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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Regulation amending the organic farming regulation as regards rules on production, labelling, certification and trade *Confirmation of the final compromise text with a view to agreement*

Delegations will find attached the text of the above-mentioned Regulation reflecting the political agreement reached at the trilogue on 20 October 2026. The text has still to undergo legal-linguistic revision.

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ANNEX

2025/0417 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulation (EU) 2018/848 as regards certain production, labelling and certification rules and certain rules on trade with third countries

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[1],

▌

Acting in accordance with the ordinary legislative procedure,

[1] OJ C, ***2026/3235***…

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Whereas:

(1) Regulation (EU) 2018/848 lays down provisions for the authorisation of products and substances for use in organic production. In particular, the Commission may authorise products for cleaning and disinfection in processing and storage facilities for use in organic production and include them in restrictive lists. However, there are a number of challenges associated with the establishment of such lists, as confirmed by several reports from the Expert Group for Technical Advice on Organic Production (EGTOP)[3]. First, there are a large number of products and substances for cleaning and disinfection of processing and storage facilities currently available on the Union market. Second, the processing and storage of organic products takes place in many different types of establishments and involves the use of a wide range of equipment, machinery and buildings. Third, the equipment and machinery for processing and storage must be cleaned and disinfected in accordance with the manufacturers' specifications in order to ensure its appropriate maintenance and operation. With a view to allowing organic operators to use products and substances for cleaning and disinfectants available on the market, the requirement for the Commission to authorise products for cleaning and disinfection in processing and storage facilities for use in organic production and include them in restrictive lists should be deleted.

[3] EGTOP, 'Final report on the criteria for evaluation of products for cleaning and disinfection', 8 December 2021, https://agriculture.ec.europa.eu/document/download/2cd40421-9a7e-432c-9818-947cc97358c4_en?filename=egtop-report-on-criteria-cleaning-and-disinfection_en.pdf; EGTOP, 'Final report on cleaning and disinfection (III)', 14 April 2025, https://agriculture.ec.europa.eu/document/download/bc0480a6-d269-468b-97df-3da3216f0d4d_en?filename=final-report-egtop-on-cleaning-disinfectant-iii_en.pdf; EGTOP, 'Final report on cleaning and disinfection (IV), 6 November 2025, https://agriculture.ec.europa.eu/farming/organic-farming/co-operation-and-expert-advice/egtop-reports_en

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(2) Regulation (EU) 2018/848 lays down rules for the import of products from third countries for the purpose of placing such products on the Union market as organic or in-conversion products. Under those rules, organic products can have access to the Union market where they comply with the Union rules on organic production or where they come from third countries whose organic production and control systems have been recognised as equivalent to those of the Union, either through an international agreement between the Union and those third countries or where the third countries were recognised for the purpose of equivalence under Regulation (EC) No 834/2007.

(3) In Case C-240/23 Herbaria Kräuterparadies II, the Court of Justice of the European Union (ECJ) ruled that ***Article 30(2) and Article 33(1) of*** Regulation (EU) 2018/848 must be interpreted as meaning that ***neither*** the organic production logo of the European Union ***nor***, in principle, terms referring to organic production ***may be used for a processed foodstuff imported from a third country under the conditions laid down in Article 45(1)(b)(iii) and Article 48(1) of that regulation for the purpose of placing it on the market within the European Union as an organic product, where, it does not meet the requirements of Article 16(1) of that Regulation, read in conjunction with point 2.2.2(f) of Part IV of Annex II thereto***. The ECJ ***found its interpretation in Case C-240/23 to be supported by two objectives*** of Regulation (EU) 2018/848, ***namely ensuring fair competition in the internal market in organic products,*** as well as ***maintaining and justifying consumer confidence in products labelled as*** organic ▌ .

(4) ***In Case C-240/23 the ECJ also ruled that*** the organic production logo of a third country ***may be used in the European Union for an imported organic foodstuff, even where that logo contains terms referring to organic production,*** within the ***meaning of Article 30(1) of*** Regulation (EU) 2018/848 ***and Annex IV thereto***. ***With this part of the ruling, the ECJ recognised the objectives to facilitate, on the one hand, the provision of organic products, the availability of supply and the satisfaction of the growing demand for those products in the European Union and, on the other hand, on the basis of bilateral agreements, the export of such products of Union origin to third countries.***

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(4a) ***Nevertheless, the use of the organic production logo of the European Union or the terms referring to organic production for products imported from third countries whose organic production and control systems have been recognised as equivalent to those of the Union under Articles 47 or 48 of this Regulation can be reconciled with the objectives of ensuring fair competition and consumer protection.***

(5) ***It is worth recalling*** the Codex Alimentarius guidelines CAC/GL 32 ▌ , where terms referring to organic production methods ▌ such as 'organic', 'biological', 'ecological' or words of similar intent ▌ including diminutives are used to suggest to the purchaser that the product ▌ or its ingredients were produced in accordance with organic production ▌ methods. ***As not every country whose organic production and control systems have been recognised as equivalent to those of the Union has its own organic production logo, and since*** certain organic production rules in third countries require terms referring to organic production to be used for products and their ingredients that have been produced in accordance with applicable organic production methods***, if the products from such third countries could not bear terms referring to organic production, this would deprive operators in those third countries of the possibility to indicate the organic status of such products and to suggest to purchasers in the Union that those products originate from organic production and are produced in accordance with organic production methods in their countries of origin that are recognised as equivalent to the Union organic production methods. This would also be difficult to reconcile with the principles of the Codex Alimentarius guidelines CAC/GL 32 because it would not be possible to refer to organic production methods in the labelling of such products.***

