



COMMISSION IMPLEMENTING REGULATION (EU) 2020/464
of 26 March 2020

laying down certain rules for the application of Regulation (EU) 2018/848 of the European Parliament and of the Council as regards the documents needed for the retroactive recognition of periods for the purpose of conversion, the production of organic products and information to be provided by Member States

(Text with EEA relevance)

CHAPTER I
CONVERSION

Article 1

Documents to be supplied for the purpose of the retroactive recognition of a previous period

1. For the purposes of point (a) of Article 10(3) of Regulation (EU) 2018/848, the operator shall submit to the competent authorities in the Member State in which the activity is carried out and in which that operator's holding is subject to the control system the official documents from the relevant competent authorities proving that the land parcels for which the retroactive recognition of a previous period is requested were subject to measures which were defined in a programme implemented pursuant to Regulation (EU) No 1305/2013 of the European Parliament and of the Council⁽¹⁾ and that no products or substances other than those authorised for use in organic production have been used on those land parcels.

2. For the purposes of point (b) of Article 10(3) of Regulation (EU) 2018/848, the operator shall submit to the competent authorities in the Member State in which the activity is carried out and in which that operator's holding is subject to the control system the following documents proving that the land parcels were natural or agricultural areas that, for a period of at least three years, have not been treated with products or substances that are not authorised for use in organic production in accordance with Regulation (EU) 2018/848:

- (a) maps identifying clearly each land parcel covered by the request for retroactive recognition and information on the total surface of those land parcels and, if relevant, on the nature and the volume of the on-going production and, where available, their geolocation coordinates;
- (b) the detailed risk analysis carried out by the control authority or control body to assess whether any land parcel covered by the request for retroactive recognition has been treated with products or substances that are not authorised for use in organic production for a period of at least three years, taking into account in particular the size of the total surface to which the request relates and the agronomic practices carried out during that period on each land parcel subject to the request;

⁽¹⁾ Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).

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- (c) the laboratory analyses results from accredited laboratories on soil and/or plant samples taken by the control authority or control body from each land parcel identified as presenting the risk of being contaminated as a result of being treated with products and substances that are not authorised for use in organic production following the detailed risk analysis referred in point (b);
- (d) an inspection report from the control authority or control body following a physical inspection of the operator for the purpose of verifying the consistency of the information collected on the land parcels covered by the request for retroactive recognition;
- (e) any other relevant documents deemed necessary by the control authority or control body to assess the request for retroactive recognition;
- (f) a final written statement of the control authority or control body indicating whether a retroactive recognition of a previous period as being part of the conversion period is justified and indicating the starting period considered as organic for each land parcel concerned as well as the total surface of the land parcels benefiting from a retroactive recognition of a period.

CHAPTER II

LIVESTOCK

SECTION 1

BOVINE ANIMALS, OVINE ANIMALS, CAPRINE ANIMALS AND EQUINE ANIMALS*Article 2***Minimum period for feeding with maternal milk**

The minimum period referred to in point 1.4.1.(g) of Part II of Annex II to Regulation (EU) 2018/848 for feeding suckling animals preferably with maternal milk shall be:

- (a) 90 days after birth for bovine animals and equine animals;
- (b) 45 days after birth for ovine animals and caprine animals.

*Article 3***Stocking density and minimum surface for indoor and outdoor areas**

For bovine animals, ovine animals, caprine animals and equine animals, the stocking density and the minimum surface for indoor and outdoor areas shall be as set out in Part I of Annex I.

*Article 4***Characteristics of and technical requirements for the minimum surface for the indoor area**

At least half of the minimum surface of the indoor area laid down in Part I of Annex I for bovine animals, ovine animals, caprine animals and equine animals shall consist of a solid construction, that is to say, not of a slatted or grid construction.

*SECTION 2***CERVINE ANIMALS***Article 5***Minimum period for feeding with maternal milk**

The minimum period referred to in point 1.4.1.(g) of Part II of Annex II to Regulation (EU) 2018/848 for feeding suckling cervine animals preferably with maternal milk shall be 90 days after birth.

*Article 6***Stocking density and minimum surface for outdoor areas**

For cervine animals, the stocking density and the minimum surface for outdoor areas shall be as set out in Part II of Annex I.

