

3.1.6. Animal welfare

3.1.6.1. All persons involved in keeping aquaculture animals shall possess the necessary basic knowledge and skills as regards the health and the welfare needs of those animals.

3.1.6.2. The handling of aquaculture animals shall be minimised, and shall be undertaken with the greatest care. Proper equipment and protocols shall be used to avoid stress and physical damage associated with handling procedures. Broodstock shall be handled in such a manner as to minimise physical damage and stress, and shall be handled under anaesthesia where appropriate. Grading operations shall be kept to a minimum and shall only be used where required to ensure fish welfare.

3.1.6.3. The following restrictions shall apply to the use of artificial light:

(a) for prolonging natural day length, it shall not exceed a maximum that respects the ethological needs, geographical conditions and general health of the animals; this maximum shall not exceed 14 hours per day, except where necessary for reproductive purposes;

(b) abrupt changes in light intensity shall be avoided at the changeover time through the use of dimmable lights or background lighting.

3.1.6.4. Aeration shall be permitted to ensure animal welfare and health. Mechanical aerators shall be preferably powered by renewable energy sources.

3.1.6.5. Oxygen may only be used for uses linked to animal health and welfare requirements and for critical periods of production or transport, and only in the following cases:

(a) exceptional cases of a change in temperature, a drop in atmospheric pressure or accidental water pollution;

(b) occasional stock management procedures, such as sampling and sorting;

(c) in order to assure the survival of the farm stock.

3.1.6.6. Appropriate measures shall be taken to keep the duration of the transport of aquaculture animals to a minimum.

3.1.6.7. Any suffering shall be kept to a minimum during the entire life of the animal, including at the time of slaughter.

3.1.6.8. Eyestalk ablation, including all similar practices such as ligation, incision and pinching, is prohibited.

3.1.6.9. Slaughter techniques shall render fish immediately unconscious and insensible to pain. Handling prior to slaughter shall be performed in a way that avoids injuries while keeping suffering and stress at a minimum. Differences in harvesting sizes, species, and production sites shall be taken into account when considering optimal slaughtering methods.

3.2. Detailed rules for molluscs

3.2.1. Origin of seed

With regard to the origin of seed, the following rules shall apply:

(a) wild seed from outside the boundaries of the production unit may be used in the case of bivalve shellfish, provided that there is no significant damage to the environment, provided that it is permitted by local legislation and provided that the wild seed comes from:

(i) settlement beds which are unlikely to survive winter weather or are surplus to requirements; or

(ii) natural settlement of shellfish seed on collectors;

(b) for the cupped oyster (*Crassostrea gigas*), preference shall be given to stock which is selectively bred to reduce spawning in the wild;

(c) records shall be kept of how, where and when wild seed was collected to allow traceability back to the collection area;

(d) wild seed may only be collected after the competent authority has granted authorisation to do so.

3.2.2. Housing and husbandry practices

With regard to housing and husbandry practices, the following rules shall apply:

- (a) production may be carried out in the same area of water as organic finfish and algae production, in a polyculture system that shall be documented in the sustainable management plan. Bivalve molluscs may also be grown together with gastropod molluscs, such as periwinkles, in polyculture;
- (b) organic bivalve mollusc production shall take place within areas delimited by posts, floats or other clear markers and shall, where appropriate, be restrained by net bags, cages or other man made means;
- (c) organic shellfish farms shall minimise risks to species of conservation interest. If predator nets are used, their design shall not permit diving birds to be harmed.

3.2.3. Cultivation

With regard to cultivation, the following rules shall apply:

- (a) cultivation on mussel ropes and other methods listed in the implementing acts referred to in Article 15(3) may be used in organic production;
- (b) the bottom cultivation of molluscs is only permitted where no significant environmental impact is caused at the collection and growing sites. A survey and report supporting the evidence of minimal environmental impact shall be added as a separate chapter to the sustainable management plan, and shall be provided by the operator to the competent authority, or, where appropriate, to the control authority or control body, before starting operations.

3.2.4. Management

With regard to management, the following rules shall apply:

- (a) production shall use a stocking density not in excess of that used for non-organic molluscs in the locality. Sorting, thinning and stocking density adjustments shall be made according to the biomass and to ensure animal welfare and high product quality;
- (b) biofouling organisms shall be removed by physical means or by hand and where appropriate returned to the sea away from mollusc farms. Molluscs may be treated once during the production cycle with a lime solution to control competing fouling organisms.

