

**PLANT ORGANIC PRODUCTION RULES**

**Applicable for unprocessed plants and plant products, including seeds and other plant reproductive material, and other products listed in Annex I of Reg. UE 2018/848**

**ABSTRACTS FROM THE EUROPEAN REGULATIONS**

- EU 2818/848 (consolidated version 2023-02-21)
- EU 2021/1165 (consolidated version 2023-02-07)
- EU 2020/464 (consolidated version 2021-11-25)

According to the requirements provided in art. 1.2.e of Reg. EU 2021/1698, BIOAGRICERT is providing this abstract of the production rules and control measures set out in Regulation (EU) 2018/848, and in the delegated and implementing acts adopted pursuant to it, based on the above mentioned consolidated version available on <https://eur-lex.europa.eu/collection/eu-law/consleg.html>

This abstract is integrated with unofficial translation, in languages that are understandable for the contracted operators in the third countries for which BIOAGRICERT requests recognition.

In case of any disputes related to the interpretation of this document, shall apply only the official version of the mentioned regulations as available in one of the official language of the European Union on

<https://eur-lex.europa.eu/homepage.html>

This text is meant purely as a documentation tool and has no legal effect. The Union's institutions do not assume any liability for its contents. The authentic versions of the relevant acts, including their preambles, are those published in the Official Journal of the European Union and available in EUR-Lex. Those official texts are directly accessible through the links embedded in this document

**REGULATION (EU) 2018/848 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**  
**of 30 May 2018**  
**on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007**

(ABSTRACT from consolidated version 2023-02-21)

**CHAPTER I - SUBJECT MATTER, SCOPE AND DEFINITIONS**

Article 1

**Subject matter**

This Regulation establishes the principles of organic production and lays down the rules concerning organic production, related certification and the use of indications referring to organic production in labelling and advertising, as well as rules on controls additional to those laid down in Regulation (EU) 2017/625.

Article 2

**Scope**

1. This Regulation applies to the following products originating from agriculture, including aquaculture and beekeeping, as listed in Annex I to the TFEU and to products originating from those products, where such products are, or are intended to be, produced, prepared, labelled, distributed, placed on the market, imported into or exported from the Union:

- (a) live or unprocessed agricultural products, including seeds and other plant reproductive material;
- (b) processed agricultural products for use as food;
- (c) feed.

This Regulation also applies to certain other products closely linked to agriculture listed in Annex I to this Regulation, where they are, or are intended to be, produced, prepared, labelled, distributed, placed on the market, imported into or exported from the Union.

2. This Regulation applies to any operator involved, at any stage of production, preparation and distribution, in activities relating to the products referred to in paragraph 1.

3. Mass catering operations carried out by a mass caterer as defined in point (d) of Article 2(2) of Regulation (EU) No 1169/2011 are not subject to this Regulation except as set out in this paragraph.

**CHAPTER III - PRODUCTION RULES***Article 9***General production rules**

1. Operators shall comply with the general production rules laid down in this Article.
2. The entire holding shall be managed in compliance with the requirements of this Regulation that apply to organic production.
3. For the purposes and uses referred to in Articles 24 and 25 and in Annex II, only products and substances that have been authorised pursuant to those provisions may be used in organic production, provided that their use in non-organic production has also been authorised in accordance with the relevant provisions of Union law and, where applicable, in accordance with national provisions based on Union law.

The following products and substances referred to in Article 2(3) of Regulation (EC) No 1107/2009 shall be allowed for use in organic production, provided that they are authorised pursuant to that Regulation:

- (a) safeners, synergists and co-formulants as components of plant protection products;
- (b) adjuvants that are to be mixed with plant protection products.

The use in organic production of products and substances for purposes other than those covered by this Regulation shall be allowed, provided that their use complies with the principles laid down in Chapter II.

4. Ionising radiation shall not be used in the treatment of organic food or feed, and in the treatment of raw materials used in organic food or feed.
5. The use of animal cloning, and the rearing of artificially induced polyploid animals, shall be prohibited.
6. Preventive and precautionary measures shall be taken, where appropriate, at every stage of production, preparation and distribution.
7. Notwithstanding paragraph 2, a holding may be split into clearly and effectively separated production units for organic, in-conversion and non-organic production, provided that for the non-organic production units:
  - (a) as regards livestock, different species are involved;
  - (b) as regards plants, different varieties that can be easily differentiated are involved.

As regards algae and aquaculture animals, the same species may be involved, provided that there is a clear and effective separation between the production sites or units.

8. By way of derogation from point (b) of paragraph 7, in the case of perennial crops which require a cultivation period of at least three years, different varieties that cannot be easily differentiated, or the same varieties, may be involved, provided that the production in question is within the context of a conversion plan, and provided that the conversion of the last part of the area related to the production in question to organic production begins as soon as possible and is completed within a maximum of five years.

In such cases:

- (a) the farmer shall notify the competent authority, or, where appropriate, the control authority or the control body, of the start of harvest of each of the products concerned at least 48 hours in advance;
- (b) upon completion of the harvest, the farmer shall inform the competent authority, or, where appropriate, the control authority or the control body, of the exact quantities harvested from the units concerned and of the measures taken to separate the products;

(c) the conversion plan and the measures to be taken to ensure the effective and clear separation shall be confirmed each year by the competent authority, or, where appropriate, by the control authority or the control body, after the start of the conversion plan.

9. The requirements concerning different species and varieties, laid down in points (a) and (b) of paragraph 7, shall not apply in the case of research and educational centres, plant nurseries, seed multipliers and breeding operations.

10. Where, in the cases referred to in paragraphs 7, 8 and 9, not all production units of a holding are managed under organic production rules, the operators shall:

(a) keep the products used for the organic and in-conversion production units separate from those used for the non-organic production units;

(b) keep the products produced by the organic, in-conversion and non-organic production units separate from each other;

(c) keep adequate records to show the effective separation of the production units and of the products.

#### *Article 10*

##### **Conversion**

1. Farmers and operators that produce algae or aquaculture animals shall comply with a conversion period. During the whole conversion period they shall apply all rules on organic production laid down in this Regulation, in particular the applicable rules on conversion set out in this Article and in Annex II.

2. The conversion period shall start at the earliest when the farmer or the operator that produces algae or aquaculture animals has notified the activity to the competent authorities, in accordance with Article 34(1), in the Member State in which the activity is carried out and in which that farmer or operator's holding is subject to the control system.

3. No previous period may be retroactively recognised as being part of the conversion period, except where:

(a) the operator's land parcels were subject to measures which were defined in a programme implemented pursuant to Regulation (EU) No 1305/2013 for the purpose of ensuring that no products or substances other than those authorised for use in organic production have been used on those land parcels; or

(b) the operator can provide proof that the land parcels were natural or agricultural areas that, for a period of at least three years, have not been treated with products or substances that are not authorised for use in organic production.

4. Products produced during the conversion period shall not be marketed as organic products or as in-conversion products.

However, the following products produced during the conversion period and in compliance with paragraph 1 may be marketed as in-conversion products:

(a) plant reproductive material, provided that a conversion period of at least 12 months has been complied with;

(b) food products of plant origin and feed products of plant origin, provided that the product contains only one agricultural crop ingredient, and provided that a conversion period of at least 12 months before the harvest has been complied with.

#### *Article 11*

##### **Prohibition of the use of GMOs**

1. GMOs, products produced from GMOs, and products produced by GMOs shall not be used in food or feed, or as food, feed, processing aids, plant protection products, fertilisers, soil conditioners, plant reproductive material, micro-organisms or animals in organic production.

2. For the purposes of the prohibition laid down in paragraph 1, with regard to GMOs and products produced from GMOs for food and feed, operators may rely on the labels of a product that have been affixed or provided pursuant to Directive 2001/18/EC, Regulation (EC) No 1829/2003 of the European Parliament and of the Council or Regulation (EC) No 1830/2003 of the European Parliament and of the Council or any accompanying document provided pursuant thereto.

3. Operators may assume that no GMOs and no products produced from GMOs have been used in the manufacture of purchased food and feed where such products do not have a label affixed or provided, or are not accompanied by a document provided, pursuant to the legal acts referred to in paragraph 2, unless they have obtained other information indicating that the labelling of the products concerned is not in conformity with those legal acts.

4. For the purposes of the prohibition laid down in paragraph 1, with regard to products not covered by paragraphs 2 and 3, operators using non-organic products purchased from third parties shall require the vendor to confirm that those products are not produced from GMOs or produced by GMOs.

#### *Article 12*

##### **Plant production rules**

1. Operators that produce plants or plant products shall comply, in particular, with the detailed rules set out in Part I of Annex II.

2. The Commission is empowered to adopt delegated acts in accordance with Article 54 amending:

(a) points 1.3 and 1.4 of Part I of Annex II as regards derogations;

(b) point 1.8.5 of Part I of Annex II as regards the use of in-conversion and non-organic plant reproductive material;

(c) point 1.9.5 of Part I of Annex II by adding further provisions concerning agreements between operators of agricultural holdings, or by amending those added provisions;

(d) point 1.10.1 of Part I of Annex II by adding further pest- and weed-management measures, or by amending those added measures;

(e) Part I of Annex II by adding further detailed rules and cultivation practices for specific plants and plant products, including rules for sprouted seeds, or by amending those added rules.

#### *Article 13*

##### **Specific provisions for the marketing of plant reproductive material of organic heterogeneous material**

1. Plant reproductive material of organic heterogeneous material may be marketed without complying with the requirements for registration and without complying with the certification categories of pre-basic, basic and certified material or with the requirements for other categories, which are set out in Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 98/56/EC, 2002/53/EC, 2002/54/EC, 2002/55/EC, 2002/56/EC, 2002/57/EC, 2008/72/EC and 2008/90/EC or acts adopted pursuant to those Directives.