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(7) In order to ensure ***stability and continuity in the trade of organic products and in order to ensure fair competition and consumer confidence in products labelled as organic***, products imported from third countries whose organic production ▌ and control systems have been recognised as equivalent to those of the Union, ▌ either through an international agreement between the Union and those third countries or where the third countries were recognised for the purpose of equivalence under Regulation (EC) No 834/2007, which have access to the Union market as organic products, should ▌ be allowed to bear terms referring to organic production ***and, if certain additional requirements are met, the organic production logo of the European Union***.

(8) The recognition of the organic production and control systems of a third country as equivalent to those of the Union means that such a system has been assessed as meeting the same objectives and principles as those of the Union by applying rules which ensure the same level of assurance of conformity, even if that is achieved through different means.

(9) Differences between the rules applied in organic production and control systems of third countries recognised as equivalent and those applied in the Union are intrinsic to the equivalence regime. The assessment of equivalence by the Commission has shown that while some of those differences are limited in scope, other differences ***concern*** rules of organic production which play an important role in the structure of organic production in the Union and contribute to achieving the objective of satisfying consumer expectations as regards organic products whilst ensuring fair competition within the internal market between products that fully comply with Union production and control rules and those that comply with rules equivalent to those Union rules. Those rules include living soil, animal welfare standards and processing of food using minimum artificial inputs.

(10) A Eurobarometer survey conducted in June and July 2024 and entitled ‘Europeans, Agriculture and the CAP’ indicated that the organic production logo of the European Union is the food product logo of which Europeans are the most aware. It is essential to both consumers and producers because it makes it easier for consumers to identify organic products and helps producers to market them across the Union.

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(11) In order to ensure fair competition within the internal market between products that fully comply with Union production and control rules and those that comply with rules equivalent to those Union rules, and in order to respond to consumer expectations that products imported from third countries whose organic production and control systems have been recognised as equivalent to those of the Union meet standards as high as those of the Union, the use of the organic production logo of the European Union should be allowed in the labelling, presentation and advertising of products imported from those third countries, provided that, in addition to those equivalent rules, those products comply with certain additional production and control requirements.

(12) In order to preserve the effectiveness of Regulation (EU) 2018/848 as regards trade with third countries, such additional requirements should correspond to production and control rules that play an important role in the structure of organic production in the EU and contribute to achieving the objective of satisfying consumer expectations as regards organic products whilst ensuring fair competition within the internal market.

(13) Where there are changes to the production and control rules in the Union or in third countries whose organic production and control systems have been recognised as equivalent to those of the Union, the power to adopt certain acts should be delegated to the Commission in respect of adding or amending the additional production and control requirements with which products imported from those third countries must comply in order to use the organic production logo of the European Union.

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(14) Operators in the Union that produce organic food and feed rely on the use of ingredients imported from third countries whose organic production and control systems have been recognised as equivalent to those of the Union. Such ingredients are necessary for a large variety of organic products processed in the Union. Processing operations in the Union, when using those ingredients, take place in compliance with the production rules set out in Regulation (EU) 2018/848. The use of the organic production logo of the European Union should therefore be allowed by products processed in the Union and that contain organic ingredients either produced in accordance with this Regulation or imported from third countries whose organic production and control systems have been recognised as equivalent to those of the Union in order to ensure a fair competition within the internal market between processed products containing ingredients that fully comply with Union production and control rules and those that comply with rules equivalent to those Union rules, and in order to respond to consumer expectations in relation to the use of the organic production logo of the European Union, that logo should be allowed in the labelling, presentation and advertising of processed products containing ingredients imported from those third countries, provided that, in addition to those equivalent rules, those ingredients comply with certain additional production and control requirements.

(15) Regulation (EU) 2018/848 provides that the use of the organic production logo of the European Union is obligatory for all organic prepacked food produced within the Union. It is therefore necessary to exclude from that obligation prepacked food produced within the Union with ingredients imported from third countries whose organic production and control systems have been recognised as equivalent to those of the Union ***but*** do not comply with ***the*** additional production and control requirements.

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(15a) Regulation (EU) 2018/848 lays down rules on the certification and the exemption thereof of certain operators involved in the retail of organic products. Those rules provide that small retail operators selling pre-packed organic products directly to final consumers at the point of sale may be exempted from the obligation to notify their activity and to be in possession of a certificate provided that the conditions specified in Article 34(2) of Regulation (EU) 2018/848 are fulfilled. There is however a risk that those rules create an unequal treatment where the same operators who sell to final consumers that have ordered online as such activities remain subject to certification requirements irrespective of their scale. The rules should therefore be amended to include online sales by such operators that operate small retail points of sale exclusively for selling pre-packaged organic products within the scope of Article 34(2) of Regulation (EU) 2018/848. This ensures an equal treatment of sales of pre-packed organic products through both, small retail physical points of sale and online, operated by the same operator, facilitates the practical implementation of the rules by the operators and reduces the administrative burden.

