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## New EU regulations on organic food and farming come into force in January 2009

The EU has completed revised the way how organic food production is regulated. From January 1<sup>st</sup> 2009 a new European Regulation for Organic Food (834/2007) will provide a clear statement of the objectives and principles of organic production and provide an over-arching regulatory framework. It will be complemented by a Commission Regulation (AGRI/2008/Rev 3 not yet published (NIROF)) setting out the more detailed implementing rules as agreed by the Regulatory Committee in June 2008.

Council Regulation (EC) 834/2007 sets out objectives and principles, as well as the basic requirements for plant and livestock production, aqua-culture, compound feed, the preparation of products (i.e. processing) and criteria for the approval of substances that are included in the Annexes. The scope has been extended to cover all operators along the whole organic food supply chains with the exception of catering, but like non-food products this could be covered by national standards. Under certain specified conditions, organic production can be adapted to local conditions, for example for specific climatic conditions or in less developed markets, but only with prior approval of the Regulatory Committee.

The Commission Regulation sets out the more detailed rules for crop and livestock production, processed products, packaging transport and storage, labelling and inspection, similar to the areas covered by the Annexes of Regulation 2092/91. More detailed rules for aquaculture, seaweed and yeast production will be developed at a later stage. Amendments to this Commission Regulation are discussed and agreed in the Regulatory Committee on organic production that has representation from all member states. The Commission also receives advice from an expert committee and a stakeholder advisory committee.

**Derogations and documentary evidence:** Existing derogations will be replaced by either permanent rules, or by exceptional production rules which are limited for a certain time, such as the rules for the use of non-organic feed that will expire for all species at the end of in December 2011.

The granting of permissions to use restricted inputs is no longer delegated to the individual certification bodies, and new administrative procedures will be introduced. Responsibility to decide on certain exceptions has been given to either the competent national authority (in the UK this is Defra) or the operator, who has to be able to provide documentary evidence at the time of inspection of the need to use a certain input in line with the principles and rules.

This documentary evidence should be recorded before the input is used. For example, to justify the use of a permitted fertiliser or soil conditioner, the operator has to document that their use is in line with the principle restricting the use of external inputs, that internal sources are not available, that fertility and biological activity are maintained and increased by multi-annual crop rotations including legumes, and that the possibility to apply material from organic production does not exist. Similarly, using non-organic feed under the exceptional rules (Annex V of the implementing rules) the operator has to demonstrate that no organic feed was available, and that the use is line with the principles of organic farming in Article 5 of

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Regulation (EC) 834/2007 stating that livestock production should be land-related, and using feed preferably coming from the own holding. In both cases, administrative guidance clarifying what is acceptable as documentary evidence will be developed and published by Defra.

**Livestock production:** All rules for organic livestock production will be harmonised across the EU, because member states will no longer be able to have different national rules. This will affect UK producers in the following areas:

- **Mutilations:** Dehorning and other similar operations will only be possible with anaesthetic.
- **Housing:** The continual housing of pigs and sheep in the final finishing stages will no longer be permitted, and for beef this will only be possible if there are safety issues, e.g. with bulls.
- **Origin of animals:** all organic livestock will need to be born and raised on an organic holding with the exception of animals for breeding (10% for ruminants, 20% for other mammals), animals present on the farm at the beginning of conversion, and poultry for which exceptional rules apply. This has already been the case in the UK but will now apply to all operators across the EU.

The **conversion rules** have been harmonised, reductions to the conversion period can only be granted where either a parcel of land was part of a land management agreement that excludes non-permitted inputs (agri-environment measures) or where the competent authority rather than the certification body is satisfied that there is sufficient proof that non-permitted inputs have not been applied for at least three years.

**Labelling:** On pre-packaged goods the use of the EU logo will become mandatory once a new European logo has been launched, and the label has to show an indication of the place of origin of the raw materials. The category of products containing at least 70% of organic ingredients has been withdrawn, so that only products containing more than 95% organic ingredients can now be labelled as organic. Products with lower organic content can declare the organic origin of raw materials on the ingredient list.

**Prohibition of the use of GMO:** The existing prohibition on the use of GMO in organic systems will be maintained. To determine whether an input is GMO free the operator will need to rely on the labels prepared in accordance with Directive 2001/18/ EC and the thresholds agreed in that and other EC Regulations.

**Control system:** This has been linked to the European Regulation on control systems for food (EC/882/2007) but will maintain an annual physical verification of each operator. A standardised EU-wide format for certificates will be introduced, along with a standard operator identification number.

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