



# BAC EU Equivalent Organic Standard \*

## English Version

\* BioAgriCert (BAC) European Union Reg.834/07 and Following Equivalent Organic Production Standard.

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DATE: 09/07/2009 V1.1 20/12/2012 **RV 4 20/02/2018**

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## INDEX

1.	<b>AIM, SCOPE AND DEFINITIONS</b>	5
1.1	Aim and scope	5
1.2	Introductory Provisions	5
1.3	Definitions	6
2.	<b>OBJECTIVES AND PRINCIPLES FOR ORGANIC PRODUCTION</b>	8
2.1	Organic production shall pursue the following general objectives:	8
2.2	Organic production principles	9
2.3	Organic farming specific principles in addition to the overall principles	10
2.4	Specific principles applicable to processing of organic food.	10
2.5	Specific principles applicable to processing of organic feed.	11
3.	<b>PRODUCTIONS RULES</b>	11
3.1	General Production Rules	11
3.2	Prohibition On The Use Of Gmos	11
3.3	Farm Production	12
3.3.1	General farm production rules	12
3.3.2	Plant production rules	12
3.3.3	Soil management and fertilisation	12
3.3.4	Pest, disease and weed management	13
3.3.5	Production rules for seaweed	14
3.3.6	Specific rules on mushroom production	14
3.4	Livestock Production	14
3.4.1	Livestock production rules	14
3.4.2	With regard to the origin of the animals:	15
3.4.3	With regard to husbandry practices and housing conditions:	16
3.4.4	With regard to breeding	17
3.4.5	Rules pertaining to housing conditions	17
3.4.6	Specific housing conditions and husbandry practices for mammals	17
3.4.7	Specific housing conditions and husbandry practices for poultry	18
3.4.8	Specific requirements and housing conditions in beekeeping	19
3.4.9	Access to open air areas	19
3.4.10	Stocking density	19
3.4.11	Prohibition of landless livestock production	20
3.4.12	Simultaneous production of organic and non-organic livestock	20
3.4.13	Management of animals	20
3.4.14	With regard to feed:	21
3.4.15	Feed from own holding or from other organic holdings	21
3.4.16	Feed meeting animals' nutritional requirement	21
3.4.17	In-conversion feed	22
3.4.18	Use of certain products and substances in feed	22
3.4.19	With regard to disease prevention and veterinary treatment:	23
3.4..20	With regard to cleaning and disinfection	23

**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

3.4.21	Disease prevention	23
3.4.22	Veterinary treatment	24
3.4.23	Specific rules on disease prevention and veterinary treatment in beekeeping	25
3.4.24	Production rules for aquaculture animals	25
3.5	Conversion	27
3.5.1	Conversion Rules	27
3.6	Flexibility	29
3.6.1	Exceptional production rules	29
3.6.2	Exceptional production rules related to climatic, geographical or structural constraints	29
3.6.3	Exceptional production rules related to non-availability of organic farm	30
3.6.4	Exceptional production rules related to specific management problems in organic livestock	31
3.6.5	Exceptional production rules related to catastrophic circumstances	31
3.7	Processed Products	32
3.7.1	General rules on the production of processed feed	32
3.7.2	General rules on the production of processed food	32
3.7.3	General rules on the production of organic yeast	33
3.7.4	Rules for the production of processed feed and food	33
3.7.5	Use of certain products and substances in processing of food	34
3.7.6	Use of certain non-organic ingredients of agricultural origin in processing food	34
3.8	Collection, Packaging, Transport And Storage Of Products	34
3.8.1	Packaging and transport of products to other operators or units	35
3.8.2	Special rules for transporting feed to other production/preparation units or storage premises	35
3.8.3	Reception of products from other units and other operators	36
3.8.4	Special rules for the reception of products from a third country	36
3.8.5	Storage of products	36
3.8.6	Exceptional production rules with regard to the use of specific products and substances in the processing	37
4.	<b>LABELLING</b>	37
4.1	Use Of Terms Referring To Organic Production	37
4.2	Compulsory Indications	38
4.3	Specific Labelling Requirements	38
4.3.1	Community Logo	39
4.3.2	Conditions for the use of the code number and place of origin	39
4.3.3	Specific labelling requirements for feed.	39
4.3.4	Indications on processed feed	39
4.3.5	Conditions for the use of indications on processed feed	40
4.3.6	Other specific labelling requirements	40
5.	<b>CONTROLS</b>	41
5.1	Control System	41
5.2	Adherence To The Control System	41
5.3	Documentary Evidence	41

**BIOAGRICERT srl**

---

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

---

5.4	Measures In Case Of Infringements And Irregularities	41
5.5	Minimum Control Requirements	42
5.5.1	Control arrangements and undertaking by the operator	42
5.5.2	Modification of control arrangements	43
5.5.3	Control visits and analysis	43
5.5.4	Documentary accounts	45
5.5.5	Access to facilities	45
5.5.6	Documentary evidence	45
5.5.7	Vendor declaration	45
5.6	Specific Control Requirements For Plants And Plant Products From Farm Production Or Collection	46
5.6.1	Control arrangements	46
5.6.2	Communications	46
5.6.3	Plant production records	46
5.6.4	Several production units run by the same operator	46
5.7	Control Requirements For Livestock And Livestock Products Produced by Animal Husbandry	47
5.7.1	Control arrangements	47
5.7.2	Identification of livestock	47
5.7.3	Livestock records	47
5.7.4	Control measures on veterinary medicinal products for livestock	48
5.7.5	Specific control measures on beekeeping.	48
5.7.6	Several production units run by the same operator	48
5.8	Control Requirements For Units For Preparation Of Plant And Livestock Products And Foodstuffs Composed Of Plant And Livestock Products	49
5.8.1	Control arrangements	49
5.9	Control Requirements For Units Preparing Feed	49
5.9.1	Scope	49
5.9.2	Control arrangements	49
5.9.3	Documentary accounts	50
5.9.4	Control visits	50
5.10	Control Requirements For Units Involved In The Production, Preparation Or Import Of Organic Products And Which Have Contracted Out To Third Parties In Part Or In Total The Actual Operations Concerned	50
5.10.1	Control arrangements	50
5.11	Infringements And Exchange Of Information Measures In Case Of Suspicion Of Infringements And Irregularities	50
5.11.1	Exchange of information between control authorities, control bodies and competent authorities	51
5.11.2	Exchange of information between Member States and the Commission about irregularities detected on organic products marketed in a Member State and coming from third countries	51
6.	TRANSITIONAL AND FINAL PROVISIONS	52
6.1	Transitional Measures	52

<b>ANNEXES</b>		
<b>ANNEX I</b>	<b>Fertilisers and soil conditioners</b>	<b>54</b>
<b>ANNEX II</b>	<b>Pesticides — plant protection products</b>	<b>55</b>
<b>ANNEX III</b>	<b>Minimum surface areas indoors and outdoors and other characteristics of housing</b>	<b>57</b>
<b>ANNEX IV</b>	<b>Maximum number of animals per hectare</b>	<b>58</b>
<b>ANNEX V</b>	<b>Feed materials</b>	<b>59</b>
<b>ANNEX VI</b>	<b>Feed additives and certain substances used as in animal nutrition</b>	<b>60</b>
<b>ANNEX VII</b>	<b>Products for cleaning and disinfection</b>	<b>63</b>
<b>ANNEX VIII</b>	<b>Certain products and substances for use in production of processed organic food</b>	<b>64</b>
<b>ANNEX IX</b>	<b>Ingredients of agricultural origin which have not been produced organically</b>	<b>68</b>
<b>ANNEX X</b>	<b>Model of documentary evidence to the operator according to Article 29(1) of Regulation (EC) No 834/2007 referred to in Article 68(1) of this Regulation</b>	<b>69</b>

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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## 1. AIM, SCOPE AND DEFINITIONS

### 1.1 Aim and scope

- 1) This Standard provides the basis for the sustainable development of organic production while ensuring the effective functioning of the internal market, guaranteeing fair competition, ensuring consumer confidence and protecting consumer interests. It establishes common objectives and principles to underpin the rules set out under this standard concerning:
  - all stages of production, preparation and distribution of organic products and their control;
  - the use of indications referring to organic production in labelling and advertising.
  
- 2) This Standard shall apply to the following products originating from agriculture, including aquaculture, where such products are placed on the market or are intended to be placed on the market:
  - live or unprocessed agricultural products;
  - processed agricultural products for use as food;
  - feed;
  - vegetative propagating material and seeds for cultivation.

The products of hunting and fishing of wild animals shall not be considered as organic production.

This Standard shall also apply to yeasts used as food or feed.

This Standard shall apply to any operator involved in activities, at any stage of production, preparation and distribution, relating to the products set out previously.

However, mass catering operations shall not be subject to this Standard.

This Standard shall apply without prejudice to other community provisions or national provisions, in conformity with Community law concerning products specified, such as provisions governing the production, preparation, marketing, labelling and control, including legislation on foodstuffs and animal nutrition.

### 1.2 Introductory Provisions

**Subject matter and scope:** This Standard lays down specific rules on organic production, labelling and control in respect of products referred to in §1.1(2) of this Standard.

This Standard shall not apply to the following products:

- products originating from aquaculture
- Livestock species other than those referred to in §3.4.1 of this Standard.

However, the standard shall apply *mutatis mutandis* to such products until detailed production rules for those products are laid down on the basis of Regulation(EC) No 834/2007.

### 1.3 Definitions

For the purposes of this Standard, the following definitions shall apply:

- **‘organic production’** means the use of the production method compliant with the rules established in this Standard, at all stages of production, preparation and distribution;
- **‘stages of production, preparation and distribution’** means any stage from and including the primary production of an organic product up to and including its storage, processing, transport, sale or supply to the final consumer, and where relevant labelling, advertising, import, export and subcontracting activities;
- **‘organic’** means coming from or related to organic production;
- **‘operator’** means the natural or legal persons responsible for ensuring that the requirements of this Standard are met within the organic business under their control;
- **‘plant production’** means production of agricultural crop products including harvesting of wild plant products for commercial purposes;
- **‘livestock production’** means the production of domestic or domesticated terrestrial animals (including insects);
- **‘aquaculture’**: the rearing or cultivation of aquatic organisms using techniques designed to increase the production of the organisms in question beyond the natural capacity of the environment
- **‘conversion’** means the transition from non organic to organic farming within a given period of time, during which the provisions concerning the organic production have been applied;
- **‘preparation’** means the operations of preserving and/ or processing of organic products, including slaughter and cutting for livestock products, and also packaging, labelling and/ or alterations made to the labelling concerning the organic production method;
- **‘food’** (or ‘foodstuff’) means any substance or product, whether processed, partially processed or unprocessed, intended to be, or reasonably expected to be ingested by humans; ‘feed’ (or ‘feedingstuff’) means any substance or product, including additives, whether processed, partially processed or unprocessed, intended to be used for oral feeding to animals; ‘placing on the market’ means the holding of food or feed for the purpose of sale, including offering for sale or any other form of transfer, whether free of charge or not, and the sale, distribution, and other forms of transfer themselves
- **‘labelling’** means any terms, words, particulars, trade marks, brand name, pictorial matter or symbol relating to and placed on any packaging, document, notice, label, board, ring or collar accompanying or referring to a product;
- **‘pre-packaged foodstuff’** shall mean any single item for presentation as such to the ultimate consumer and to mass caterers, consisting of a foodstuff and the packaging into which it was put before being offered for sale, whether such packaging encloses the foodstuff completely or only partially, but in any case in such a way that the contents cannot be altered without opening or changing the packaging;
- **‘advertising’** means any representation to the public, by any means other than a label, that is intended or is likely to influence and shape attitude, beliefs and behaviours in order to promote directly or indirectly the sale of organic products;

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BIOAGRICERT srl

DATE: 09/07/2009 V1.1 20/12/2012 **RV 4 20/02/2018**

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- **‘competent authority’** means the central authority of a Member State competent for the organisation of official controls in the field of organic production in accordance with the provisions set out under this Standard, or any other authority on which that competence has been conferred to; it shall also include, where appropriate, the corresponding authority of a third country;
- **‘control authority’** means a public administrative organisation of a Member State to which the competent authority has conferred, in whole or in part, its competence for the inspection and certification in the field of organic production in accordance with the provisions set out under this Standard; it shall also include, where appropriate, the corresponding authority of a third country or the corresponding authority operating in a third country;
- **‘control body’ (CB)** means an independent private third party carrying out inspection and certification in the field of organic production in accordance with the provisions set out under this Standard; it shall also include, where appropriate, the corresponding body of a third country or the corresponding body operating in a third country;
- **‘mark of conformity’** means the assertion of conformity to a particular set of standards or other normative documents in the form of a mark;
- **‘Ingredient’** shall mean any substance, including additives, used in the manufacture or preparation of a foodstuff and still present in the finished product, even if in altered form
- **"plant protection products"**: substances and preparations intended to protect plants or plant products against all harmful organisms or prevent the action of such organisms; destroy undesired plants; or destroy parts of plants, check or prevent undesired growth of plants.
- **"genetically modified organism (GMO)"** means an organism, with the exception of human beings, in which the genetic material has been altered in a way that does not occur naturally by mating and/or natural recombination
- **‘produced from GMOs’** means derived in whole or in part from GMOs but not containing or consisting of GMOs;
- **‘produced by GMOs’** means derived by using a GMO as the last living organism in the production process, but not containing or consisting of GMOs nor produced from GMOs;
- **‘feed additives’** means substances, micro-organisms or preparations, other than feed material and premixtures, which are intentionally added to feed or water in order to: favourably affect the characteristics of feed, favourably affect the characteristics of animal products, favourably affect the colour of ornamental fish and birds, satisfy the nutritional needs of animals, favourably affect the environmental consequences of animal production, favourably affect animal production, performance or welfare, particularly by affecting the gastro-intestinal flora or digestibility of feedingstuffs, or have a coccidiostatic or histomonostatic effect.
- **‘equivalent’**, in describing different systems or measures, means that they are capable of meeting the same objectives and principles by applying rules which ensure the same level of assurance of conformity;
- **‘processing aid’** means any substance not consumed as a food ingredient by itself, intentionally used in the processing of raw materials, foods or their ingredients, to fulfil a certain technological purpose during treatment or processing and which may result in the unintentional but technically unavoidable presence of residues of the substance or its derivatives in the final product, provided that these residues do not present any health risk and do not have any technological effect on the finished product;

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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- **"Ionizing radiations"** are those radiations that are energetic enough to detach electrons from atoms or molecules, ionizing them;
- **mass catering operations'** means the preparation of organic products in restaurants, hospitals, canteens and other similar food business at the point of sale or delivery to the final consumer.
- **'non-organic'**: means not coming from or not related to a production in accordance to Regulation (EC) No 834/2007 and this Standard;
- **"veterinary medicinal product"**: any substance or combination of substances which may be administered to animals -intended to become food product- with a view to making a medical diagnosis or to restoring, correcting or modifying physiological functions in animals is likewise considered a veterinary medicinal product.
- **'importer'**: means the natural or legal person within the community who presents a consignment for release for free circulation into the Community, either in person, or through a representative;
- **'first consignee'** means the natural or legal person to whom the imported consignment is delivered and who will receive it for further preparation and/or marketing;
- **'holding'** means all the production units operated under a single management for the purpose of producing agricultural products;
- **'production unit'** meaning all assets to be used for a production sector such as production premises, land parcels, pasturages, open air areas, livestock buildings, the premises for the storage of crops, crop products, livestock products, raw materials and any other input relevant for this specific production sector;
- **'hydroponic production'** means the method of growing plants with their roots in a mineral nutrient solution only or in an inert medium, such as perlite, gravel or mineral wool to which a nutrient solution is added;
- **'veterinary treatment'** means all courses of a curative or preventive treatment against one occurrence of a specific disease;
- **'in-conversion feedingstuffs'** means feedingstuffs produced during the conversion period to organic production, with the exclusion of those harvested in the 12 months following the beginning of the conversion as referred to in §3.5 of this Standard;
- **"control file"** means all the information and documents transmitted, for the purposes of the control system, to the competent authorities of the Member State or to control authorities and control bodies by an operator subject to the control system as referred to in 5.2 of this standard, including all the relevant information and documents relating to that operator or the activities of that operator held by competent authorities, control authorities and control bodies, with the exception of information or documents that have no bearing on the operation of the control system.