2. Plant reproductive material of organic heterogeneous material as referred to in paragraph 1 may be marketed following a notification of the organic heterogeneous material by the supplier to the responsible official bodies referred to in Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 98/56/EC, 2002/53/EC, 2002/54/EC, 2002/55/EC, 2002/56/EC, 2002/57/EC, 2008/72/EC and 2008/90/EC, made by means of a dossier containing:

(a) the contact details of the applicant;

(b) the species and denomination of the organic heterogeneous material;

(c) the description of the main agronomic and phenotypic characteristics that are common to that plant grouping, including breeding methods, any available results from tests on those characteristics, the country of production and the parental material used;

- (d) a declaration by the applicant concerning the truth of the elements in points (a), (b) and (c); and
- (e) a representative sample.

That notification shall be sent by registered letter, or by any other means of communication accepted by the official bodies, with confirmation of receipt requested.

Three months after the date shown on the return receipt, provided that no additional information was requested or that no formal refusal for reasons of incompleteness of the dossier or non-compliance as defined in Article 3(57) was communicated to the supplier, the responsible official body shall be deemed to have acknowledged the notification and its content.

After having expressly or implicitly acknowledged the notification, the responsible official body may proceed to the listing of the notified organic heterogeneous material. That listing shall be free of charge to the supplier.

The listing of any organic heterogeneous material shall be communicated to the competent authorities of the other Member States and to the Commission.

Such organic heterogeneous material shall fulfil the requirements laid down in the delegated acts adopted in accordance with paragraph 3.

#### *Article 23*

#### **Collection, packaging, transport and storage**

1. Operators shall ensure that organic products and in-conversion products are collected, packaged, transported and stored in accordance with the rules set out in Annex III.

#### *Article 27*

#### **Obligations and actions in the event of suspicion of non-compliance**

Where an operator suspects that a product it has produced, prepared, imported or has received from another operator does not comply with this Regulation, that operator shall, subject to Article 28(2):

- (a) identify and separate the product concerned;
- (b) check whether the suspicion can be substantiated;
- (c) not place the product concerned on the market as an organic or in-conversion product and not use it in organic production, unless the suspicion can be eliminated;
- (d) where the suspicion has been substantiated or where it cannot be eliminated, immediately inform the relevant competent authority, or, where appropriate, the relevant control authority or control body, and provide it with available elements, where appropriate;
- (e) fully cooperate with the relevant competent authority, or, where appropriate, with the relevant control authority or control body, in verifying and identifying the reasons for the suspected non-compliance.

#### *Article 28*

**Precautionary measures to avoid the presence of non-authorised products and substances**

1. In order to avoid contamination with products or substances that are not authorised in accordance with the first subparagraph of Article 9(3) for use in organic production, operators shall take the following precautionary measures at every stage of production, preparation and distribution:

(a) put in place and maintain measures that are proportionate and appropriate to identify the risks of contamination of organic production and products with non-authorised products or substances, including systematic identification of critical procedural steps;

(b) put in place and maintain measures that are proportionate and appropriate to avoid risks of contamination of organic production and products with non-authorised products or substances;

(c) regularly review and adjust such measures; and

(d) comply with other relevant requirements of this Regulation that ensure the separation of organic, in-conversion and non-organic products.

2. Where an operator suspects, due to the presence of a product or substance that is not authorised pursuant to the first subparagraph of Article 9(3) for use in organic production in a product that is intended to be used or marketed as an organic or in-conversion product, that the latter product does not comply with this Regulation, the operator shall:

(a) identify and separate the product concerned;

(b) check whether the suspicion can be substantiated;

(c) not place the product concerned on the market as an organic or in-conversion product and not use it in organic production unless the suspicion can be eliminated;

(d) where the suspicion has been substantiated or where it cannot be eliminated, immediately inform the relevant competent authority, or, where appropriate, the relevant control authority or control body, and provide it with available elements, where appropriate;

(e) fully cooperate with the relevant competent authority, or, where appropriate, with the relevant control authority or control body, in identifying and verifying the reasons for the presence of non-authorised products or substances.

*Article 29***Measures to be taken in the event of the presence of non-authorised products or substances**

1. Where the competent authority, or, where appropriate, the control authority or control body, receives substantiated information about the presence of products or substances that are not authorised pursuant to the first subparagraph of Article 9(3) for use in organic production, or has been informed by an operator in accordance with point (d) of Article 28(2), or detects such products or substances in an organic or an in-conversion product:

(a) it shall immediately carry out an official investigation in accordance with Regulation (EU) 2017/625 with a view to determining the source and the cause in order to verify compliance with the first subparagraph of Article 9(3) and with Article 28(1); such investigation shall be completed as soon as possible, within a reasonable period, and shall take into account the durability of the product and the complexity of the case;

(b) it shall provisionally prohibit both the placing on the market of the products concerned as organic or in-conversion products and their use in organic production pending the results of the investigation referred to in point (a).

2. The product concerned shall not be marketed as an organic or in-conversion product or used in organic production where the competent authority, or, where appropriate, the control authority or control body, has established that the operator concerned:

(a) has used products or substances not authorised pursuant to the first subparagraph of Article 9(3) for use in organic production;

(b) has not taken the precautionary measures referred to in Article 28(1); or

(c) has not taken measures in response to relevant previous requests from the competent authorities, control authorities or control bodies.

3. The operator concerned shall be given an opportunity to comment on the results of the investigation referred to in point (a) of paragraph 1. The competent authority, or, where appropriate, the control authority or control body, shall keep records of the investigation it has carried out.

Where required, the operator concerned shall take such corrective measures as necessary to avoid future contamination.

## CHAPTER IV - LABELLING

### *Article 30*

#### **Use of terms referring to organic production**

1. For the purposes of this Regulation, a product shall be regarded as bearing 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.

2. 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.

Furthermore, no terms, including terms used in trademarks or company names, or practices shall be used in labelling or advertising if they are liable to mislead the consumer or user by suggesting that a product or its ingredients comply with this Regulation.

3. Products that have been produced during the conversion period shall not be labelled or advertised as organic products or as in-conversion products.

However, plant reproductive material, food products of plant origin and feed products of plant origin that have been produced during the conversion period, which comply with Article 10(4), may be labelled and advertised as in-conversion products by using the term 'in- conversion' or a corresponding term, together with the terms referred to in paragraph 1.

4. The terms referred to in paragraph 1 and 3 shall not be used for a product for which Union law requires the labelling or advertising to state that the product contains GMOs, consists of GMOs or is produced from GMOs.

5. For processed food, the terms referred to in paragraph 1 may be used:

(a) in the sales description, and in the list of ingredients where such a list is mandatory pursuant to Union legislation, provided that:

(i) the processed food complies with the production rules set out in Part IV of Annex II and with the rules laid down in accordance with Article 16(3);

(ii) at least 95 % of the agricultural ingredients of the product by weight are organic; and

(iii) in the case of flavourings, they are only used for natural flavouring substances and natural flavouring preparations labelled in accordance with Article 16(2), (3) and (4) of Regulation (EC) No 1334/2008 and all of the flavouring components and carriers of flavouring components in the flavouring concerned are organic;

(b) only in the list of ingredients, provided that:

(i) less than 95 % of the agricultural ingredients of the product by weight are organic, and provided that those ingredients comply with the production rules set out in this Regulation; and

(ii) the processed food complies with the production rules set out in points 1.5, 2.1(a), 2.1(b) and 2.2.1 of Part IV of Annex II, with the exception of the rules on restricted use of non-organic agricultural ingredients set out in point 2.2.1 of Part IV of Annex II, and with the rules laid down in accordance with Article 16(3);

(c) in the sales description and in the list of ingredients, provided that:

(i) the main ingredient is a product of hunting or fishing;

(ii) the term referred to in paragraph 1 is clearly related in the sales description to another ingredient which is organic and different from the main ingredient;

(iii) all other agricultural ingredients are organic; and

(iv) the processed food complies with the production rules set out in points 1.5, 2.1(a), 2.1(b) and 2.2.1 of Part IV of Annex II, with the exception of the rules on restricted use of non-organic agricultural ingredients set out in point 2.2.1 of Part IV of Annex II, and with the rules laid down in accordance with Article 16(3).

The list of ingredients referred to in points (a), (b) and (c) of the first subparagraph shall indicate which ingredients are organic. The references to organic production may only appear in relation to the organic ingredients.

The list of ingredients referred to in points (b) and (c) of the first subparagraph shall include an indication of the total percentage of organic ingredients in proportion to the total quantity of agricultural ingredients.

The terms referred to in paragraph 1, when used in the list of ingredients referred to in points (a), (b), and (c) of the first subparagraph of this paragraph, and the indication of the percentage referred to in the third subparagraph of this paragraph shall appear in the same colour, identical size and style of lettering as the other indications in the list of ingredients.

6. For processed feed, the terms referred to in paragraph 1 may be used in the sales description and in the list of ingredients, provided that:

(a) the processed feed complies with the production rules set out in Parts II, III and V of Annex II and with the specific rules laid down in accordance with Article 17(3);

(b) all of the ingredients of agricultural origin that are contained in the processed feed are organic; and

(c) at least 95 % of the dry matter of the product are organic.

#### *Article 31*

#### **Labelling of products and substances used in crop production**

Notwithstanding the scope of this Regulation as set out in Article 2(1), products and substances used in plant protection products or as fertilisers, soil conditioners or nutrients that have been authorised in accordance with Articles 9 and 24 may bear a reference indicating that those products or substances have been authorised for use in organic production in accordance with this Regulation.

