

Results and decisions from the board meeting 2 - 3 October 2007 and subsequent consultations

Question 1: The current rules allow the following exceptions to help farmers to start or continue organic production when confronted with climatic, geographic or structural difficulties. For each of these exceptions, do you agree that they are kept, possibly under stricter conditions?

- 1.) The existing derogation should run out. We notice in some regions in Europe there are still serious problems for farmers having tethering systems in place. For these areas after 2010, the flexibility rule should be used to solve the problems. For helping the farmers in these areas to build new stables, we strongly recommend financial incentives.
- 2.) In small farms, which should be defined by member states, tethering should be allowed without limitation in time, under circumstances which have to be defined. We will present details of these circumstances later.
- 3.) We agree that the existing derogation shall run out 2010.
- 4.) The derogation should be deleted.
- 5.) 6.) 7.) The derogation Annex III A.1.3. a)b)c)d) should be kept as it is in 2092/91.
- 8.) We agree with the proposal because it is a clarification (Annex III. A2.4.)
- 9.) The exception should be kept.
- 10.) 11.) This should not be regarded as a derogation but should be allowed. Transportation is a part of processing and parallel processing is allowed anyway under specific circumstances. Transportation of organic and conventional products can be organised in a way that ensures products are not mixed.

Question 2: The current rules allow the following exceptions to farmers that can not find organic feed, seeds, live animals or other farm input on the market. For each of these exceptions, do you agree that they are kept, possibly under stricter conditions?

- 1.) The derogation should run out but this is not possible in the near future. Clear deadlines are needed but we ask for an investigation what deadlines are possible.
- 2.) The derogation should be kept for the moment but clear deadlines should be established for ending the derogation. This needs to be based on an investigation of what deadlines are possible.
- 3.) We agree with transferring the existing deadlines as stated in EU Reg. 2092/91.
- 4.) The exception should be kept.
- 5.) The exception should be kept.
- 6.) The exception should be kept.
- 7.) The exception should be kept.

Question 3: The current rules allow the following exception to farmers to solve a specific management problem. Do you agree that this is kept, possibly under stricter conditions?

(Annex I.B.8.3.4) This exception should be kept, but stricter limiting conditions should be introduced. We will come later with more details on these conditions.

Question 4: The current rules allow the following exceptions to help farmers to continue organic production when confronted with catastrophes. For each of these exceptions that should only be used during or after catastrophic circumstances, do you agree that they are kept, possibly under stricter conditions?

- 1.) The exception should be kept.
- 2.) The exception should be kept.
- 3.) The exception should be kept.

Question 5: The current rules allow farmers that can not find organic breeding animals on the market, to bring non-organic breeding animals onto the farm under strict conditions. The animals should only be used for breeding purposes, be female and have not yet given birth (nulliparous). There is a yearly maximum of 10 % for horses, donkeys, cattle, buffaloes and bisons, and of 20 % for pigs, sheep and goats. Do you agree to make the conditions stricter?

We want to keep the current percentages as it is in 2092/91. The situation in each country is very different therefore we cannot support a reduction at the EU level right now.

Question 6: In case the exceptions analysed under section 1 are kept, we would like to know for each of these exceptions who should, in your view, take the decision, if it can be used. In addition we would like to know your opinion on the need for notification and special recording obligations.

In general, we support that the farmer has a high self responsibility for using exceptions, for which s/he must have appropriate documentation evidence for using the exception. Where we recommend MS authorisation, we assume that this is a general authorisation in the country, so that farmers do not need to seek further authorisation.

The EU Group wants to stress that the decision processes must be kept simple and transparent and not made too complicated - it is important to facilitate for producers and processors to change to organic production.

The requirements for competence of certification bodies have been increased since EN45011 accreditation now is needed. They should be trusted to make good decisions, but this must be backed up by competent authorities providing consistent oversight, which itself must be transparent.