*Article 7***Characteristics of and technical requirements for outdoor enclosures or pens**

1. Cervine animals shall be kept in outdoor enclosures or pens providing pastures whenever conditions allow.
2. The outdoor enclosures or pens shall be constructed in such a way that the different species of cervine animals can be separated if needed.
3. Each outdoor enclosure or pen shall be either dividable into two areas or adjacent to another outdoor enclosure or pen so that maintenance measures can be carried out on each area or each outdoor enclosure or pen successively.

*Article 8***Requirements for vegetation and characteristics of protected facilities and open air areas**

1. Visual and weather protection facilities shall be provided to cervine animals preferably by natural shelters like inclusion of groups of trees and shrubs, parts of forests or skirts of woods into the outdoor enclosure or pen; if this is not feasible to a sufficient extent the whole year, roofed artificial shelters shall be provided.
2. Outdoor enclosures or pens for cervine animals shall be equipped with facilities or be covered with vegetation that allow animals to rub off velvet from their antlers.
3. In the late stage of pregnancy and two weeks after birth, female cervine animals shall have access to areas covered with vegetation that allows hiding their calves.
4. Fences around outdoor enclosures or pens shall be constructed in such a way that cervine animals cannot escape.

*SECTION 3***PORCINE ANIMALS***Article 9***Minimum period for feeding with maternal milk**

The minimum period referred to in point 1.4.1.(g) of Part II of Annex II to Regulation (EU) 2018/848 for feeding suckling porcine animals preferably with maternal milk shall be 40 days after birth.

*Article 10***Stocking density and minimum surface for indoor and outdoor areas**

For porcine animals, the stocking density and the minimum surface for indoor and outdoor areas shall be as set out in Part III of Annex I.

*Article 11***Characteristics of and technical requirements for the minimum surface for indoor and outdoor areas**

At least half of the minimum surface of both the indoor area and the outdoor area laid down in Part III of Annex I shall consist of a solid construction, that is to say, not of a slatted or grid construction.

*Article 12***Requirements for vegetation and characteristics of open air areas**

1. Open air areas shall be attractive to porcine animals. Where possible, preference shall be given to fields with trees or forests.
2. Open air areas shall provide outdoor climate as well as access to shelters and means allowing the regulation of body temperature of porcine animals.

*SECTION 4***POULTRY***Article 13***Definitions**

For the purposes of this Section, the following definitions shall apply:

- (a) ‘fattening poultry’ means poultry intended for meat production;
- (b) ‘flock’ in the context of compartments in poultry houses means a group of birds that are kept together not mixing with other poultry species, and with their own dedicated indoor and outdoor areas;
- (c) ‘brother rooster’ means male chicken of laying hen strains intended for meat production;

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- (d) 'poularde' means female *Gallus gallus* intended for meat production and slaughtered at the minimum age of 120 days.

*Article 14***Stocking density and minimum surface for indoor and outdoor areas**

For poultry, the stocking density and the minimum surface for indoor and outdoor areas shall be set out in Part IV of Annex I.

*Article 15***Characteristics of and technical requirements for poultry houses**

1. Poultry houses shall be constructed in a manner allowing all birds easy access to open air areas. For this purpose, the following rules shall apply:

- (a) the external boundary of the poultry house shall have exit/entry pop-holes giving direct access to open air areas;
- (b) every single exit/entry pop-hole shall be of a size adequate for the birds;
- (c) birds shall be able to access pop-holes without any obstacle;
- (d) pop-holes from the external boundary of the poultry house shall have a combined length of at least 4 m per 100 m² of the usable area of the minimum surface of the indoor area of the poultry house;
- (e) where pop-holes are raised, a ramp shall be provided.

2. For poultry houses with verandas, the following rules shall apply:

- (a) the external boundary both from the indoor house to the veranda and from the veranda to the open air area shall have exit/entry pop-holes allowing easy access respectively to the veranda or to the open air area;
- (b) pop-holes from the indoor house to the veranda shall have a combined length of at least 2 m per 100 m² of the usable area of the minimum surface of the indoor area of the poultry house and pop-holes from the veranda to the open air area shall have a combined length of at least 4 m per 100 m² of the usable area of the minimum indoor surface of the poultry house;
- (c) the usable area of the veranda shall not be taken into account for the calculation of the stocking density and the minimum surface of the indoor and outdoor areas as set out in Part IV of Annex I. However, an additional, roofed outdoor part of a building intended for poultry, insulated in a way that it does not have an outdoor climate, may be taken into account for the calculation of the stocking density and the minimum surface of the indoor areas as set out in Part IV of Annex I, if the following conditions are met:
 - (i) it is fully accessible 24 hours a day;
 - (ii) it complies with the requirements of points 1.6.1 and 1.6.3 of Part II of Annex II to Regulation (EU) 2018/848;
 - (iii) it complies with the same requirements for pop-holes as set for verandas in points (a) and (b) of this paragraph;

