the crop and where crop material is not ingested by sheep or goats Products as specified in the Annex to Implementing Regulation (EU) No 540/2011 (number 249)

#### 7. Other substances

Authorisation A = 889/2008 B = 834/2008	Name	Description, compositional requirement, conditions for use
B (354/2014)	Aluminium silicate (Kaolin)	Repellent
A	Calcium hydroxide	Fungicide Only in fruit trees, including nurseries, to control <i>Nectria galligena</i>
B (354/2014)	Laminarin	Elicitor of crop's self defence mechanisms Kelp shall be either grown organically in accordance with Article 6d or harvested in a sustainable way in accordance with Article 6c
B (354/2014)	Potassium hydrogen carbonate (aka potassium bicarbonate)	Fungicide

## Section 4

### Section 4.09.01, Section 3, is amended as follows:

4.09.01 (889.22.1) Non-organic feed materials of plant and animal origin may be used in organic production subject to the restrictions laid down in paragraph 4.08.21 (889.43) and only if they are listed below and the restrictions laid down therein are complied with:

#### 3. Feed materials of mineral origin

Authorisation	Substance	Description, conditions for use
A	Calcareous marine shells	
A	Maerl	
A	Lithotamn	
A	Calcium gluconate	
A	Calcium carbonate	
A	(354/2014) Defluorinated monocalciumphosphate	
A	(354/2014) Defluorinated dicalciumphosphate	
A	Magnesium oxide (anhydrous magnesia)	
A	Magnesium sulphate	
A	Magnesium chloride	
A	Magnesium carbonate	
A	Calcium magnesium phosphate	
A	Magnesium phosphate	
A	Monosodium phosphate	
A	Calcium sodium phosphate	
A	Sodium chloride	
A	Sodium bicarbonate	
A	Sodium carbonate	
A	Sodium sulphate	
A	Potassium chloride	

# Section 4

Section 4.09.02 is amended as follows:

## Feed additives and certain substances used in animal nutrition

4.09.02 (889.22.4) Feed additives, certain products used in animal nutrition and processing aids may be used in organic production only if they are listed below and the restrictions laid down therein are complied with.

Additives listed must have been approved under Regulation (EC) No 1831/2003 of the European Parliament and of the Council on additives for use in animal nutrition.

### 1. TECHNOLOGICAL ADDITIVES

(d) Binders, anti-caking agents and coagulants

Authorisation	ID numbers	Substance	Description, conditions for use	
B	1	E535	Sodium ferrocyanide	Maximum dose rate of 20 mg/kg NaCl calculated as ferrocyanide anion
A	1	E551b	Colloidal silica	
A	1	E551c	Kieselgur (diatomaceous earth, purified)	
A	1	E558	Bentonite-montmorillonite	
A	1	E559	Kaolinitic clays, free of asbestos	
A	1	E560	Natural mixtures of stearites and chlorite	
A	1	E561	Vermiculite	
A	1	E562	Sepiolite	
B	1	E566	Natrolite-Phonolite	
B (354/2014)	1	1g568	Clinoptilolite of sedimentary origin, [All species]	
B	1	E599	Perlite	

## **Section 4**

**Section 4.03.09 is amended as follows:**

- 4.03.09 (889.42) Where the conditions laid down **in** paragraph **1.09.02(b) (834.22.2b)** apply, and with prior authorisation of the Competent Authority:
- (a) When a flock is constituted for the first time, renewed or reconstituted and organically reared poultry are not available in sufficient numbers, non-organically reared poultry may be brought into an organic poultry production unit, provided that the pullets for the production of eggs and poultry for meat production are less than three days old;
  - (b) (505.6) Non-organically reared pullets for egg production of not more than 18 weeks may be brought into an organic livestock unit until 31 December 2017, when organically reared pullets are not available and provided that the relevant provisions laid down in **Sections 4.08, 4.09 & 4.10 (889. Section 3 and 4 of Chapter 2)** are complied with from day olds onwards (i.e. from up to 3 days old onwards).

## **Section 4**

### **Section 4.08.21 is amended as follows:**

4.08.21 (889.43 as amended by 505/2012) Where the conditions laid down in **Section 1.09.02 b) (834.22.2b)** and where farmers are unable to obtain protein feed exclusively from organic production, the use of a limited proportion of non-organic protein feed is allowed for porcine and poultry species.