#### *Article 32*

#### **Compulsory indications**

1. Where products bear terms as referred to in Article 30(1), including products labelled as in-conversion products in accordance with Article 30(3):

(a) the code number of the control authority or control body to which the operator that carried out the last production or preparation operation is subject shall also appear in the labelling; and

(b) in the case of prepacked food, the organic production logo of the European Union referred to in Article 33 shall also appear on the packaging, except in cases referred to in Article 30(3) and points (b) and (c) of Article 30(5).

2. Where the organic production logo of the European Union is used, an indication of the place where the agricultural raw materials of which the product is composed have been farmed shall appear in the same visual field as the logo and shall take one of the following forms, as appropriate:

(a) 'EU Agriculture', where the agricultural raw material has been farmed in the Union;

(b) 'non-EU Agriculture', where the agricultural raw material has been farmed in third countries;

(c) 'EU/non-EU Agriculture', where a part of the agricultural raw materials has been farmed in the Union and a part of it has been farmed in a third country.

For the purposes of the first subparagraph, the word 'Agriculture' may be replaced by 'Aquaculture' where appropriate and the words 'EU' and 'non-EU' may be replaced or supplemented by the name of a country, or by the name of a country and a region, if all of the agricultural raw materials of which the product is composed have been farmed in that country and, if applicable, in that region.

For the indication of the place where the agricultural raw materials of which the product is composed have been farmed, as referred to in the first and third subparagraphs, small quantities by weight of ingredients may be disregarded, provided that the total quantity of the disregarded ingredients does not exceed 5 % of the total quantity by weight of agricultural raw materials.

The words 'EU' or 'non-EU' shall not appear in a colour, size and style of lettering that is more prominent than the name of the product.

3. The indications referred to in paragraphs 1 and 2 of this Article and in Article 33(3) shall be marked in a conspicuous place in such a way as to be easily visible, and shall be clearly legible and indelible.

#### *Article 33*

#### **Organic production logo of the European Union**

1. The organic production logo of the European Union may be used in the labelling, presentation and advertising of products which comply with this Regulation.

The organic production logo of the European Union may also be used 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.

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

2. Except where used in accordance with the second subparagraph of paragraph 1, 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, 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 which comply with this Regulation.

*Article 35***Certificate**

1. Competent authorities, or, where appropriate, control authorities or control bodies, shall provide a certificate to any operator or group of operators that has notified its activity in accordance with Article 34(1) and complies with this Regulation. The certificate shall:

- (a) be issued in electronic form wherever possible;
- (b) allow at least the identification of the operator or group of operators including the list of the members, the category of products covered by the certificate and its period of validity;
- (c) certify that the notified activity complies with this Regulation; and
- (d) be issued in accordance with the model set out in Annex VI.

2. Without prejudice to paragraph 8 of this Article and to Article 34(2), operators and groups of operators shall not place products referred to in Article 2(1) on the market as organic products or in-conversion products unless they are already in possession of a certificate as referred to in paragraph 1 of this Article.

3. The certificate referred to in this Article shall be an official certificate within the meaning of point (a) of Article 86(1) of Regulation (EU) 2017/625.

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

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

6. Operators shall verify the certificates of those operators that are their suppliers.

7. For the purposes of paragraphs 1 and 4 of this Article, products shall be classified in accordance with the following categories:

- (a) unprocessed plants and plant products, including seeds and other plant reproductive material;
- (b) livestock and unprocessed livestock products;
- (c) algae and unprocessed aquaculture products;
- (d) processed agricultural products, including aquaculture products, for use as food;
- (e) feed;
- (f) wine;
- (g) other products listed in Annex I to this Regulation or not covered by the previous categories.

*Article 36***Group of operators**

1. Each group of operators shall:

(a) only be composed of members who are farmers or operators that produce algae or aquaculture animals and who in addition may be engaged in processing, preparation or placing on the market of food or feed;

(b) only be composed of members:

(i) of which the individual certification cost represents more than 2 % of each member's turnover or standard output of organic production and whose annual turnover of organic production is not more than EUR 25 000 or whose standard output of organic production is not more than EUR 15 000 per year; or

(ii) who have each holdings of maximum:

— five hectares,

— 0,5 hectares, in the case of greenhouses, or

— 15 hectares, exclusively in the case of permanent grassland;

(c) be established in a Member State or a third country;

(d) have legal personality;

(e) only be composed of members whose production activities or possible additional activities referred to in point (a) take place in geographical proximity to each other in the same Member State or in the same third country;

(f) set up a joint marketing system for the products produced by the group; and

(g) establish a system for internal controls comprising a documented set of control activities and procedures in accordance with which an identified person or body is responsible for verifying compliance with this Regulation of each member of the group.

The system for internal controls (ICS) shall comprise documented procedures on:

(i) the registration of the members of the group;

(ii) the internal inspections, which include the annual internal physical on-the-spot inspections of each member of the group, and any additional risk-based inspections, in any case scheduled by the ICS manager and conducted by ICS inspectors, whose roles are defined in point (h);

(iii) the approval of new members in an existing group or, where appropriate, the approval of new production units or new activities of existing members upon the approval by the ICS manager on the basis of the internal inspection report;

(iv) the training of the ICS inspectors, which is to take place at least annually and to be accompanied by an assessment of the knowledge acquired by the participants;

(v) the training of members of the group on the ICS procedures and the requirements of this Regulation;

(vi) the control of documents and records;

(vii) the measures in cases of non-compliance detected during the internal inspections, including their follow-up;

(viii) the internal traceability, which shows the origin of the products delivered in the joint marketing system of the group and allows the tracing of all products of all members throughout all stages, such as production, processing, preparation or placing on the market, including estimating and cross-checking the yields of each member of the group;

(h) appoint an ICS manager and one or more ICS inspectors who may be a member of the group. Their positions shall not be combined. The number of ICS inspectors shall be adequate and proportional in particular to the type, structure, size, products, activities and output of organic production of the group. The ICS inspectors shall be competent with regard to the products and activities of the group.

The ICS manager shall:

- (i) verify the eligibility of each member of the group regarding the criteria set out in points (a), (b) and (e);
- (ii) ensure that there is a written and signed membership agreement between each member and the group, by which the members commit themselves to:
  - comply with this Regulation,
  - participate in the ICS and comply with the ICS procedures, including the tasks and responsibilities assigned to them by the ICS manager and the obligation for records keeping,
  - permit access to production units and premises and be present during the internal inspections carried out by the ICS inspectors and official controls carried out by the competent authority or, where appropriate, the control authority or control body, make available to them all documents and records and countersign the inspection reports,
  - accept and implement the measures in cases of non-compliances in accordance with the decision of the ICS manager or the competent authority or, where appropriate, the control authority or control body, within the given time-frame,
  - immediately inform the ICS manager on suspected non-compliance;
- (iii) develop the ICS procedures and the relevant documents and records, keep them up to date and make them readily available to the ICS inspectors, and where relevant, to the members of the group;
- (iv) draw up the list of the members of the group and keep it up to date;
- (v) assign tasks and responsibilities to the ICS inspectors;
- (vi) be the liaison between the members of the group and the competent authority or, where appropriate, the control authority or control body, including requests for derogations;
- (vii) verify annually the conflict of interest statements of the ICS inspectors;
- (viii) schedule internal inspections and ensure their adequate implementation in accordance with the ICS manager's schedule referred to in point (ii) of the second paragraph of point (g);
- (ix) ensure adequate trainings for the ICS inspectors and carry out an annual assessment of ICS inspectors' competences and qualifications;
- (x) approve new members or new production units or new activities of existing members;
- (xi) decide on measures in case of non-compliance in line with the ICS measures established by documented procedures in accordance with point g and ensure the follow-up of those measures;
- (xii) decide to subcontract activities, including the subcontracting of the tasks of ICS inspectors, and sign relevant agreements or contracts.

The ICS inspector shall:

- (i) carry out internal inspections of the members of the group according to the schedule and the procedures provided by the ICS manager;
- (ii) draft internal inspection reports on the basis of a template and submit it within a reasonable time to the ICS manager;
- (iii) submit at appointment a written and signed statement on conflict of interest and update it annually;
- (iv) participate in trainings.

2. Competent authorities, or, where appropriate, control authorities or control bodies, shall withdraw the certificate referred to in Article 35 for the whole group where deficiencies in the set-up or functioning of the system for internal controls referred to in paragraph 1, in particular as regards failures to detect or address non-compliance by individual members of the group of operators, affect the integrity of organic and in-conversion products.

At least the following situations shall be considered as deficiencies in the ICS:

- (a) producing, processing, preparing or placing on the market of products from suspended/withdrawn members or production units;
- (b) placing on the market of products for which the ICS manager has prohibited the use of reference to organic production in their labelling or advertising;
- (c) adding new members to the list of members or changing the activities of existing members without following the internal approval procedure;
- (d) not carrying out the annual physical on-the-spot inspection of a member of the group in a given year;
- (e) failing to indicate the members which have been suspended or withdrawn in the list of members;
- (f) serious deviations in findings between internal inspections carried out by the ICS inspectors and official controls carried out by the competent authority or, where appropriate, the control authority or control body;
- (g) serious deficiencies in imposing appropriate measures or carrying out the necessary follow-up in response to non-compliance identified by the ICS inspectors or by the competent authority or, where appropriate, the control authority or control body;
- (h) inadequate number of ICS inspectors or inadequate competences of ICS inspectors for the type, structure, size, products, activities and output of organic production of the group.