3.2.5. Specific cultivation rules for oysters

Cultivation in bags on trestles shall be permitted. Those or other structures in which the oysters are contained shall be set out so as to avoid the formation of a total barrier along the shoreline. Stock shall be positioned carefully on the beds in relation to tidal flow to optimise production. Production shall meet the requirements set out in the implementing acts referred to in Article 15(3).

Part IV: Processed food production rules

In addition to the general production rules laid down in Articles 9, 11 and 16, the rules laid down in this Part shall apply to the organic production of processed food.

1. General requirements for the production of processed food

- 1.1. Food additives, processing aids and other substances and ingredients used for processing food and any processing practice applied, such as smoking, shall comply with the principles of good manufacturing practice ⁽¹⁾.
- 1.2. Operators producing processed food shall establish and update appropriate procedures based on a systematic identification of critical processing steps.

⁽¹⁾ Good manufacturing practices (GMPs) as defined in Article 3(a) of Commission Regulation (EC) No 2023/2006 of 22 December 2006 on good manufacturing practice for materials and articles intended to come into contact with food (OJ L 384, 29.12.2006, p. 75).

- 1.3. The application of the procedures referred to in point 1.2 shall ensure that the produced processed products comply with this Regulation at all times.
- 1.4. Operators shall comply with and implement the procedures referred to in point 1.2, and, without prejudice to Article 28, shall in particular:
 - (a) take precautionary measures;
 - (b) implement suitable cleaning measures, monitor their effectiveness and keep records of those operations;
 - (c) guarantee that non-organic products are not placed on the market with an indication referring to organic production.
- 1.5. The preparation of processed organic, in-conversion and non-organic products shall be kept separate from each other in time or space. Where organic, in-conversion and non-organic products, in any combination, are prepared or stored in the preparation unit concerned, the operator shall:
 - (a) inform the competent authority, or, where appropriate, the control authority or control body, accordingly;
 - (b) carry out the operations continuously until the production run has been completed, separately in place or time from similar operations performed on any other kind of product (organic, in-conversion or non-organic);
 - (c) store organic, in-conversion and non-organic products, before and after the operations, separate by place or time from each other;
 - (d) keep available an updated register of all operations and quantities processed;
 - (e) take the necessary measures to ensure identification of lots and to avoid mixtures or exchanges between organic, in-conversion and non-organic products;
 - (f) carry out operations on organic or in-conversion products only after suitable cleaning of the production equipment.
- 1.6. Products, 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 organic food, or that otherwise may be misleading as to the true nature of products intended to be marketed as organic food, shall not be used.
2. Detailed requirements for the production of processed food
 - 2.1. The following conditions shall apply to the composition of processed organic food:
 - (a) the product shall be produced mainly from agricultural ingredients or products intended for use as food listed in Annex I; for the purpose of determining whether a product has been produced mainly from those products, added water and salt shall not be taken into account;
 - (b) an organic ingredient shall not be present together with the same ingredient in non-organic form;
 - (c) an in-conversion ingredient shall not be present together with the same ingredient in organic or non-organic form.
 - 2.2. Use of certain products and substances in processing of food
 - 2.2.1. Only food additives, processing aids and non-organic agricultural ingredients authorised pursuant to Article 24 or Article 25 for use in organic production, and the products and substances referred to in point 2.2.2 may be used in the processing of food, with the exception of products and substances of the wine sector, for which point 2 of Part VI shall apply, and with the exception of yeast, for which point 1.3 of Part VII shall apply.
 - 2.2.2. In the processing of food, the following products and substances may be used:
 - (a) preparations of micro-organisms and food enzymes normally used in food processing, provided that food enzymes to be used as food additives have been authorised pursuant to Article 24 for use in organic production;
 - (b) substances and products defined in points (c) and (d)(i) of Article 3(2) of Regulation (EC) No 1334/2008 that have been labelled as natural flavouring substances or natural flavouring preparations in accordance with Article 16(2), (3) and (4) of that Regulation;