The maximum percentage of non-organic protein feed authorised per period of 12 months for those species shall be 5 % for calendar years 2015, 2016 and 2017.

The figures shall be calculated annually as a percentage of the dry matter of feed from agricultural origin.

The operator shall keep documentary evidence of the need for the use of this provision.

**Note:** *Non-organic feedstuffs (up to the above specified limits) may only be used where the producer can show to the satisfaction of the OCB that they were unable to obtain, in the first instance, certified organic feedstuffs.*

# Section 1

**Section 1.01.08 is amended as follows:**

- 1.01.08 Organic Control Bodies must be accredited to ISO17065 in order to be able to inspect and certify to Regulations 834/2007, 889/2008 and 1235/2008 as amended. Both OTL and IOFGA are accredited by the Irish National Accreditation Board (INAB) and subject to independent auditing to ensure their competence and independence.

## Section 2

### Animal Manures & Soil Conditioners

Section 2.08.02 is amended as follows:

2.08.02 (889.3.1) Where the nutritional needs of plants cannot be met by measures provided for in these standards, only soil conditioners referred to in the following table may be used in organic production and only to the extent necessary. Operators shall keep documentary evidence of the need to use the product.

Sawdust and wood chips	Wood not chemically treated after felling	Reason for use; source; quantity; status; storage arrangements
Composted bark	Wood not chemically treated after felling	Reason for use; source; quantity; status; storage arrangements
<b>Wood Ash</b>	From wood not chemically treated after felling	Reason for use; source; quantity; status; storage arrangements



## **Section 5**

**Section 5.02.23 is amended as follows:**

- 5.02.23 (889.95.11) The Competent Authority may authorise for a period expiring on 1 January 2015, those aquaculture animal and seaweed production units which are established and produce under nationally accepted organic rules before entry into force of this Regulation, to keep their organic status while adapting to the rules of Regulation 710/2009, provided there is no undue pollution of the waters with substances not allowed in organic production. Operators benefiting from this measure shall notify the facilities, fishponds, cages or seaweed lots which are concerned to the OCB.

## Section 5

**Section 5.02.68 currently reads as follows:**

- 5.02.68 (889.25k.2) If feed mentioned under paragraph **5.02.67 (889.25k.1)** is not available, fishmeal and fish oil from non-organic aquaculture trimmings, or trimmings of fish caught for human consumption may be used for a transitional period until 31 December 2014. Such feed material shall not exceed 30 % of the daily ration.

*The expiry date of the above derogation is currently under discussion at EU level – a legislative amendment to Section 5.02.68 is expected in the coming months, therefore, aquaculture producers affected by the above derogation expiry date ought to liaise with their OCB on an on-going basis to obtain the up to date position – a formal amendment to Section 5.02.68 will be published as soon as it is agreed for legislative implementation by the EU Commission.*

## **Section 5**

**Section 4.06.11 is amended as follows:**

- 4.06.11 Cubicles must be of optimum size for the animals on the holding with regard to welfare. At least 3m<sup>2</sup> of accessible/available floor area per individual animal must be allowed for dairy cows and larger animals, with lesser areas for smaller animals; cubicles with dimensions of 2.62m<sup>2</sup> can be permitted provided the overall solid-bedded area is compliant with the requirements specified at 4.06.05 of the standards, e.g. a 600 kg animal would require an overall solid-bedded area of 3m<sup>2</sup>, therefore, where cubicles less than 3m<sup>2</sup> are used, an additional solid-bedded area must be made available to the animals. Animals must have free access to cubicles and must have an adequate lunging area. Cubicles must be clean and dry and bedded at all times – See 4.07.02.

## Section 4

### Section 4.05.29 is amended as follows:

4.05.29 (889.18.1, 2 95.4) Operations such as attaching elastic bands to the tails of sheep, tail-docking, cutting of teeth, trimming of beaks and dehorning **shall not be carried out routinely** in organic farming.

However, some of these operations may be authorised by the Competent Authority for reasons of safety or if they are intended to improve the health, welfare or hygiene of the livestock on a case-by-case basis.