*Article 39*

**Additional rules on actions to be taken by the operators and groups of operators**

1. In addition to the obligations laid down in Article 15 of Regulation (EU) 2017/625, operators and groups of operators shall:

- (a) keep records to demonstrate their compliance with this Regulation;
- (b) make all declarations and other communications that are necessary for official controls;
- (c) take relevant practical measures to ensure compliance with this Regulation;
- (d) provide, in form of a declaration to be signed and updated as necessary:
  - (i) the full description of the organic or in-conversion production unit and of the activities to be performed in accordance with this Regulation;
  - (ii) the relevant practical measures to be taken to ensure compliance with this Regulation;
  - (iii) an undertaking:
    - to inform in writing and without undue delay buyers of the products and to exchange relevant information with the competent authority, or, where appropriate, with the control authority or control body, in the event that a suspicion of non-compliance has been substantiated, that a suspicion of non-compliance cannot be eliminated, or that non-compliance that affects the integrity of the products in question has been established,
    - to accept the transfer of the control file in the case of change of control authority or control body or, in the case of withdrawal from organic production, the keeping of the control file for at least five years by the last control authority or control body,
    - to immediately inform the competent authority or the authority or body designated in accordance with Article 34(4) in the event of withdrawal from organic production, and
    - to accept the exchange of information among those authorities or bodies in the event that subcontractors are subject to controls by different control authorities or control bodies.

*Article 45***Import of organic and in-conversion products**

1. A product may be imported from a third country for the purpose of placing that product on the market within the Union as an organic product or as an in-conversion product, provided that the following three conditions are met:

(a) the product is a product as referred to in Article 2(1);

(b) one of the following applies:

(i) the product complies with Chapters II, III and IV of this Regulation, and all operators and groups of operators referred to in Article 36, including exporters in the third country concerned, have been subject to controls by control authorities or control bodies recognised in accordance with Article 46, and those authorities or bodies have provided all such operators, groups of operators and exporters with a certificate confirming that they comply with this Regulation;

(ii) in cases where the product comes from a third country which is recognised in accordance with Article 47, that product complies with the conditions laid down in the relevant trade agreement; or

(iii) in cases where the product comes from a third country which is recognised in accordance with Article 48, that product complies with the equivalent production and control rules of that third country and is imported with a certificate of inspection confirming this compliance that was issued by the competent authorities, control authorities or control bodies of that third country; and

(c) the operators in third countries are able at any time to provide the importers and the national authorities in the Union and in those third countries with information allowing the identification of the operators that are their suppliers and the control authorities or control bodies of those suppliers, with a view to ensuring the traceability of the organic or in-conversion product concerned. That information shall also be made available to the control authorities or control bodies of the importers.

*ANNEX I***OTHER PRODUCTS REFERRED TO IN ARTICLE 2(1)**

- Yeasts used as food or feed,
- maté, sweetcorn, vine leaves, palm hearts, hop shoots, and other similar edible parts of plants and products produced therefrom,
- sea salt and other salts for food and feed,
- silkworm cocoon suitable for reeling,
- natural gums and resins,
- beeswax,
- essential oils,
- cork stoppers of natural cork, not agglomerated, and without any binding substances,
- cotton, not carded or combed,
- wool, not carded or combed,
- raw hides and untreated skins,
- plant-based traditional herbal preparations.

## ANNEX II

## DETAILED PRODUCTION RULES REFERRED TO IN CHAPTER III

## Part I: Plant production rules

In addition to the production rules laid down in Articles 9 to 12, the rules set out in this Part shall apply to organic plant production.

## 1. General requirements

1.1. Organic crops, except those which are naturally grown in water, shall be produced in living soil, or in living soil mixed or fertilised with materials and products allowed in organic production, in connection with the subsoil and bedrock.

1.2. Hydroponic production, which is a method of growing plants which do not naturally grow in water with their roots in a nutrient solution only or in an inert medium to which a nutrient solution is added, is prohibited.

1.3. By way of derogation from point 1.1, the following shall be allowed:

(a) the production of sprouted seeds, which include sprouts, shoots and cress, solely living on the nutritional reserves available in the seeds, by moistening them in clear water, provided that the seeds are organic. The use of growing medium shall be prohibited, except the use of an inert medium intended solely to keep the seeds moist when the components of that inert medium are authorised in compliance with Article 24;

(b) the obtaining of chicory heads, including by dipping them in clear water, provided that the plant reproductive material is organic. The use of a growing medium shall be allowed only when its components are authorised in compliance with Article 24.

1.4. By way of derogation from point 1.1, the following practices shall be allowed:

(a) growing plants for the production of ornamentals and herbs in pots to be sold together with the pot to the final consumer;

(b) growing seedlings or transplants in containers for further transplanting.

1.5. By way of derogation from point 1.1, growing crops in demarcated beds shall only be allowed for the surfaces that have been certified as organic for that practice before 28 June 2017 in Finland, Sweden and Denmark. No extension of those surfaces shall be permitted.

That derogation shall expire on 31 December 2031.

By 31 December 2026, the Commission shall present a report to the European Parliament and the Council on the use of demarcated beds in organic agriculture. That report may be accompanied, where appropriate, by a legislative proposal on the use of demarcated beds in organic agriculture.

1.6. All plant production techniques used shall prevent or minimise any contribution to the contamination of the environment.

## 1.7. Conversion

1.7.1. For plants and plant products to be considered as organic products, the production rules laid down in this Regulation shall have been applied with respect to the parcels during a conversion period of at least two years before sowing, or, in the case of grassland or perennial forage, during a period of at least two years before its use as organic feed, or, in the case of perennial crops other than forage, during a period of at least three years before the first harvest of organic products.

1.7.2. Where the land or one or more parcels thereof have been contaminated with products or substances not authorised for use in organic production, the competent authority may decide to extend the conversion period for the land or parcels concerned beyond the period referred to in point 1.7.1.

1.7.3. In the case of treatment with a product or a substance not authorised for use in organic production, the competent authority shall require a new conversion period in accordance with point 1.7.1.

That period may be shortened in the following two cases:

(a) treatment with a product or a substance not authorised for use in organic production as part of a compulsory control measure for pests or weeds, including quarantine organisms or invasive species, imposed by the competent authority of the Member State concerned;

(b) treatment with a product or a substance not authorised for use in organic production as part of scientific tests approved by the competent authority of the Member State concerned.

1.7.4. In the cases referred to in points 1.7.2 and 1.7.3, the length of the conversion period shall be fixed taking into account the following requirements:

(a) the process of degradation of the product or substance concerned must guarantee, at the end of the conversion period, an insignificant level of residues in the soil and, in the case of a perennial crop, in the plant;

(b) the harvest following the treatment may not be placed on the market as organic or in-conversion products.

1.7.4.1. Member States shall inform the Commission and the other Member States of any decision taken by them which lays down compulsory measures related to treatment with a product or a substance not authorised for use in organic production.

1.7.4.2. In the case of treatment with a product or a substance which is not authorised for use in organic production, point 1.7.5(b) shall not apply.

1.7.5. In the case of land associated with organic livestock production:

(a) the conversion rules shall apply to the whole area of the production unit on which animal feed is produced;

(b) notwithstanding point (a), the conversion period may be reduced to one year for pasturages and open air areas used by non-herbivore species.

1.8. Origin of plants including plant reproductive material

1.8.1. For the production of plants and plant products other than plant reproductive material, only organic plant reproductive material shall be used.

1.8.2. To obtain organic plant reproductive material to be used for the production of products other than plant reproductive material, the mother plant and, where relevant, other plants intended for plant reproductive material production shall have been produced in accordance with this Regulation for at least one generation, or, in the case of perennial crops, for at least one generation during two growing seasons.

1.8.3. When choosing organic plant reproductive material, operators shall give preference to organic plant reproductive material suitable for organic agriculture.

1.8.4. For the production of organic varieties suitable for organic production, the organic breeding activities shall be conducted under organic conditions and shall focus on enhancement of genetic diversity, reliance on natural reproductive ability, as well as agronomic performance, disease resistance and adaptation to diverse local soil and climate conditions.

All multiplication practices except meristem culture shall be carried out under certified organic management.

1.8.5. Use of in-conversion and non-organic plant reproductive material.

1.8.5.1. By way of derogation from point 1.8.1, where the data collected in the database referred to in Article 26(1) or the systems referred to in Article 26(2) show that the qualitative or quantitative needs of the operator regarding relevant organic plant reproductive material are not met, the operator may use in-conversion plant reproductive material in accordance with Article 10(4), second subparagraph, point (a), or plant reproductive material authorised in accordance with point 1.8.6.

In addition, in case of a lack of availability of organic seedlings, 'in-conversion seedlings', marketed in compliance with Article 10(4), second subparagraph, point (a), may be used when grown as follows:

(a) through a cultivation cycle from seeds to final seedling lasting at least 12 months on a land parcel that, during that same period, has completed a conversion period of at least 12 months; or

(b) on an organic or in-conversion land parcel or in containers if covered by the derogation referred to in point 1.4, provided that the seedlings have originated from in-conversion seeds, harvested from a plant grown on a land parcel that has completed a conversion period of at least 12 months.

Where organic or in-conversion plant reproductive material or plant reproductive material authorised in accordance with point 1.8.6 is not available in sufficient quality or quantity to fulfil the operator's needs, competent authorities may authorise the use of non-organic plant reproductive material subject to points 1.8.5.3 to 1.8.5.8.

Such individual authorisation shall be issued only in one of the following situations:

(a) where no variety of the species that the operator wants to obtain is registered in the database referred to in Article 26(1) or the systems referred to in Article 26(2);

(b) where no operator who markets plant reproductive material, is able to deliver the relevant organic or in-conversion plant reproductive material or plant reproductive material authorised in accordance with point 1.8.6 in time for sowing or planting in situations where the user has ordered the plant reproductive material in reasonable time to allow the preparation and supply of organic or in-conversion plant reproductive material or of plant reproductive material authorised in accordance with point 1.8.6;

(c) where the variety that the operator wants to obtain is not registered as organic or in-conversion plant reproductive material or as plant reproductive material authorised in accordance with point 1.8.6 in the database referred to in Article 26(1) or the systems referred to Article 26(2) and the operator is able to demonstrate that none of the registered alternatives of the same species are appropriate in particular to the agronomic and pedo-climatic conditions and necessary technological properties for the production to be obtained;

(d) where it is justified for use in research, test in small-scale field trials, for variety conservation purposes or for product innovation and agreed by the competent authorities of the Member State concerned.