- (c) colours for stamping meat and eggshells in accordance with Article 17 of Regulation (EC) No 1333/2008;
 - (d) natural colours and natural coating substances for the traditional decorative colouring of the shell of boiled eggs produced with the intention of placing them on the market at a given period of the year;
 - (e) drinking water and organic or non-organic salt (with sodium chloride or potassium chloride as basic components) generally used in food processing;
 - (f) minerals (trace elements included), vitamins, amino acids and micronutrients, provided that:
 - (i) their use in food for normal consumption is 'directly legally required', in the meaning of being directly required by provisions of Union law or provisions of national law compatible with Union law, with the consequence that the food cannot be placed at all on the market as food for normal consumption if those minerals, vitamins, amino acids or micronutrients are not added; or
 - (ii) as regards food placed on the market as having particular characteristics or effects in relation to health or nutrition or in relation to needs of specific groups of consumers:
 - in products referred to in points (a) and (b) of Article 1(1) of Regulation (EU) No 609/2013 of the European Parliament and of the Council⁽¹⁾ their use is authorised by that Regulation and acts adopted on the basis of Article 11(1) of that Regulation for the products concerned, or
 - in products regulated by Commission Directive 2006/125/EC⁽²⁾, their use is authorised by that Directive.
- 2.2.3. Only the products for cleaning and disinfection authorised pursuant to Article 24 for use in processing shall be used for that purpose.
- 2.2.4. For the purpose of the calculation referred to in Article 30(5), the following rules shall apply:
- (a) certain food additives authorised pursuant to Article 24 for use in organic production shall be calculated as agricultural ingredients;
 - (b) preparations and substances referred to in points (a), (c), (d), (e) and (f) of point 2.2.2 shall not be calculated as agricultural ingredients;
 - (c) yeast and yeast products shall be calculated as agricultural ingredients.

Part V: Processed feed production rules

In addition to the general production rules laid down in Articles 9, 11 and 17, the rules laid down in this Part shall apply to the organic production of processed feed.

1. General requirements for the production of processed feed
 - 1.1. Feed additives, processing aids and other substances and ingredients used for processing feed, and any processing practice used, such as smoking, shall comply with the principles of good manufacturing practice.
 - 1.2. Operators that produce processed feed shall establish and update appropriate procedures based on a systematic identification of the critical processing steps.
 - 1.3. The application of the procedures referred to in point 1.2 shall ensure that the produced processed products comply with this Regulation at all times.
 - 1.4. Operators shall comply with and implement the procedures referred to in point 1.2, and, without prejudice to Article 28, shall in particular:
 - (a) take precautionary measures;
 - (b) implement suitable cleaning measures, monitor their effectiveness and keep records of those operations;

⁽¹⁾ Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009 (OJ L 181, 29.6.2013, p. 35).

⁽²⁾ Commission Directive 2006/125/EC of 5 December 2006 on processed cereal-based foods and baby foods for infants and young children (OJ L 339, 6.12.2006, p. 16).

- (c) guarantee that non-organic products are not placed on the market with an indication referring to organic production.
- 1.5. The preparation of processed organic, in-conversion and non-organic products shall be kept separate from each other in time or space. Where organic, in-conversion and non-organic products, in any combination, are prepared or stored in the preparation unit concerned, the operator shall:
- (a) inform the control authority or control body accordingly;
 - (b) carry out the operations continuously until the production run has been completed, separately in place or time from similar operations performed on any other kind of product (organic, in-conversion or non-organic);
 - (c) store organic, in-conversion and non-organic products, before and after the operations, separate by place or time from each other;
 - (d) keep available an updated register of all operations and quantities processed;
 - (e) take the necessary measures to ensure identification of lots and to avoid mixtures or exchanges between organic, in-conversion and non-organic products;
 - (f) carry out operations on organic or in-conversion products only after suitable cleaning of the production equipment.
2. Detailed requirements for the production of processed feed
- 2.1. Organic feed materials, or in-conversion feed materials, shall not enter simultaneously with the same feed materials produced by non-organic means into the composition of the organic feed product.
- 2.2. Any feed materials used or processed in organic production shall not have been processed with the aid of chemically synthesised solvents.
- 2.3. Only non-organic feed material of plant, algal, animal or yeast origin, feed material of mineral origin, and feed additives and processing aids authorised pursuant to Article 24 for use in organic production may be used in the processing of feed.
- 2.4. Only the products for cleaning and disinfection authorised pursuant to Article 24 for use in processing shall be used for that purpose.

