

Organic Food & Farming Standards in Ireland

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Amendments Index

| Amendment No | Section/s | Reason | Implementation Date |
|--------------|-----------|---|---------------------|
| A1 | 2.02.21 | INAB Aquaculture Review | 01.12.2012 |
| A2 | 3.05.07 | INAB Aquaculture Review | 01.12.2012 |
| A3 | 5.02.14 | INAB Aquaculture Review | 01.12.2012 |
| A4 | 5.02.39 | INAB Aquaculture Review | 01.12.2012 |
| A5 | 5.02.44 | INAB Aquaculture Review | 01.12.2012 |
| A6 | 4.08.12 | INAB Review | 01.12.2012 |
| A7 | 4.10.07 | INAB Review | 01.12.2012 |
| A8 | 2.13.07 | OPMC Review | 01.12.2012 |
| A9 | 4.03.09 | Commission Implementing Regulation 505/2012 | 01.01.2012* |
| A10 | 4.08.14 | Commission Implementing Regulation 505/2012 | 15.06.2012* |
| A11 | 4.08.21 | Commission Implementing Regulation 505/2012 | 01.01.2012* |
| A12 | 4.08.23 | Commission Implementing Regulation 505/2012 | 15.06.2012* |
| A13 | 4.09.01 | Commission Implementing Regulation 505/2012 | 15.06.2012* |
| A14 | 1.05.05 | INAB Review | 01.12.2012 |
| A15 | 4.05.21 | INAB Review | 01.12.2012 |
| A16 | 4.02.05 | INAB Review | 01.12.2012 |
| A17 | 4.02.10 | Organic Forum Decision | 01.12.2012 |
| A18 | 4.08.24 | Commission Regulation (EC) No 889/2008 | 01.12.2012 |
| A19 | 6.03.33 | Commission Implementing Regulation 203/2012 | 01.12.2012 |
| A20 | 6.04.08 | Commission Implementing Regulation 508/2012 | 01.12.2012 |
| A21 | 6.04.10 | Commission Implementing Regulation 508 & 126/2012 | 01.12.2012 |

| Amendment No | Section/s | Reason | Implementation Date |
|---------------------|--------------------|--|----------------------------|
| 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 |
| A29 | 6.04.40 | Commission Implementing Regulation 508 & 126/2012 | 01.12.2012 |
| A30 | 6.04.57 | Commission Implementing Regulation 126/2012 | 01.12.2012 |
| A31 | 6.04.58 | Commission Implementing Regulation 126/2012 | 01.12.2012 |
| A32 | 6.04.59 | Commission Implementing Regulation 126/2012 | 01.12.2012 |
| A33 | 6.05.09 | Commission Implementing Regulation 203/2012 | 01.12.2012 |
| A34 | 6.05.30 to 6.05.40 | Commission Implementing Regulation 203/2012 | 01.12.2012 |
| A35 | Appendix 1 | Commission Implementing Regulation 1267/2011 and Forum Decision 05.11.2012 | 01.12.2012 |
| A36 | Appendix 2 | Commission Implementing Regulation 508/2012 | 01.12.2012 |
| A37 | 2.10.01 | OPMC Review | 01.12.2013 |
| A38 | 8.02 | OPMC Review | 01.12.2013 |
| A39 | 2.13.07 | OPMC Review | 01.12.2013 |
| A40 | 2.02.27 | OPMC Review | 01.12.2013 |
| A41 | 6.04 | Commission Implementing Regulations Amending Regulation 1235/2008 | 01.12.2014 |

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|-----|---------|--|------------|
| A42 | 1.04.12 | Commission Implementing Regulation (EU) No 392/2013 | 01.12.2014 |
| 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 |
| A45 | 5.02.02 | Commission Implementing Regulation (EU) No 1030/2013 | 01.12.2014 |
| A46 | 5.02.19 | Commission Implementing Regulation (EU) No 1364/2013 | 01.12.2014 |
| A47 | 5.02.56 | Commission Implementing Regulation (EU) No 1364/2013 | 01.12.2014 |
| A48 | 4.10.13 | Commission Implementing Regulation (EU) No 354/2014 | 01.12.2014 |
| A49 | 2.10.01 | Commission Implementing Regulation (EU) No 354/2014 | 01.12.2014 |
| A50 | 2.12.04 | Commission Implementing Regulation (EU) No 354/2014 | 01.12.2014 |
| 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 |

*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 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.**

6.04 Importing & Exporting

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 |
|---|--|--|
| | Compound products or products containing only materials listed hereunder: | |
| 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) ⁽¹⁾ must not be from factory farming origin. The Processes have to be in accordance with Commission Regulation (EU) No 142/2011 ⁽²⁾ . 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 ⁽³⁾ 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 |
| Wood Ash | 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.