Prior to requesting any such authorisation, operators shall consult the database referred to in Article 26(1) or the systems referred to in Article 26(2) in order to verify whether relevant organic or in-conversion plant reproductive material or plant reproductive material authorised in accordance with point 1.8.6 is available and thus whether their request is justified.

When in compliance with Article 6 (i) operators may use both organic and in-conversion plant reproductive material obtained from their own holding, irrespective of the qualitative and quantitative availability according to the database referred to in Article 26(1) or the system referred to in point (a) of Article 26(2).

1.8.5.2. By way of derogation from point 1.8.1, operators in third countries may use in-conversion plant reproductive material in accordance with Article 10(4), second subparagraph, point (a), or plant reproductive material authorised in accordance with point 1.8.6 when organic plant reproductive material is justified to be not available in sufficient quality or quantity in the territory of the third country in which the operator is located.

Without prejudice to relevant national rules, operators in third countries may use both organic and in-conversion plant reproductive material obtained from their own holding.

Control authorities or control bodies recognised in accordance with Article 46(1) may authorise operators in third countries to use non-organic plant reproductive material in an organic production unit, when organic or in-conversion plant reproductive material or plant reproductive material authorised in accordance with point 1.8.6 is not available in sufficient quality or quantity in the territory of the third country in which the operator is located, under the conditions laid down in points 1.8.5.3, 1.8.5.4, 1.8.5.5 and 1.8.5.8.

1.8.5.3. Non-organic plant reproductive material shall not be treated after harvest with plant protection products other than those authorised for the treatment of plant reproductive material in accordance with Article 24(1) of this Regulation, unless chemical treatment has been prescribed in accordance with Regulation (EU) 2016/2031 for phytosanitary purposes by the competent authorities of the Member State concerned for all varieties and heterogeneous material of a given species in the area in which the plant reproductive material is to be used.

Where the non-organic plant reproductive material treated with the prescribed chemical treatment referred to in the first paragraph is used, the parcel on which the treated plant reproductive material is growing shall be subject, where appropriate, to a conversion period as provided in points 1.7.3 and 1.7.4.

1.8.5.4. The authorisation to use non-organic plant reproductive material shall be obtained before the sowing or planting of the crop.

1.8.5.5. The authorisation to use non-organic plant reproductive material shall be granted to individual users for one season at a time, and the competent authorities, control authority or body responsible for authorisations shall list the quantities of the authorised plant reproductive material.

1.8.5.6. The competent authorities of the Member States shall create an official list of species, subspecies or varieties (grouped if applicable) for which it is established that organic or in-conversion plant reproductive material is available in sufficient quantities and for the appropriate varieties in their territory. No authorisations shall be issued for the species, subspecies or varieties included in that list in the territory of the Member State concerned pursuant to point 1.8.5.1 unless these are justified by one of the purposes referred to in point 1.8.5.1(d). If the quantity or quality of organic or in-conversion plant reproductive material available for a species, subspecies or variety on the list turns out to be insufficient or inappropriate, due to exceptional circumstances, the competent authorities of the Member States may remove a species, subspecies or variety from the list.

The competent authorities of the Member States shall keep their list updated on an annual basis and shall make that list publicly available.

By 30 June each year and for the first time by 30 June 2022, the competent authorities of the Member States shall transmit to the Commission and to the other Member States the link to the internet website where the updated list is made publicly available. The Commission shall publish the links to the national updated lists on a dedicated website.

1.8.5.7. By way of derogation from point 1.8.5.5, the competent authorities of the Member States may annually grant a general authorisation to all operators concerned for the use of:

- (a) a given species or subspecies when and in so far as no variety is registered in the database referred to in Article 26(1) or the system referred to in point (a) of Article 26(2);
- (b) for a given variety when and in so far as the conditions laid down in point 1.8.5.1(c) are fulfilled.

When using a general authorisation, operators shall keep records of the quantity used and competent authority responsible for authorisations shall list the quantities of authorised non-organic plant reproductive material.

The competent authorities of the Member States shall keep the list of species, subspecies or varieties for which a general authorisation is issued updated on an annual basis and shall make that list publicly available.

By 30 June each year and for the first time by 30 June 2022, the competent authorities of the Member States shall transmit to the Commission and to the other Member States the link to the internet website where the updated list is made publicly available. The Commission shall publish the links to the national updated lists on a dedicated website.

1.8.5.8. Competent authorities shall not authorise the use of non-organic seedlings in the case of seedlings of species that have a cultivation cycle completed in one growing season, from the transplantation of the seedling to the first harvest of product.

1.8.6. Competent authorities or, where appropriate, control authorities or control bodies recognised in accordance with Article 46(1) may authorise operators producing plant reproductive material for use in organic production to use non-organic plant reproductive material, when mother plants or, where relevant, other plants intended for the production of plant reproductive material and produced in compliance with point 1.8.2 are not available in sufficient quantity or quality, and to place such material on the market for use in organic production provided that the following conditions are met:

(a) the non-organic plant reproductive material used has not been treated after harvest with plant protection products other than those authorised in accordance with Article 24(1) of this Regulation, unless chemical treatment has been prescribed in accordance with Regulation (EU) 2016/2031 for phytosanitary purposes by the competent authorities of the Member State concerned for all varieties and heterogeneous material of a given species in the area in which the plant reproductive material is to be used. Where non-organic plant reproductive material treated with such prescribed chemical treatment is used, the land parcel on which the treated plant reproductive material is growing shall be subject, where appropriate, to a conversion period as provided in points 1.7.3 and 1.7.4;

(b) the non-organic plant reproductive material used is not a seedling of species that have a cultivation cycle completed in one growing season, from the transplantation of the seedling to the first harvest of product;

(c) the plant reproductive material is grown in compliance with all other relevant organic plant production requirements;

(d) the authorisation to use non-organic plant reproductive material shall be obtained before that material is sown or planted;

(e) the competent authority, control authority or control body responsible for the authorisation shall grant the authorisation only to individual users and for one season at a time,

and shall list the quantities of the authorised plant reproductive material;

(f) by way of derogation from point (e), the competent authorities of the Member States may annually grant a general authorisation for the use of a given species or subspecies or variety of non-organic plant reproductive material and make the list of species, subspecies or varieties publicly available and keep it updated on an annual basis. In that case, those competent authorities shall list the quantities of authorised non-organic plant reproductive material;

(g) the authorisations granted in accordance with this paragraph shall expire on 31 December 2036.

By 30 June of each year, and for the first time by 30 June 2023, the competent authorities of the Member States shall notify the Commission and the other Member States of the information on the authorisations granted in accordance with the first paragraph.

Operators who produce and market the plant reproductive material produced in accordance with the first paragraph shall be allowed to make public, on a voluntary basis, the relevant specific information on the availability of such plant reproductive material in the national systems established in accordance with Article 26(2). Operators that opt to include such information shall ensure that the information is updated regularly, and is withdrawn from the national systems once the plant reproductive material is no longer available. When relying on the general authorisation referred to in point (f), operators shall keep records of the quantity used.

#### 1.9. Soil management and fertilisation

1.9.1. In organic plant production, tillage and cultivation practices shall be used that maintain or increase soil organic matter, enhance soil stability and soil biodiversity, and prevent soil compaction and soil erosion.

1.9.2. The fertility and biological activity of the soil shall be maintained and increased:

(a) except in the case of grassland or perennial forage, 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;

(b) in the case of greenhouses or perennial crops other than forage, by the use of short-term green manure crops and legumes as well as the use of plant diversity; and

(c) in all cases, by the application of livestock manure or organic matter, both preferably composted, from organic production.

1.9.3. Where the nutritional needs of plants cannot be met by the measures provided for in points 1.9.1 and 1.9.2, only fertilisers and soil conditioners that have been authorised pursuant to Article 24 for use in organic production shall be used, and only to the extent necessary. Operators shall keep records of the use of those products, including the date or dates on which each product was used, the name of the product, the amount applied and the crop and parcels concerned.

1.9.4. The total amount of livestock manure, as defined in Directive 91/676/EEC, used in the in-conversion and organic production units shall not exceed 170 kg of nitrogen per year/hectare of agricultural area used. That limit shall only apply to the use of farmyard manure, dried farmyard manure and dehydrated poultry manure, composted animal excrement, including poultry manure, composted farmyard manure and liquid animal excrement.

1.9.5. Operators of agricultural holdings may establish written cooperation agreements exclusively with operators of other agricultural holdings and undertakings which comply with the organic production rules, for the purpose of spreading surplus manure from organic production units. The maximum limit referred to in point 1.9.4 shall be calculated on the basis of all of the organic production units involved in such cooperation.

1.9.6. Preparations of micro-organisms may be used to improve the overall condition of the soil or to improve the availability of nutrients in the soil or in the crops.

1.9.7. For compost activation, appropriate plant-based preparations and preparations of micro-organisms may be used.

1.9.8. Mineral nitrogen fertilisers shall not be used.

1.9.9. Biodynamic preparations may be used.

#### 1.10. Pest and weed management

1.10.1. The prevention of damage caused by pests and weeds shall rely primarily on the protection by:

- natural enemies,
- the choice of species, varieties and heterogeneous material,
- crop rotation,
- cultivation techniques such as biofumigation, mechanical and physical methods, and
- thermal processes such as solarisation and, in the case of protected crops, shallow steam treatment of the soil (to a maximum depth of 10 cm).