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(16) Regulation (EU) 2018/848 lays down provisions on the conditions under which Member States can exempt smaller operators from the obligation to be in the possession of a certificate pursuant to Article 35(1) of that ▌ Regulation. The ***consumer price inflation*** experienced by smaller operators since the entry into application of Regulation (EU) 2018/848 have ***resulted in increases in*** turnover in relation to unpacked organic products other than feed. ▌ This has created a barrier to the fulfilment of the conditions ▌ in order to be exempted from the obligation of being in possession of a certificate pursuant to Article 35(1). Such a barrier in turn results in increased costs due to that ▌ obligation. The conditions relating to ***the annual maximum weight of sales and maximum*** annual turnover ▌ should ***hence*** be revised upwards in order not to hinder ▌ smaller operators from being exempted from the obligation of being in possession of a certificate pursuant to Article 35(1) of that Regulation. ***It should, however, also be ensured that only smaller operators are exempt from the obligation to be in the possession of a certificate. For this reason, the operator should be able to prove that neither threshold of the maximum weight of sales, nor the maximum annual turnover are exceeded. The maximum weight should be calculated taking into account both the unpacked organic products and any prepacked organic products sold. The maximum turnover should be calculated on the average turnover of the previous five years, or, in case of operators that have been selling organic products for less than five years, on the average of all those years during which they have been selling organic products.***

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(17) Regulation (EU) 2018/848 lays down provisions on the composition of groups of operators in the Union and in third countries. Evidence in relation to the implementation of those provisions shows significant difficulties in setting up groups of operators that fulfil requirements as regards the composition of members and as regards their legal personality. Such difficulties include administrative costs and the need to reorganise the economic activities of groups of producers that are currently in cooperative associations, operator cooperatives, associations, federations or organisations. Such difficulties prevent smaller operators from becoming part of groups of operators, since provisions in place do not appropriately reflect the needs and resource capacity of small farmers and operators, at the disadvantage of the development of organic farming both in the Union and in third countries. In third countries, the reorganisation of the producers' activities can also result in difficulties in supplying the Union with products originating from them, with the consequent risk of trade disruptions. The requirements relating to annual turnover ***or standard output of organic production*** should therefore ***also be revised upwards and the requirement that the individual certification cost represents more than 2% of each member's turnover or standard output of organic production should*** be abolished. ***The annual turnover or standard output should be increased and calculated on the average of the last five years, or in case of operators that have been producing organic products for less than five years, on the average of all those years during which they have been producing. . In***addition, the requirement relating to the maximum eligible surface areas of members' holdings should be revised upwards in order to allow the integration into groups of operators of smaller operators.

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(18) The recognition of third countries whose organic production and control ▌ systems have been recognised as equivalent to those of the Union will expire on 31 December 2026. On 28 June 2021, the Council authorised the Commission to open negotiations with the eleven third countries recognised for the purpose of equivalence under Regulation (EC) No 834/2007 with a view to concluding international agreements with them on trade in organic products. On that basis, the Commission has been conducting technical exchanges with these third countries. Those exchanges show different levels of progress, due to the diversity of legal and regulatory frameworks and complexities linked to varying ▌ consumer perceptions of organic production from one organic production system ▌ to the other. ▌ Those third countries ***should therefore***continue to be recognised until 31 December 2036 to avoid disruptions in the trade of organic products.

(18a) In order to address the nutritional needs for specific protein compounds of poultry and porcine animals, it is appropriate to provide that Member States may authorise the use of non-organic protein feed in poultry and porcine diets under strict conditions and until 31 December 2036. In view of phasing out these derogations and for the purposes of Article 53(6)(c) of Regulation (EU) 2018/848, the Commission should monitor the use of the derogations and the development of the market situation taking into account the evolution of availability on the market of organic protein feed.

(18b) Regulation (EU) 2018/848 lays down a conversion period for bovine and equine animals for meat production. Member States have shared experience that the requirement of a conversion period of no less than three quarters of their lifetime hinders a uniform application of rules across the Union and constitutes unnecessary administrative complexity for operators and competent authorities. That requirement should therefore be deleted to ensure an uniform implementation of organic production rules across Member States. In addition, this will facilitate the practical implementation by operators and competent authorities, reduce administrative complexity, and promote consistency in the application of the relevant rules throughout the Union.

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(19) Regulation (EU) 2018/848 lays down a conversion period for poultry for meat production and a minimum age at slaughter, in cases where slow-growing poultry strains are not used. Such provisions do not lay down any specific conversion period or a minimum age at slaughter for quails. In the Member States where organic quails are raised for meat production, their production cycle is shorter than the one applicable to other species of poultry for meat production, since they are slaughtered from 42 days of age. The conversion period should be five weeks. This corresponds to one week less than the minimum age of slaughter for these species. Hence, the current period of conversion of 10 weeks for poultry for meat production is not appropriate for quails and should be shortened taking into account their age at slaughter. It is therefore appropriate to set a conversion period of five weeks for quails for meat production and a minimum age of 42 days at slaughter.

(19a) Regulation (EU) 2018/848 lays down rules on the use of non-organic animals. Those rules provide that, for breeding purposes, non-organic adult males may be introduced for the renewal of a herd or a flock. However, those rules constitute a barrier in relation to the use of adult males across different animal species. It is therefore appropriate to lay down that, for breeding purposes, instead of non organic adult males, sexually mature non organic males may be introduced for the renewal of a herd or a flock.