## 2. OBJECTIVES AND PRINCIPLES FOR ORGANIC PRODUCTION

### 2.1 Organic production shall pursue the following general objectives:

- a. Establish a sustainable management system for agriculture that:
  - ✓ respects nature's systems and cycles and sustains and enhances the health of soil, water, plants and animals and the balance between them;
  - ✓ contributes to a high level of biological diversity;

**BIOAGRICERT srl**

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**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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- ✓ makes responsible use of energy and the natural resources, such as water, soil, organic matter and air;
  - ✓ respects high animal welfare standards and in particular meets animals' species-specific behavioural needs;
- b. aim at producing products of high quality;
- c. aim at producing a wide variety of foods and other agricultural products that respond to consumers' demand for goods produced by the use of processes that do not harm the environment, human health, plant health or animal health and welfare.

## **2.2 Organic production principles:**

- a. the appropriate design and management of biological processes based on ecological systems using natural resources which are internal to the system by methods that:
- ✓ use living organisms and mechanical production methods;
  - ✓ practice land-related crop cultivation and livestock production or practice aquaculture which complies with the principle of sustainable exploitation of fisheries;
  - ✓ exclude the use of GMOs and products produced from or by GMOs with the exception of veterinary medicinal products;
  - ✓ are based on risk assessment, and the use of precautionary and preventive measures, when appropriate;
- b. the restriction of the use of external inputs. Where external inputs are required or the appropriate management practices and methods referred to in paragraph (a) do not exist, these shall be limited to:
- ✓ inputs from organic production;
  - ✓ natural or naturally-derived substances;
  - ✓ low solubility mineral fertilisers;
- c. the strict limitation of the use of chemically synthesised inputs to exceptional cases these being:
- ✓ where the appropriate management practices do not exist; and
  - ✓ the external inputs referred to in paragraph (b) are not available on the market; or
  - ✓ where the use of external inputs referred to in paragraph (b) contributes to unacceptable environmental impacts;
- d. the adaptation, where necessary, and within the framework of this Standard, of the rules of organic production taking account of sanitary status, regional differences in climate and local conditions, stages of development and specific husbandry practices.

## **2.3 Organic farming specific principles in addition to the overall principles**

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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- the maintenance and enhancement of soil life and natural soil fertility, soil stability and soil biodiversity preventing and combating soil compaction and soil erosion, and the nourishing of plants primarily through the soil ecosystem;
- the minimisation of the use of non-renewable resources and off-farm inputs;
- the recycling of wastes and by-products of plant and animal origin as input in plant and livestock production;
- taking account of the local or regional ecological balance when taking production decisions;
- the maintenance of animal health by encouraging the natural immunological defence of the animal, as well as the selection of appropriate breeds and husbandry practices;
- the maintenance of plant health by preventative measures, such as the choice of appropriate species and varieties resistant to pests and diseases, appropriate crop rotations, mechanical and physical methods and the protection of natural enemies of pests;
- the practice of site-adapted and land-related livestock production;
- the observance of a high level of animal welfare respecting species-specific needs;
- the production of products of organic livestock from animals that have been raised on organic holdings since birth or hatching and throughout their life;
- the choice of breeds having regard to the capacity of animals to adapt to local conditions, their vitality and their resistance to disease or health problems;
- the feeding of livestock with organic feed composed of agricultural ingredients from organic farming and of natural non-agricultural substances;
- the application of animal husbandry practices, which enhance the immune system and strengthen the natural defence against diseases, in particular including regular exercise and access to open air areas and pastureland where appropriate;
- the exclusion of rearing artificially induced polyploid animals;
- the maintenance of the biodiversity of natural aquatic ecosystems, the continuing health of the aquatic environment and the quality of surrounding aquatic and terrestrial ecosystems in aquaculture production;
- the feeding of aquatic organisms with feed from sustainable exploitation of fisheries or with organic feed composed of agricultural ingredients from organic farming and of natural non-agricultural substances.

#### **2.4 Specific principles applicable to processing of organic food.**

In addition to the overall principles set out in §2.2 of this Standard, the production of processed organic food shall be based on the following specific principles:

- a. the production of organic food from organic agricultural ingredients, except where an ingredient is not available on the market in organic form;
- b. the restriction of the use of food additives, of non organic ingredients with mainly technological and sensory functions and of micronutrients and processing aids, so that they are used to a minimum extent and only in case of essential technological need or for particular nutritional purposes;

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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- c. the exclusion of substances and processing methods that might be misleading regarding the true nature of the product;
- d. the processing of food with care, preferably with the use of biological, mechanical and physical methods.

## **2.5 Specific principles applicable to processing of organic feed.**

In addition to the overall principles set out in §2.2 of this Standard, the production of processed organic feed shall be based on the following specific principles:

- a. the production of organic feed from organic feed materials, except where a feed material is not available on the market in organic form;
- b. the restriction of the use of feed additives and processing aids to a minimum extent and only in case of essential technological or zootechnical needs or for particular
- c. the exclusion of substances and processing methods that might be misleading as to the true nature of the product;
- d. the processing of feed with care, preferably with the use of biological, mechanical and physical methods.

## **3. PRODUCTIONS RULES**

### **3.1 General Production Rules**

General requirements: operators shall comply with the following production rules.

### **3.2 Prohibition On The Use Of GMOs**

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

2. For the purpose of the prohibition referred to in point 1 concerning GMOs or products produced from GMOs for food and feed, operators may rely on the producers and supplier declaration, in addition of the labels accompanying a product or any other accompanying document as declarations of the supplier or an alternative to analysis.

3. For the purpose of the prohibition referred to in point 1, with regard to products not being food or feed, or products produced by GMOs, operators using such non-organic products purchased from third parties shall require the vendor to confirm that the products supplied have not been produced from or by GMOs.

Prohibition on the use of ionising radiation. The use of ionising radiation for the treatment of organic food or feed, or of raw materials used in organic food or feed is prohibited.

### **3.3 Farm Production**

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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### **3.3.1 General farm production rules**

The entire agricultural holding shall be managed in compliance with the requirements applicable to organic production.

However, a holding may be split up into clearly separated units or aquaculture production sites which are not all managed under organic production. As regards animals, different species shall be involved. As regards aquaculture the same species may be involved, provided that there is adequate separation between the production sites. As regards plants, different varieties that can be easily differentiated shall be involved. Where, in accordance with the second subparagraph, not all units of a holding are used for organic production, the operator shall keep the land, animals, and products used for, or produced by, the organic units separate from those used for, or produced by, the non-organic units and keep adequate records to show the separation.

### **3.3.2 Plant production rules**

In addition to the general farm production rules, the following rules shall apply to organic plant production:

1. organic plant production shall use tillage and cultivation practices that maintain or increase soil organic matter, enhance soil stability and soil biodiversity, and prevent soil compaction and soil erosion;
2. the fertility and biological activity of the soil shall be maintained and increased by multiannual crop rotation including legumes and other green manure crops, and by the application of livestock manure or organic material, both preferably composted, from organic production;
3. The use of biodynamic preparations is allowed;
4. in addition, fertilisers and soil conditioners may only be used if they have been authorised for use in organic production;
5. mineral nitrogen fertilisers shall not be used;

### **3.3.3 Soil management and fertilisation**

1. Where the nutritional needs of plants cannot be met by measures provided for in §3.3.2 of this Standard, only fertilisers and soil conditioners referred to in Annex I to this Standard may be used in organic production and only to the extent necessary. Operators shall keep documentary evidence of the need to use the product.
2. The total amount of livestock manure, applied on the holding may not exceed 170 kg of nitrogen per year/hectare of agricultural area used. This limit shall only apply to the use of farmyard manure, dried farmyard manure and dehydrated poultry manure, composted animal excrements, including poultry manure, composted farmyard manure and liquid animal excrements.
3. Organic-production holdings may establish written cooperation agreements exclusively with other holdings and enterprises which comply with the organic production rules, with the intention of spreading surplus manure from organic production. The maximum limit as referred to in paragraph 2, shall be calculated on the basis of all of the organic-production units involved in such cooperation.

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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4. Appropriate preparations of micro-organisms may be used to improve the overall condition of the soil or the availability of nutrients in the soil or in the crops.
5. For compost activation appropriate plant-based preparations or preparations of micro-organisms may be used.

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

The prevention of damage caused by pests, diseases and weeds shall rely primarily on the protection by natural enemies, the choice of species and varieties, crop rotation, cultivation techniques and thermal processes;

In the case of an established threat to a crop, plant protection products may only be used if they have been authorised for use in organic production.

#### **3.3.4 Pest, disease and weed management**

1. Where plants cannot be adequately protected from pests and diseases by measures provided for in §3.3.2 and §3.3.3 of this Standard, only products referred to in Annex II may be used in organic production. Operators shall keep documentary evidence of the need to use the product.
2. For products used in traps and dispensers, except pheromone dispensers, the traps and/or dispensers, shall prevent the substances from being released into the environment and prevent contact between the substances and the crops being cultivated. The traps shall be collected after use and disposed off safely.
3. For the production of products other than seed and vegetative propagating material only organically produced seed and propagating material shall be used. To this end, the mother plant in the case of seeds and the parent plant in the case of vegetative propagating material shall have been produced in accordance with the rules laid down in this Standard for at least one generation, or, in the case of perennial crops, two growing seasons;
4. Products for cleaning and disinfection in plant production shall be used only if they have been authorised for use in organic production.
5. The collection of wild plants and parts thereof, growing naturally in natural areas, forests and agricultural areas is considered an organic production method provided that:
6. Those areas have not, for a period of at least three years before the collection, received treatment with products other than those authorised for use in organic production.
7. The collection does not affect the stability of the natural habitat or the maintenance of the species in the collection area.
8. Prohibition of hydroponic production: Hydroponic production is prohibited.

#### **3.3.5 Production rules for seaweed**

The collection of wild seaweeds and parts thereof, growing naturally in the sea, is considered as an organic production method provided that:

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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Activities are performed in areas which are not exposed to the contamination of substances or products that are not allowed in organic production and are not exposed to contaminating elements which would compromise the organic status of the products.

the collection does not affect the long term stability of the natural habitat or the maintenance of the species in the collection area.

The farming of seaweeds shall take place in coastal areas with environmental and health characteristics at least equivalent to those outlined in this paragraph in order to be considered organic. In addition to this:

- sustainable practices shall be used in all stages of production, from collection of juvenile seaweed to harvesting;
- to ensure that a wide gene-pool is maintained, the collection of juvenile seaweed in the wild should take place on a regular basis to supplement indoor culture stock;
- fertilisers shall not be used except in indoor facilities and only if they have been authorised for use in organic production for this purpose

### **3.3.6 Specific rules on mushroom production**

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

- ✓ farmyard manure and animal excrements:
  - either from holdings producing according to the organic production method;
  - or referred to in Annex I, only when the product referred to in point (i) is not available; and when they do not exceed 25 % of the weight of total components of the substrate, excluding the covering material and any added water, before composting;
- ✓ products of agricultural origin, other than those referred to in the previous point, from holdings producing according to organic production method;
- ✓ peat not chemically treated;
- ✓ wood, not treated with chemical products after felling;
- ✓ mineral products referred to in Annex I of Regulation (EC) No 889/2008, water and soil.

## **3.4 Livestock Production**

### **3.4.1 Livestock production rules**

**Note for all arguments marked with (\*)** : this arguments lays down specific rules for the following species: bovine including bubalus and bison, equidae, porcine, ovine, caprine, poultry (species as mentioned in Annex III) and bees.

The following rules shall apply to livestock production:

### **3.4.2 With regard to the origin of the animals:**

- organic livestock shall be born and raised on organic holdings;

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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- for breeding purposes, non-organically raised animals may be brought on to a holding under specific conditions. Such animals and their products may be deemed organic after compliance with the conversion period referred to §3.5 of this Standard;
- animals existing on the holding at the beginning of the conversion period and their products may be deemed organic after compliance with the conversion period referred to §3.5 of this Standard;

- **Origin of organic animals (\*)**

In the choice of breeds or strains, account shall be taken of the capacity of animals to adapt to local conditions, their vitality and their resistance to disease. In addition, breeds or strains of animals shall be selected to avoid specific diseases or health problems associated with some breeds or strains used in intensive production, such as porcine stress syndrome, PSE Syndrome (pale-soft-exudative), sudden death, spontaneous abortion and difficult births requiring caesarean operations. Preference is to be given to indigenous breeds and strains.

For bees, preference shall be given to the use of *Apis mellifera* and their local ecotypes.

- **Origin of non-organic animals (\*)**

In accordance with Article 14(1)(a)(ii) of Regulation (EC) No 834/2007, non-organic animals may be brought into a holding for breeding purposes, only when organic animals are not available in sufficient number and subject to the conditions provided for in this paragraphs.

Non-organic young mammals, when a herd or flock is constituted for the first time, shall be reared in accordance with the organic production rules immediately after they are weaned. Moreover, the following restrictions shall apply at the date on which the animals enter the herd:

- buffalo, calves and foals shall be less than six months old;
- lambs and kids shall be less than 60 days old;
- piglets shall weigh less than 35 kg.

To renew the heritage, non organic adult male mammals and female nulliparous are bred according to organic productions norms. Such animals and their products may be deemed organic after compliance with the conversion period referred in Article 38(1) of Regulation (EC) No 834/2007.

When an operator can demonstrate to the satisfaction of the official or officially recognized inspection/certification body that livestock satisfying the requirements indicated in the previous paragraph are not available, the official or officially recognized inspection/certification body may allow livestock not raised under circumstances such as:

- a. for considerable expansion of the farm, when a breed is changed or when new livestock specialization is developed;
- b. for the renewal of a herd, e.g., high mortality of animals caused by catastrophic circumstances;
- c. males for breeding.
- d. when a breed is changed;
- e. when a new livestock specialisation is initiated;

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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- f. when breeds are in danger of being lost to farming as laid down in Annex IV to Commission Regulation (EC) No 1974/2006 (OJ L 368, 23.12.2006, p. 15.) and in that case animals of those breeds must not necessarily be nulliparous.

The competent authority may set the specific conditions under which livestock from non-organic sources may be allowed or not allowed, taking into account that animals be brought in as young as possible as soon as they are weaned.

For the renovation of apiaries, queen bees and swarms can be replaced with non organic queen bees and swarms only if queen bees and swarms are placed in hives and combs or comb foundations coming from organic production and bred according this system for a conversion period of 1 year.

Bee colonies can be converted to organic production. Introduced bees should come from organic production units when available.

### **3.4.3 With regard to husbandry practices and housing conditions:**

- personnel keeping animals shall possess the necessary basic knowledge and skills as regards the health and the welfare needs of the animals;
- husbandry practices, including stocking densities, and housing conditions shall ensure that the developmental, physiological and ethological needs of animals are met;
- the livestock shall have permanent access to open air areas, preferably pasture, whenever weather conditions and the state of the ground allow this unless restrictions and obligations related to the protection of human and animal health are imposed on the basis of Community legislation;
- the number of livestock shall be limited with a view to minimising overgrazing, poaching of soil, erosion, or pollution caused by animals or by the spreading of their manure
- organic livestock shall be kept separate from other livestock. However, grazing of common land by organic animals and of organic land by non-organic animals is permitted under certain restrictive conditions;
- tethering or isolation of livestock shall be prohibited, unless for individual animals for a limited period of time, and in so far as this is justified for safety, welfare or veterinary reasons;
- duration of transport of livestock shall be minimised;
- any suffering, including mutilation, shall be kept to a minimum during the entire life of the animal, including at the time of slaughter;
- apiaries shall be placed in areas which ensure nectar and pollen sources consisting essentially of organically produced crops or, as appropriate, of spontaneous vegetation or non-organically managed forests or crops that are only treated with low environmental impact methods. Apiaries shall be kept at sufficient distance from sources that may lead to the contamination of beekeeping products or to the poor health of the bees;
- hives and materials used in beekeeping shall be mainly made of natural materials;
- the destruction of bees in the combs as a method associated with the harvesting of beekeeping products is prohibited;

### **3.4.4 With regard to breeding:**

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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- reproduction shall use natural methods. Artificial insemination is however allowed;
- reproduction shall not be induced by treatment with hormones or similar substances, unless as a form of veterinary therapeutic treatment in case of an individual animal;
- other forms of artificial reproduction, such as cloning and embryo transfer, shall not be used;
- appropriate breeds shall be chosen. The choice of breeds shall also contribute to the prevention of any suffering and to avoiding the need for the mutilation of animals;

#### **3.4.5 Rules pertaining to housing conditions (\*)**

Insulation, heating and ventilation of the building shall ensure that air circulation, dust level, temperature, relative air humidity and gas concentration, are kept within limits which are not harmful to the animals. The building shall permit plentiful natural ventilation and light to enter.