1.10.2. Where plants cannot adequately be protected from pests by measures provided for in point 1.10.1 or in the case of an established threat to a crop, only products and substances authorised pursuant to Articles 9 and 24 for use in organic production shall be used, and only to the extent necessary. Operators shall keep records proving the need for the use of such products, including the date or dates on which each product was used, the name of the product, its active substances, the amount applied, the crop and parcels concerned, and the pest or disease to be controlled.

1.10.3. In relation to products and substances used in traps or in dispensers of products and substances other than pheromones, the traps or dispensers shall prevent the products and substances from being released into the environment and shall prevent contact between the products and substances and the crops being cultivated. All traps, including pheromone traps, shall be collected after use and shall be safely disposed of.

#### 1.11. Products used for cleaning and disinfection

Only those products for cleaning and disinfection in plant production authorised pursuant to Article 24 for use in organic production shall be used for that purpose. Operators shall keep records of the use of those products including the date or dates on which each product was used, the name of the product, its active substances, and the location of such use.

#### 1.12. Record-keeping obligation

Operators shall keep records regarding the parcels concerned and the amount of the harvest. In particular, operators shall keep records of any other external input used on each parcel and, where applicable, keep available documentary evidence on any derogation from production rules obtained in accordance with point 1.8.5.

#### 1.13. Preparation of unprocessed products

If preparation operations other than processing are carried out on plants, the general requirements laid down in points 1.2, 1.3, 1.4, 1.5 and 2.2.3 of Part IV shall apply *mutatis mutandis* to such operations.

### 2. Detailed rules for specific plants and plant products

#### 2.1. Rules on mushroom production

For the production of mushrooms, substrates may be used if they are composed only of the following components:

(a) farmyard manure and animal excrement:

(i) either from organic production units or from in-conversion units in their second year of conversion; or

(ii) referred to in point 1.9.3, only when the product referred to in point (i) is not available, provided that that farmyard manure and animal excrement do not exceed 25 % of the weight of total components of the substrate, excluding the covering material and any added water, before composting;

(b) products of agricultural origin, other than those referred to in point (a), from organic production units;

(c) peat, not treated with chemical products;

(d) wood, not treated with chemical products after felling;

(e) mineral products referred to in point 1.9.3, water and soil.

2.2. Rules concerning the collection of wild plants

The collection of wild plants and parts thereof growing naturally in natural areas, forests and agricultural areas is considered as organic production, provided that:

(a) for a period of at least three years before the collection, those areas were not treated with products or substances other than those authorised pursuant to Articles 9 and 24 for use in organic production;

(b) the collection does not affect the stability of the natural habitat or the maintenance of the species in the collection area.

Operators shall keep records of the period and location of the collection, the species concerned and the quantity of wild plants collected.

*ANNEX III***COLLECTION, PACKAGING, TRANSPORT AND STORAGE OF PRODUCTS****1. Collection of products and transport to preparation units**

Operators may carry out the simultaneous collection of organic, in-conversion and non-organic products only where appropriate measures have been taken to prevent any possible mixture or exchange between organic, in-conversion and non-organic products and to ensure the identification of the organic and in-conversion products. The operator shall keep the information relating to collection days, hours, the circuit and date and time of the reception of the products available to the control authority or control body.

**2. Packaging and transport of products to other operators or units****2.1. Information to be provided**

2.1.1. Operators shall ensure that organic products and in-conversion products are transported to other operators or units, including wholesalers and retailers, only in appropriate packaging, containers or vehicles closed in such a manner that alteration, including substitution, of the content cannot be achieved without manipulation or damage of the seal and provided with a label stating, without prejudice to any other indications required by Union law:

- (a) the name and address of the operator and, where different, of the owner or seller of the product;
- (b) the name of the product;
- (c) the name or the code number of the control authority or control body to which the operator is subject; and
- (d) where relevant, the lot identification mark in accordance with a marking system either approved at national level or agreed with the control authority or control body and which permits the linking of the lot with the records referred to in Article 34(5).

2.1.2. Operators shall ensure that compound feed authorised in organic production transported to other operators or holdings, including wholesalers and retailers, are provided with a label stating, in addition to any other indications required by Union law:

- (a) the information provided in point 2.1.1;
- (b) where relevant, by weight of dry matter:
  - (i) the total percentage of organic feed materials;
  - (ii) the total percentage of in-conversion feed materials;
  - (iii) the total percentage of feed materials not covered by points (i) and (ii);
  - (iv) the total percentage of feed of agricultural origin;
- (c) where relevant, the names of organic feed materials;
- (d) where relevant, the names of in-conversion feed materials; and
- (e) for compound feed that cannot be labelled in accordance with Article 30(6), the indication that such feed may be used in organic production in accordance with this Regulation.

2.1.3. Without prejudice to Directive 66/401/EEC, operators shall ensure that on the label of the packaging of a mixture of fodder plant seeds containing organic and in-conversion or non-organic seeds of certain different plant species for which an authorisation has been issued under the relevant conditions laid down in point 1.8.5 of Part I of Annex II to this

Regulation, information is provided on the exact components of the mixture, shown by percentage by weight of each component species, and where appropriate varieties.

In addition to the relevant requirements under Annex IV to Directive 66/401/EEC, that information shall include besides the indications required in the first paragraph of this point also the list of the component species of the mixture that are labelled as organic or in-conversion. The minimum total percentage by weight of organic and in-conversion seeds in the mixture shall be at least 70 %.

In case the mixture contains non-organic seeds, the label shall also include the following statement: 'The use of the mixture is only allowed within the scope of the authorisation and in the territory of the Member State of the competent authority which authorised the use of this mixture in conformity with point 1.8.5 of Annex II to Regulation (EU) 2018/848 on organic production and labelling of organic products.'

The information referred to in points 2.1.1 and 2.1.2 may be presented solely on an accompanying document, if such a document can be undeniably linked with the packaging, container or vehicular transport of the product. This accompanying document shall include information on the supplier or the transporter.

2.2. The closing of packaging, containers or vehicles shall not be required where:

- (a) the transport takes place directly between two operators, both of which are subject to the organic control system;
- (b) the transport includes only organic or only in-conversion products;
- (c) the products are accompanied by a document giving the information required under point 2.1; and
- (d) both the expediting and the receiving operators keep documentary records of such transport operations available for the control authority or control body.

3. Special rules for transporting feed to other production or preparation units or storage premises

When transporting feed to other production or preparation units or storage premises, operators shall ensure that the following conditions are met:

- (a) during transport, organically produced feed, in-conversion feed, and non-organic feed are effectively physically separated;
- (b) vehicles or containers which have transported non-organic products are only used to transport organic or in-conversion products if:
  - (i) suitable cleaning measures, the effectiveness of which has been checked, have been carried out before commencing the transport of organic or in-conversion products and the operators keep records of those operations;
  - (ii) all appropriate measures are implemented, depending on the risks evaluated in accordance with control arrangements, and where necessary, operators guarantee that non-organic products cannot be placed on the market with an indication referring to organic production;
  - (iii) the operator keeps documentary records of such transport operations available for the control authority or control body;
- (c) the transport of finished organic or in-conversion feed is separated physically or in time from the transport of other finished products;
- (d) during transport, the quantity of products at the start and each individual quantity delivered in the course of a delivery round is recorded.

5. Reception of products from other operators or units

On receipt of an organic or in-conversion product, the operator shall check the closing of the packaging, container or vehicle where it is required and the presence of the indications provided for in Section 2.

The operator shall cross-check the information on the label referred to in Section 2 with the information on the accompanying documents. The result of those verifications shall be explicitly mentioned in the records referred to in Article 34(5).

7. Storage of products

7.1. Areas for the storage of products shall be managed in such a way as to ensure identification of lots and to avoid any mixing or contamination with products or substances not in compliance with the organic production rules. Organic and in-conversion products shall be clearly identifiable at all times.

7.2. No input products or substances other than those authorised pursuant to Articles 9 and 24 for use in organic production shall be stored in organic or in-conversion plant and livestock production units.

7.3. Allopathic veterinary medicinal products, including antibiotics, may be stored in agricultural and aquaculture holdings provided that they have been prescribed by a veterinarian in connection with the treatment referred to in points 1.5.2.2 of Part II and 3.1.4.2(a) of Part III of Annex II, that they are stored in a supervised location and that they are entered in the records referred to in Article 34(5).

7.4. Where operators handle organic, or in-conversion or non-organic products in any combination and the organic or in-conversion products are stored in storage facilities in which also other agricultural products or foodstuffs are stored:

- (a) the organic or in-conversion products shall be kept separate from the other agricultural products or foodstuffs;
- (b) every measure shall be taken to ensure identification of consignments and to avoid mixtures or exchanges between organic, in-conversion and non-organic products;
- (c) suitable cleaning measures, the effectiveness of which has been checked, shall have been carried out before the storage of organic or in-conversion products and the operators shall keep records of those operations.

7.5. Only the products for cleaning and disinfection authorised pursuant to Article 24 for use in organic production shall be used in storage facilities for that purpose.

This text is meant purely as a documentation tool and has no legal effect. The Union's institutions do not assume any liability for its contents. The authentic versions of the relevant acts, including their preambles, are those published in the Official Journal of the European Union and available in EUR-Lex. Those official texts are directly accessible through the links embedded in this document

**COMMISSION IMPLEMENTING REGULATION (EU) 2021/1165**

**of 15 July 2021**

**authorising certain products and substances for use in organic production and establishing their lists**

**(ABSTRACT from consolidated version 2023-02-07)**

**ANNEX I**

**Active substances contained in plant protection products authorised for use in organic production as referred to in point (a) of Article 24(1) of Regulation (EU) 2018/848**

The active substances listed in this Annex may be contained in plant protection products used in organic production as set out in this Annex, provided that these plant protection products are authorised pursuant to Regulation (EC) No 1107/2009. These plant protection products shall be used in compliance with the conditions set out in the Annex to Implementing Regulation (EU) No 540/2011 and in accordance with the conditions specified in the authorisations granted by the Member States where they are used. More restrictive conditions for use in organic production are specified in the last column of each table below.