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(19b) Regulation (EU) 2018/848 lays down rules on the use of organic pasturage for a limited period each year, as well as of common land, by non-organic animals. Those rules should be amended by deleting the reference to the repealed Regulation (EU) No 1305/2013 of the European Parliament and of the Council [5] and by introducing a new provision for simultaneous grazing of animals belonging to the same holding. This will facilitate the practical implementation of the rules and reduce administrative burden for operators and competent authorities. The integrity of organic production should be facilitated through the requirement that organic animals are segregated from non-organic animals, that have been raised on a holding that is subject to conditionality requirements or equivalent requirements after the reform of the common agriculture policy, as well as through the maintenance of the provision that common grazing areas should not have been treated with products or substances not authorised for use in organic production. These requirements constitute conditions so that products obtained from organic animals grazing on common land are considered organic.

(20) Regulation (EU) 2018/848 lays down rules on veterinary treatments. Those rules provide that, for terrestrial animals, the withdrawal period after the use of chemically synthesised allopathic medicinal products as defined in Regulation (EU) 2019/6 of the European Parliament and of the Council[5] is twice the normal withdrawal period and with a minimum duration of 48 hours. This means that, even if the applicable normal withdrawal period of the veterinary medicinal product is zero days, the withdrawal period must be a minimum of 48 hours. For aquaculture, those rules provide that the withdrawal period after the use of allopathic veterinary medicinal products must be twice that of an authorised veterinary medicinal product, or a minimum of 48 hours if no period is specified. To avoid a burden for the production of terrestrial animals, particularly in cases where the withdrawal period specified in the veterinary medicinal product is zero days, the provisions for terrestrial animals and aquaculture should therefore be aligned.

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5 Regulation (EU) 2019/6 of the European Parliament and of the Council of 11 December 2018 on veterinary medicinal products and repealing Directive 2001/82/EC (OJ L 4, 7.1.2019, p. 43, ELI: http://data.europa.eu/eli/reg/2019/6/oj).

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(21) Regulation (EU) 2018/848 lays down rules on housing and husbandry practices for poultry, including that poultry must be provided with continuous daytime open air access from as early an age as practically possible. However, such rule can put at risk the safety of young, unfeathered birds in the period of their production cycle when they need, among other elements, stable temperatures to develop their feeding and drinking behaviours, their immunisation against infections, and shelter from any predators. That rule should therefore be amended to require access to open air areas only to birds that are sufficiently feathered to regulate their body temperature when exposed to outdoor climatic conditions.

(22) Regulation (EU) 2018/848 provides that the total usable surface area for fattening poultry in poultry houses of any production unit must not exceed 1 600 m^2. This limits the further development of organic fattening poultry production by limiting the size of any fattening poultry house in an organic production unit without bringing additional benefit to animal welfare and the environment. Regulation (EU) 2018/848 should therefore be amended to define the maximum usable surface area for fattening poultry at the level of the poultry houses.

(22a) In order to ensure access to aquatic juveniles of a certain species where such juveniles are not available in organic form in sufficient quantities for on-growing purposes in organic aquaculture production, competent authorities should be allowed to authorise the use of non-organic aquatic juveniles of a certain species under specific conditions and for a limited period. In order to ensure access to juveniles for aquaculture holdings situated outside the Union, control authorities or control bodies should be allowed to authorise the use of non-organic aquatic juveniles of a certain species under specific conditions and for a limited period.

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(23) Since the objectives of this Regulation, in particular fair competition and the proper functioning of the internal market in organic products, as well as ensuring consumer confidence in those products and in the organic production logo of the European Union, cannot be sufficiently achieved by the Member States but can rather, by reason of the required harmonisation of the rules on organic production, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

(24) Regulation (EU) 2018/848 should therefore be amended accordingly.

(24a) The Commission should present a report to the European Parliament and the Council on the application of this Regulation by 31 December 2035 on the application of this Regulation, its effectiveness, efficiency and any potential simplification.

(24b) In order to ensure the sharing of best practices for avoiding contamination, which the Member States share with the Commission should be made public by 31 December 2031, in an anonymized and aggregated manner, and should be regularly updated. Where available, those best practices should include examples of precautionary measures taken by organic operators and neighbouring operators, any measures based on legal requirements, administrative guidance or voluntary practices.

(25) In view of the need to avoid unnecessary disruptions in the trade of organic products and to ensure a smooth transition to the scheme of recognition of third countries through international agreements, as well as to remove unnecessary burdens on organic operators, this Regulation should enter into force, as a matter of urgency, on the day following that of its publication in the Official Journal of the European Union,

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(25a) In order to ensure legal certainty, to avoid disruptions in trade, unnecessary food waste and disproportionate economic losses for operators, products, including processed food and processed feed, that have been produced, imported, labelled and placed on the market for a period not exceeding 12 months from the date of entry into force of this Regulation in accordance with the requirements of Regulation (EU) 2018/848 as applicable [before the entry into force of this Regulation] should be allowed to be marketed until stocks are exhausted.

(25b) Recent scientific assessments on the use of electrodialysis for tartaric stabilization in wine production, including organic wine production, indicate that it may be appropriate to examine whether electrodialysis should continue to be a prohibited practice under point 3.2 of Part IV of Annex II of Regulation 2018/848. However, in order to allow its use, a comprehensive technical assessment is necessary. It is therefore appropriate to delegate the power to the Commission to include this practice as a permitted practice under point 3.3 of Part VI of Annex II of Regulation 2018/848 after a comprehensive technical assessment.