Housing for livestock shall not be mandatory in areas with appropriate climatic conditions to enable animals to live outdoors.

The stocking density in buildings shall provide for the comfort, the well being and the species-specific needs of the animals which, in particular, shall depend on the species, the breed and the age of the animals. It shall also take account of the behavioural needs of the animals, which depend in particular on the size of the group and the animals' sex. The density shall ensure the animals' welfare by providing them with sufficient space to stand naturally, lie down easily, turn round, groom themselves, assume all natural postures and make all natural movements such as stretching and wing flapping.

The minimum surface for indoor and outdoor areas, and other characteristics of housing for different species and categories of animals, are laid down in the Annex III.

#### **3.4.6 Specific housing conditions and husbandry practices for mammals**

Livestock housing shall have smooth, but not slippery floors. At least half of the indoor surface area as specified in Annex III shall be solid, that is, not of slatted or of grid construction.

The housing shall be provided with a comfortable, clean and dry laying/rest area of sufficient size, consisting of a solid construction which is not slatted. Ample dry bedding strewn with litter material shall be provided in the rest area. The litter shall comprise straw or other suitable natural material. The litter may be improved and enriched with any mineral product listed in Annex I.

The housing of calves in individual boxes shall be forbidden after the age of one week.

Sows shall be kept in groups, except in the last stages of pregnancy and during the suckling period.

Piglets shall not be kept on flat decks or in piglet cages.

Exercise areas shall permit dunging and rooting by porcine animals. For the purposes of rooting different substrates can be used.

#### **3.4.7 Specific housing conditions and husbandry practices for poultry**

Poultry shall not be kept in cages.

Water fowl shall have access to a stream, pond, lake or a pool whenever the weather and hygienic conditions permit in order to respect their species-specific needs and animal welfare requirements.

Buildings for all poultry shall meet the following conditions:

- at least one third of the floor area shall be solid, that is, not of slatted or of grid construction, and covered with a litter material such as straw, wood shavings, sand or turf;
- in poultry houses for laying hens, a sufficiently large part of the floor area available to the hens shall be available for the collection of bird droppings;
- they shall have perches of a size and number commensurate with the size of the group and of the birds as laid down in Annex III.
- they shall have exit/entry pop-holes of a size adequate for the birds, and these pop-holes shall
- have a combined length of at least 4 m per 100 m<sup>2</sup> area of the house available to the birds;
- Each poultry house shall not contain more than:
  - 4800 chickens,
  - 3000 laying hens,
  - 5200 guinea fowl,
  - 4000 female Muscovy or Peking ducks or 3200 male Muscovy or Peking ducks or other ducks,
  - 2500 capons, geese or turkeys;
- the total usable area of poultry houses for meat production on any single unit, shall not exceed 1600 m<sup>2</sup>;
- poultry houses shall be constructed in a manner allowing all birds easy access to open air area.

Natural light may be supplemented by artificial means to provide a maximum of 16 hours light per day with a continuous nocturnal rest period without artificial light of at least eight hours.

To prevent the use of intensive rearing methods, poultry shall either be reared until they reach a minimum age or else shall come from slow-growing poultry strains. Where slow-growing poultry strains are not used by the operator the following minimum age at slaughter shall be:

- 81 days for chickens,
- 150 days for capons,
- 49 days for Peking ducks,
- 70 days for female Muscovy ducks,
- 84 days for male Muscovy ducks,
- 92 days for Mallard ducks,
- 94 days for guinea fowl,
- 140 days for male turkeys and roasting geese and
- 100 days for female turkeys.

### **3.4.8 Specific requirements and housing conditions in beekeeping**

The siting of apiaries shall be such that, within a radius of 3 km from the apiary site, nectar and pollen sources consist essentially of organically produced crops and/or spontaneous vegetation

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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and/or crops treated with low environmental impact methods that do not affect on the qualification of the bee production like organic production. The requirements explained above do not apply to those areas in a flowering stage or when hives are inactive.

The hives shall be made basically of natural materials presenting no risk of contamination to the environment or the apiculture products.

The bees wax for new foundations shall come from organic production units.

Without prejudice to § 3.4.23 of this standard, only natural products such as propolis, wax and plant oils can be used in the hives.

The use of chemical synthetic repellents is prohibited during honey extractions operations.

The use of brood combs is prohibited for honey extraction.

### **3.4.9 Access to open air areas (\*)**

Open air areas may be partially covered.

In accordance with § 3.4.1 herbivores shall have access to pasturage for grazing whenever conditions allow.

In cases where herbivores have access to pasturage during the grazing period and where the winter-housing system gives freedom of movement to the animals, the obligation to provide open air areas during the winter months may be waived.

Notwithstanding previous paragraph, bulls over one year old shall have access to pasturage or an open air area.

Poultry shall have access to an open air area for at least one third of their life.

Open air areas for poultry shall be mainly covered with vegetation and be provided with protective facilities and permit fowl to have easy access to adequate numbers of drinking and feeding troughs.

Where poultry are kept indoors due to restrictions or obligations imposed on the basis of Community legislation, they shall permanently have access to sufficient quantities of roughage and suitable material in order to meet their ethological needs.

### **3.4.10 Stocking density (\*)**

The total stocking density shall be such as not to exceed the limit of 170 kg of nitrogen per year and hectare of agricultural area as referred to in § 3.3.3 (2) of this Standard.

To determine the appropriate density of livestock referred to above, set out the livestock units equivalent to the above limit, taking as a guideline, the figures laid down in Annex IV.

### **3.4.11 Prohibition of landless livestock production (\*)**

Landless livestock production, by which the operator of the livestock does not manage agricultural land and/or has not established a written cooperation agreement with another operator according to § 3.3.3 (3) of this Standard, is prohibited.

#### **3.4.12 Simultaneous production of organic and non-organic livestock (\*)**

1. Non organic livestock may be present on the holding provided they are reared on units where the buildings and parcels are separated clearly from the units producing in accordance with the organic production rules and a different species is involved.
2. Non-organic livestock may use organic pasturage for a limited period of time each year, provided that such animals come from a farming system and that organic animals are not present at the same time on that pasture.
3. Organic animals may be grazed on common land, providing that:
  - the land has not been treated with products not authorised for organic production for at least three years;
  - any non-organic animals which use the land concerned are derived from a farming system equivalent
  - any livestock products from organic animals, whilst using this land, shall not be regarded as being from organic production, unless adequate segregation from non-organic animals can be proved.
4. During the period of transhumance animals may graze on non-organic land when they are being moved on foot from one grazing area to another. The uptake of non-organic feed, in the form of grass and other vegetation on which the animals graze, during this period shall not exceed 10 % of the total feed ration per year. This figure shall be calculated as a percentage of the dry matter of feedingstuffs from agricultural origin.
5. Operators shall keep documentary evidence of the use of provisions referred to in this paragraph.

#### **3.4.13 Management of animals (\*)**

Operations such as attaching elastic bands to the tails of sheep, tail-docking, cutting of teeth, trimming of beaks and dehorning shall not be carried out routinely in organic farming. However, some of these operations may be authorised by Bioagricert for reasons of safety or if they are intended to improve the health, welfare or hygiene of the livestock on a case-by-case basis. Any suffering to the animals shall be reduced to a minimum by applying adequate anaesthesia and/or analgesia and by carrying out the operation only at the most appropriate age by qualified personnel.

Physical castration is allowed in order to maintain the quality of products and traditional production practices but only under the conditions set out in the second subparagraph of the previous paragraph.

Mutilation such as clipping the wings of queen bees is prohibited.

Loading and unloading of animals shall be carried out without the use of any type of electrical stimulation to coerce the animals. The use of allopathic tranquillisers, prior to or during transport, is prohibited.

#### **3.4.14 With regard to feed:**

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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- a. primarily obtaining feed for livestock from the holding where the animals are kept or from other organic holdings in the same region;
- b. livestock shall be fed with organic feed that meets the animal`s nutritional requirements at the various stages of its development. A part of the ration may contain feed from holdings which are in conversion to organic farming;
- c. with the exception of bees, livestock shall have permanent access to pasture or roughage;
- d. non organic materials from plant origin, feed materials from animal and mineral origin, feed additives, certain products used in animal nutrition and processing aids shall be used only if they have been authorised for use in organic production;
- e. growth promoters and synthetic amino-acids shall not be used;
- f. suckling mammals shall be fed with natural, preferably maternal, milk;

#### **3.4.15 Feed from own holding or from other organic holdings**

In case of herbivores, except during the period each year when the animals are under transhumance subject to §3.5, at least 60 % of the feed shall come from the farm unit itself or in case this is not feasible, be produced in cooperation with other organic farms in the same region.

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

In the case of bees, at the end of the production season hives shall be left with sufficient reserves of honey and pollen to survive the winter. The feeding of bee colonies shall only be permitted where the survival of the hives is endangered due to climatic conditions. Feeding shall be with organic honey, organic sugar syrups, or organic sugar.

#### **3.4.16 Feed meeting animals' nutritional requirements (\*)**

All young mammals shall be fed on maternal milk in preference to natural milk, for a minimum period of three months for bovines including bubalus and bison species and equidae, 45 days for sheep and goats and 40 days for pigs.

Rearing systems for herbivores are to be based on maximum use of grazing pasturage according to the availability of pastures in the different periods of the year. At least 60 % of the dry matter in daily rations of herbivores shall consist of roughage, fresh or dried fodder, or silage. A reduction to 50% for animals in dairy production for a maximum period of three months in early lactation is allowed.

Roughage, fresh or dried fodder, or silage shall be added to the daily ration for pigs and poultry.

The keeping of livestock in conditions, or on a diet, which may encourage anaemia, is prohibited.

Fattening practices shall be reversible at any stage of the rearing process. Force-feeding is forbidden.

#### **3.4.17 In-conversion feed (\*)**

Up to 30 % of the feed formula of rations on average may comprise in-conversion feedingstuffs.

When the inconversion feedingstuffs come from a unit of the holding itself, this percentage may be increased to 60%.

The figures in the previous paragraph shall be calculated annually as a percentage of the dry matter of feedingstuffs of plant origin.

### **3.4.18 Use of certain products and substances in feed**

For the purposes of § 3.4.14 (d) only the following substances may be used in the processing of organic feed and feeding organic animals:

- a. non-organic feed materials of plant or animal origin, or other feed materials that are listed in Section 2 of Annex V, provided that:
  - they are produced or prepared without chemical solvents;
  - the restrictions laid down in Article 43 or Article 47(c) of the Regulation (EC) No 889/2008 are complied with
- b. non-organic spices, herbs, and molasses, provided that:
  - their organic form is not available;
  - they are produced or prepared without chemical solvents;
  - their use is limited to 1 % of the feed ration of a given species, calculated annually as a percentage of the dry matter of feed from agricultural origin;
- c. organic feed materials of animal origin;
- d. feed materials of mineral origin that are listed in Section 1 of Annex V;
- e. products from sustainable fisheries, provided that:
  - they are produced or prepared without chemical solvents;
  - their use is restricted to non-herbivores;
  - the use of fish protein hydrolysate is restricted solely to young animals;
- f. salt as sea salt, coarse rock salt;
- g. feed additives listed in Annex VI.

### **3.4.19 With regard to disease prevention and veterinary treatment:**

- a. Disease prevention shall be based on breed and strain selection, husbandry management practices, high quality feed and exercise, appropriate stocking density and adequate and appropriate housing maintained in hygienic conditions;
- b. disease shall be treated immediately to avoid suffering to the animal; chemically synthesised allopathic veterinary medicinal products including antibiotics may be used where necessary and

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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under strict conditions, when the use of phytotherapeutic, homeopathic and other products is inappropriate. In particular restrictions with respect to courses of treatment and withdrawal periods shall be defined;

- c. the use of immunological veterinary medicines is allowed;
- d. treatments related to the protection of human and animal health imposed on the basis of Community legislation shall be allowed.

The use of veterinary medicinal products in organic farming shall comply with the following principles:

- ✓ where specific disease or health problems occur, or may occur, and no alternative permitted treatment or management practice exists, or, in cases required by law, vaccination of livestock, the use of parasiticides, or therapeutic use of veterinary drugs are permitted;
- ✓ phytotherapeutic (excluding antibiotics), homeopathic or ayurvedic products and trace elements shall be used in preference to chemical allopathic veterinary drugs or antibiotics, provided that their therapeutic effect is effective for the species of animal and the condition for which the treatment is intended;
- ✓ if the use of the above products is unlikely to be effective in combating illness or injury, chemical allopathic veterinary drugs or antibiotics may be used under the responsibility of a veterinarian; withholding periods should be the double of that required by legislation with, in any case, a minimum of 48 hours;
- ✓ the use of chemical allopathic veterinary drugs or antibiotics for preventative treatments is prohibited.

#### **3.4.20 With regard to cleaning and disinfection**

The products for cleaning and disinfection in livestock buildings and installations, shall be used only if they have been authorised for use in organic production.(see ANNEX VII)

#### **3.4.21 Disease prevention**

- i. The use of chemically synthesised allopathic veterinary medicinal products or antibiotics for preventive treatment is prohibited.
- ii. The use of substances to promote growth or production (including antibiotics, coccidiostatics and other artificial aids for growth promotion purposes) and the use of hormones or similar substances to control reproduction or for other purposes (eg. induction or synchronisation of oestrus), is prohibited.
- iii. Where livestock is obtained from non-organic units, special measures such as screening tests or quarantine periods may apply, depending on local circumstances.
- iv. Housing, pens, equipment and utensils shall be properly cleaned and disinfected to prevent cross-infection and the build-up of disease carrying organisms. Faeces, urine and uneaten or spilt feed shall be removed as often as necessary to minimise smell and to avoid attracting insects or rodents.

For the purpose of §3.4.20, only products listed in Annex VII may be used for cleaning and disinfection of livestock buildings installations and utensils. Rodenticides (to be used only in



traps), and the products listed in Annex II, can be used for the elimination of insects and other pests in buildings and other installations where livestock is kept.

- v. Buildings shall be emptied of livestock between each batch of poultry reared. The buildings and fittings shall be cleaned and disinfected during this time. In addition, when the rearing of each batch of poultry has been completed, runs shall be left empty to allow vegetation to grow back. The operator shall keep documentary evidence of the application of this period. These requirements shall not apply where poultry is not reared in batches, is not kept in runs and is free to roam, throughout the day.

### **3.4.22 Veterinary treatment**

Where despite preventive measures to ensure animal health as laid down in § 3.4.19 animals become sick or injured they shall be treated immediately, if necessary in isolation and in suitable housing.

Phytotherapeutic and homeopathic products, trace elements and products listed in Section 1 of Annex V and in Section 3 of Annex VI shall be used in preference to chemically synthesised allopathic veterinary treatment or antibiotics, provided that their therapeutic effect is effective for the species of animal, and the condition for which the treatment is intended.

If the use of measures referred to in previous paragraph is not effective in combating illness or injury, and if treatment is essential to avoid suffering or distress of the animal, chemically-synthesised allopathic veterinary medicinal products or antibiotics may be used under the responsibility of a veterinarian.

With the exception of vaccinations, treatments for parasites and compulsory eradication schemes where an animal or group of animals receive more than three courses of treatments with chemically-synthesised allopathic veterinary medicinal products or antibiotics within 12 months, or more than one course of treatment if their productive lifecycle is less than one year, the livestock concerned, or produce derived from them, may not be sold as organic products, and the livestock shall undergo the conversion periods laid down in §3.5.1 (B).

Records of documented evidence of the occurrence of such circumstances shall be kept for Bioagricert.