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- (d) the usable area of the veranda shall not be included in the total usable area of poultry houses for fattening poultry as referred to in point 1.9.4.4.(m) of Part II of Annex II to Regulation (EU) 2018/848.
3. For poultry houses subdivided into separate compartments in order to house multiple flocks:
- (a) compartments shall ensure that contact with other flocks is restricted and that birds from different flocks cannot mix in the poultry house;
- (b) the following maximum flock sizes in a single compartment of a poultry house shall apply:
- (i) 3 000 parents *Gallus gallus*;
 - (ii) 10 000 pullets;
 - (iii) 4 800 fattening poultry *Gallus gallus*;
 - (iv) 2 500 capons;
 - (v) 4 000 poulardes;
 - (vi) 2 500 turkeys;
 - (vii) 2 500 geese;
 - (viii) 3 200 male Peking ducks or 4 000 female Peking ducks;
 - (ix) 3 200 male Muscovy ducks or 4 000 female Muscovy ducks;
 - (x) 3 200 male Mulard ducks or 4 000 female Mulard ducks;
 - (xi) 5 200 Guinea fowls;
- (c) compartments shall be separated by solid partitions for fattening poultry other than *Gallus Gallus*; such solid partition shall ensure a complete physical separation from the floor to the roof of the building of each compartment of the poultry house;
- (d) compartments shall be separated by solid partitions or semi-closed partitions or nets or meshes for parents *Gallus gallus*, laying hens, pullets, brother roosters and fattening poultry *Gallus gallus*.
4. Multi-tiered systems may be used in poultry houses. Where multi-tiered systems are used, the following rules shall apply:
- (a) multi-tiered systems may only be used for parents *Gallus gallus*, laying hens, pullets for future egg production, pullets for future parents and brother roosters;
- (b) multi-tiered systems shall have no more than three tiers of usable area including the ground floor;
- (c) the elevated tiers shall be constructed in such a way as to prevent droppings falling on the birds below and shall be equipped with an efficient system of manure removal;
- (d) all tiers shall allow for easy inspection of the birds;
- (e) multi-tiered systems shall ensure that all birds can move freely and easily to the different levels or intermediate areas;
- (f) multi-tiered systems shall be constructed in such a way as to provide easy equal access to open air areas to all birds.

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5. Poultry houses shall be equipped with perches or raised sitting levels or both. Perches or raised sitting levels or both shall be provided to the birds from a young age in dimensions or proportions commensurate with the size of the group and of the birds as laid down in Part IV of Annex I.

6. Mobile poultry houses may be used for poultry provided that they are moved regularly during the production cycle in order to ensure the availability of vegetation to the birds and at least between each batch of poultry. The stocking density for fattening poultry laid down in Sections 4 to 9 of Part IV of Annex I may be increased to a maximum of 30 kg live weight/m² provided the surface of the ground floor of the mobile house does not exceed 150 m².

*Article 16***Requirements for vegetation and characteristics of open air areas**

1. Open air areas for poultry shall be attractive to the birds and shall be fully accessible to all birds.

2. For poultry houses subdivided into separate compartments in order to house multiple flocks, the open air areas corresponding to each single compartment shall be separated in order to ensure that contact with other flocks is restricted and that birds from different flocks cannot mix.

3. Open air areas for poultry shall be mainly covered with vegetation composed of a diverse range of plants.

4. Open air areas shall provide to the birds a sufficient number of protective facilities or shelters or shrubs or trees distributed throughout the entire open air areas in order to ensure that the birds are using the whole open air area in a balanced way.

