

ANNEX II

DETAILED PRODUCTION RULES REFERRED TO IN CHAPTER III

Part I: Plant production rules

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

1. General requirements
 - 1.1. Organic crops, except those which are naturally grown in water, shall be produced in living soil, or in living soil mixed or fertilised with materials and products allowed in organic production, in connection with the subsoil and bedrock.
 - 1.2. Hydroponic production, which is a method of growing plants which do not naturally grow in water with their roots in a nutrient solution only or in an inert medium to which a nutrient solution is added, is prohibited.
 - 1.3. By way of derogation from point 1.1, the production of sprouts by moistening of seeds and the obtaining of chicory heads including by dipping in clear water shall be allowed.
 - 1.4. By way of derogation from point 1.1, the following practices shall be allowed:
 - (a) growing plants for the production of ornamentals and herbs in pots to be sold together with the pot to the final consumer;
 - (b) growing seedlings or transplants in containers for further transplanting.
 - 1.5. By way of derogation from point 1.1, growing crops in demarcated beds shall only be allowed for the surfaces that have been certified as organic for that practice before 28 June 2017 in Finland, Sweden and Denmark. No extension of those surfaces shall be permitted.

That derogation shall expire on 31 December 2030.

By 31 December 2025, the Commission shall present a report to the European Parliament and the Council on the use of demarcated beds in organic agriculture. That report may be accompanied, where appropriate, by a legislative proposal on the use of demarcated beds in organic agriculture.

- 1.6. All plant production techniques used shall prevent or minimise any contribution to the contamination of the environment.
- 1.7. Conversion
 - 1.7.1. For plants and plant products to be considered as organic products, the production rules laid down in this Regulation shall have been applied with respect to the parcels during a conversion period of at least two years before sowing, or, in the case of grassland or perennial forage, during a period of at least two years before its use as organic feed, or, in the case of perennial crops other than forage, during a period of at least three years before the first harvest of organic products.
 - 1.7.2. Where the land or one or more parcels thereof have been contaminated with products or substances not authorised for use in organic production, the competent authority may decide to extend the conversion period for the land or parcels concerned beyond the period referred to in point 1.7.1.

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

That period may be shortened in the following two cases:

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

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

- (a) the process of degradation of the product or substance concerned must guarantee, at the end of the conversion period, an insignificant level of residues in the soil and, in the case of a perennial crop, in the plant;
- (b) the harvest following the treatment may not be placed on the market as organic or in-conversion products.

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

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

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

- (a) the conversion rules shall apply to the whole area of the production unit on which animal feed is produced;
- (b) notwithstanding point (a), the conversion period may be reduced to one year for pasturages and open air areas used by non-herbivore species.

- 1.8. Origin of plants including plant reproductive material

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

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

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

- 1.8.4. For the production of organic varieties suitable for organic production, the organic breeding activities shall be conducted under organic conditions and shall focus on enhancement of genetic diversity, reliance on natural reproductive ability, as well as

agronomic performance, disease resistance and adaptation to diverse local soil and climate conditions.

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

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

1.8.5.1. By way of derogation from point 1.8.1, where the data collected in the database referred to in Article 26(1) or the system referred to in point (a) of Article 26(2) shows that the qualitative or quantitative needs of the operator regarding relevant organic plant reproductive material, excluding seedlings, are not met, competent authorities may authorise the use of in-conversion or non-organic plant reproductive material under the conditions laid down in points 1.8.5.3, 1.8.5.4 and 1.8.5.5.

Prior to requesting any such derogation, the operator shall consult the database referred to in Article 26(1) or the system referred to in point (a) of Article 26(2) in order to verify whether his or her request is justified.