The withdrawal period between the last administration of an allopathic veterinary medicinal product to an animal under normal conditions of use, and the production of organically produced foodstuffs from such animals, is to be twice the legal withdrawal period or, in a case in which this period is not specified, 48 hours.

### **3.4.23 Specific rules on disease prevention and veterinary treatment in beekeeping \***

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BIOAGRICERT srl

DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018

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1. For the purposes of protecting frames, hives and combs, in particular from pests, only rodenticides (to be used only in traps), and appropriate products listed in Annex II are permitted.
2. Physical treatments for disinfection of apiaries such as steam or direct flame are permitted.
3. The practice of destroying the male brood is permitted only to isolate the infestation of Varroa destructor.
4. If despite all preventive measures, the colonies become sick or infested, they shall be treated immediately and, if necessary, the colonies can be placed in isolation apiaries.
5. Veterinary medicinal products may be used in organic beekeeping in so far as the corresponding use is authorised in the State in accordance with the national provisions.
6. Formic acid, lactic acid, acetic acid and oxalic acid as well as menthol, thymol, eucalyptol or camphor may be used in cases of infestation with Varroa destructor.
7. If a treatment is applied with chemically synthesised allopathic products, during such a period, the colonies treated shall be placed in isolation apiaries and all the wax shall be replaced with wax coming from organic beekeeping. Subsequently, the conversion period of one year laid down in §3.5.1(B) will apply to those colonies.
8. The requirements laid down in paragraph 7 shall not apply to products listed in paragraph 6.

#### **3.4.24 Production rules for aquaculture animals**

In addition to the general farm production rules, the following rules shall apply to aquaculture animal production:

- b) with regard to the origin of the aquaculture animals:
  - organic aquaculture shall be based on the rearing of young stock originating from organic broodstock and organic holdings;
  - when young stock from organic broodstock or holdings are not available, non-organically produced animals may be brought on to a holding under specific conditions;
- c) with regard to husbandry practices:
  - personnel keeping animals shall possess the necessary basic knowledge and skills as regards the health and the welfare needs of the animals;
  - husbandry practices, including feeding, design of installations, stocking densities and water quality shall ensure that the developmental, physiological and behavioural needs of animals are met;
  - husbandry practices shall minimise negative environmental impact from the holding, including the escape of farmed stock;
  - organic animals shall be kept separate from other aquaculture animals;
  - transport shall ensure that the welfare of animals is maintained;
  - any suffering of the animals including the time of slaughtering shall be kept to a minimum;
- d) with regard to breeding:
  - artificial induction of polyploidy, artificial hybridisation, cloning and production of monosex strains, except by hand sorting, shall not be used;
  - the appropriate strains shall be chosen;
  - species-specific conditions for broodstock management, breeding and juvenile production shall be established;

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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- e) with regard to feed for fish and crustaceans:
- animals shall be fed with feed that meets the animal's nutritional requirements at the various stages of its development;
  - the plant fraction of feed shall originate from organic production and the feed fraction derived from aquatic animals shall originate from sustainable exploitation of fisheries;
  - in the case of non-organic feed materials from plant origin, feed materials from animal and mineral origin, feed additives, certain products used in animal nutrition and processing aids shall be used only if they have been authorised for use in organic production;
  - growth promoters and synthetic amino-acids shall not be used;
- f) with regard to bivalve molluscs and other species which are not fed by man but feed on natural plankton:
- such filter-feeding animals shall receive all their nutritional requirements from nature except in the case of juveniles reared in hatcheries and nurseries;
  - they shall be grown in waters which meet the criteria for Class A or Class B areas as defined in Annex II of Regulation (EC) No 854/2004;
  - the growing areas shall be of high ecological quality as defined by Directive 2000/60/EC and, pending its implementation of a quality equivalent to designated waters under Directive 2006/113/EC;
- g) with regard to disease prevention and veterinary treatment:
- disease prevention shall be based on keeping the animals in optimal conditions by appropriate siting, optimal design of the holdings, the application of good husbandry and management practices, including regular cleaning and disinfection of premises, high quality feed, appropriate stocking density, and breed and strain selection;
  - disease shall be treated immediately to avoid suffering to the animal; chemically synthesised allopathic veterinary medicinal products including antibiotics may be used where necessary and under strict conditions, when the use of phytotherapeutic, homeopathic and other products is inappropriate. In particular restrictions with respect to courses of treatment and withdrawal periods shall be defined;
  - the use of immunological veterinary medicines is allowed;
  - treatments related to the protection of human and animal health imposed on the basis of Community legislation shall be allowed.
- h) With regard to cleaning and disinfection, products for cleaning and disinfection in ponds, cages, buildings and installations, shall be used only if they have been authorised for use in organic production.

### 3.5 Conversion

The following rules shall apply to a farm on which organic production is started:

- a) The conversion period shall start at the earliest when the operator has notified his activity to Bioagricert, recognised and subjected his holding to the control system in accordance with §5.2(1) and Codex GL 32 annex 3;
- b) during the conversion period all rules established by this Standard shall apply;
- c) conversion periods specific to the type of crop or animal production shall be defined;

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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- d) on a holding or unit partly under organic production and partly in conversion to organic production, the operator shall keep the organically produced and in-conversion products separate and the animals separate or readily separable and keep adequate records to show the separation;
- e) in order to determine the conversion period referred to above, a period immediately preceding the date of the start of the conversion period, may be taken into account, in so far as certain conditions concur;
- f) animals and animal products produced during the conversion period referred to in subparagraph (c) shall not be marketed with the indications referred to in §4 and §4.2 of this Standard used in the labelling and advertising of products.

### **3.5.1 Conversion Rules**

#### ***A) Plant and plant products***

For plants and plant products to be considered organic, the production rules as referred to in §3.2, §3.3, §3.3.1 and §1 of this Standard and where applicable the exceptional production rules in §6 of this Standard must have been applied on the parcels during a conversion period of at least two years before sowing, or, in the case of grassland or perennial forage, at least two years before its use as feed from organic farming, or, in the case of perennial crops other than forage, at least three years before the first harvest of organic products.

In accordance with Codex GL 32 Annex 1 -A point 1, Bioagricert may decide to recognize retroactively - as part of the conversion period - previous periods during which:

- Land parcels were subject of cultivation techniques which guarantee that substances which are prohibited in organic production have not been used on such land parcels
- Land parcels were natural or agricultural areas which were not treated with products not authorised for organic production

The period referred to in the previous point can be taken into consideration retroactively only where satisfactory proof has been furnished allowing to satisfy the conditions for a period of at least three years.

In certain cases, where the land had been contaminated with products not authorised for organic production, Bioagricert may decide to extend the conversion period beyond the period referred to in the first paragraph.

In the cases of parcels which have already been converted to or were in the process of conversion to organic farming, Bioagricert may shorten the conversion period referred to in the first paragraph in the following case:

- parcels treated with a product not authorised for organic production as part of a compulsory disease or pest control measure imposed by the competent authority of the State.

In the cases provided for in points (a) of the previous subparagraph, the length of the conversion period shall be fixed taking into account of the following factors:

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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- the process of degradation of the product concerned shall 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;
- the harvest following the treatment may not be sold with reference to organic production methods.

### ***B) Livestock and livestock products***

Where non-organic livestock has been brought onto a holding in accordance with §3.4.1 §3.4.2 and § 3.6.2 of this Standard and if livestock products are to be sold as organic products, the production rules as referred to in Articles §3.2, §3.3, §3.3.1 and §3.4. and where applicable in §3.6.2 must have been applied for at least:

- 12 months in the case of equidae and bovines, including bubalus and bison species, for meat production, and in any case at least three quarters of their lifetime;
- six months in the case of small ruminants and pigs and animals for milk production;
- 10 weeks for poultry for meat production, brought in before they are three days old;
- six weeks in the case of poultry for egg production.

Where non-organic animals exist on a holding at the beginning of the conversion period in accordance with §3.4.1 of this Standard their products may be deemed organic if there is simultaneous conversion of the complete production unit, including livestock, pasturage and/or any land used for animal feed. The total combined conversion period for both existing animals and their offspring, pasturage and/or any land used for animal feed, may be reduced to 24 months, if the animals are mainly fed with products from the production unit.

Beekeeping products can be sold with references to the organic production method only when the organic production rules have been complied with for at least one year.

The conversion period for apiaries does not apply in the case of application of §3.4.2 in this Standard.

During the conversion period the wax shall be replaced with wax coming from organic beekeeping.

### ***C) Specific conversion rules for land associated with organic livestock production***

The conversion rules as referred to in § 3.5.1 shall apply to the whole area of the production unit on which animal feed is produced.

The conversion period may be reduced to one year for pasturages and open air areas used by non-herbivore species. This period may be reduced to six months where the land concerned has not during the last year, received treatments with products not authorised for organic production.

## **3.6 Flexibility**

### **3.6.1 Exceptional production rules**

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BIOAGRICERT srl

DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018

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Some exceptions from the production rules can be granted, as laid down in this Standard.

### **3.6.2 Exceptional production rules related to climatic, geographical or structural constraints**

#### **A) Tethering of animals:**

Bioagricert may authorise cattle in small holdings to be tethered if it is not possible to keep the cattle in groups appropriate to their behaviour requirements, provided they have access to pastures during the grazing period according to §3.4.9, and at least twice a week access to open air areas when grazing is not possible.

#### **B) Parallel production:**

A producer may run organic and non-organic production units in the same area:

- a) in the case of the production of perennial crops, which require a cultivation period of at least three years, where varieties cannot be easily differentiated, provided the following conditions are met:

the production in question forms part of a conversion plan in respect of which the producer gives a firm undertaking and which provides for the beginning of the conversion of the last part of the area concerned to organic production in the shortest possible period which may not in any event exceed a maximum of five years;

- i. appropriate measures have been taken to ensure the permanent separation of the products obtained from each unit concerned;
  - ii. Bioagricert is notified of the harvest of each of the products concerned at least 48 hours in advance;
  - iii. upon completion of the harvest, the producer informs Bioagricert of the exact quantities harvested on the units concerned and of the measures applied to separate the products;
  - iv. the conversion plan and the control measures have been approved by Bioagricert; this approval shall be confirmed each year after the start of the conversion plan;
- b) in the case of production of seed, vegetative propagating material and transplants and provided the conditions set out in point (a)(ii)(iii)(iv) and the relevant part of point (v) are met;
  - c) in the case of grassland exclusively used for grazing.

#### **C) Management of beekeeping units for the purpose of pollination**

Where the conditions laid down in §3.6 apply, for the purpose of pollination actions an operator may run organic and non-organic beekeeping units on the same holding, provided that all the requirements of the organic production rules are fulfilled, with the exception of the provisions for the siting of the apiaries. In that case the product cannot be sold as organic.

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

### **3.6.3 Exceptional production rules related to non-availability of organic farm inputs**

#### **A) Use of non-organic animals**

Where the conditions laid down in §3.6.1 apply, and with prior authorization:

- when a flock is constituted for the first time, renewed or reconstituted and organically reared poultry are not available in sufficient numbers, non-organically reared poultry may be brought into an organic poultry production unit, provided that the pullets for the production of eggs and poultry for meat production are less than three days old.
- non-organically reared pullets for egg production of not more than 18 weeks may be brought into an organic livestock unit until **31 December 2018**, when organically reared pullets are not available and provided that the relevant provisions laid down in §3.6.4 and §3.6.5 are complied with.

#### **B) Use of non-organic feed of agricultural origin**

Where the conditions laid down in §3.6.1 apply, the use of a limited proportion of non-organic feed of plant and animal origin is allowed where farmers are unable to obtain feed exclusively from organic production. The maximum percentage of non-organic feed authorised per period of 12 months for species other than herbivores shall be:

- 5% for calendar year **2018**.

The figures shall be calculated annually, as a percentage of the dry matter of feed from agricultural origin. The operator shall keep documentary evidence of the need for the use of this provision.

#### **C) Use of non-organic beeswax**

In the case of new installations or during the conversion period, non-organic beeswax may be used only:

- where beeswax from organic beekeeping is not available on the market;
- where it is proven free of contamination by substances not authorised for organic production
- provided that it comes from the cap.

#### **D) Use of seed or vegetative propagating material not obtained by the organic production method**

Where the conditions laid down in in §3.6.1 apply:

- a) seed and vegetative propagating material from a production unit in conversion to organic farming may be used,
- b) where point (a) is not applicable, Bioagricert may authorise the use of non-organic seed or vegetative propagating material if not available from organic production. However, for the use of non-organic seed and seed potatoes the following paragraphs.

Non-organic seed and seed potatoes may be used, provided that the seed or seed potatoes are not treated with plant protection products, other than those authorised for treatment of seed in accordance with §3.3.4,

Authorisation to use seed or seed potatoes not obtained by the organic production method may only be granted in the following cases:

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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- where no variety of the species which the user wants to obtain is available;
- no supplier (meaning an operator who markets seed or seed potatoes to other operators) is able to deliver the seed or seed potatoes before sowing or planting , even if the user has ordered the seed or seed potatoes in reasonable time;
- the variety which the user wants to obtain is not available and the user is able to demonstrate that none of the registered alternatives of the same species registered in the data base are appropriate and that the authorisation therefore is significant for his production

The authorisation shall be granted before the sowing of the crop.

The authorisation shall be granted only to individual users for one season at a time and Bioagricert responsible for the authorisations shall register the quantities of seed or seed potatoes authorised.

### **3.6.4 Exceptional production rules related to specific management problems in organic livestock**

#### **A) *Specific management problems in organic livestock***

The final fattening phase of adult bovines for meat production may take place indoors, provided that this indoors period does not exceed one fifth of their lifetime and in any case for a maximum period of three months.

### **3.6.5 Exceptional production rules related to catastrophic circumstances**

#### **A) *Catastrophic circumstances***

Bioagricert may authorise on a temporary basis:

- in the case of high mortality of animals caused by health or catastrophic circumstances, the renewal or reconstitution of the herd or flock with non-organic animals, when organically reared animals are not available **and provided that the respective conversion period are applied to the non-organic animals;**
- in case of high mortality of bees caused by health or catastrophic circumstances, the reconstitution of the apiaries with non-organic bees, when organic apiaries are not available;
- the use of non-organic feedingstuffs for a limited period and in relation to a specific area by individual operators, when forage production is lost or when restrictions are imposed, in particular as a result of exceptional meteorological conditions, the outbreak of infectious diseases, the contamination with toxic substances, or as a consequence of fires.
- the feeding of bees with organic honey, organic sugar or organic sugar syrup in case of long lasting exceptional weather conditions or catastrophic circumstances, which hamper the nectar or honeydew production.
- **in the case of high mortality of aquaculture animals caused by circumstances such as natural disasters, adverse climatic events, sudden water quality and quantity changes for which the operator is not responsible, diseases in aquaculture, failure or destruction of production facilities for which the operator is not responsible, the renewal or reconstitution of the aquaculture stock with non-organic aquaculture animals, when organically reared animals are not available and provided that at least the latter two thirds of the duration of the production cycle are managed under organic management.**



Upon approval by Bioagricert, the individual operators shall keep documentary evidence of the use of the above exceptions.

### **3.7 Processed Products**

#### **3.7.1 General rules on the production of processed feed**

- a) Production of processed organic feed shall be kept separate in time or space from production of processed non organic feed.
- b) Organic feed materials, or feed materials from production in conversion, shall not enter simultaneously with the same feed materials produced by non organic means into the composition of the organic feed product.
- c) Any feed materials used or processed in organic production shall not have been processed with the aid of chemically synthesised solvents.
- d) Substances and techniques that reconstitute properties that are lost in the processing and storage of organic feed, that correct the results of negligence in the processing or that otherwise may be misleading as to the true nature of these products shall not be used.

#### **3.7.2 General rules on the production of processed food**

The preparation of processed organic food shall be kept separate in time or space from non-organic food.