5. The vegetation on the open air area shall be maintained regularly to reduce the potential for nutrient surpluses.

6. The open air areas shall not extend beyond the radius of 150 m from the nearest exit/entry pop-hole of the poultry house. However, an extension of up to 350 m from the nearest pop-hole of the building is permissible provided that a sufficient number of shelters from inclement weather and predators are evenly distributed throughout the whole open air area with at least four shelters per hectare. For geese, the open air area shall allow the birds to satisfy their needs to eat grass.

*SECTION 5****RABBITS****Article 17***Minimum period for feeding with maternal milk**

The minimum period referred to in point 1.4.1.(g) of Part II of Annex II to Regulation (EU) 2018/848 for feeding suckling rabbits preferably with maternal milk shall be 42 days after birth.

▼B*Article 18***Stocking density and minimum surface for indoor and outdoor areas**

For rabbits, the stocking density and the minimum surface for indoor and outdoor areas shall be as set out in Part V of Annex I.

*Article 19***Characteristics of and technical requirements for mobile or fixed housing**

1. During the grazing season, rabbits shall be kept in mobile housing on pastures or in fixed housing with access to pasture.
2. Outside the grazing season, rabbits may be kept in fixed housing with access to an outdoor run with vegetation, preferably pasture.
3. Mobile housing on pastures shall be moved as often as possible to ensure the maximum use of grazing pasture and shall be constructed in such a way that it is possible for rabbits to graze the pasture on the floor.

*Article 20***Characteristics of and technical requirements for indoor and outdoor areas**

1. The indoor area in fixed and mobile housing shall be constructed in such a way that:
 - (a) its height is sufficient to allow all rabbits to stand with ears erect;
 - (b) it can accommodate different groups of rabbits and allow the preservation of the broods' integrity upon transfer to the fattening phase;
 - (c) it is possible for bucks and pregnant and reproductive does to be separated from the group for specific animal welfare reasons and for a limited period provided they can keep eye contact with other rabbits;
 - (d) it is possible for the doe to move away from the nest and return in the nest for nursing the kits;
 - (e) it provides:
 - (i) covered shelter including dark hiding places in sufficient number for all categories of rabbits;
 - (ii) access to nests for all does at least one week before the expected date of birth and at least till the end of the nursing period of the kits;
 - (iii) access to nests for kits in sufficient number with a minimum of one nest per nursing doe with kits;
 - (iv) materials to allow rabbits to gnaw.
2. The outdoor area in facilities with fixed housing shall be constructed in such a way that:
 - (a) it has raised platforms in sufficient number and evenly distributed on its minimum surface;
 - (b) it is surrounded by fences that are high and deep enough to prevent flight either by jumping or digging;

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- (c) if it has a concrete outside area, there is an easy access to the part of the outdoor run with vegetation. Without such easy access, the surface of the concrete area may not be included in the calculation of the minimum surface of the outdoor area;
- (d) it provides:
 - (i) covered shelter including dark hiding places in sufficient number for all categories of rabbits;
 - (ii) materials to allow rabbits to gnaw.

*Article 21***Requirements for vegetation and characteristics and open air areas**

1. The vegetation of the outdoor runs shall be maintained regularly and in such a way that it is attractive to rabbits.
2. During the grazing season, pastures shall be rotated regularly and managed in such a way that the grazing of rabbits is optimised.

CHAPTER III

AQUACULTURE ANIMALS*Article 22***Detailed rules for aquaculture animals per species or group of species**

Operators that produce aquaculture animals shall comply with the detailed rules per species or per group of species set out in Annex II with respect to the stocking density and the specific characteristics of production systems and containment systems.

CHAPTER IV

PROCESSED FOOD AND FEED*Article 23***Techniques authorised in the processing of food products**

1. Only techniques complying with the principles laid down in Chapter II of Regulation (EU) 2018/848, in particular the relevant specific principles applicable to the processing of organic food laid down in Article 7, with the relevant rules of Chapter III of that Regulation and with the detailed production rules set out in Part IV of Annex II thereto are authorised in the processing of food products in organic production.
2. Without prejudice to point 3 of Part VI of Annex II to Regulation (EU) 2018/848, ion exchange and adsorption resin techniques are authorised when used for the preparation of organic raw materials:
 - (a) for products referred to in points (a) and (b), respectively, of Article 1(1) of Regulation (EU) No 609/2013, provided that using those techniques is necessary to meet the requirements of that Regulation and acts adopted on the basis of Article 11(1) of that Regulation for the products concerned; or

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- (b) for products regulated by Directive 2006/125/EC, provided that using those techniques is necessary to meet the requirements of that Directive.