Any suffering to the animals shall be reduced to a minimum **by applying adequate anaesthesia and/or analgesia and by carrying out the operation only at the most appropriate age by qualified personnel.**

Mutilation such as clipping the wings of queen bees and removing antlers in velvet is prohibited.

In all cases permission must be sought from the organic certification body in advance of use of any of these procedures. **Adequate anaesthesia and/or analgesia must be used\*.**

The Competent Authority for the organic sector in Ireland, the Organic Unit of the Department of Agriculture, Food & the Marine, Johnstown Castle Estate, Wexford, have provided the following conditions under which dehorning, castration, tail docking etc of organic animals can be carried out.

As an organic livestock farmer you are not permitted to **routinely** attach rubber bands to the tails of sheep, dock tails, cut teeth, trim beaks or dehorn animals.

The Department of Agriculture, Food and The Marine, as the Competent Authority for the organic sector, has authorised certain veterinary procedures that can be carried out on organic animals and the conditions attached to such procedures. These requirements are additional to the general legal requirements applicable to all farmers carrying out such procedures and outlined in the Animal Health legislation including Animal Health and Welfare Act 2013; associated implementing legislation and the requirements of the relevant Statutory Management Requirements (SMRs) under Cross Compliance legislation.

The following paragraphs outline the conditions associated with the use of such authorised operations/procedures on your organic animals.

Unless specifically stated otherwise, prior approval is required from your Organic Certification Body (OCB) before any of the authorised operations are undertaken (derogation request forms are available from your certifying OCB). The derogation request form for these procedures must be submitted and approval granted in advance by the certifying OCB for any use of the authorised procedures outlined below.

**To avoid suffering to the animal adequate anaesthesia and/or analgesia must be administered\*.**

Detailed records of the operations and the conditions under which they were carried out must be kept and maintained in the record book provided by the certifying OCB. These records will be inspected by the OCBs and DAFM during inspections. Failure to comply with these requirements will result in the application of penalties.

**Note:**

Prior consent from your organic certification body is not required to carry out physical (surgical) castration, however, to avoid suffering to the animal the procedure must be carried out by the veterinary surgeon and adequate anaesthesia and/or analgesia must be administered. Relevant records as outlined above must be maintained.

**For reasons of safety or to improve the health, welfare or hygiene of the specific species the following procedures are authorised on foot of the required derogation from your OCB:**

## **BOVINES:**

The following procedures are permitted subject to receipt of approved derogation:

**Dehorning/Disbudding:**

- Disbudding is strongly recommended.
- Disbudding of a calf that has not attained the age of 15 days is permitted.
- Dehorning should only be undertaken in exceptional circumstances and performed by a veterinary surgeon.

**Castration:**

- Non-surgical castration (by use of the burdizzo) of a bull aged no more than 6 months.
- Use of a rubber ring to constrict the flow of blood to the scrotum of a bull that has not attained the age of 8 days.

## **SHEEP & GOATS**

The following procedures are permitted subject to receipt of approved derogation:

- Disbudding of a sheep or goat that has not attained the age of 8 days.
- Non-surgical castration (by use of the burdizzo) of a ram that has not attained the age of 3 months.
- Use of a rubber ring to constrict the flow of blood to the scrotum of a ram that has not attained the age of 8 days.\*
- Removing part of the tail of sheep that has not attained the age of 8 days by means of a rubber ring to constrict the flow of blood to the tail.\*
- Non-surgical castration (by use of the burdizzo) of a goat that has not attained the age of 2 months.

- Use of a rubber ring to constrict the flow of blood to the scrotum of a goat that has not attained the age of 8 days.\*
- Removing part of the tail of goat that has not attained the age of 8 days by means of a rubber ring to constrict the flow of blood to the tail.\*

**\*Advisory Note – Sheep & Goats:**

In relation to tail docking and castration of lambs/goats by means of a rubber ring as outlined above: The requirement for the administration of anaesthetic/analgesia in these specific situations can be waived on foot of documented instructions (by way of letter) from the prescribing veterinary surgeon advising that for reasons of animal welfare (undue stress and/or potential infection risk) that the administration of anaesthetic/analgesia is not recommended.