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EU) 2018/848 is amended as follows:

(-1a) in Article 3, point (53)is replaced by the following: 'advertising' means any presentation of products to the public, including on the online marketplaces, by any means other than a label, that is intended or is likely to influence and shape attitudes, beliefs and behaviours in order to directly or indirectly promote the sale of products;

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(-1b) In the second subparagraph of Article 10(4), the following point is added: (c) livestock, for the purpose of introducing it into organic or in-conversion production units in accordance with point 1.3.4 of Part II of Annex II. In such case, the conversion period already fulfilled by the livestock may be taken into account in the production unit where it is introduced for the purposes of the duration of the conversion periods referred to in point 1.2.2 of Part II of Annex II. The conversion period shall not be interrupted by any time spent by the livestock in a production unit that is non-organic nor in-conversion.

(1) in Article 24(1), point (g) is deleted;

(1a) in Article 29, after paragraph 9 the following paragraph is inserted: '10. By 31December 2031 and on the basis of the information referred to in paragraphs 6 and 9, the Commission shall make publicly available, in an anonymized and aggregated manner, best practices for avoiding contamination. Those best practices shall include, where available, examples of precautionary measures taken by organic operators and neighboring operators, any measures based on legal requirements, administrative guidance or voluntary practices. When doing so, the Commission shall comply with the requirements for the protection of personal data. The publication of those best practices shall be regularly updated.'

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(2) Article 30 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. For the purposes of this Regulation, a product shall bear terms referring to organic production where, in the labelling, advertising material or commercial documents, such a product, its ingredients or feed materials used for its production are described in terms suggesting to the purchaser that the product, ingredients or feed materials have been produced in accordance with this Regulation. In particular, the terms listed in Annex IV and their derivatives and diminutives, such as ‘bio’ and ‘eco’, whether alone or in combination, may be used throughout the Union and in any language listed in that Annex for the labelling and advertising of products referred to in Article 2(1) which comply with this Regulation or are imported from a third country under the conditions laid down in Article 45(1), points (b)(ii) or (iii), for the purpose of placing such products on the market within the Union as organic products.;’

(b) in paragraph 2, the first subparagraph is replaced by the following:

‘For the products referred to in Article 2(1), the terms referred to in paragraph 1 of this Article shall not be used anywhere in the Union, in any language listed in Annex IV, for the labelling, advertising material or commercial documents of a product which does not comply with this Regulation or is not imported from a third country under the conditions laid down in Article 45, points (b)(ii) or (iii), for the purposes of placing that product on the market within the Union as an organic product.;’

(3) in Article 32(1), point (b) is replaced by the following:

‘(b) In the case of prepacked food ***produced in the Union,*** the organic production logo of the European Union referred in Article 33 shall ▌ also appear on the packaging, except in the following cases:

- in the case referred to in Article 30(3);

- in the cases referred to in points (b) and (c) of Article 30(5);

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- in the cases where the processed food as ▌ referred to in point (a) of Article 30(5) is made with ingredients imported in ▌ accordance with Article 45(1), points (b)(ii) or (iii) and where such ▌ ingredients ▌ do not comply with the requirements set out in Annex VII.***’.’***

(4) Article 33 is replaced by the following:

‘Article 33

Organic production logo of the European Union

1. The organic production logo of the European Union may be used in the following cases:

   (a) in the labelling, presentation and advertising of products which are produced in accordance with the rules laid down in Chapters II, III***, IV, V and, VI or imported in accordance with article 45(1) point (b)(i)***;

   (b) in the labelling, presentation and advertising of products that are imported in accordance with of Article 45(1), points (b)(ii) or (iii), and that comply with the requirements set out in Annex VII;

   (c) ***in the labelling, presentation and advertising of*** processed food referred to in Article 30(5), point (a), and ***in*** processed feed referred to in Article 30(6), with ingredients that are imported in accordance with Article 45(1), points (b)(ii) or (iii), provided that those ingredients comply with the requirements set out in Annex VII ▌ ;

   (d) for information and educational purposes related to the existence and advertising of the logo itself, provided that such use is not liable to mislead the consumer as regards the organic production of specific products, and provided that the logo is reproduced in accordance with the rules set out in Annex V. In such case, the requirements of Article 32(2) and point 1.7 of Annex V shall not apply.

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The organic production logo of the European Union shall not be used for processed food referred to in Article 30(5), points (b) and (c), and for in-conversion products as referred to in Article 30(3).

2. Except where used in accordance with paragraph 1, point (d), the organic production logo of the European Union is an official attestation in accordance with Articles 86 and 91 of Regulation (EU) 2017/625.

3. The use of the organic production logo of the European Union shall be optional for products imported from third countries. Where that logo appears in the labelling of such products in accordance with paragraph 1, the indication referred to in Article 32(2) shall also appear in the labelling.

4. The organic production logo of the European Union shall follow the model set out in Annex V, and shall comply with the rules set out in that Annex.

5. National logos and private logos may be used in the labelling, presentation and advertising of products***, provided that they*** comply with this Regulation.

