

Regulation (EU) 2018/848 of the European Parliament and of the
Council of 30 May 2018 on organic production and labelling of
organic products and repealing Council Regulation (EC) No 834/2007

CHAPTER III

PRODUCTION RULES

Article 9

General production rules

- 1 Operators shall comply with the general production rules laid down in this Article.
- 2 The entire holding shall be managed in compliance with the requirements of this Regulation that apply to organic production.
- 3 For the purposes and uses referred to in Articles 24 and 25 and in Annex II, only products and substances that have been authorised pursuant to those provisions may be used in organic production, provided that their use in non-organic production has also been authorised in accordance with the relevant provisions of Union law and, where applicable, in accordance with national provisions based on Union law.

The following products and substances referred to in Article 2(3) of Regulation (EC) No 1107/2009 shall be allowed for use in organic production, provided that they are authorised pursuant to that Regulation:

- a safeners, synergists and co-formulants as components of plant protection products;
- b adjuvants that are to be mixed with plant protection products.

The use in organic production of products and substances for purposes other than those covered by this Regulation shall be allowed, provided that their use complies with the principles laid down in Chapter II.

- 4 Ionising radiation shall not be used in the treatment of organic food or feed, and in the treatment of raw materials used in organic food or feed.
- 5 The use of animal cloning, and the rearing of artificially induced polyploid animals, shall be prohibited.
- 6 Preventive and precautionary measures shall be taken, where appropriate, at every stage of production, preparation and distribution.
- 7 Notwithstanding paragraph 2, a holding may be split into clearly and effectively separated production units for organic, in-conversion and non-organic production, provided that for the non-organic production units:
 - a as regards livestock, different species are involved;
 - b as regards plants, different varieties that can be easily differentiated are involved.

As regards algae and aquaculture animals, the same species may be involved, provided that there is a clear and effective separation between the production sites or units.

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/848 of the European Parliament and of the Council, Article 9. (See end of Document for details)

8 By way of derogation from point (b) of paragraph 7, in the case of perennial crops which require a cultivation period of at least three years, different varieties that cannot be easily differentiated, or the same varieties, may be involved, provided that the production in question is within the context of a conversion plan, and provided that the conversion of the last part of the area related to the production in question to organic production begins as soon as possible and is completed within a maximum of five years.

In such cases:

- a the farmer shall notify the competent authority, or, where appropriate, the control authority or the control body, of the start of harvest of each of the products concerned at least 48 hours in advance;
- b upon completion of the harvest, the farmer shall inform the competent authority, or, where appropriate, the control authority or the control body, of the exact quantities harvested from the units concerned and of the measures taken to separate the products;
- c the conversion plan and the measures to be taken to ensure the effective and clear separation shall be confirmed each year by the competent authority, or, where appropriate, by the control authority or the control body, after the start of the conversion plan.

9 The requirements concerning different species and varieties, laid down in points (a) and (b) of paragraph 7, shall not apply in the case of research and educational centres, plant nurseries, seed multipliers and breeding operations.

10 Where, in the cases referred to in paragraphs 7, 8 and 9, not all production units of a holding are managed under organic production rules, the operators shall:

- a keep the products used for the organic and in-conversion production units separate from those used for the non-organic production units;
- b keep the products produced by the organic, in-conversion and non-organic production units separate from each other;
- c keep adequate records to show the effective separation of the production units and of the products.

11 The Commission is empowered to adopt delegated acts in accordance with Article 54 amending paragraph 7 of this Article by adding further rules on the splitting of a holding into organic, in-conversion and non-organic production units, in particular in relation to products listed in Annex I, or by amending those added rules.

Status:

Point in time view as at 31/01/2020.

Changes to legislation:

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