In accordance with Article 9(3) of Regulation (EU) 2018/848, safeners, synergists and co-formulants as components of plant protection products, and adjuvants that are to be mixed with plant protection products shall be allowed for use in organic production, provided that they are authorised pursuant to Regulation (EC) No 1107/2009. The substances in this Annex may only be used for the control of pests as defined in Article 3(24) of Regulation (EU) 2018/848.

In accordance with point 1.10.2 of Part I of Annex II to Regulation (EU) 2018/848, these substances may only be used where plants cannot be adequately protected from pests by measures provided for in point 1.10.1 of that Part I, in particular by the use of biological control agents, such as beneficial insects, mites and nematodes complying with the provisions of Regulation (EU) No 1143/2014 of the European Parliament and of the Council.

For the purposes of this Annex, active substances are divided into following subcategories:

**1. Basic substances**

Basic substances listed in Part C of the Annex to Implementing Regulation (EU) No 540/2011, from plant or animal origin and based on food as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council may be used for plant protection in organic production. Such basic substances are marked with an asterisk in the table below. They shall be used in accordance with the uses, conditions and restrictions set in the relevant review reports and taking into account the additional restrictions, if any, in the last column of the table below.

Other basic substances listed in Part C of the Annex to Implementing Regulation (EU) No 540/2011 may be used for plant protection in organic production only when they are listed in the table below. Such basic substances shall be used in accordance with the uses, conditions and restrictions set in the relevant review reports and taking into account the additional restrictions, if any, in the right column of the table below.

Basic substances shall not be used as herbicides.

Number and Part of Annex <sup>(1)</sup>	CAS	Name	Specific conditions and limits
1C		<i>Equisetum arvense</i> L.*	
2C	9012-76-4	Chitosan hydrochloride*	obtained from <i>Aspergillus</i> or organic aquaculture or from sustainable fisheries, as defined in Article 2 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council
3C	57-50-1	Sucrose*	
4C	1305-62-0	Calcium Hydroxide	
5C	90132-02-8	Vinegar*	
6C	8002-43-5	Lecithins*	
7C	-	<i>Salix</i> spp. cortex*	
8C	57-48-7	Fructose*	
9C	144-55-8	Sodium hydrogen carbonate	
10C	92129-90-3	Whey*	
11C	7783-28-0	Diammonium phosphate	only in traps
12C	8001-21-6	Sunflower oil*	
14C	84012-40-8 90131-83-2	<i>Urtica</i> spp. ( <i>Urtica dioica</i> extract) ( <i>Urtica urens</i> extract)*	
15C	7722-84-1	Hydrogen peroxide	
16C	7647-14-5	Sodium chloride	
17C	8029-31-0	Beer*	
18C	-	Mustard seeds powder*	
19C	14807-96-6	Magnesium hydrogen metasilicate silicate mineral (Talc E553b)	food grade in conformity with Commission Regulation (EU) No 231/2012
20C	8002-72-0	Onion oil*	
21C	52-89-1	L-cysteine (E 920)	

22C	8049-98-7	Cow milk*	
23C	-	<i>Allium cepa</i> * L. bulb extract	
		Other basic substances from plant or animal origin and based on food*	

(1) Listing according to Implementing Regulation (EU) No 540/2011, numbers and which category: Part A active substances deemed to have been approved under Regulation (EC) No 1107/2009, B, active substances approved under Regulation (EC) No 1107/2009, C basic substances, D low-risk active substances and E candidates for substitution.

## 2. Low risk active substances

Low risk active substances, other than micro-organisms, listed in Part D of the Annex to Implementing Regulation (EU) No 540/2011 may be used for plant protection in organic production when they are listed in the table below or elsewhere in this Annex. Such low risk active substances shall be used in accordance with the uses, conditions and restrictions pursuant to Regulation (EC) No 1107/2009 and taking into account the additional restrictions, if any, in the last column of the table below.

Number and Part of Annex <sup>(1)</sup>	CAS	Name	Specific conditions and limits
2D		COS-OGA	
3D		Cerevisane and other products based on fragments of cells of micro-organisms	Not from GMO origin
5D	10045-86-6	Ferric phosphate (iron (III) orthophosphate)	
12D	9008-22-4	Laminarin	Kelp shall be obtained from organic aquaculture or collected in a sustainable way in accordance with point 2.4 of Part III of Annex II to Regulation (EU) 2018/848
16D	CAS not allocated	ABE-IT 56 (components of lysate of <i>Saccharomyces cerevisiae</i> strain DDSF623)	not from GMO origin not produced by using growing media of GMO origin
20D	10058-44-3	Ferric pyrophosphate	
28D		Aqueous extract from the germinated seeds of sweet <i>Lupinus albus</i>	

(1) Listing according to Implementing Regulation (EU) No 540/2011, numbers and which category: Part A active substances deemed to have been approved under Regulation (EC) No 1107/2009, B, active substances approved under Regulation (EC) No 1107/2009, C basic substances, D low-risk active substances and E candidates for substitution.

## 3. Micro-organisms

All micro-organisms listed in Parts A, B and D of the Annex to Implementing Regulation (EU) No 540/2011 may be used in organic production, provided that they are not from GMO origin and only when used in accordance with the uses, conditions and restrictions set in the relevant review reports. Micro-organisms including viruses are biological control agents that are considered as active substances by Regulation (EC) No 1107/2009.

#### 4. Active substances not included in any of the above categories

The active substances as approved pursuant to Regulation (EC) No 1107/2009 and listed in the table below may be used as plant protection products in organic production only when they are used in accordance with the uses, conditions and restrictions pursuant to Regulation (EC) No 1107/2009 and taking into account the additional restrictions, if any, in the right column of the table below.

Number and Part of Annex <sup>(1)</sup>	CAS	Name	Specific conditions and limits
139A	131929-60-7 131929-63-0	Spinosad	
225A	124-38-9	Carbon dioxide	
227A	74-85-1	Ethylene	only on bananas and potatoes; however, it may also be used on citrus as part of a strategy for the prevention of fruit fly damage
230A	i.a. 67701-09-1	Fatty acids	all uses authorised, except herbicide
231A	8008-99-9	Garlic extract ( <i>Allium sativum</i> )	
234A	CAS No not allocated CIPAC No 901	Hydrolysed proteins excluding gelatine	
244A	298-14-6	Potassium hydrogen carbonate	
249A	98999-15-6	Repellents by smell of animal or plant origin/sheep fat	
255A e altri		Pheromones and other semiochemicals	only in traps and dispensers
220A	1332-58-7	Aluminium silicate (kaolin)	
236A	61790-53-2	Kieselgur (diatomaceous earth)	
247A	14808-60-7 7637-86-9	Quartz sand	
343A	11141-17-6 84696-25-3	Azadirachtin (Margosa extract)	extracted from Neem tree seeds ( <i>Azadirachta indica</i> )
240A	8000-29-1	Citronella oil	all uses authorised, except herbicide
241A	84961-50-2	Clove oil	all uses authorised, except herbicide
242A	8002-13-9	Rape seed oil	all uses authorised, except herbicide
243A	8008-79-5	Spearmint oil	all uses authorised, except herbicide
56A	8028-48-6 5989-27-5	Orange oil	all uses authorised, except herbicide
228A	68647-73-4	Tea tree oil	all uses authorised, except herbicide
246A	8003-34-7	Pyrethrins extracted from plants	
292A	7704-34-9	Sulphur	

294A 205A	64742-46-7 72623-86-0 97862-82-3 8042-47-5	Paraffin oils	
345A	1344-81-6	Lime sulphur (calcium polysulphide)	
44B	9050-36-6	Maltodextrin	
45B	97-53-0	Eugenol	
46B	106-24-1	Geraniol	
47B	89-83-8	Thymol	
10E	20427-59-2	Copper hydroxide	in accordance with Implementing Regulation (EU) No 540/2011 only uses resulting in a total application of maximum 28 kg of copper per hectare over a period of 7 years may be authorised
10E	1332-65-6 1332-40-7	Copper oxychloride	
10E	1317-39-1	Copper oxide	
10E	8011-63-0	Bordeaux mixture	
10E	12527-76-3	Tribasic copper sulphate	
40A	52918-63-5	Deltamethrin	only in traps with specific attractants against <i>Bactrocera oleae</i> , <i>Ceratitis capitata</i> and <i>Rhagoletis completa</i>
5E	91465-08-6	Lambda-cyhalothrin	only in traps with specific attractants against <i>Bactrocera oleae</i> and <i>Ceratitis capitata</i>
(1) Listing according to Implementing Regulation (EU) No 540/2011, numbers and which category: Part A active substances deemed to have been approved under Regulation (EC) No 1107/2009, B, active substances approved under Regulation (EC) No 1107/2009, C basic substances, D low-risk active substances and E candidates for substitution.			

**ANNEX II****Authorised fertilisers, soil conditioners and nutrients referred to in point (b) of Article 24(1) of Regulation (EU) 2018/848**

Fertilisers, soil conditioners and nutrients<sup>(1)</sup> listed in this Annex may be used in organic production, provided that they are compliant with

- the relevant Union and national legislations on fertilising products, in particular, where applicable, Regulation (EC) No 2003/2003 and Regulation (EU) 2019/1009; and
- Union legislation on animal by-products, in particular Regulation (EC) No 1069/2009 and Regulation (EU) No 142/2011, in particular Annexes V and XI.

In accordance with point 1.9.6 of Part I of Annex II to Regulation (EU) 2018/848, preparations of micro-organisms may be used to improve the overall condition of the soil or to improve the availability of nutrients in the soil or in the crops.