6. The Commission is empowered to adopt delegated acts in accordance with Article 54 amending Annex V as regards the organic production logo of the European Union and the rules relating thereto.

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7. ***When a change in this Regulation, and acts adopted pursuant to it, or in the equivalent rules of the third countries concerned would render the use of the organic production logo of the European Union harmful to fair competition within the internal market in organic products or liable to give rise to ambiguity that could mislead consumers,*** the Commission is empowered to adopt delegated acts in accordance ▌ with Article 54 ***to amend*** Annex VII ***by adding new requirements with which***products imported in accordance ***with*** Article 45(1), ▌ points (b)(ii) or (iii), ***must comply, in particular*** requirements ***relating to*** the use of sustainable ▌ systems for plant production, of livestock production systems ensuring animal ▌ welfare and sustainable nutrition, ***and*** of food processing methods using minimum ▌ artificial inputs***. The Commission is also empowered to adopt delegated acts in accordance with Article 54 modifying or deleting requirements added pursuant to the first subparagraph when the change referred to in the first subparagraph makes such modification or deletion necessary. When the*** products ***concerned are not***grown or processed in the Union***, the delegated acts shall take account of the requirements for those products in the third countries producing them***. ▌

7a. For the purpose of keeping and rendering public the lists of operators and groups of operators provided with the certificate in accordance with Article 35(1) referred to in paragraph 6, Member States may provide, on the websites they administer, a link to the relevant section of the Trade Control and Expert System (TRACES) that contain those certificates.";

(4a) in Article 34, paragraph 2 is replaced by the following:

'Operators that sell prepacked organic products directly to the final consumer or user including sales to final consumers or users who order online shall be exempted from the notification obligation referred to in paragraph 1 of this Article and from the obligation to be in the possession of a certificate referred to in Article 35(2) provided that they do not produce, prepare, store other than in connection with the point of sale, or import such products from a third country, or subcontract such activities to another operator.';

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(5) in Article 35(8), the first subparagraph is replaced by the following:

‘Member States may exempt from the obligation to be in the possession of a certificate***,*** ***provided for*** in paragraph 2***,*** operators that sell unpacked organic products other than feed***,*** directly to the final consumer, provided that those operators do not produce, prepare, store***,*** other than in connection with the point of sale, or import such products from a third country, or ***export such products to a third country, or*** subcontract such activities to a third party ▌ and provided that ***the annual*** sales ***of the operators, for both the unpacked organic products and any prepacked organic products in the point of sale, counted together,*** do not ▌ exceed ***any of the following thresholds: (a)*** 10 000 kg per year ▌ ; ***(b) 40 000 € in annual turnover. The turnover is calculated on the average of the last five years or, in case of operators that have been selling organic products for less than five years, on the average of the turnover of all years of organic sales’***

(b) paragraph 9 is replaced by the following: ‘The Commission is empowered to adopt delegated acts in accordance with Article 54 amending: (a) paragraph 8 of this Article, by adjusting the annual sales weight and the annual turnover; and (b) the model of the certificate set out in Annex VI.’

(6) ▌ Article 36, ▌ is amended as follows:

(a) paragraph 1 is amended as follows:

(i) point (a) is replaced by the following: ‘(a) only be composed of members who are farmers or operators that produce algae or aquaculture animals or products listed in Annex I and who in addition may be engaged in processing, preparation or placing on the market of food or feed or products listed in Annex I;’;

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(ii) point (b) is replaced ▌ by the following:

‘(b) only be composed of members who ***meet one of the following conditions***:

– ***(i) the member’s annual turnover of organic production is not more than EUR 50 000 or the member’s standard output of organic production is not more than EUR 30 000 per year. The turnover or the standard output are calculated on the average of last five years, or, in case of operators that have produced organic products for less than five years, on the basis of the average of all years of organic production; or (ii) each member has maximum holdings of: -10 hectares; or - one hectare, in the case of greenhouses; or - 30 hectares, exclusively in the case of permanent grassland;’***

(iii) point (d) is replaced by the following:

‘(d) have legal personality or be part of a farmer cooperative association, operator cooperative, association, federation or organisation that has legal personality;;’

(b) in paragraph 3, the following point d is added:

(d) the conditions laid down in point (b) of paragraph 1.’;

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(7) in Article 48(1), second subparagraph, the date ‘31 December 2026’ is replaced by ‘31 December 2036’

(7a) Article 53 is amended as follows:

(a) paragraph 1 is replaced by the following: ‘The derogations from the use of organic plant reproductive material and from the use of organic animals provided in points 1.8.5 of Part I of Annex II, points 1.3.4.3 and 1.3.4.4 of Part II of Annex II, with the exception of point 1.3.4.4.2 of Part II of Annex II, the derogations from the use of organic juveniles, by of certain species, referred to in point 3.1.2.1(e), second and third subparagraphs, of Part III of Annex II, and the derogations from the use of organic protein feed in the nutrition of poultry and porcine animals referred to in points 1.9.3.1(c) and 1.9.4.2(c) of Part II of Annex II, shall expire on 31 December 2036.’;