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

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

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

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

1.9. Soil management and fertilisation

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

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

- (a) except in the case of grassland or perennial forage, by the use of multiannual crop rotation including mandatory leguminous crops as the main or cover crop for rotating crops and other green manure crops;
- (b) in the case of greenhouses or perennial crops other than forage, by the use of short-term green manure crops and legumes as well as the use of plant diversity; and

- (c) in all cases, by the application of livestock manure or organic matter, both preferably composted, from organic production.
- 1.9.3. Where the nutritional needs of plants cannot be met by the measures provided for in points 1.9.1 and 1.9.2, only fertilisers and soil conditioners that have been authorised pursuant to Article 24 for use in organic production shall be used, and only to the extent necessary. Operators shall keep records of the use of those products.
- 1.9.4. The total amount of livestock manure, as defined in Directive 91/676/EEC, used in the in-conversion and organic production units shall not exceed 170 kg of nitrogen per year/hectare of agricultural area used. That limit shall only apply to the use of farmyard manure, dried farmyard manure and dehydrated poultry manure, composted animal excrement, including poultry manure, composted farmyard manure and liquid animal excrement.
- 1.9.5. Operators of agricultural holdings may establish written cooperation agreements exclusively with operators of other agricultural holdings and undertakings which comply with the organic production rules, for the purpose of spreading surplus manure from organic production units. The maximum limit referred to in point 1.9.4 shall be calculated on the basis of all of the organic production units involved in such cooperation.
- 1.9.6. Preparations of micro-organisms may be used to improve the overall condition of the soil or to improve the availability of nutrients in the soil or in the crops.
- 1.9.7. For compost activation, appropriate plant-based preparations and preparations of micro-organisms may be used.
- 1.9.8. Mineral nitrogen fertilisers shall not be used.
- 1.9.9. Biodynamic preparations may be used.
- 1.10. Pest and weed management
- 1.10.1. The prevention of damage caused by pests and weeds shall rely primarily on the protection by:
- natural enemies,
 - the choice of species, varieties and heterogeneous material,
 - crop rotation,
 - cultivation techniques such as biofumigation, mechanical and physical methods, and
 - thermal processes such as solarisation and, in the case of protected crops, shallow steam treatment of the soil (to a maximum depth of 10 cm).
- 1.10.2. Where plants cannot adequately be protected from pests by measures provided for in point 1.10.1 or in the case of an established threat to a crop, only products and substances authorised pursuant to Articles 9 and 24 for use in organic production shall be used, and only to the extent necessary. Operators shall keep records proving the need for the use of such products.
- 1.10.3. In relation to products and substances used in traps or in dispensers of products and substances other than pheromones, the traps or dispensers shall prevent the products and substances from being released into the environment and shall prevent contact between the products and substances and the crops being cultivated. All traps, including pheromone traps, shall be collected after use and shall be safely disposed of.
- 1.11. Products used for cleaning and disinfection

Only those products for cleaning and disinfection in plant production authorised pursuant to Article 24 for use in organic production shall be used for that purpose.

1.12. Record-keeping obligation

Operators shall keep records regarding the parcels concerned and the amount of the harvest.

1.13. Preparation of unprocessed products

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

2. Detailed rules for specific plants and plant products

2.1. Rules on mushroom production

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

- (a) farmyard manure and animal excrement:
 - (i) either from organic production units or from in-conversion units in their second year of conversion; or
 - (ii) referred to in point 1.9.3, only when the product referred to in point (i) is not available, provided that that farmyard manure and animal excrement do not exceed 25 % of the weight of total components of the substrate, excluding the covering material and any added water, before composting;
- (b) products of agricultural origin, other than those referred to in point (a), from organic production units;
- (c) peat, not treated with chemical products;
- (d) wood, not treated with chemical products after felling;
- (e) mineral products referred to in point 1.9.3, water and soil.

2.2. Rules concerning the collection of wild plants

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

- (a) for a period of at least three years before the collection, those areas were not treated with products or substances other than those authorised pursuant to Articles 9 and 24 for use in organic production;
- (b) the collection does not affect the stability of the natural habitat or the maintenance of the species in the collection area.