



International Federation of
Organic Agriculture Movements –
EU Regional Group

President: Francis Blake

Director: Marco Schlüter

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Working for organic farming in Europe

Brussels April 23rd, 2008

M Jean-Francois Hulot
Head of Unit, Organic Farming
DG Agriculture F.5
Rue de la Loi 130
1040 Brussels
BELGIUM

Dear Jean-Francois,

The new implementing rules for organic farming

We appreciate this chance to give our input to the NIROF and we are glad to see that some of our previous comments have been taken up in the new draft. In particular, we find the changes in the following articles positive:

- Introducing in Article 2 a definition of veterinary treatment and deleting the definition of extensive husbandry;
- That the “notification to control bodies” has been taken out of most articles;
- The structure of code number of inspection bodies is now defined in Article 55.8;
- The addition in article 12 of “pool” for access of water fowl to water.
- The definition on labeling of “in conversion” in article 62.

However, we once again protest against the time pressure put on this process. We feel that there still are premature wordings that need better evaluation in order to be operable by the organic sector (e.g. the 170 kg N-level for manure input, landless livestock production, reference to weed control) and missing provisions (e.g. yeast, labeling of seed mixtures, poultry issues) that are not taken up because of lack of time to discuss seriously (see also our former input on the first version of NIROF).

We are sorry to say that this cannot be seen as good governance, as no real stakeholder involvement has taken place!



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Please find on the following pages a list of the 15 issues in the NIROF that we, after a first evaluation, consider as being the most important to rectify in the present draft of the NIROF.

We ask you to take our input into account and we will be glad to offer our assistance and expertise in any relations that can lead to the development of acceptable rules for the organic sector in Europe.

With best wishes,

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Francis Blake'. The signature is written in a cursive style with a horizontal line underneath the name.

Francis Blake, President

Cc: Maria Fladl, Herman van Boxem, Manuel Florez Droop, SCOF

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Critical issues in the Proposal for NIROF of 10.4.2008:

Article & issue	IFOAM EU Comments
5. 1	Refers also to products for weed control . This is a very critical issue. This wording must not open up for “organic” herbicides. This would be a big step towards intensification. But this may refer to substances like mustard powder or mustard flour used to hinder weed seed from germinating. This issue needs a sound discussion before the wording is changed.
5 and Annex VII	The use of products for disinfection in plant production, storage and processing is not mentioned. It needs to be clarified which products are allowed in this field.
7. Scope	If species are listed several categories are missing: e.g. rabbits, buffaloes, bisons, other bird type animals than poultry. Additionally we suggest adding a formulation on how the scope can be extended in the future.
9.4.	In several countries it seems unrealistic, that authorities can manage authorization in a proper way. We therefore suggest to keep the wording from 2092/91 Ann. I B 3.10.:”authority or inspection body”. Same counts for dehorning in Art. 18 (see 6.1.2 of 2092)
13.1 Siting of apiaries	The requirement for the siting of the apiaries, as the language is now, will be the definite death for organic beekeeping in many MS. The provisions in 834/07 Article 14.b), ix) are sufficient. To add the “3km regulation” we suggest for the NIROF: <i>„Apiaries shall be placed in areas which ensure within a radius of 3 km from the apiary site 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 “.</i>

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Article & issue	IFOAM EU Comments
15.2. Density of live stock	This would mean that Member States have to set up their own maximum numbers of animals per hectare, Ann IV should only be a guideline. This approach needs much more discussion, as if misused it might lead away from harmonisation towards marked distortion.
16. Prohibition of landless livestock production	We support the intention, but feel, that the wording is not optimal, as it leaves too many open questions, e. g. which land? How much land would be the minimum? The connection to Annex IV and A 3.3. (Spreading of surplus manure on other organic holdings) must also be looked at.
17.3. b) grazing of conventional animals together with organic animals	In 2092 Ann IB1.7. refers to extensive husbandry and stocking density and not to the management of the land as it seems to be the case here. To our opinion this is not an appropriate solution and needs more discussion.
23. + 24. Disease prevention and Veterinary treatment	The problem of preventive use of antiparasitica is not addressed. The development of a practical solution needs further discussion.
45.2. Last sentence: “Seed...during conversion...used preferably”	The intention of this sentence is unclear. Art.12 (1) i) of 834/07 has to be taken into consideration, were the use of seed grown on land in 1 st year of conversion (=conventional status) is regulated as it was in 2092, A6.2.b). Has to be clarified or deleted.
65.1. Primarily unannounced inspections	It is not clear if this serves the duty to allow both unannounced and announced inspection. We therefore suggest to use the wording of 2092 Ann III General rules 5. for random inspections: ‘Inspections can be announced or unannounced’.
93: Statistical information	It is an enormous effort to collect such detailed data (e.g. mentioned under b) +c) tones/kg/litres of production) and edit it for an official report. Most likely the Inspection bodies will be asked by the Authorities to deliver the figures. This is an enormous bureaucratic burden raising costs for the inspection. The whole article needs revision.

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Article & issue	IFOAM EU Comments
<p>95.1. Deadline for tethering of cattle in 'old buildings'</p>	<p>Due to the uncertainty with the derogation for small holdings operators were not able to plan in due time how to adjust tethering systems. We therefore ask again to extend this deadline to be in line with the time frame of the Agro-Environmental Programs.</p>
<p>Ann I: All types of manure</p>	<p>The reference to Ann IV is not practical at all, as neither the conventional source nor the organic operator/inspection body knows the livestock of conventional farmers calculated on the basis of Ann IV. We therefore strongly urge to stick to the wording in 2092 Ann. IIA</p>
<p>Ann VIII and A27:</p>	<p>We have often stated the most important changes needed regarding percentage calculation of ingredients and that the well known problem of flavors has to be solved. We again urge you to take up our well developed proposals to solve the most problematic issues!</p>