(b) paragraph 4 is replaced by the following: ‘From 1 January 2031, the Commission shall be empowered to adopt delegated acts in accordance with Article 54, based on the information as regards availability of organic protein feed for poultry and porcine animals and organic aquaculture juveniles by certain species made available by Member States in accordance with paragraph 6 of this Article or presented in the report referred to in paragraph 7 of this Article, ending the authorisations to use non-organic protein feed in the nutrition of poultry and porcine animals referred to in points 1.9.3.1(c) and 1.9.4.2(c) of Part II of Annex II and to use non-organic aquaculture juveniles, by certain species, referred to in point 3.1.2.1(e), second and third subparagraphs, of Part III of Annex II at an earlier date than 31 December 2036 or extending them beyond that date.’;

(c) in paragraph 6, point (b) is replaced by the following: ‘(b) information on the derogations granted in accordance with point 1.8.5 of Part I of Annex II, points 1.3.4.3 and 1.3.4.4 of Part II of Annex II and point 3.1.2.1(e), second subparagraph, of Part III of Annex II; and’;

(d) in paragraph 7, point (c) is deleted.

(e) a new paragraph 8 is added:

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8. By 31 December 2031, the Commission shall present a report to the European Parliament and the Council on the availability on the Union market of and, if relevant, on the causes of limited access to: (a) organic protein feed intended for the nutrition of poultry and porcine animals subject to the authorisations referred to in points 1.9.3.1(c) and 1.9.4.2(c) of Part II of Annex II. (b) organic aquaculture juveniles subject to the authorisations referred to in point 3.1.2.1(e), second and third subparagraphs, of Part III of Annex II. In drawing up that report, the Commission shall take into account, in particular, the data collected in accordance with Article 26 and the information relating to the derogations and the authorisations referred to in paragraph 6 of this Article';

(7b) in Article 48(5), the first subparagraph is replaced by the following:
The Commission may adopt implementing acts to take measures in relation to cases of suspected or established non compliance, in particular those affecting the integrity of organic or in-conversion products imported from third countries referred to in this Article. Such measures may consist in particular in the verification of the integrity of organic or in-conversion products before placing the products on the market within the Union and, where appropriate, in the suspension or restriction of the authorisation for the placing on the market of such products within the Union as organic products or in-conversion products.

(7c) Article 49 is replaced by the following:'Article 49 Report from the Commission By 31 December 2031, the Commission shall present a report to the European Parliament and the Council as regards the recognition of third countries for the purpose of equivalence, in view of the deadline provided for in Article 48(1), second sub-paragraph.'.

(7e) the following Article is inserted: 'Article 53a Review clause. By 31 December 2035, the Commission shall present a report to the European Parliament and the Council on the application of this Regulation, its effectiveness, efficiency and any potential simplification.

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(7f) ***Article 60 is amened as follows: The title is replaced by the following: "Transitional measures for stocks of organic products produced in accordance previously [applicable] requirements" The current text of the article becomes paragraph 1. The following paragraph 2 is added: "Products produced, imported, labelled and placed on the market before [12 months after the entry into force of this Regulation] in accordance with the requirements of this Regulation as applicable on … [one day before the date of entry into force referred to in the Article 2 of this amending Regulation] may continue to be made available on the market after that date until stocks are exhausted."***

(7g) ***Point 1.9.2 is replaced by the following: "1.9.2. The fertility and biological activity of the soil shall be maintained and increased by the application of livestock manure or organic matter, both preferably composted, from organic production, and: a) except in the case of grassland, perennial forage or greenhouses, by the use of multiannual crop rotation, including mandatory leguminous crops as the main or cover crop for rotating crops and other green manure crops; and b) in the case of greenhouses, by the use of multiannual crop rotation, short-term green manure crops and the use of plant diversity; and c) in the case of perennial crops other than forage, also by the use of short-term green manure crops and legumes, as well as the use of plant diversity"***

(8) Annex II is amended as follows:

(a) Part II is amended as follows:

(a) in point 1.2.2., points ***(a),*** (c) and (d) are replaced by the following:

(a) 12 months in the case of bovine animals and equine animals for meat production;

'(c) 10 weeks for poultry for meat production, except for Peking ducks and quails, brought in before they are three days old;

(d) seven weeks for Peking ducks and five weeks for quails brought in before they are three days old;***'***;

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(b) in point 1.3.4.4.2, the introductory part is replaced by the following: For breeding purposes, non-organic sexually mature male and non-organic nulliparous female animals may be introduced for the renewal of a herd or flock. They shall be reared subsequently in accordance with the organic production rules. In addition, the number of female animals shall be subject to the following restrictions per year: '

(c) point 1.5.2.5. is replaced by the following:

'1.5.2.5. The withdrawal period, as defined in Article 4, point (34), of Regulation (EU) 2019/6 of the European Parliament and of the Council*, of a chemically synthesized allopathic veterinary medicinal product, including of an antimicrobial veterinary medicinal product, shall be twice the withdrawal period referred to in:

(a) the product information for veterinary medicinal products used within the terms of their marketing authorisation; or

(b) Article 115 of that Regulation, where a medicinal product is used outside of the terms of the marketing authorisation in accordance with Article 113 of that Regulation.'