3. Where a Member State considers that a specific technique should be assessed as regards compliance with the principles and rules referred to in paragraph 1 or that certain specific conditions for use of that technique should be included in this Regulation, it may request the Commission to carry out such assessment. For that purpose, it shall notify the Commission and the other Member States of a dossier giving the reasons for such compliance or those specific conditions and shall ensure that the dossier is made publicly available subject to Union and national legislation on data protection.

The Commission shall regularly publish any request referred to in the first subparagraph.

4. The Commission shall analyse the dossier referred to in paragraph 3. If the analysis conducted by the Commission concludes that the technique described in the dossier complies with the principles and rules referred to in paragraph 1, the Commission shall amend this Regulation for the purpose of explicitly authorising the technique referred to in the dossier or including its specific conditions for use in this Regulation.

5. The Commission shall review the authorisation of the techniques for the processing of organic food, including their description and conditions for use whenever new evidence becomes available or is provided by a Member State.

Article 24

Techniques authorised for use in the processing of feed products

1. Only techniques complying with the principles laid down in Chapter II of Regulation (EU) 2018/848, in particular the relevant specific principles applicable to the processing of organic feed laid down in Article 8, with the relevant rules of Chapter III to that Regulation and with the detailed production rules set out in Part V of Annex II thereto and that do not reconstitute properties that are lost in the processing and storage of organic feed, that do not correct the results of negligence in the processing or that otherwise may be misleading as to the true nature of these products are authorised in the processing of feed products in organic production.

2. Where a Member State considers that a specific technique should be assessed as regards compliance with the principles and rules referred to in paragraph 1 or that certain specific conditions for use of that technique should be included in this Regulation, it may request the Commission to carry out such assessment. For that purpose, it shall notify the Commission and the other Member States of a dossier giving the reasons for such compliance or those specific conditions and shall ensure that the dossier is made publicly available subject to Union and national legislation on data protection.

The Commission shall regularly publish any request referred to in the first subparagraph.

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3. The Commission shall analyse the dossier referred to in paragraph 2. If the analysis conducted by the Commission concludes that the technique described in the dossier complies with the principles and rules referred to in paragraph 1, the Commission shall amend this Regulation for the purpose of explicitly authorising the technique referred to in the dossier or including its specific conditions for use in this Regulation.

4. The Commission shall review the authorisation of the techniques for the processing of organic feed, including their description and conditions for use whenever new evidence becomes available or is provided by a Member State.

CHAPTER V

INFORMATION CONCERNING THE AVAILABILITY ON THE MARKET OF ORGANIC AND IN-CONVERSION PLANT REPRODUCTIVE MATERIAL, ORGANIC ANIMALS AND ORGANIC AQUACULTURE JUVENILES

*Article 25***Information to be provided by Member States**

1. Member States shall provide the information to be made available pursuant to point (a) of Article 53(6) of Regulation (EU) 2018/848 from the database referred to in Article 26(1) and the systems referred to in Article 26(2) and, where applicable, in Article 26(3) of that Regulation in accordance with the specifications set out in Part I of Annex III to this Regulation.

2. Member States shall provide the information to be made available pursuant to point (b) of Article 53(6) of Regulation (EU) 2018/848 concerning the derogations granted in accordance with point 1.8.5 of Part I of Annex II to that Regulation and points 1.3.4.3 and 1.3.4.4 of Part II of that Annex in accordance with the specifications set out in Part II of Annex III to this Regulation.

3. Member States shall provide the information to be made available pursuant to point (c) of Article 53(6) of Regulation (EU) 2018/848 concerning the availability on the Union market of organic protein feed for poultry and porcine animals and on the authorisation granted in accordance with points 1.9.3.1(c) and 1.9.4.2(c) of Part II of Annex II to that Regulation in reply to a questionnaire submitted annually to Member States by the Commission.

4. The information referred to in paragraphs 1, 2 and 3 shall be provided in the format and via the system made available by the Commission. ►**M1** That information shall be provided each year by 30 June and for the first time by 30 June 2023 concerning the year 2022. ◀

5. The information referred to in paragraphs 1 and 2, received from Member States pursuant to Article 53(6) of Regulation (EU) 2018/848 shall be included in the database referred to in Article 26(1) and the systems referred to in Article 26(2) and, where applicable, in Article 26(3) of that Regulation.