**Note:** This only applies to lambs/goats **under the age of 8 days** – over the age of 8 days the mandatory requirement for use of anaesthetic/analgesia applies. Operators must ensure that the required letter from the veterinary surgeon is forwarded to the OCB in advance of such procedures taking place.

## **PIGS**

The following procedures are permitted subject to approved derogation:

- Castration of a pig that has not attained the age of 8 days by a method that does not involve tearing tissue.
- Removing part of the tail of a pig that has not attained the age of 8 days.
- Removal of the corner teeth on a pig that has not attained the age of 8 days.

## **DEER:**

The following procedure is permitted subject to approved derogation:

- Use of a rubber ring to constrict the flow of blood to the scrotum of a deer that has not attained the age of 8 days.

## **POULTRY**

- The trimming of beaks is not permitted.

## Section 4

Section 4.06.21 is amended as follows:

4.06.21 (889.12.3)

Buildings for all poultry shall meet the following conditions:

- (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;

## Section 4

Section 4.03.09 is amended as follows:

- 4.03.09 (889.42) Where the conditions laid down in paragraph **1.09.02(b) (834.22.2b)** apply, and with prior authorisation of the Competent Authority:
- (b) Non-organically reared pullets for egg production of not more than 18 weeks may be brought into an organic livestock unit until 31 December 2018, when organically reared pullets are not available and provided that the relevant provisions laid down in **Sections 4.08, 4.09 & 4.10 (889. Section 3 and 4 of Chapter 2)** are complied with from day olds onwards (i.e. from up to 3 days old onwards).



## Section 4

Section 4.08.21 is amended as follows:

- 4.08.21 (889.43 as amended by Amendment A54) Where the conditions laid down in **Section 1.09.02 b) (834.22.2b)** and where farmers are unable to obtain protein feed exclusively from organic production, the use of a limited proportion of non-organic protein feed is allowed for porcine and poultry species.

The maximum percentage of non-organic protein feed authorised per period of 12 months for those species shall be 5 % until 31st December 2018.

The figures shall be calculated annually as a percentage of the dry matter of feed from agricultural origin.

The operator shall keep documentary evidence of the need for the use of this provision.

## Section 2

Section 2.08.02 is amended as follows:

<b>Compound Products or Products Containing Only Materials Listed Hereunder</b>	<b>Description, compositional requirements, conditions for use</b>	<b>Documentary Evidence Required to Substantiate Use (information to be retained in Operator's Record Book)</b>
Biogas digestate containing animal by-products co-digested with material of plant or animal origin as listed in Annex 1 of Commission Regulation 889/2008	Animal by-products (including by-products of wild animals) of category 3 and digestive tract content of category 2 (categories 2 and 3 as defined in Regulation (EC) No 1069/2009 of the European Parliament and of the Council) must not be from factory farming origin. The Processes have to be in accordance with Commission Regulation (EU) No 142/2011. Not to be applied to edible parts of the crop	Reasons for use, source, quantity, status, storage arrangements. Declaration from supplier that product is produced in accordance with compositional requirements.

## Section 2

Section 2.08.03 is amended as follows:

**Note:** *Factory farming – the following farming systems are prohibited vis a vis imported FYM & Bio Digestate: zero grazing of bovines, ovines, caprines, equines; pigs permanently housed; all poultry systems with the exception of organic, free range and barn-reared systems (up to a maximum stocking density of 27.5kg/m<sup>2</sup>). Where imported material is being used, the organic operator must secure confirmation that all regulatory requirements relating to inputs have been complied with.*

## Section 4

4.05.20 is amended as follows by the inclusion of a Note:

**Note:**

*Sufficient roughage would be provided by approximately one standard small square bale of straw per 100 birds. The bales should be suspended (using a hay-net for example) for the birds to rummage and peck at, and this will help keep the birds occupied and discourage behavior such as pecking at companions or, in the case of laying hens, breaking and eating their eggs. Equivalent quantities of loose straw or hay may also be used, again provided this is held securely in a hay-net and suspended. This approach is suggested by way of example and does not preclude other approaches, but in every case sufficient roughage and other material must be provided to facilitate natural behavior amongst the birds. Behaviour should be monitored daily to ensure that the birds are not distressed whilst any housing restriction continues and to ensure that adequate levels of roughage are maintained.*

## Section 4

### Section 4.02.04 is amended as follows:

4.02.04 (889.17.1) Non organic livestock may be present on the holding provided they are reared on units where the buildings and parcels are separated clearly from the units producing in accordance with the organic production rules and a **different species** is involved.