The following conditions shall apply to the composition of organic processed food:

- a) the product shall be produced mainly from ingredients of agricultural origin; in order to determine whether a product is produced mainly from ingredients of agricultural origin added water and cooking salt shall not be taken into account;
- b) only additives, processing aids, flavourings, water, salt, preparations of micro-organisms and enzymes, minerals, trace elements, vitamins, as well as amino acids and other micronutrients in foodstuffs for particular nutritional uses may be used, and only in so far as they have been authorised for use in organic production in accordance;
- c) non-organic agricultural ingredients may be used only if they have been authorised for use in organic production or have been provisionally authorised by a Member State;
- d) an organic ingredient shall not be present together with the same ingredient in non-organic form or an ingredient in conversion;
- e) food produced from in-conversion crops shall contain only one crop ingredient of agricultural origin.

Substances and techniques that reconstitute properties that are lost in the processing and storage of organic food, that correct the results of negligence in the processing of these products or that otherwise may be misleading as to the true nature of these products shall not be used.

#### **3.7.3 General rules on the production of organic yeast**

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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For the production of organic yeast only organically produced substrates shall be used. Other products and substances may only be used in so far as they have been authorised for use in organic production in accordance.

Organic yeast shall not be present in organic food or feed together with non-organic yeast.

#### **3.7.4 Rules for the production of processed feed and food**

Additives, processing aids and other substances and ingredients used for processing food or feed and any processing practice applied, such as smoking, shall respect the principles of good manufacturing practice.

Operators producing processed feed or food shall establish and update appropriate procedures based on a systematic identification of critical processing steps.

The application of the procedures referred to in the previous paragraph shall guarantee at all times that the produced processed products comply with the organic production rules.

Operators shall comply with and implement the procedures. In particular, operators shall:

- take precautionary measures to avoid the risk of contamination by unauthorised substances or products;
- implement suitable cleaning measures, monitor their effectiveness and record these operations;
- guarantee that non-organic products are not placed on the market with an indication referring to the organic production method.

Further to the provisions laid down in previous paragraphs, when non-organic products are also prepared or stored in the preparation unit concerned, the operator shall:

- carry out the operations continuously until the complete run has been dealt with, separated by place or time from similar operations performed on non-organic products;
- store organic products, before and after the operations, separate by place or time from non-organic products;
- inform Bioagricert there of and keep available an updated register of all operations and quantities processed;
- take the necessary measures to ensure identification of lots and to avoid mixtures or exchanges with non-organic products;
- carry out operations on organic products only after suitable cleaning of the production equipment.

#### **3.7.5 Use of certain products and substances in processing of food**

Only the following substances can be used in the processing of organic food, with the exception of wine:

- a. substances listed in Annex VIII to this Standard;
- b. preparations of micro-organisms and enzymes normally used in food processing; however, enzymes to be used as food additives have to be listed in Annex VIII, Section A.;

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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- c. substances, and products as defined in Articles 1(2)(b)(i) and 1(2)(c) of Council Directive 88/388/EEC (OJ L 184, 15.7.1988, p. 61.) labelled as natural flavouring substances or natural flavouring preparations, according to Articles 9(1)(d) and (2) of that Directive.
- d. colours for stamping meat and eggshells in accordance with, respectively, Article 2(8) and Article 2(9) of European Parliament and Council Directive 94/36/EC (OJ L 237, 10.9.1994, p. 13.);
- e. drinking water and salt (with sodium chloride or potassium chloride as basic components) generally used in food processing;
- f. minerals (trace elements included), vitamins, aminoacids, and micronutrients, only authorised as far their use is legally required in the foodstuffs in which they are incorporated.

For the purpose of the calculation referred to in §4.1:

- food additives listed in Annex VIII and marked with an asterisk in the column of the additive code number, shall be calculated as ingredients of agricultural origin;
- preparations and substances referred to in paragraph (1)(b),(c),(d),(e) and (f) and substances not marked with an asterisk in the column of the additive code number shall not be calculated as ingredients of agricultural origin.
- yeast and yeast products shall be calculated as ingredients of agricultural origin as of 31 December 2013.

### **3.7.6 Use of certain non-organic ingredients of agricultural origin in processing food**

For the purpose of §3.7.2(c), non-organic agricultural ingredients listed in Annex IX can be used in the processing of organic food.

## **3.8 Collection, Packaging, Transport And Storage Of Products**

Operators may carry out simultaneous collection of organic and non-organic products, only where appropriate measures are taken to prevent any possible mixture or exchange with non-organic products and to ensure the identification of the organic products. The operator shall keep the information relating to collection days, hours, circuit and date and time of reception of the products available to Bioagricert.

### **3.8.1 Packaging and transport of products to other operators or units**

Operators shall ensure that organic products are transported to other units, including wholesalers and retailers, only in appropriate packaging, containers or vehicles closed in such a manner that 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 law:

- a) the name and address of the operator and, where different, of the owner or seller of the product;

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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- b) the name of the product or a description of the compound feedingstuff accompanied by a reference to the organic production method;
- c) the name and/or the code number of Bioagricert to which the operator is subject; and
- d) where relevant, the lot identification mark according to a marking system either approved at national level or agreed with Bioagricert and which permits to link the lot with the accounts referred to in §5.5.4.

The information referred to in points (a) to (d) may also be presented 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 and/or the transporter.

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

- a) transportation is direct between an operator and another operator who are both subject to the organic control system, and
- b) the products are accompanied by a document giving the information required previously
- c) both the expediting and the receiving operators shall keep documentary records of such transport operations available for Bioagricert or of such transport operations.

### **3.8.2 Special rules for transporting feed to other production/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 shall be effectively physically separated;
- b) the vehicles and/or containers which have transported non-organic products are used to transport organic products provided that:
  - suitable cleaning measures, the effectiveness of which has been checked, have been carried out before commencing the transport of organic products; operators shall record these operations,
  - all appropriate measures are implemented, depending on the risks evaluated in accordance with §5.9.2 (3) and, where necessary, operators shall guarantee that non-organic products cannot be placed on the market with an indication referring to organic production,
  - the operator shall keep documentary records of such transport operations available for Bioagricert;
- c) the transport of finished organic feed shall be 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 shall be recorded.

### **3.8.3 Reception of products from other units and other operators**

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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On receipt of an organic product, the operator shall check the closing of the packaging or container where it is required and the presence of the indications provided to in §3.8.1

The operator shall crosscheck the information on the label referred to in §3.8.1 with the information on the accompanying documents. The result of these verifications shall be explicitly mentioned in the documentary accounts referred to in §5.5.4.

### **3.8.4 Special rules for the reception of products from a third country**

Organic products shall be imported from a third country in appropriate packaging or containers, closed in a manner preventing substitution of the content and provided with identification of the exporter and with any other marks and numbers serving to identify the lot and with the certificate of control for import from third countries as appropriate.

On receipt of an organic product, imported from a third country, the first consignee shall check the closing of the packaging or container and, in the case of products imported, shall check that the certificate mentioned in that Article covers the type of product contained in the consignment. The result of this verification shall be explicitly mentioned in the documentary accounts referred to in §5.5.4.

### **3.8.5 Storage of products**

For the storage of products, areas shall be managed in such a way as to ensure identification of lots and to avoid any mixing with or contamination by products and/or substances not in compliance with the organic production rules. Organic products shall be clearly identifiable at all times.

In case of organic plant and livestock production units, storage of input products other than those authorised under this Standard is prohibited in the production unit.

The storage of allopathic veterinary medicinal products and antibiotics is permitted on holdings provided that they have been prescribed by a veterinarian in connection with treatment as referred to in §3.4.1, that they are stored in a supervised location and that they are entered in the livestock record as referred to in §5.7.3.

In case where operators handle both non-organic products and organic products and the latter are stored in storage facilities in which also other agricultural products or foodstuffs are stored:

- the organic products shall be kept separate from the other agricultural products and/or foodstuffs;
- every measure shall be taken to ensure identification of consignments and to avoid mixtures or exchanges with non-organic products;
- suitable cleaning measures, the effectiveness of which has been checked, have been carried out before the storage of organic products; operators shall record these operations.

### **3.8.6 Exceptional production rules with regard to the use of specific products and substances in the processing**

*Addition of non-organic yeast extract:*

The addition of up to 5% non-organic yeast extract or autolysate to the substrate (calculated in dry matter) is allowed for the production of organic yeast, where operators are unable to obtain

yeast extract or autolysate from organic production. The availability of organic yeast extract or autolysate shall be re-examined by 31 December 2013 with a view to withdrawing this provision.

## **4. LABELLING**

### **4.1 Use Of Terms Referring To Organic Production**

For the purposes of this Standard a product shall be regarded as bearing terms referring to the organic production method where, in the labelling, advertising material or commercial documents, such a product, its ingredients or feed materials are described in terms suggesting to the purchaser that the product, its ingredients or feed materials have been obtained in accordance with the rules laid down in the same Regulation.

In particular, the terms that mean "organic" (various languages) and their derivatives or diminutives, such as 'bio' and 'eco', alone or combined, may be used throughout the Community and in any Community language for the labelling and advertising of products which satisfy the requirements set out under or pursuant to the same Regulation.

In the labelling and advertising of live or unprocessed agricultural products terms referring to the organic production method may be used only where, in addition, all the ingredients of that product have also been produced in accordance with the requirements laid down in this Standard.

The terms referred to previously shall not be used for a product for which it has to be indicated in the labelling or advertising that it contains GMOs, consists of GMOs or is produced from GMOs according to Community provisions.

As regards processed food, the terms referred to in paragraph 1 may be used:

- a) in the sales description, provided that:
  - the processed food complies with §3.7.2;
  - at least 95% by weight, of its ingredients of agricultural origin are organic;
- b) only in the list of ingredients, provided that the food complies with §3.7.2 (1), (2)(a), (2)(b) and (2)(d);
- c) in the list of ingredients and in the same visual field as the sales description, provided that:
  - the main ingredient is a product of hunting or fishing;
  - it contains other ingredients of agricultural origin that are all organic;
  - the food complies with §3.7.2 (1), (2)(a), (2)(b) and (2)(d).

The list of ingredients shall indicate which ingredients are organic.

In the case where points (b) and (c) apply, the references to the organic production method may only appear in relation to the organic ingredients and the list of ingredients shall include an indication of the total percentage of organic ingredients in proportion to the total quantity of ingredients of agricultural origin.

The terms and the indication of percentage referred to in the previous subparagraph shall appear in the same colour, identical size and style of lettering as the other indications in the list of ingredients.

### **4.2 Compulsory Indications**

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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Where terms as referred to in §4. are used:

- a. the code number of Bioagricert to which the operator who has carried out the most recent production or preparation operation is subject, shall also appear in the labelling;
- b. the Community logo referred to in §4.3.1 as regards pre-packaged food shall also appear on the packaging;
- c. where the Community logo is used, an indication of the place where the agricultural raw materials of which the product is composed have been farmed, shall also appear in the same visual field as the logo and shall take one of the following forms, as appropriate:
  - ‘EU Agriculture’, where the agricultural raw material has been farmed in the EU,
  - ‘non-EU Agriculture’, where the agricultural raw material has been farmed in third countries,
  - ‘EU/non-EU Agriculture’, where part of the agricultural raw materials has been farmed in the Community and a part of it has been farmed in a third country.

The abovementioned indication ‘EU’ or ‘non-EU’ maybe replaced or supplemented by a country in the case where all agricultural raw materials of which the product is composed have been farmed in that country. For the abovementioned ‘EU’ or ‘non-EU’ indication, small quantities by weight of ingredients maybe disregarded provided that the total quantity of the disregarded ingredients does not exceed 2 % of the total quantity by weight of raw materials of agricultural origin.

The abovementioned ‘EU’ or ‘non-EU’ indication shall not appear in a colour, size and style of lettering more prominent than the sales description of the product. The use of the Community logo as referred to in §4.3.1 and the indication referred to in the first subparagraph shall be optional for products imported from third countries. However, where the Community logo as referred to in §4.3.1 appears in the labelling, the indication referred to in the first subparagraph shall also appear in the labelling.

The indications referred to in previous paragraph shall be marked in a conspicuous place in such a way as to be easily visible, clearly legible and indelible.

### **4.3 Specific Labelling Requirements**

1. The Community organic production logo may be used in the labelling, presentation and advertising of products which satisfy the requirements set out under this Regulation.
2. The Community logo shall not be used in the case of in-conversion products and food as referred to in §4.1.
3. National and private logos may be used in the labelling, presentation and advertising of products which satisfy the requirements set out under this Standard.

#### **4.3.1 Community Logo**

The organic production logo of the European Union (hereinafter “Organic logo of the EU”) shall follow the model set out in Part A of Annex XI.

The Organic logo of the EU shall only be used if the product concerned is produced in accordance with the requirements of Regulation (EEC) No 2092/91 and its implementing regulations or Regulation (EC) No 834/2007 and the requirements of Regulation (EC) No 889/2008.

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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The Community logo shall follow the model in Annex XI.

The Community logo shall be used in accordance with the technical reproduction rules laid down in Annex XI.

#### **4.3.2 Conditions for the use of the code number and place of origin**

The indication of the code number of Bioagricert referred to in §4.2 shall:

- start with the acronym identifying the third country, as referred to in the international standard for the two letter country codes under ISO 3166 (Codes for the representation of names of countries and their subdivisions);
- include a term which establishes a link with the organic production method, as referred to in §4.1;
- include a reference number to be decided by the competent authority; and
- be placed immediately below the Community logo, where the Community logo is used in the labelling.

The indication of the place where the agricultural raw materials of which the products is composed have been farmed, as referred to in §4.2, shall be placed immediately below the code number referred to in previous paragraph.

#### **4.3.3 Specific labelling requirements for feed**

##### ***Scope, use of trade marks and sales descriptions***

This Chapter shall not apply to pet food and feed for fur animals or feed for aquaculture animals.

The trade marks and sales descriptions bearing an indication referred to in §4.1 may be used only if at least 95% of the product's dry matter is comprised of feed material from the organic production method.

#### **4.3.4 Indications on processed feed**

The terms referred to in §4.1 and the Organic logo of the EU may be used on processed feed provided that all the following requirements are complied with:

- a) the processed feed complies with the provisions of this Standard and in particular with §3.4.14(iv and v) for livestock and §3.4.16 thereof;
- b) the processed feed complies with the provisions of this Standard;
- c) all ingredients of plant or animal origin contained in the processed feed are from the organic production method;
- d) at least 95 % of the product's dry matter is comprised of organic agricultural products.

Subject to the requirements laid down in points (a) and (b), the following statement is permitted in the case of products comprising variable quantities of feed materials from the organic production method and/or feed materials from products in conversion to organic farming and/or products:

- "may be used in organic production in accordance with Regulations (EC) No 834/2007 and (EC) No 889/2008".

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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### **4.3.5 Conditions for the use of indications on processed feed**

The indication provided for in §4.3.4 shall be:

- a) separate from the wording referred to the specifications of the raw materials used
- b) presented in a colour, format and character font that does not draw more attention to it than to the description or name of the animal feedingstuff
- c) accompanied, in the same field of vision, by an indication by weight of dry matter referring:
  - to the percentage of feed material(s) from the organic production method;
  - to the percentage of feed material(s) from products in conversion to organic farming;
  - to the percentage of feed material(s) not covered until now;
  - to the total percentage of animal feed of agricultural origin;
- d) accompanied by a list of names of feed materials from the organic production method;
- e) accompanied by a list of names of feed materials from products in conversion to organic production.

The indication provided for in §3.10.7 may be also accompanied by a reference to the requirement to use the feedingstuffs in accordance with this standard.

### **4.3.6 Other specific labelling requirements**

#### **A) In-conversion products of plant origin**

In-conversion products of plant origin may bear the indication "product under conversion to organic farming" provided that:

- a conversion period of at least 12 months before the harvest has been complied with;
- the indication shall appear in a colour, size and style of lettering which is not more prominent than the sales description of the product, the entire indication shall have the same size of letters;
- the product contains only one crop ingredient of agricultural origin;
- the indication is linked to the code number of Bioagricert as referred to in §5.1.

## **5. CONTROLS**

### **5.1 Control System**

The nature and frequency of the controls shall be determined on the basis of an assessment of the risk of occurrence of irregularities and infringements as regards compliance with the requirements laid down in standard. In any case, all operators with the exception of whole salers dealing only with pre-packaged products and operators selling to the final consumer or user as described in following §5.2, shall be subject to a verification of compliance at least once a year.