CHAPTER VI

FINAL AND TRANSITIONAL PROVISIONS

*Article 26***Transitional provisions**

1. By way of derogation from Section 3 of Chapter II of this Regulation, holdings or production units with porcine animals in facilities built, refurbished or brought into use before the date of entry into application of this Regulation in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008 and for which major reconstruction of external facilities is necessary to comply with the requirement on at least half of the surface of the outdoor area consisting of solid construction as laid down in Article 11 of this Regulation, shall comply with that Article ►**M1** as from 1 January 2030 at the latest ◀.

2. By way of derogation from Section 4 of Chapter II of this Regulation, holdings or production units with poultry houses that were built, refurbished or brought into use before the date of entry into application of this Regulation in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008 and for which a renovation of the animals' premises is necessary to comply with the requirement on the combined length for pop-holes from the indoor house to the veranda laid down in point (b) of Article 15(2) of this Regulation, shall comply with that point ►**M1** as from 1 January 2025 at the latest ◀.

3. By way of derogation from Section 4 of Chapter II of this Regulation, holdings or production units with poultry houses with an outdoor part of the building that were built, refurbished or brought into use before the date of entry into application of this Regulation in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008 and for which a major reduction of the indoor stocking density or the renovation of the buildings is needed to comply with the requirements on the calculation of the stocking density and the minimum indoor areas as set out in Part IV of Annex I to this Regulation while complying with point (c) of Article 15(2), shall comply with those provisions ►**M1** as from 1 January 2025 at the latest ◀.

4. By way of derogation from Section 4 of Chapter II of this Regulation, holdings or production units with poultry houses that were built, refurbished or brought into use before the date of entry into application of this Regulation in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008 and for which a renovation of animals' premises or a replacement of the equipment is necessary to comply with the requirements on solid partition laid down in point (c) of Article 15(3) or with the requirement on perches or raised sitting levels laid down in Article 15(5) of this Regulation, shall comply with those provisions ►**M1** as from 1 January 2025 at the latest ◀.

5. By way of derogation from Section 4 of Chapter II of this Regulation, holdings or production units with multi-tiered poultry houses that were built, refurbished or brought into use before the date of entry into application of this Regulation in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008 and for which a major refurbishment of animals' premises or a replacement of the equipment are necessary to comply with the requirements on the maximum number of tiers and on the system for manure removal laid down respectively in points (b) and (c) of Article 15(4) of this Regulation, shall comply with those points ►**M1** as from 1 January 2030 at the latest ◀.

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6. By way of derogation from Section 4 of Chapter II of this Regulation, holdings or production units with poultry houses that have open air areas extending beyond a radius of 150 m from the nearest exit/entry pop-hole of the poultry house built, refurbished or brought into use before the date of entry into application of this Regulation in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008 and for which major adaptations of the structure of the facilities or additional land acquisition are necessary to comply with the requirement on the maximum radius laid down in Article 16(6) of this Regulation, shall comply with that provision ►**M1** as from 1 January 2030 at the latest ◀.

7. By way of derogation from Section 2 of Part IV of Annex I to this Regulation, for holdings or production units producing pullets in poultry facilities built, refurbished or brought into use before the date of entry into application of this Regulation in compliance with Regulations (EC) No 834/2007 and (EC) No 889/2008 and for which major adaptations of the structure of the poultry houses or additional land acquisition are necessary to comply with the rules of Section 2 of Part IV of Annex I to this Regulation, shall comply with the stocking density and the minimum surface of indoor and outdoor areas for pullets and brother roosters laid down in Section 2 of Part IV of Annex I to this Regulation ►**M1** as from 1 January 2030 at the latest ◀.

*Article 27***Entry into force and application**

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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It shall apply from 1 January 2022.

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This Regulation shall be binding in its entirety and directly applicable in all Member States.