#### Note:

Where horses are retained on the in-conversion/organic unit, the following conditions apply:

#### Organic Equines

Where equines are managed according to the Organic Regulations and have been on the holding throughout the conversion period they are deemed to be organic. They have unlimited access to the organic grazing on the holding.

#### Non-Organic Equines

Where equines are managed conventionally (e.g. utilising non-organic inputs such as non-organic feed, veterinary treatments) they are deemed to be non-organic and must be managed accordingly.

A dedicated non-organic area (stables and paddocks) with physical boundaries must be clearly identified and utilised for the non-organic equines. Stocking levels must be in compliance with the Nitrates Regulations (SI 31 of 2014). This paddock area must be listed on the annual BPS as a non-organic parcel.

The non-organic equines can have access to the organic land for a maximum period of 120 days per annum provided they are grazed separately from organic livestock.

## Section 4

Amendment Number A18 is amended as follows – amendment A18 previously referred to Amendment of 4.08.24 – this should have read amendment to 4.02.10, addition of e):

**Section 4.02.10 is amended as follows:**

- 4.02.10 (889.17.4)      During the period of transhumance animals may graze on non-organic land when they are being moved on foot from one grazing area to another. The uptake of non-organic feed, in the form of grass and other vegetation on which the animals graze, during this period shall not exceed 10 % of the total feed ration per year. This figure shall be calculated as a percentage of the dry matter of feeding-stuffs from agricultural origin.

# Appendix 1

**Appendix 1 – Penalties System – is replaced with the following:**

## **Penalties Procedure**

A document titled Catalogue of Infringements, Version 6, as amended has been produced in accordance with Article 30 (1) of Regulation 834/2007 (Infringements and Irregularities), and Article 92(d) of 889/2008 as amended.

A copy of this document has been issued in hard copy and electronic format to all organic operators registered within the Republic of Ireland jurisdiction. **This document replaces the previous Penalties Section within Appendix 1 of the Organic Food & Farming Standards in Ireland, Edition 1, as amended. A copy of the Catalogue of Infringements, Version 6, as amended is available from the approved OCBs.**

Its purpose is to set out a comprehensive list of non-compliances, infringements and irregularities applying to the Organic Sector in Ireland, based on the provisions of the various EU regulations as well as national legislation.

## **Regulatory background**

Article 92 (d) of 889/2008 as amended provides as follows:

*“Competent authorities shall adopt and communicate to control bodies that have been delegated control tasks, a catalogue at least listing infringements and irregularities affecting the organic status of products and corresponding measures to be applied by control bodies in case of infringements or irregularities by operators under their control who are involved in organic production.*

*Competent authorities may include other relevant information in the catalogue on their own initiative.”*

## **Response of the Irish Competent Authority**

The Irish Authorities communicated to all control bodies the Catalogue of Infringements document outlining examples of types of non-compliance together with sanctions which should be imposed, at a minimum, and a catalogue listing infringements and irregularities affecting the organic status of products and corresponding measures to be applied by control bodies in case of infringements or irregularities by operators under their control who are involved in organic production. In exceptional circumstances after due consideration of mitigating circumstances, and with agreement of the Competent Authority, the sanction may be reduced. Similarly the measures to be applied by the Organic Control Body may be elevated to a higher sanction in proportion to the extent to which the provision has been violated, the particular type and circumstances of the irregularity and mindful of any pattern of reoccurrence. If the organic integrity of the product is not directly compromised re-categorisation is permitted.

This document has been drawn up in consultation with The Organic Forum, representing all Control Bodies operating within the Irish jurisdiction. The Catalogue of Infringements document is not exhaustive and will be subject to on-going amendment. Other infringements and irregularities which also affect the organic status of products but are not listed must also be duly considered by the Control Body. The Catalogue of Infringements document is binding on all parties.