They may only be used according to the specifications and restrictions of use of those respective Union and national legislations. More restrictive conditions for use in organic production are specified in the right column of the tables.

<sup>(1)</sup> Covering in particular all the product function categories listed in Part I of Annex I to Regulation (EU) 2019/1009.

<b>Name Compound products or products containing only materials listed hereunder</b>	<b>Description, specific conditions and limits</b>
Farmyard manure	product comprising a mixture of animal excrements and vegetable matter (animal bedding and feed material) factory farming origin forbidden
Dried farmyard manure and dehydrated poultry manure	factory farming origin forbidden
Composted animal excrements, including poultry manure and composted farmyard manure included	factory farming origin forbidden
Liquid animal excrements	use after controlled fermentation and/or appropriate dilution factory farming origin forbidden
Composted or fermented mixture of 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; mercury: 0,4; chromium (total): 70; chromium (VI): not detectable
Peat	use limited to horticulture (market gardening, floriculture, arboriculture, nursery)
Mushroom culture wastes	the initial composition of the substrate shall be limited to products of this Annex
Dejecta of worms (vermicompost) and insect frass-substrate mixture	where relevant in accordance with Regulation (EC) No 1069/2009
Guano	
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

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 as defined in Regulation (EC) No 1069/2009) factory farming origin forbidden the processes have to be in accordance with Regulation (EU) No 142/2011 not to be applied to edible parts of the crop
Products or by-products of animal origin as below: Blood meal Hoof meal Horn meal Bone meal or degelatinised bone meal Fish meal Meat meal Feather, hair and skin meal ('chiquette') 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
Products and by-products of plant origin for fertilisers	e.g.: oilseed cake meal, cocoa husks, malt culms
Hydrolysed proteins of plant origin	
Algae and algae 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 only from organic or collected in a sustainable way in accordance with point 2.4 of Part III of Annex II to Regulation (EU) 2018/848
Sawdust and wood chips	wood not chemically treated after felling
Composted bark	wood not chemically treated after felling
Wood ash	from wood not chemically treated after felling

Soft ground rock phosphate	<p>product obtained by grinding soft mineral phosphates and containing tricalcium phosphate and calcium carbonate as essential ingredients</p> <p>minimum content of nutrients (percentage by weight): 25 % P<sub>2</sub>O<sub>5</sub></p> <p>phosphorus expressed as P<sub>2</sub>O<sub>5</sub> soluble in mineral acids, at least 55 % of the declared content of P<sub>2</sub>O<sub>5</sub> being soluble in 2 % formic acid</p> <p>particle size: — at least 90 % by weight able to pass through a sieve with a mesh of 0,063 mm — at least 99 % by weight able to pass through a sieve with a mesh of 0,125 mm</p> <p>until 15 July 2022, cadmium content less than or equal to 90 mg/kg of P<sub>2</sub>O<sub>5</sub>; from 16 July 2022, the relevant limits for contaminants set in Regulation (EU) 2019/ 1009 apply</p>
Aluminium-calcium phosphate	<p>product obtained in amorphous form by heat treatment and grinding, containing aluminium and calcium phosphates as essential ingredients</p> <p>minimum content of nutrients (percentage by weight): 30 % P<sub>2</sub>O<sub>5</sub></p> <p>phosphorus expressed as P<sub>2</sub>O<sub>5</sub> soluble in mineral acids, at least 75 % of the declared content of P<sub>2</sub>O<sub>5</sub> being soluble in alkaline ammonium citrate (Joulie)</p> <p>particle size: — at least 90 % by weight able to pass through a sieve with a mesh of 0,160 mm — at least 98 % by weight able to pass through a sieve with a mesh of 0,630 mm</p> <p>until 15 July 2022, cadmium content less than or equal to 90 mg/kg P<sub>2</sub>O<sub>5</sub>; from 16 July 2022, the relevant limits for contaminants set in Regulation (EU) 2019/ 1009 apply</p> <p>use limited to basic soils (pH &gt; 7,5)</p>

Basic slag (Thomas phosphates or Thomas slag)	<p>product obtained in iron-smelting by treatment of the phosphorus melts and containing calcium silicophosphates as its essential ingredients</p> <p>minimum content of nutrients (percentage by weight):  12 % P<sub>2</sub>O<sub>5</sub>  phosphorus expressed as phosphorus pentoxide soluble in mineral acids, at least 75 % of the declared content of phosphorus pentoxide being soluble in 2 % citric acid</p> <p>or</p> <p>10 % P<sub>2</sub>O<sub>5</sub>  phosphorus expressed as phosphorus pentoxide soluble in 2 % citric acid  particle size:  — at least 75 % able to pass through a sieve with a mesh of 0,160 mm  — at least 96 % able to pass through a sieve with a mesh of 0,630 mm  from 16 July 2022, the relevant limits for contaminants set in Regulation (EU) 2019/ 1009 apply</p>
Crude potassium salt	<p>product obtained from crude potassium salts</p> <p>minimum content of nutrients (percentage by weight):  9 % K<sub>2</sub>O  potassium expressed as water- soluble K<sub>2</sub>O  2 % MgO  magnesium in the form of water- soluble salts, expressed as magnesium oxide  from 16 July 2022, the relevant limits for contaminants set in Regulation (EU) 2019/ 1009 apply</p>
Potassium sulphate, possibly containing magnesium salt	product obtained from crude potassium salt by a physical extraction process, containing possibly also magnesium salts
Stillage and stillage extract	ammonium stillage excluded
Calcium carbonate, for instance: chalk, marl, ground limestone, Breton ameliorant (maerl), phosphate chalk	only of natural origin
Mollusc waste	only from organic aquaculture or from sustainable fisheries, in accordance with Article 2 of Regulation (EU) No 1380/2013
Egg shells	factory farming origin forbidden
Magnesium and calcium carbonate	only of natural origin e.g. magnesian chalk, ground magnesium, limestone
Magnesium sulphate (kieserite)	only of natural origin
Calcium chloride solution	only for foliar treatment of apple trees, to prevent deficit of calcium
Calcium sulphate (gypsum)	<p>product of natural origin containing calcium sulphate at various degrees of hydration</p> <p>minimum content of nutrients (percentage per weight):  25 % CaO  35 % SO<sub>3</sub>  calcium and sulphur expressed as total CaO + SO<sub>3</sub>  fineness of grind:  — at least 80 % to pass through a sieve with a 2 mm mesh width,  — at least 99 % to pass through a sieve with a 10 mm mesh width  from 16 July 2022, the relevant limits for contaminants set in Regulation (EU) 2019/ 1009 apply</p>

Industrial lime from sugar production	by-product of sugar production from sugar beet and sugar cane
Industrial lime from vacuum salt production	by-product of the vacuum salt production from brine found in mountains
Elemental sulphur	until 15 July 2022: as listed in accordance with Part D of Annex I to Regulation (EC) No 2003/ 2003 from 16 July 2022, the relevant limits for contaminants set in Regulation (EU) 2019/ 1009 apply
Inorganic Micronutrient Fertilisers	until 15 July 2022: as listed in accordance with Part E of Annex I to Regulation (EC) No 2003/ 2003 from 16 July 2022, the relevant limits for contaminants set in Regulation (EU) 2019/ 1009 apply
Sodium chloride	
Stone meal, clays and clay minerals	
Leonardite (Raw organic sediment rich in humic acids)	only if obtained as a by-product of mining activities
Humic and fulvic acids	only if obtained by inorganic salts/solutions excluding ammonium salts; or obtained from drinking water purification
Xylite	only if obtained as a by-product of mining activities (e.g. by-product of brown coal mining)
Chitin (Polysaccharide obtained from the shell of crustaceans)	obtained from organic aquaculture or from sustainable fisheries, in accordance with Article 2 of Regulation (EU) No 1380/2013
Organic <sup>(1)</sup> 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 until 15 July 2022: maximum concentrations in mg/kg of dry matter: cadmium: 0,7; copper: 70; nickel: 25; lead: 45; zinc: 200; mercury: 0,4; chromium (total): 70; chromium (VI): not detectable from 16 July 2022, the relevant limits for contaminants set in Regulation (EU) 2019/ 1009 apply
Biochar – pyrolysis product made from a wide variety of organic materials of plant origin and applied as a soil conditioner	only from plant materials, when treated after harvest only with products included in Annex I until 15 July 2022: maximum value of 4 mg polycyclic aromatic hydro-carbons (PAHs) per kg dry matter (DM) from 16 July 2022, the relevant limits for contaminants set in Regulation (EU) 2019/ 1009 apply
Recovered struvite and precipitated phosphate salts	products must meet the requirements laid down in Regulation (EU) 2019/1009 animal manure as source material cannot have factory farming origin
Sodium nitrate	only for algae production on land in closed systems
Potassium chloride (muriate of potash)	only of natural origin
<sup>(1)</sup> Here 'organic' is used in the sense of organic chemistry, not organic farming	

**ANNEX IV**

**Authorised products for cleaning and disinfection referred to in points (e), (f) and (g) of Article 24(1) of Regulation (EU) 2018/848**

**PART B**

**Products for the cleaning and disinfection of buildings and installations used for plant production, including for storage on an agricultural holding**

---

**PART C**

**Products for cleaning and disinfection in processing and storage facilities**

---

**PART D**

**Products referred to in Article 12(1) of this Regulation**

The following products or products containing the following active substances as listed in Annex VII to Regulation (EC) No 889/2008 cannot be used as biocidal products:

- caustic soda;
- caustic potash;
- oxalic acid;
- natural essences of plants with the exception of linseed oil, lavender oil and peppermint oil;
- nitric acid;
- phosphoric acid;
- sodium carbonate;
- copper sulphate;
- potassium permanganate;
- tea seed cake made of natural camelia seed;
- humic acid;
- peroxyacetic acids with the exception of peracetic acid.