(c) in point 1.9.3.1, point (c), introductory part is replaced by the following:
(c) where farmers are unable to obtain protein feed exclusively from organic production, and the competent authority has confirmed that organic protein feed is not available in sufficient quantity, non-organic protein feed may be used until 31 December 2036 provided that the following conditions are fulfilled:

(a) up to a maximum of 10 % of adult equine animals or bovine animals and 20 % of the adult porcine animals, ovine animals, caprine animals, rabbits or cervine animals may be introduced;

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(b) for units with fewer than 10 equine animals, cervine animals or bovine animals or rabbits, or with fewer than five porcine animals, ovine animals or caprine animals, any such renewal shall be limited to a maximum of one animal per year.';

'(e) in point 1.9.4.1, in the third subparagraph, the following point is added:

'(j) 42 days for quails.;'

(f) point 1.9.4.4. is amended as follows:

(i) point (e) is replaced by the following:

'(e) continuous daytime open air access shall be provided from as early an age as birds are sufficiently feathered to regulate their body temperature when exposed to outdoor climatic conditions and whenever physiological and physical conditions allow, except where temporary restrictions have been imposed pursuant to Union legislation;;'

(ii) point (m) is replaced by the following:

'(m) the total usable surface area for fattening poultry ▌ shall not exceed 1 600 m^2 in any poultry house;;'

(b) point 1.4.2.1. is replaced by the following:

Without prejudice to point 1.4.2.2, organic animals shall graze on organic land. However, non-organic animals may use organic pasturage for a limited period each year, provided that they are not present on the organic land at the same time as organic animals. However, on a holding split into organic, in-conversion and non-organic units of livestock, in accordance with article 9, paragraph 7, organic pasturage may be used at the same time provided that the animals are segregated. Any non-organic animals which use that common land have been raised in a holding that is subject to Conditionality Requirements under the Common Agricultural Policy or subject to an equivalent regime under the Common Agricultural Policy that is applicable after 31 December 2027.';

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(c) in point 1.4.2.2.1., point (b) is deleted;

(da) in point 1.9.3.1, point (c) is replaced by the following:

where farmers are unable to obtain protein feed exclusively from organic production, and the competent authority has confirmed that organic protein feed is not available in sufficient quantity, non-organic protein feed may be used until 31 December 2036 provided that the following conditions are fulfilled:

(i) it is not available in organic form;

(ii) it is produced or prepared without chemical solvents;

(iii) its use is limited to feeding with specific protein compounds; and

(iv) the maximum percentage authorised per period of 12 months for those animals does not exceed 5 %. The percentage of the dry matter of feed from agricultural origin shall be calculated

(ea) in point 1.9.4.2 point (c) is replaced by the following:

where farmers are unable to obtain protein feed exclusively from organic production for poultry species, and the competent authority has confirmed that organic protein feed is not available in sufficient quantity, non-organic protein feed may be used until 31 December 2036, provided that the following conditions are fulfilled:';

(i) it is not available in organic form;

(ii) it is produced or prepared without chemical solvents;

(iii) its use is limited to feeding with specific protein compounds; and

(iv) the maximum percentage authorised per period of 12 months for those animals does not exceed 5 %. The percentage of the dry matter of feed of agricultural origin shall be calculated'

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(b) ▌ Part III ***is amended as follows***:

(i) point 3.1.2.1(e) is amended as follows:

the second subparagraph is replaced by the following: 'By way of derogation from point (a), for on-growing purposes, where the data collected in the system referred to in point (c) of Article 26(2) shows that the qualitative and quantitative needs of operators regarding organic juveniles of certain species are not met, competent authorities may authorise the introduction of non-organic juveniles of certain species , on an organic production unit, provided that at least the latest two thirds of the duration of the production cycle are managed under organic management.

- the third subparagraph is replaced by the following: 'For aquaculture holdings situated outside the Union, such derogation may be granted by control authorities or control bodies recognized in accordance with Article 46(1) where organic juveniles of certain species, are not available in sufficient quality or quantity in either the territory of the country in which the holding is located or the Union, provided that at least the latest two thirds of the duration of the production cycle are managed under organic management.';

(ii) point 3.1.4.2(f) is replaced by the following:

The withdrawal period, as defined in Article 4, point (34), of Regulation (EU) 2019/6, of an allopathic veterinary medicinal product shall be twice the withdrawal period referred to in:

(a) the product information for veterinary medicinal products used within the terms of their marketing authorisation; or

(b) Article 115 of that Regulation, where a medicinal product is used outside the terms of the marketing authorisation in accordance with Article 114 of that Regulation.;'

(c) in part IV, point 2.2.3. is deleted;

(d) in part V, point 2.4. is deleted;

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(da) In Annex II, Part VI, point 3.2(c) is deleted. In point 3.4 of Part VI of Annex II, the following subparagraph is added: 'Notwithstanding point 3.1, electrodialysis treatment to ensure the tartaric stabilisation of the wine as referred to in entry 10 of Table 1 of Part A of Annex I to Delegated Regulation (EU) 2019/934 may apply to the organic production of wine only after it has been included as permitted in this Section and, if required, after an evaluation in accordance with Article 24 of this Regulation.'

(e) in part VII, point 1.4. is deleted;

(f) in Annex III, point 7.5. is deleted;

(g) The following Annex is added:

'ANNEX VII

Requirements referred to in Article 32(1), point (b) and Article 33(1), points (b) and (c):

(1) point 1.2 of Part I of Annex II;

(2) point 1.7.5 of Part II of Annex II;

(3) point 1.7.11 of Part II of Annex II;

(4) point 2.2.2(f) of Part IV of Annex II.'

Article 2

This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union.

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This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament	*For the Council*
The President	*The President*

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