## Section 6

### Amendments to Sections 6.02.11, 6.03.35 and 6.04 – Third Country Import Requirements

#### Guidance Note:

Significant amendments have been made to the regulations dealing with the requirements for **Third Country Imports** (i.e. importation of organic products and/or produce **directly from** non-EU countries). The extent of the changes renders the references/requirements associated with Third Country Imports as outlined in the above sections of the standards obsolete.

Therefore, operators who currently import or operators who intend to import organic produce/products **directly** from non-EU countries are referred to the Standards Sections on the OCB websites which contain the consolidated Third Country Import Regulation 1235/2008 as amended.

Notwithstanding the above, operators involved in direct importation from non-EU countries are now required to register on the newly established **TRACES** system – full information regarding the registration requirements for **TRACES** is available from the OCBs or the Organic Unit of DAFM or DEFRA as appropriate.



# Section 1

## Section 1.01.03 is amended as follows:

1.01.03 These Standards shall apply without prejudice to other national legislation, such as provisions governing the production, preparation, marketing, labelling and control, including legislation on foodstuffs and animal nutrition.

The OCB is not required by the Competent Authority to inspect statutory requirements (other than organic) and codes of best practice outside the scope of these Standards. However, where the OCB identifies an infringement against relevant legislation or code of best practice that affects the integrity of the organic product, this will be brought to the attention of the operator as a defacto infringement of these Standards.

Operators shall ensure that their products conform to all relevant statutory regulations in addition to the organic regulatory requirements.

Operators must also comply with the requirements of the Official Food & Feed Regulation 882/2004 (OFFC) and Genetically Modified Organisms (GMO) (Regulations 1829/2003 and 1830/2003). In this respect operators must note that the Official Food & Feed Regulation 882/2004 (OFFC) is being replaced by Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law; rules on animal health and welfare and plant health and plant protection products. This Regulation will apply from December 14<sup>th</sup> 2019, however, some laboratory requirements enshrined within this regulation will apply from April 29<sup>th</sup> 2018.

## Section 6

### Section 6.01.07 is amended as follows:

6.01.07 (834.1.4) These Standards shall apply without prejudice to other national legislation, such as provisions governing the production, preparation, marketing, labelling and control, including legislation on foodstuffs and animal nutrition.

The OCB is not required by the Competent Authority to inspect statutory requirements (other than organic) and codes of best practice outside the scope of these Standards. However, where the OCB identifies an infringement against relevant legislation or code of best practice that affects the integrity of the organic product, this will be brought to the attention of the operator as a defacto infringement of these Standards.

Operators shall ensure that their products conform to all relevant statutory regulations in addition to the organic regulatory requirements.

Operators must also comply with the requirements of the Official Food & Feed Regulation 882/2004 (OFFC) and Genetically Modified Organisms (GMO) (Regulations 1829/2003 and 1830/2003). In this respect operators must note that the Official Food & Feed Regulation 882/2004 (OFFC) is being replaced by Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law; rules on animal health and welfare and plant health and plant protection products. This Regulation will apply from December 14<sup>th</sup> 2019, however, some laboratory requirements enshrined within this regulation will apply from April 29<sup>th</sup> 2018.

## Section 6

### Section 6.06.04 is amended as follows:

6.06.04 (834.1.4) These Standards shall apply without prejudice to other national legislation, such as provisions governing the production, preparation, marketing, labelling and control, including legislation on foodstuffs and animal nutrition.

The OCB is not required by the Competent Authority to inspect statutory requirements (other than organic) and codes of best practice outside the scope of these Standards. However, where the OCB identifies an infringement against relevant legislation or code of best practice that affects the integrity of the organic product, this will be brought to the attention of the operator as a defacto infringement of these Standards.

Operators shall ensure that their products conform to all relevant statutory regulations in addition to the organic regulatory requirements.

Operators must also comply with the requirements of the Official Food & Feed Regulation 882/2004 (OFFC) and Genetically Modified Organisms (GMO) (Regulations 1829/2003 and 1830/2003). In this respect operators must note that the Official Food & Feed Regulation 882/2004 (OFFC) is being replaced by Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law; rules on animal health and welfare and plant health and plant protection products. This Regulation will apply from December 14<sup>th</sup> 2019, however, some laboratory requirements enshrined within this regulation will apply from April 29<sup>th</sup> 2018.