### **5.2 Adherence To The Control System**

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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1. Any operator who produces, prepares, stores, or imports from a third country products in the meaning of § or who places such products on the market shall, prior to placing on the market of any products as organic or in conversion to organic:
  - a) notify their activity to Bioagricert.
  - b) submit his undertaking to the control system referred to in §5.1.

The first subparagraph shall apply also to exporters who export products produced in compliance with the production rules laid down in this Standard.

Where an operator contracts out any of the activities to a third party, that operator shall nonetheless be subject to the requirements referred to in points (a) and (b), and the subcontracted activities shall be subject to the control system.

2. Bioagricert ensure that any operator who complies with the rules of this Standard, and who pays a reasonable fee as a contribution to the control expenses, is entitled to be covered by the control system.
3. Bioagricert keep an updated list containing the names and addresses of operators under their control. This list shall be made available to the interested parties.

### 5.3 Documentary Evidence

Bioagricert provides documentary evidence to any such operator who is subject to their controls and who in the sphere of his activities, meets the requirements laid down in this Standard. The documentary evidence shall at least permit the identification of the operator and the type or range of products as well as the period of validity.

The operator shall verify the documentary evidence of his suppliers

For importat from third country Bioagricert shall use the model of the documentary evidence set out in Annex XII for his operator.

### 5.4 Measures In Case Of Infringements And Irregularities

Where an irregularity is found as regards compliance with the requirements laid down in this Regulation, Bioagricert shall ensure that no reference to the organic production method is made in the labelling and advertising of the entire lot or production run affected by this irregularity, where this would be proportionate to the relevance of the requirement that has been violated and to the nature and particular circumstances of the irregular activities.

Where a severe infringement or an infringement with prolonged effect is found, control body shall prohibit the operator concerned from marketing products which refer to the organic production method.

Information on cases of irregularities or infringements affecting the organic status of a product shall be immediately communicated between the Bioagricert, control authorities, competent authorities and Member States concerned and, where appropriate, to the Commission.

The level of communication shall depend on the severity and the extent of the irregularity or infringement found.

**Exchange of information:** Upon a request duly justified by the necessity to guarantee that a product has been produced in accordance with this Standard, Bioagricert exchanges relevant information

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BIOAGRICERT srl

DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018

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on the results of their controls with other competent authorities, control authorities and control bodies. They may also exchange such information on their own initiative.

## **5.5 Minimum Control Requirements**

### **5.5.1 Control arrangements and undertaking by the operator**

1. When the control arrangements are first implemented, the operator shall draw up and subsequently maintain:
  - ✓ a full description of the unit and/or premises and/or activity;
  - ✓ all the practical measures to be taken at the level of the unit and/or premises and/or activity to ensure compliance with the organic production rules;
  - ✓ the precautionary measures to be taken in order to reduce the risk of contamination by unauthorised products or substances and the cleaning measures to be taken in storage places and throughout the operator's production chain.

Where appropriate, the description and measures provided for in the first subparagraph may be part of a quality system as set up by the operator.

2. The description and the measures referred to in paragraph 1 shall be contained in a declaration, signed by the responsible operator. In addition, this declaration shall include an undertaking by the operator:
  - ✓ to perform the operations in accordance with the organic production rules;
  - ✓ to accept, in the event of infringement or irregularities, the enforcement of the measures of the organic production rules;
  - ✓ to undertake to inform in writing the buyers of the product in order to ensure that the indications referring to the organic production method are removed from this production.
  - ✓ to accept, in cases where the operator and/or the subcontractors of that operator are checked by different control authorities or control bodies in accordance with the control system set up by Member State concerned, the exchange of information between those authorities or bodies
  - ✓ to accept, in cases where the operator and/or the subcontractors of that operator change their control authority or control body, the transmission of their control files to the subsequent control authority or control body;
  - ✓ to accept, in cases where the operator withdraws from the control system, to inform without delay the relevant competent authority and control authority or control body;
  - ✓ to accept, in cases where the operator withdraws from the control system, that the control file is kept for a period of at least five years;
  - ✓ to accept to inform the relevant control authority or authorities or control body or bodies without delay of any irregularity or infringement affecting the organic status of their product or organic products received from other operators or subcontractors.

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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

3. For the application of §5.2 the operator shall notify the following information to Bioagricert:
  - ✓ Name and address of operator
  - ✓ Location of premises and, where appropriate, parcels (land register data) where operations are carried out;
  - ✓ Nature of operations and products;
  - ✓ Undertaking by the operator to carry out the operation in accordance with the provision laid down in this Standard;
  - ✓ In the case of an agricultural holding, the date on which the producer ceased to apply products not authorised for organic production on the parcels concerned;

### **5.5.2 Modification of control arrangements**

The operator responsible shall notify any change in the description or of the measures referred to in §5.5.1 and in the initial control arrangements set out in §5.6.1, §5.7.1, §5.8.1, §5.9.2 and §5.10.1 to Bioagricert in due time.

### **5.5.3 Control visits and analysis**

1. Bioagricert shall carry out at least once a year a physical inspection of all operators,
2. shall take and analyse samples for detecting of products not authorised for organic production, for checking production techniques not in conformity with the organic production rules or for detecting possible contamination by products not authorised for organic production. The number of samples to be taken and analysed by the control authority or control body every year shall correspond to at least 5 % of the number of operators under its control. The selection of the operators where samples have to be taken shall be based on the general evaluation of the risk of non-compliance with the organic production rules. This general evaluation shall take into account all stages of production, preparation and distribution,
3. shall take and analyse samples in each case where the use of products or techniques not authorised for organic production is suspected. In such cases no minimum number of samples to be taken and analysed shall apply.
4. Samples may also be taken and analysed by the control authority or control body in any other case for detecting of products not authorised for organic production, for checking production techniques not in conformity with the organic production rules or for detecting possible contamination by products not authorised for organic production. A control report shall be drawn up after each visit, countersigned by the operator of the unit or his representative.
5. Moreover, Bioagricert shall carry out random control visits, primarily unannounced, based on the general evaluation of the risk of non-compliance with the organic production rules, taking into account at least the results of previous controls, the quantity of products concerned and the risk for exchange of products.

The risk analysis procedure shall be designed in such a way that:

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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- the result of the risk analysis provides the basis for determining the intensity of the unannounced or announced annual inspections and visits;
- additional random control visits carried out of at least 10 % of operators under contract in accordance with the risk category are performed;
- at least 10 % of all inspections and visits carried out are unannounced;
- the selection of operators to be submitted to unannounced inspections and visits is determined on the basis of the risk analysis and that these are planned according to the level of risk

The standard number of inspections and sampling that should be done for each risk class is indicated in the table below, in accordance with the provision laid down in Regulation (EC) No 392/2013, amending Regulation (EC) No 889/2008:

CLASS OF RISK	MINIMUM NUMBER OF INSPECTION PER YEAR	MINIMUM NUMBER OF SAMPLING PER YEAR
LOW (1)	1	0 + Possible samples in case of suspect non conformity
HIGH (2)	2	1 sample on 20% of operators + Possible additional samples in case of suspect non conformity

6. bioagricert verifies that the staff has sufficient knowledge, including knowledge of the risk elements affecting the organic status of products, qualifications, training and experience with respect to organic production in general and with the relevant Union rules in particular and that appropriate rules on rotation of inspectors are in force in this way:  
each inspector can inspect a company for a maximum of three years after which it is replaced by another one

#### 5.5.4 Documentary accounts

1. Stock and financial records shall be kept in the unit or premises and shall enable the operator to identify and Bioagricert to verify:
  - ✓ the supplier and, where different, the seller, or the exporter of the products;
  - ✓ the nature and the quantities of organic products delivered to the unit and, where relevant, of all materials bought and the use of such materials, and, where relevant, the composition of the compound feedingstuffs;
  - ✓ the nature and the quantities of organic products held in storage at the premises;
  - ✓ the nature, the quantities and the consignees and, where different, the buyers, other than the final consumers, of any products which have left the unit or the first consignee's premises or storage facilities;

**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

- ✓ in case of operators who do not store or physically handle such organic products, the nature and the quantities of organic products bought and sold, and the suppliers, and where different, the sellers or the exporters and the buyers, and where different, the consignees.
- 2. The documentary accounts shall also comprise the results of the verification at reception of organic products and any other information required by Bioagricert for the purpose of proper control. The data in the accounts shall be documented with appropriate justification documents. The accounts shall demonstrate the balance between the input and the output.
- 3. Where an operator runs several production units in the same area, the units for non organic products, together with storage premises for input products must also be subject to the minimum control requirements.

### **5.5.5 Access to facilities**

The operator shall:

- ✓ give Bioagricert, for control purposes, access to all parts of the unit and all premises, as well as to the accounts and relevant supporting documents;
- ✓ provide Bioagricert with any information reasonably necessary for the purposes of the control;
- ✓ submit, when requested by Bioagricert, the results of its own quality assurance programmes.

### **5.5.6 Documentary evidence**

Bioagricert uses the model of the documentary evidence set out in Annex X.

### **5.5.7 Vendor declaration**

For the purpose of the application of §3.2 the vendor declaration that products supplied have not been produced from or by GMOs may follow the model set out in Annex XIII.

## **5.6 Specific Control Requirements For Plants And Plant Products From Farm Production Or Collection**

### **5.6.1 Control arrangements**

1. The full description of the unit referred to in §5.5.1 par.1 first point, shall:
  - ✓ be drawn up even where the operator limits his activity to the collection of wild plants;
  - ✓ indicate the storage and production premises and land parcels and/or collection areas and, where applicable, premises where certain processing and/or packaging operations take place; and
  - ✓ specify the date of the last application on the parcels and/or collection areas concerned of products, the use of which is not compatible with the organic production rules.

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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2. In case of collection of wild plants, the practical measures referred to in §5.5.1 par.1 second point shall include any guarantees given by third parties which the operator can provide to ensure that the provisions of §3.3.1 are complied with.

### **5.6.2 Communications**

Each year, before the date indicated by Bioagricert, the operator shall notify Bioagricert of its schedule of production of crop products, giving a breakdown by parcel.

### **5.6.3 Plant production records**

Plant production records shall be compiled in the form of a register and kept available to the Bioagricert at all times at the premises of the holding. In addition to §5.6.2, such records shall provide at least the following information:

- ✓ as regards the use of fertilizer: date of application, type and amount of fertilizer, parcels concerned;
- ✓ as regards the use of plant protection products: reason and date of treatment, type of product, method of treatment;
- ✓ as regards purchase of farm inputs: date, type and amount of purchased product;
- ✓ as regards harvest: date, type and amount of organic or in conversion crop production

### **5.6.4 Several production units run by the same operator**

Where an operator runs several production units in the same area, the units producing non-organic crops, together with storage premises for farm input products shall also be subject to the general and the specific control requirements laid down in §5.5 and this §5.6.

## **5.7 Control Requirements For Livestock And Livestock Products Produced By Animal Husbandry**

### **5.7.1 Control arrangements**

1. When the control system applying specifically to livestock production is first implemented, the full description of the unit referred to in §5.5.1 par.1 first point shall include:
  - ✓ a full description of the livestock buildings, pasturage, open air areas, etc., and, where applicable, the premises for the storage, packaging and processing of livestock, livestock products, raw materials and inputs;
  - ✓ a full description of the installations for the storage of livestock manure.
2. The practical measures referred to in §5.5.1 par.1 second point shall include:

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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- ✓ a plan for spreading manure agreed with Bioagricert, together with a full description of the areas given over to crop production;
- ✓ where appropriate, as regards the spreading of manure, the written arrangements with other holdings as referred to in §3.3.3 paragraph 3 of this standard complying with the provisions of the organic production rules;
- ✓ management plan for the organic-production livestock unit.

### **5.7.2 Identification of livestock**

The livestock shall be identified permanently using techniques adapted to each species, individually in the case of large mammals and individually or by batch in the case of poultry and small mammals.

### **5.7.3 Livestock records**

Livestock records shall be compiled in the form of a register and kept available to the Bioagricert at all times at the premises of the holding. Such records shall provide a full description of the herd or flock management system comprising at least the following information:

- a) as regards animals arriving at the holding: origin and date of arrival, conversion period, identification mark and veterinary record;
- b) as regards livestock leaving the holding: age, number of heads, weight in case of slaughter, identification mark and destination;
- c) details of any animals lost and reasons thereof;
- d) as regards feed: type, including feed supplements, proportions of various ingredients of rations and periods of access to free-range areas, periods of transhumance where restrictions apply;
- e) as regards disease prevention and treatment and veterinary care: date of treatment, details of the diagnosis, the posology; type of treatment product, the indication of the active pharmacological substances involved method of treatment and veterinary prescription for veterinary care with reasons and withdrawal periods applying before livestock products can be marketed labelled as organic.

### **5.7.4 Control measures on veterinary medicinal products for livestock**

Whenever veterinary medicinal products are used the information according to §5.7.3(e) is to be declared to Bioagricert before the livestock or livestock products are marketed as organically produced. Livestock treated shall be clearly identified, individually in the case of large animals; individually, or by batch, or by hive, in the case of poultry, small animals and bees.

### **5.7.5 Specific control measures on beekeeping**

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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1. A map on an appropriate scale listing the location of hives shall be provided to Bioagricert by the beekeeper. Where no areas are identified, the beekeeper shall provide Bioagricert with appropriate documentation and evidence, including suitable analyses if necessary, that the areas accessible to his colonies meet the conditions required in this Standard and in organic Regulations.
2. The following information shall be entered in the register of the apiary with regard to the use of feeding: type of product, dates, quantities and hives where it is used.
3. Whenever veterinary medicinal products are to be used, the type of product, including the indication of the active pharmacological substance, together with details of the diagnosis, the posology, the method of administration, the duration of the treatment and the legal withdrawal period shall be recorded clearly and declared to Bioagricert before the products are marketed as organically produced.
4. The zone where the apiary is situated shall be registered together with the identification of the hives. Bioagricert shall be informed of the moving of apiaries by a deadline agreed on with the same control body.
5. Particular care shall be taken to ensure adequate extraction, processing and storage of beekeeping products. All the measures to comply with this requirement shall be recorded.
6. The removals of the supers and the honey extraction operations shall be entered in the register of the apiary.

#### **5.7.6 Several production units run by the same operator**

Where a operator manages several production units, as provided for in §3.4.11 (1) and §3.6.2 (B) and (C) the units which produce non-organic livestock or non-organic livestock products shall also be subject to the control system as laid down in §5.5 and this §5.7 of this standard.

### **5.8 Control Requirements For Units For Preparation Of Plant And Livestock Products And Foodstuffs Composed Of Plant And Livestock Products**

#### **5.8.1 Control arrangements**

In the case of a unit involved in the preparation for its own account or for account of a third party, and including in particular units involved in packaging and/or re-packaging of such products or units involved in labelling and/or re-labelling of such products, the full description of the unit referred to in §5.5.1 par.1, first point, shall show the facilities used for the reception, the processing,

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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packaging, labelling and storage of agricultural products before and after the operations concerning them, as well as the procedures for the transport of the products.

## **5.9 Control Requirements For Units Preparing Feed**

### **5.9.1 Scope**

This Chapter applies to any unit involved in the preparation of products on its own account or on behalf of a third party.

### **5.9.2 Control arrangements**

1. The full description of the unit referred to in §5.5.1 parr.1, first point shall indicate:
  - ✓ the facilities used for the reception, preparation and storage of the products intended for animal feed before and after the operations concerning them;
  - ✓ the facilities used for the storage of other products used to prepare feedingstuffs;
  - ✓ the facilities used to store products for cleaning and disinfection;
  - ✓ where necessary, the description of the compound feedingstuff that the operator intends to produce in accordance with the dispositions concerning denomination, animal species or animal category to which the compound feedingstuff is destined
  - ✓ where necessary, the name of the feed materials that the operator intends to prepare.
2. The measures to be taken by operators, as referred to in §5.5.1 parr.1, second point, to guarantee compliance with the organic production rules shall include the indications of measures referred to in §3.7.4 of this Standard.
3. Bioagricert shall use these measures to carry out a general evaluation of the risks attendant on each preparation unit and to draw up a control plan. This control plan shall provide for a minimum number of random samples depending on the potential risks.