- 1) The farmer has the responsibility.
- 2) The farmer has the responsibility.
- 3) The farmer has the responsibility.
- 4) No answer necessary because this derogation should run out.
- 5) The MS should decide if this is possible in the country, together with the criteria for allowing it. Then the control body should decide, based on the farmer providing satisfactory evidence of fulfilling the criteria.
- 6) The farmer has the responsibility.
- 7) The farmer has the responsibility.
- 8) The farmer has the responsibility.
- 9) The MS should decide if this is possible in the country, together with the criteria for allowing it. Then the control body should decide, based on the farmer providing satisfactory evidence of fulfilling the criteria.
- 10) 11) This should not be a derogation. It is a part of processing and is acceptable.
- 12) The farmer has the responsibility.
- 13) The responsibility is on the member state level.
- 14) The farmer has the responsibility.
- 15) The farmer has the responsibility.
- 16) The farmer has the responsibility.
- 17) Control body, member states and Commission have their respective responsibilities.
- 18) The farmer has the responsibility.
- 19) The farmer has the responsibility.
- 20) The member state is responsible.
- 21) The member state is responsible.
- 22) The member state is responsible.

Question 7: The current rules allow the use of micro-organisms for improving the condition of the soil as well as the availability of nutrients in the soil and for crops. But the need for such use of micro-organisms has first to be recognized by the control body. In line with the management of the exceptions dealt with in earlier questions, we would like to know, who should, in your view, take the decision whether micro-organisms can be used for this purpose.

The IFOAM EU Group is not of the opinion that member state authorities should authorise the use of micro-organisms. The farmer should decide, recording documented evidence supporting the need for their use.

The IFOAM EU group recommends to evaluate micro-organisms as an input and include, if positively evaluated, in the positive list for farm inputs, together with any specific restrictions considered necessary.

We have the opinion specific criteria have to be developed.

Question 8: The current rules have led to confusion on whether poultry may be kept in stables with several layers of flooring area. If you think it is necessary to clarify these rules, how, in your view, should it be regulated?

We consider that this does need regulating but the question needs more clarification in detail.

Question 9: The current rules have not fixed a minimum slaughter age for slow-growing poultry types. If you think it is necessary to clarify these rules, how, in your view, should it be regulated?

We question if it is appropriate to set a minimum slaughter age, therefore a proper consultation and discussion is needed. We will come later with an answer and a detailed proposal.

Question 10: The current rules ban carrying out certain livestock management practices 'systematically' without being clear on what systematically means. If you think it is necessary to clarify these rules, how, in your view, should it be regulated?

IFOAM EU Group supports the IFOAM Basic Standards, that all mutilations should be forbidden except dehorning, tail docking of lambs and castration. These are necessary for welfare, but of course welfare also has to be respected in performing these operations. The IFOAM EU Group will provide further criteria for which species these can apply to.

Question 11: The current rules allow reducing the period of 2 years for converting land to be used by organic pigs and poultry to 6 months, where the land has not been treated in the 'recent past' with plant protection products (for instance pesticides) or fertilizers not allowed in organic farming. The term 'recent past' is not defined. If you think it is necessary to clarify these rules, how, in your view, should it be regulated?

The IFOAM EU Group suggests “recent past” should be replaced by “during the previous 6 months” (ie the 6 months before the shortened conversion period).

Question 12: The current rules use the term 'extensive husbandry' several times, determining for instance that only animals from extensive husbandry may graze organic land, or organic animals may only graze together with non-organic animals from extensive husbandry. The definition of the term 'extensive husbandry' was regulated by other rules, and the organic rules simply took this definition. But these rules have been repealed, so there is no longer a definition for this term in the organic rules. If you think it is necessary to clarify these rules, how, in your view, should it be regulated?

The IFOAM EU Group agrees that “extensive husbandry” should be defined. We propose the definition should cover two different aspects.

1. System of livestock husbandry
2. grazing animals on common/community land

The IFOAM EU Group will come later with more details.

Question 13: The current rules for the maximum amount of nitrogen to be used on a farm have led to different interpretations. If you think it is necessary to clarify these rules, how, in your view, should it be regulated?

The IFOAM EU Group has the opinion that the upper limit should be maximum 170 kg N/year/ha. This limit shall apply at least 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 (slurry, urine, etc.)

The implementation of this requirement is quite different in different countries. Therefore this statement needs to be elaborated further. A solution needs to be found for intensive crops and for organic conventional sources. Nutrient balances (eg for phosphorus), in particular for farms with intensive crop production, might also be an appropriate instrument.

Question 14: According to the new rules, the controls shall be based on a risk based control system.

The IFOAM EU Group supports strongly the principle of risk-based inspection and our proposal for how this could be implemented is already forwarded to the Commission.

Link to IFOAM EU paper:

http://www.ifoam.org/about_ifoam/around_world/eu_group/PDF_Revision_Organic/Positionpaper_Riskbasedinspection_06.08.07.pdf