Part VI: Wine

1. Scope
- 1.1. In addition to the general production rules laid down in Articles 9, 10, 11, 16 and 18, the rules laid down in this Part shall apply to the organic production of the products of the wine sector as referred to in point (l) of Article 1(2) of Regulation (EU) No 1308/2013.
- 1.2. Commission Regulations (EC) No 606/2009 ⁽¹⁾ and (EC) No 607/2009 ⁽²⁾ shall apply, save as explicitly provided otherwise in this Part.
2. Use of certain products and substances
- 2.1. Products of the wine sector shall be produced from organic raw material.
- 2.2. Only products and substances authorised pursuant to Article 24 for use in organic production may be used for the making of products of the wine sector, including during the oenological practices, processes and treatments, subject to the conditions and restrictions laid down in Regulation (EU) No 1308/2013 and Regulation (EC) No 606/2009, and in particular in Annex I A to the latter Regulation.

⁽¹⁾ Commission Regulation (EC) No 606/2009 of 10 July 2009 laying down certain detailed rules for implementing Council Regulation (EC) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions (OJ L 193, 24.7.2009, p. 1).

⁽²⁾ Commission Regulation (EC) No 607/2009 of 14 July 2009 laying down certain detailed rules for the implementation of Council Regulation (EC) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products (OJ L 193, 24.7.2009, p. 60).

3. Oenological practices and restrictions
- 3.1. Without prejudice to Sections 1 and 2 of this Part and to specific prohibitions and restrictions provided for in points 3.2, 3.3 and 3.4, only oenological practices, processes and treatments, including the restrictions provided for in Article 80 and Article 83(2) of Regulation (EU) No 1308/2013, in Article 3, Articles 5 to 9 and Articles 11 to 14 of Regulation (EC) No 606/2009, and in the Annexes to those Regulations used before 1 August 2010 shall be permitted.
- 3.2. The use of the following oenological practices, processes and treatments shall be prohibited:
 - (a) partial concentration through cooling in accordance with point (c) of Section B.1 of Part I of Annex VIII to Regulation (EU) No 1308/2013;
 - (b) elimination of sulphur dioxide by physical processes in accordance with point 8 of Annex I A to Regulation (EC) No 606/2009;
 - (c) electrodialysis treatment to ensure the tartaric stabilisation of the wine in accordance with point 36 of Annex I A to Regulation (EC) No 606/2009;
 - (d) partial dealcoholisation of wine in accordance with point 40 of Annex I A to Regulation (EC) No 606/2009;
 - (e) treatment with cation exchangers to ensure the tartaric stabilisation of the wine in accordance with point 43 of Annex I A to Regulation (EC) No 606/2009.
- 3.3. The use of the following oenological practices, processes and treatments is permitted under the following conditions:
 - (a) heat treatments in accordance with point 2 of Annex I A to Regulation (EC) No 606/2009, provided that the temperature does not exceed 75 °C;
 - (b) centrifuging and filtration with or without an inert filtering agent in accordance with point 3 of Annex I A to Regulation (EC) No 606/2009, provided that the size of the pores is not smaller than 0,2 micrometres.
- 3.4. Any amendment introduced after 1 August 2010 concerning the oenological practices, processes and treatments provided for in Regulation (EC) No 1234/2007 or Regulation (EC) No 606/2009 may apply to the organic production of wine only after those measures have been included as permitted in this Section and, if required, after an evaluation in accordance with Article 24 of this Regulation.

Part VII: Yeast used as food or feed

In addition to the general production rules laid down in Articles 9, 11, 16, 17 and 19, the rules laid down in this Part shall apply to the organic production of yeast used as food or feed.

1. General requirements
 - 1.1. For the production of organic yeast, only organically produced substrates shall be used. However, until 31 December 2023, the addition of up to 5 % non-organic yeast extract or autolysate to the substrate (calculated in weight of dry matter) is allowed for the production of organic yeast where operators are unable to obtain yeast extract or autolysate from organic production.
 - 1.2. Organic yeast shall not be present in organic food or feed together with non-organic yeast.
 - 1.3. The following products and substances may be used in the production, confection and formulation of organic yeast:
 - (a) processing aids authorised pursuant to Article 24 for use in organic production;
 - (b) products and substances referred to in points (a), (b) and (e) of point 2.2.2 of Part IV.
 - 1.4. Only the products for cleaning and disinfection authorised pursuant to Article 24 for use in processing shall be used for that purpose.
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