### **5.9.3 Documentary accounts**

For the purposes of proper control of the operations, the documentary accounts referred to in §5.5.4 shall include information on the origin, nature and quantities of feed materials, additives, sales and finished products.

### **5.9.4 Control visits**

The control visit referred to in §5.5.3 shall comprise a full physical inspection of all premises.

Moreover, the Bioagricert shall make targeted visits based on a general evaluation of the potential risks of non-compliance with the organic production rules.

The Bioagricert shall pay particular attention to the critical control points pointed out for the operator, with a view to establishing whether the surveillance and checking operations are carried

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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out correctly. All the premises used by the operator for the conduct of his activities may be checked as frequently as the attendant risks warrant.

## **5.10 Control Requirements For Units Involved In The Production, Preparation Or Import Of Organic Products And Which Have Contracted Out To Third Parties In Part Or In Total The Actual Operations Concerned**

### **5.10.1 Control arrangements**

With regard to the operations, which are contracted out to third parties, the full description of the unit referred to in §5.5.1 par.1, first point shall include:

- ✓ a list of the subcontractors with a description of their activities and an indication of the control bodies to which they are subject;
- ✓ written agreement by the subcontractors that their holding will be subject to the control regime of §5 of this Standard;
- ✓ all the practical measures, including inter alia an appropriate system of documentary accounts, to be taken at the level of the unit to ensure that the products the operator places on the market can be traced to, as appropriate, their suppliers, sellers, consignees and buyers.

## **5.11 Infringements And Exchange Of Information Measures In Case Of Suspicion Of Infringements And Irregularities**

Where an operator considers or suspects that a product which he has produced, prepared, imported or that he has received from another operator, is not in compliance with organic production rules, he shall initiate procedures either to withdraw from this product any reference to the organic production method or to separate and identify the product. He may only put it into processing or packaging or on the market after elimination of that doubt, unless it is placed on the market without indication referring to the organic production method. In case of such doubt, the operator shall immediately inform Bioagricert. Bioagricert may require that the product cannot be placed on the market with indications referring to the organic production method until it is satisfied, by the information received from the operator or from other sources, that the doubt has been eliminated.

Where Bioagricert has a substantiated suspicion that an operator intends to place on the market a product not in compliance with the organic production rules but bearing a reference to the organic production method, this control body can require that the operator may provisionally not market the product with this reference for a time period to be set by that control body. Before taking such a decision, Bioagricert shall allow the operator to comment. This decision shall be supplemented by the obligation to withdraw from this product any reference to the organic production method if Bioagricert is sure that the product does not fulfil the requirements of organic production. However, if the suspicion is not confirmed within the said time period, the decision referred to in the first subparagraph shall be cancelled not later than the expiry of that time period. The operator shall cooperate fully with Bioagricert in resolving the suspicion.

### **5.11.1 Exchange of information between control authorities, control bodies and competent authorities**

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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Where the operator and/or the subcontractors of that operator are checked by different control authorities or control bodies, the control authorities or control bodies shall exchange the relevant information on the operations under their control.

Where operators and/or their subcontractors change their control authority or control body, the change shall be notified without delay to the competent authority by the control authorities or control bodies concerned.

The previous control authority or control body shall hand over the relevant elements of the control file of the operator concerned and the reports to the subsequent control authority or control body.

The new control authority or control body shall ensure that non-conformities noted in the report of the previous control authority or control body have been or are being addressed by the operator.

In case of irregularities or infringements found with regard to products under the control of other control authorities or control bodies, it shall also inform those authorities or bodies without delay.

#### **5.11.2 Exchange of information between Member States and the Commission about irregularities detected on organic products marketed in a Member State and coming from third countries.**

The Notification could be sent by the involved State Member and/or by the competent CB of the notifying State on the European Commission web portal AWAI through the information system OFIS which assigns an identification code to the progressive notification itself reported on all subsequent communications regarding the case. The DG Agri EEC send by e-mail a request for information to Bioagricert if the case involves an operator who is subject to Bioagricert control in Third Countries, with direct link to the original Notification and its annexes on the OFIS system portal .

If Bioagricert found the involvement of operators controlled by other CBs, promptly informs the said CBs.

Bioagricert draws up the Reply to the OFIS Notification on the OFIS system portal of the EU within 30 calendar days from the date of the original notification.

The Member State Which sent the original notification may ask the replying Member State for additional information, if needed. In any case, after receiving a reply or additional information from a Notified Member State, the Member State Which sent the original notification Shall make the Necessary entries and updates in the OFIS system.

*For irregularities detected on organic products marketed in one of the third countries is seen in §5.4 (Exchange of information) of this Standard.*

## **6. TRANSITIONAL AND FINAL PROVISIONS**

### **6.1 Transitional Measures**

1. For a transitional period expiring on 31 December 2010, cattle may be tethered in buildings already existing before 24 August 2000, provided that regular exercise is provided and rearing

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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takes place in line with animal welfare requirements with comfortably littered areas as well as individual management. Bioagricert may continue authorising this measure upon request of individual operators for its application in a limited period ending before the 31 December 2013, under the additional condition that the controls visits referred to in §5.5.3(1) are carried out at least twice a year.

2. Bioagricert may authorise, for a transitional period expiring on 31 December 2010, the exceptions concerning housing conditions and stocking density granted to livestock producing holdings on the basis of the derogation provided for in part B, paragraph 8.5.1 of Annex I to Regulation (EEC) No 2092/91. The operators benefiting from this extension shall present a plan to Bioagricert, containing the description of arrangements which are intended to ensure compliance with the provisions of the organic production rules by the end of the transitional period. Bioagricert may continue authorising this measure upon request of individual operators for its application in a limited period ending before the 31 December 2013, under the additional condition that the controls visits referred to in §5.5.3(1) are carried out at least twice a year.
3. For a transition period expiring 31 December 2010 the final fattening phase of pigs and sheep for meat production as laid down under point 8.3.4 of Annex I.b of Regulation (EEC) No 2092/91 may take place indoors under the condition that the controls visits referred to in Article §5.5.3(1) are carried out at least twice a year.
4. The castration of piglets may be carried out without the application of anaesthesia and/or analgesia during a transition period expiring on 31 December 2011.
5. Pending the inclusion of detailed processing rules for pet food, national rules or in the absence thereof, private standards accepted.
6. Authorisations of non-organic ingredients of agricultural origin granted by Member States under Regulation (EEC) No 207/93 may be deemed granted as under this Regulation. However, authorisations granted in accordance with Article 3(6) of the Regulation (EC) 889/2008 shall expire on 31 December 2009.
7. For a transitional period expiring on the 1 July 2010, the operators may continue to use in the labelling the provisions as laid down in Regulation (EEC) No 2092/91 for:
  - ✓ the system for calculation the percentage of organic ingredients of food.
  - ✓ the code number and/or the name of Bioagricert.
8. Stocks of products produced, packaged and labelled before 1 July 2010 in accordance with either Regulation (EEC) No 2092/91 or Regulation (EC) No 834/2007 may continue to be brought on the market bearing terms referring to organic production until stocks are exhausted.
9. Packaging material in accordance with either Regulation (EEC) No 2092/91 or Regulation (EC) No 834/2007 may continue to be used for products placed on the market bearing terms referring to organic production until 1 July 2012, where the product otherwise complies with the requirements of Regulation (EC) No 834/2007.

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**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

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**ANNEX I**

Fertilisers and soil conditioners (referred to in §3.3.3(1))

Name	Description, compositional requirements, conditions for use
Compound products or products containing only materials listed hereunder: Farmyard manure	Product comprising a mixture of animal excrements and vegetable matter (animal bedding). 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 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 detected
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 insects	
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 2 and 3 as defined in Regulation (EC) No 1069/2009 of the European Parliament and of the Council) (2) must not be from factory farming origin. The Processes have to be in accordance with Commission Regulation (EU) No 142/2011 (3). Not to be applied to edible parts of the crop

**BIOAGRICERT srl****DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**



Products or by-products of animal origin as below: blood meal hoof meal horn meal bone meal or degelatinized bone meal fish meal meat meal feather, hair and 'chiquette' meal wool fur hair dairy products Hydrolysed proteins (2)	Maximum concentration in mg/kg of dry matter of chromium (VI): 0 Non detected (2) Not to be applied to edible parts of the crop
Products and by-products of plant origin for fertilisers	Examples: oilseed cake meal, cocoa husks, malt culms
Seaweeds and seaweed products	As far as directly obtained by: (i) physical processes including dehydration, freezing and grinding (ii) extraction with water or aqueous acid and/or alkaline solution (iii) fermentation
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	Product as specified in point 7 of Annex IA.2. to Regulation (EC) No 2003/2003 of the European Parliament and of the Council (1) relating to fertilisers , 7 Cadmium content less than or equal to 90 mg/kg of P205
Aluminium-calcium phosphate	Product as specified in point 6 of Annex IA.2. of Regulation 2003/2003, Cadmium content less than or equal to 90 mg/kg of P205 Use limited to basic soils (pH > 7,5)
Basic slag	Products as specified in point 1 of Annex IA.2. of Regulation 2003/2003
Crude potassium salt or kainit	Products as specified in point 1 of Annex IA.3. of Regulation 2003/2003
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 (chalk, marl, ground limestone, Breton ameliorant, (maerl), phosphate chalk)	Only of natural origin
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	Foliar treatment of apple trees, after identification of deficit of calcium

**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

Calcium sulphate (gypsum)	Products as specified in point 1 of Annex ID. of Regulation 2003/2003 Only of natural origin
Industrial lime from sugar production	By-product of sugar production from sugar beet
Industrial lime from vacuum salt production	By-product of the vacuum salt production from brine found in mountains
Elemental sulphur	Products as specified in Annex ID.3 of Regulation 2003/2003
Trace elements	Inorganic micronutrients listed in part E of Annex I to Regulation 2003/2003
Sodium chloride	Only mined salt
Stone meal and clays	
Leonardite (Raw organic sediment rich in humic acids)	Only if obtained as a by-product of mining activities
Chitin (Polysaccharide obtained from the shell of crustaceans)	Only if obtained from sustainable fisheries, as defined in Article 3(e) of Council Regulation (EC) No 2371/2002 (4) or organic aquaculture
Organic rich sediment from fresh water bodies formed under exclusion of oxygen (e.g. sapropel)	Only organic sediments that are by-products of fresh water body management or extracted from former freshwater areas When applicable, extraction should be done in a way to cause minimal impact on the aquatic system Only sediments derived from sources free from contaminations of pesticides, persistent organic pollutants and petrol like substances Maximum concentrations in mg/kg of dry matter: cadmium: 0,7; copper: 70; nickel: 25; lead: 45; zinc: 200; mercury: 0,4; chromium (total): 70; chromium (VI): not detectable

## ANNEX II

Pesticides — plant protection products (referred to in §3.3.4(1))

### 1. Substances of crop or animal origin

Name	Description, compositional requirements, conditions for use
Azadirachtin extracted from Azadirachta indica (Neem tree)	
Basic substances	Only those basic substances within the meaning of Article 23(1) of Regulation (EC) No 1107/2009 of the European Parliament and of the Council(1) that are covered by the definition of “foodstuff” in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council(2) and have plant or animal origin. Substances not to be used as herbicides, but only for the control of pests and diseases.
Beeswax	Only as pruning agent/wound protectant. Hydrolysed proteins
Hydrolysed proteins excluding gelatine	

BIOAGRICERT srl

DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018

Laminarin	Kelp shall be either grown organically in accordance with Article 6d or harvested in a sustainable way in accordance with Article 6c
Pheromones	Only in traps and dispensers
Plant oils	All uses authorised, except herbicide
Pyrethrins extracted from <i>Chrysanthemum cinerariaefolium</i>	
Pyrethroids (only deltamethrin or lambda-cyhalothrin)	Only in traps with specific attractants; only against <i>Bactrocera oleae</i> and <i>Ceratitis capitata</i> Wied
Quassia extracted from <i>Quassia amara</i>	Only as insecticide, repellent
Repellents by smell of animal or plant origin/ sheep fat	Only on non-edible parts of the crop and where crop material is not ingested by sheep or goats.
<b>2. Micro-organisms or substances produced by micro-organisms</b>	
<b>Name</b>	<b>Description, compositional requirements, conditions for use</b>
Micro-organisms	Not from GMO origin
Spinosad	
<b>3. Substances other than those mentioned in Sections 1 and 2</b>	
<b>Name</b>	<b>Description, compositional requirements, conditions for use</b>
Aluminium silicate (Kaolin)	
Calcium hydroxide	When used as fungicide, only in fruit trees, including nurseries, to control <i>Nectria galligena</i> .
Copper compounds in the form of: copper hydroxide, copper oxychloride, copper oxide, Bordeaux mixture, and tribasic copper sulphate	Up to 6 kg copper per ha per year  For perennial crops, Member States may, by derogation from the previous paragraph, provide that the 6 kg copper limit can be exceeded in a given year provided that the average quantity actually used over a 5-year period consisting of that year and of the four preceding years does not exceed 6 kg
Ethylene	
Fatty acids	All uses authorised, except herbicide.
Ferric phosphate (iron (III) orthophosphate)	Preparations to be surface-spread between cultivated plants
Kieselgur (diatomaceous earth)	
Lime sulphur (calcium polysulphide)	
Paraffin oil	
Potassium hydrogen carbonate (aka potassium bicarbonate)	
Quartz sand	
Sulphur	

BIOAGRICERT srl

DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018

**ANNEX III**

Minimum surface areas indoors and outdoors and other characteristics of housing in the different species and types of production (referred to in §3.4.5)

**1. Bovines, equidae, ovine, caprine and porcine**

ANIMALS	Indoors area (net area available to animals)		Outdoors area (exercise area, excluding pasturage)
	Live weight minimum (Kg)	M2/head	M2/head
Breeding and fattening bovine and equidae	up to 100	1,5	1,1
	up to 200	2,5	1,9
	up to 350	4	3
	over 350	5 with a minimum of m <sup>2</sup> /100 Kg	3,7 with a minimum of 0,75 m <sup>2</sup> /100 kg
Dairy cows		6	4,5
Bulls for breeding		10	30
Sheep and goats		1,5 sheep/goat	2,5
		0,35 lamb/kid	0,5
Farrowing sows with piglets up to 40 days		7,5 sow	2,5
Fattening pigs	up to 50	0,8	0,6
	up to 85	1,1	0,8
	up to 110	1,3	1
	>110	1,5	1,2
Piglets	over 40 days and up to 30 kg	0,6	0,4
Brood pigs		2,5 female	1,9
		6 male; If pens are used for natural service: 10 m <sup>2</sup> /boar	8

**2. Poultry**

ANIMALS	Indoors area (net area available to animals)			Indoors area (net area available to animals)
	No animals/m <sup>2</sup>	Cm perch/animal	Nest	
Laying hens	6	18	7 laying hens per nest or in case of common nest 120 cm 2 /bird	4, provided that the limit of 170 kg of N/ha/year is not exceeded
Fattening poultry (in fixed housing)	10 with a maximum of 21 kg liveweight/m <sup>2</sup>	20 (for guinea fowl only)		4 broilers and guinea fowl 4,5 ducks 10 turkey 15 geese In all the species mentioned above the limit of 170 kg of N/ha/year is not exceeded
Fattening poultry in mobile housing	16 (1) in mobile poultry houses with a maximum of 30 kg liveweight/ m <sup>2</sup>			2,5, provided that the limit of 170 kg of N/ha/year is not exceeded

**NOTE: (1) Only in the case of mobile houses not exceeding 150 m<sup>2</sup> floor space**

**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

**ANNEX IV**

Maximum number of animals per hectare (referred to in §3.4.10)

Class or species	Maximum number of animals per ha equivalent to 170 kg N/ha/year
Equines over six months old	2
Calves for fattening	5
Other bovine animals less than one year old	5
Male bovine animals from one to less than two years old	3,3
Female bovine animals from one to less than two years old	3,3
Male bovine animals two years old or over	2
Breeding heifers	2,5
Heifers for fattening	2,5
Dairy cows	2
Gull dairy cows	2
Other cows	2,5
Female breeding rabbits	100
Ewes	13,3
Goats	13,3
Piglets	74
Breeding sows	6,5
Pigs for fattening	14
Other pigs	14
Table chickens	580
Laying hens	230

**BIOAGRICERT srl****DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

## **ANNEX V**

Feed materials as referred to in Article 22(d), Article 24(2) and Article 25m(1)

### **1. NON-ORGANIC FEED MATERIALS OF PLANT ORIGIN**

#### **1. FEED MATERIALS OF MINERAL ORIGIN**

Calcareous marine shells

Maerl

Lithotamn

Calcium gluconate

Calcium carbonate

Defluorinated monocalciumphosphate

Defluorinated dicalciumphosphate

Magnesium oxide (anhydrous magnesia)

Magnesium sulphate

Magnesium chloride

Magnesium carbonate

Calcium magnesium phosphate

Magnesium phosphate

Monosodium phosphate

Calcium sodium phosphate

Sodium chloride

Sodium bicarbonate

Sodium carbonate

Sodium sulphate

Potassium chloride

**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

**ANNEX VI**

Feed additives used as in animal nutrition  
(referred to in §3.4.18 (d,e,f))

**1. TECHNOLOGICAL ADDITIVES****(a) Preservatives**

ID numbers or Functional groups	Substance	Description, conditions for use
E 200	Sorbic acid	
E 236	Formic acid	
E 237	Sodium formate	
E 260	Acetic acid	
E 270	Lactic acid	
E 280	Propionic acid	
E 330	Citric acid	

**(b) Antioxidants**

ID numbers or Functional groups	Substance	Description, conditions for use
1b306(i)	Tocopherol extracts from vegetable oils	
1b306(ii)	Tocopherol-rich extracts from vegetable oils (delta rich)	

**(c) Emulsifiers, stabilisers, thickeners and gelling agents**

ID numbers or Functional groups	Substance	Description, conditions for use
E 322	Lecithins	Only when derived from organic raw material. Use restricted to aquaculture animal feed.

**(d) Binders and anti-caking agents**

ID numbers or Functional groups	Substance	Description, conditions for use
E 535	Sodium ferrocyanide	Maximum dose rate of 20 mg/kg NaCl calculated as ferrocyanide anion.
E 551b	Colloidal silica	
E 551c	Kieselgur (diatomaceous earth, purified)	
1m558i	Bentonite	

BIOAGRICERT srl

DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018



	E 559	Kaolinitic clays, free of asbestos	
	E 560	Natural mixtures of stearites and chlorite	
	E 561	Vermiculite	
	E 562	Sepiolite	
	E 566	Natrolite-Phonolite	
	1g568	Clinoptilolite of sedimentary origin	
	E 599	Perlite	

**(e) Silage additives**

ID numbers or Functional groups	Substance	Description, conditions for use
1k	Enzymes and micro-organisms	Use restricted to production of silage when weather conditions do not allow for adequate fermentation.

**2. SENSORY ADDITIVES**

ID numbers or Functional groups	Substance	Description, conditions for use
2b	Flavouring compounds	Only extracts from agricultural products.

**3. NUTRITIONAL ADDITIVES**

**(a) Vitamins, pro-vitamins and chemically well-defined substances having similar effect**

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

BIOAGRICERT srl

DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018

<b>(b) Compounds of trace elements</b>		
<b>ID numbers or Functional groups</b>	<b>Substance</b>	<b>Description, conditions for use</b>
E1 Iron	Ferric oxide Ferrous carbonate Ferrous sulphate, heptahydrate Ferrous sulphate, monohydrate	
3b201	Potassium iodide	
3b202	Calcium iodate, anhydrous	
3b203	Coated granulated calcium iodate anhydrous	
3b301	Cobalt(II) acetate tetrahydrate	
3b302	Cobalt(II) carbonate	
3b303	Cobalt(II) carbonate hydroxide (2:3) monohydrate	
3b304	Coated granulated Cobalt(II) carbonate	
3b305	Cobalt(II) sulphate heptahydrate	
E4 Copper	Basic cupric carbonate, monohydrate Cupric oxide	
3b409	Cupric sulphate, pentahydrate Dicopper chloride trihydroxide (TBCC)	
E5 Manganese	Manganous oxide Manganous sulfate, monohydrate Manganous carbonate	
E6 Zinc	Zinc oxide Zinc sulphate monohydrate Zinc sulphate heptahydrate	
3b609	Zinc chloride hydroxide monohydrate (TBZC)	
E7 Molybdenum	Sodium molybdate	
E8 Selenium	Sodium selenite Sodium selenate	
3b8.10, 3b8.11, 3b8.12, 3b813 and 3b817	Selenised yeast inactivated	
<b>4. ZOOTECHNICAL ADDITIVES</b>		
<b>ID numbers or Functional groups</b>	<b>Substance</b>	<b>Description, conditions for use</b>
4a, 4b, 4c and 4d	Enzymes and microorganism in the category of "Zootechnical additives"	

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DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018

## **ANNEX VII**

### **Products for cleaning and disinfection (referred to in §3.4.21 (iv))**

Products for cleaning and disinfection of buildings and installations for animal production:

- Potassium and sodium soap
- Water and steam
- Milk of lime
- Lime
- Quicklime
- Sodium hypochlorite (e.g. as liquid bleach)
- Caustic soda
- Caustic potash
- Hydrogen peroxide
- Natural essences of plants
- Citric, peracetic acid, formic, lactic, oxalic and acetic acid
- Alcohol
- Nitric acid (dairy equipment)
- Phosphoric acid (dairy equipment)
- Formaldehyde
- Cleaning and disinfection products for teats and milking facilities
- Sodium carbonate

**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

**ANNEX VIII**

Certain products and substances for use in production of processed organic food  
(referred to in §3.7.5 (a))

**SECTION A — FOOD ADDITIVES, INCLUDING CARRIERS**

For the purpose of the calculation referred to in Article 23(4)(a)(ii) of Regulation (EC) No 834/2007, food additives marked with an asterisk in the column of the code number, shall be calculated as ingredients of agricultural origin.

Code	Name	Preparation of foodstuffs		Specific conditions
		of plant origin	of animal origin	
E 153	Vegetable carbon		X	Ashy goat cheese Morbier cheese
E 160b*	Annatto, Bixin, Norbixin		X	Red Leicester cheese Double Gloucester cheese Cheddar Mimolette cheese
E 170	Calcium carbonate	X	X	Shall not be used for colouring or calcium enrichment of products
E 220 Or E224	Sulphur dioxide Potassium metabisulphite	X	X (only for mead)	In fruit wines (*) and mead with and without added sugar (including cider and perry) or in mead:50 mg (**) For cider and perry prepared with addition of sugars or juice concentrate after fermentation: 100 mg (**) (* ) In this context, 'fruit wine' is defined as wine made from fruits other than grapes. (** ) Maximum levels available from all sources, expressed as SO <sub>2</sub> in mg/l.
E 250 Or E252	Sodium nitrite Potassium nitrate	X	X	For meat products (1): For E 250: indicative ingoing amount expressed as NaNO <sub>2</sub> : 80 mg/kg For E 252: indicative ingoing amount expressed as NaNO <sub>3</sub> : 80 mg/kg For E 250: maximum residual amount expressed as NaNO <sub>2</sub> : 50 mg/kg For E 252: maximum residual amount expressed as NaNO <sub>3</sub> : 50 mg/kg
E 270	Lactic acid	X	X	
E 290	Carbon dioxide	X	X	
E 296	Malic acid	X		
E 300	Ascorbic acid	X	X	Meat products (2)
E 301	Sodium ascorbate		X	Meat products (2) in connection with nitrates and nitrites
E 306*	Tocopherol-rich extract	X	X	Anti-oxidant for fats and oils
E 322*	Lecithins	X	X	Milk products (2)
E 325	Sodium lactate		X	Milk-based and meat products
E 330	Citric acid	X		
E 331	Sodium citrates		X	
E 333	Calcium citrates	X		

BIOAGRICERT srl

DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018

E 334	Tartaric acid (L(+)-)	X		
E 335	Sodium tartrates	X		
E 336	Potassium tartrates	X		
E 341 (i)	Monocalciumphospha	X		Raising agent for self raising flour
E 392	Extracts of rosemary	X	X	Only when derived from organic production
E 400	Alginic acid	X	X	Milk-based products (2)
E 401	Sodium alginate	X	X	Milk-based products (2)
E 402	Potassium alginate	X	X	Milk-based products (2)
E 406	Agar	X	X	Milk-based and meat products (2)
E 407	Carrageenan	X	X	Milk-based products (2)
E 410	Locust bean gum	X	X	
E 412	Guar gum	X	X	
E 414	Arabic gum	X	X	
E 415	Xanthan gum	X	X	
E 422	Glycerol	X		For plant extracts
E 440 (i)	Pectin	X	X	Milk-based products (2)
E 464	Hydroxypropyl methyl cellulose	X	X	Encapsulation material for capsules
E 500	Sodium carbonates	X	X	'Dulce de leche' (3) and soured-cream butter and sour milk cheese (2)
E 501	Potassium carbonates	X		
E 503	Ammonium carbonates	X		
E 504	Magnesium carbonates	X		
E 509	Calcium chloride		X	Milk coagulation
E 516	Calcium sulphate	X		Carrier
E 524	Sodium hydroxide	X		Surface treatment of 'Laugengebäck
E 551	Silicon dioxide	X		Anti-caking agent for herbs and spices
E 553b	Talc	X	X	Coating agent for meat products
E 938	Argon	X	X	
E 939	Helium	X	X	
E 941	Nitrogen	X	X	
E 948	Oxygen	X	X	

(1) This additive can only be used, if it has been demonstrated to the satisfaction of the competent authority that no technological alternative, giving the same guarantees and/or allowing to maintain the specific features of the product, is available.

(2) The restriction concerns only animal products.

(3) 'Dulce de leche' or 'Confiture de lait' refers to a soft, luscious, brown cream, made of sweetened, thickened milk

**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

**SECTION B — PROCESSING AIDS AND OTHER PRODUCTS, WHICH MAY BE USED FOR PROCESSING OF INGREDIENTS OF AGRICULTURAL ORIGIN FROM ORGANIC PRODUCTION**

Name	Preparation of foodstuffs		Specific conditions
	of plant origin	of animal origin	
Water	X	X	Drinking water within the meaning of Council Directive 98/83/EC
Calcium chloride	X		Coagulation agent
Calcium carbonate	X		
Calcium hydroxide	X		
Calcium sulphate	X		Coagulation agent
Magnesium chloride (or nigari)	X		Coagulation agent
Potassium carbonate	X		Drying of grapes
Sodium carbonate	X		Sugar(s) production
Lactic acid		X	For the regulation of the pH of the brine bath in cheese production (1)
Citric acid	X	X	For the regulation of the pH of the brine bath in cheese production (1) Oil production and hydrolysis of starch (2)
Sodium hydroxide	X		Sugar(s) production Oil production from rape seed (Brassica spp)
Sulphuric acid	X	X	Gelatine production (1) Sugar(s) production (2)
Hydrochloric acid		X	Gelatine production For the regulation of the pH of the brine bath in the processing of Gouda-, Edam and Maasdammer cheeses, Boerenkaas, Friese and Leidse Nagelkaas
Ammonium hydroxide		X	Gelatine production
Hydrogen peroxide		X	Gelatine production
Carbon dioxide	X	X	
Nitrogen	X	X	
Ethanol	X	X	Solvent
Tannic acid	X		Filtration aid
Egg white albumen	X		
Casein	X		
Gelatin	X		

**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

Isinglass	X		
Vegetable oils	X	X	Greasing, releasing or antifoaming agent
Silicon dioxide gel or colloidal solution	X		
Activated carbon	X		
Talc	X		In compliance with the specific purity criteria for food additive E 553b
Bentonite	X	X	Sticking agent for mead (1) In compliance with the specific purity criteria for food additive E 558
Kaolin	X	X	Propolis (1) In compliance with the specific purity criteria for food additive E 559
Cellulose	X	X	Gelatine production (1)
Diatomaceous earth	X	X	Gelatine production (1)
Perlite	X	X	Gelatine production (1)
Hazelnut shells	X		
Rice meal	X		
Beeswax	X		Releasing agent
Carnauba wax	X		Releasing agent

( 1 ) The restriction concerns only animal products.  
( 2 ) The restriction concerns only plant products.

**SECTION C — PROCESSING AIDS FOR THE PRODUCTION OF YEAST AND YEAST PRODUCTS**

Name	Primary yeast	Yeast confections/ formulations	Specific conditions
Calcium chloride	X		
Carbon dioxide	X	X	
Citric acid	X		For the regulation of the pH in yeast production
Lactic acid	X		For the regulation of the pH in yeast production
Nitrogen	X	X	
Oxygen	X	X	
Potato starch	X	X	For filtering
Sodium carbonate	X	X	For the regulation of the pH
Vegetable oils	X	X	Greasing, releasing or anti-foaming agent

**BIOAGRICERT srl**

**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**

## ANNEX IX

Ingredients of agricultural origin which have not been produced organically  
(referred to in §3.7.6)

### 1. UNPROCESSED VEGETABLE PRODUCTS AS WELL AS PRODUCTS DERIVED THEREFROM BY PROCESSES

#### 1.1. Edible fruits, nuts and seeds:

— acorns	<i>Quercus</i> spp.
— cola nuts	<i>Cola acuminata</i>
— gooseberries	<i>Ribes uva-crispa</i>
— maracujas (passion fruit)	<i>Passiflora edulis</i>
— raspberries (dried)	<i>Rubus idaeus</i>
— red currants (dried)	) <i>Ribes rubrum</i>

#### 1.2. Edible spices and herbs:

— pepper (Peruvian)	<i>Schinus molle</i> L.
— horseradish seeds	<i>Armoracia rusticana</i>
— lesser galanga	<i>Alpinia officinarum</i>
— safflower flowers	<i>Carthamus tinctorius</i>
— watercress herb	<i>Nasturtium officinale</i>

#### 1.3. Miscellaneous:

— Algae, including seaweed, permitted in non-organic foodstuffs preparation

### 2. VEGETABLE PRODUCTS

#### 2.1. Fats and oils whether or not refined, but not chemically modified, derived from plants other than:

— cocoa	<i>Theobroma cacao</i>
— coconut	<i>Cocos lucifera</i>
— olive	<i>Olea europea</i>
— sunflower	<i>Helianthus annuus</i>
— palm	<i>Elaeis guineensis</i>
— rape	<i>Brassica napus, rapa</i>
— safflower	<i>Carthamus tinctorius</i>
— sesame	<i>Sesamum indicum</i>
— soya	<i>Glycine max</i>

#### 2.2. The following sugars, starches and other products from cereals and tubers:

— fructose  
— rice paper  
— unleavened bread paper  
— starch from rice and waxy maize, not chemically modified

#### 2.3. Miscellaneous:

— pea protein. *Pisum* spp  
— rum, only obtained from cane sugar juice  
— kirsch prepared on the basis of fruits and flavourings as referred to in Article 27(1)(c) of Regulation (EC) 889/2008.

### 3. ANIMAL PRODUCTS:

aquatic organisms, not originating from aquaculture, and permitted in no-organic foodstuffs preparation  
— gelatin  
— whey powder 'herasuola'  
— casings

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DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018



**ANNEX X**

**Model of documentary evidence to the operator according to §5.3**

1. Document Number:	
2. Name and address of: main activity (producer, processor, importer, etc.):	3. Name, address and code number of the control body
4. Product groups / categories:  – Plants and plant products: – Algae and seaweed products: – livestock and livestock products: – Aquaculture animals and related products: – Processed products	5. Defined as:  organic production, in-conversion products, and non-organic production in case of parallel production / processing pursuant to Article 11 of Regulation (EC) No. 834/2007
6. Period of validity:  - Plant products from .... to .... - Seaweed from .... to .... - livestock products from .... to .... - Aquaculture animal products from .... to .... - Processed products from .... to ....	7. Date of control / control:
<p>8. This document has been issued on the basis of Article 29 (1), of Regulation (EC) No. 834/2007 and Article 68 (2) of Regulation (EC) No. 889/2008. The declared operator has submitted his activities under control, and meets the requirements laid down in those Regulations.</p> <p>Date, place:</p> <p>Signature and stamp on behalf of the issuing control body/authority:</p>	

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**DATE: 09/07/2009 V1.1 20/12/2012 RV 4 20/02/2018**