ANNEX I

RULES ON THE STOCKING DENSITY AND THE MINIMUM SURFACE FOR INDOOR AND OUTDOOR AREAS FOR LIVESTOCK AS REFERRED TO IN CHAPTER II
Part I: Stocking density and minimum surface for indoor and outdoor areas for bovine animals, ovine animals, caprine animals and equine animals as referred to in Article 3

1. Bovine animals

	Indoor area (net area available to animals)		Outdoor area (exercise area, excluding pasture)
	Live weight minimum (kg)	m ² /head	m ² /head
	Up to 100	1,5	1,1
	Up to 200	2,5	1,9
	Up to 350	4,0	3
	Over 350	5 with a minimum of 1 m ² /100 kg	3,7 with a minimum of 0,75 m ² /100 kg
Dairy cows		6	4,5
Bulls for breeding		10	30

2. Ovine animals and caprine animals

	Indoor area (net area available to animals)	Outdoor area (exercise area, excluding pasture)
	m ² /head	m ² /head
Sheep	1,5	2,5
Lamb	0,35	0,5
Goat	1,5	2,5
Kid	0,35	0,5

3. Equine animals

	Indoor area (net area available to animals)		Outdoor area (exercise area, excluding pasture)
	Live weight minimum (kg)	m ² /head [size of boxes according to height of horses]	m ² /head
Breeding and fattening equine animals	Up to 100	1,5	1,1
	Up to 200	2,5	1,9
	Up to 350	4,0	3
	Over 350	5 with a minimum of 1 m ² /100 kg	3,7 with a minimum of 0,75 m ² /100 kg

▼B**Part II: Stocking density and minimum surface for outdoor areas for cervine animals as referred to in Article 6**

Cervine animals species	Minimum surface for outdoor area per enclosure or per pen	Stocking density maximum number of adult animals (*)per ha
Sika deer <i>Cervus nippon</i>	1 ha	15
Fallow deer <i>Dama dama</i>	1 ha	15
Red deer <i>Cervus elaphus</i>	2 ha	7
Père David's deer <i>Elaphurus davidianus</i>	2 ha	7
More than one cervine species	3 ha	7 in case red deer or Père David's deer are part of the herd; 15 in case neither red deer nor Père David's deer are part of the herd

(*) Two cervine animals up to 18 months count for one cervine animal.

Part III: Stocking density and minimum surface for indoor and outdoor areas for porcine animals as referred to in Article 10

		Indoor area (net area available to porcine animals meaning inside dimensions including troughs but excluding feeders in which porcine animals cannot lie down)	Outdoor area
	Live weight minimum (kg)	m ² /head	m ² /head
Farrowing sows with piglets until weaning		7,5 per sow	2,5
Fattening porcine animals Weaners, rearing pigs, gilts, rearing boars	Not more than 35 kg	0,6	0,4
	More than 35 kg but not more than 50 kg	0,8	0,6
	More than 50 kg but not more than 85 kg	1,1	0,8
	More than 85 kg but not more than 110 kg	1,3	1
	More than 110 kg	1,5	1,2
Female brood porcine animal Dry pregnant sows		2,5	1,9
Male brood porcine animal Boar		6 10 if pens are used for natural service	8

▼ B**Part IV: Stocking density and minimum surface for indoor and outdoor areas for poultry as referred to in Article 14 and Article 15(2)(c) and (6) and perches or raised sitting levels as referred to in Article 15(5)**

1. Parents *Gallus gallus* intended for the production of hatching eggs for future laying hens and parents *Gallus gallus* intended for the production of hatching eggs for future fattening *Gallus gallus*:

Age	≥ 18 weeks
Stocking density and minimum surface for indoor area Maximum number of breeding birds per m ² of usable area of the indoor area of the poultry house	6
Perches for breeding birds for future laying hens Minimum cm perch/bird	18
Nests	7 female birds per nest or in case of common nest 120 cm ² /female bird
Stocking density and minimum surface for outdoor area Minimum m ² per bird of the outdoor area	4

2. Pullets and brother roosters:

Stocking density and minimum surface for indoor area Stocking density per m ² of usable area of the indoor area of the poultry house	21 kg liveweight/m ²
Perches or raised sitting levels or both	Any combination of perches or raised sitting levels or both providing minimum 10 cm perch/bird or minimum 100 cm ² raised sitting level/bird
Stocking density and minimum surface for outdoor area Minimum m ² per bird of the outdoor area	1

3. Laying hens including dual purpose strains raised for meat and egg production:

Stocking density and minimum surface for indoor area Maximum number of birds per m ² of usable area of the indoor area of the poultry house	6
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Perches Minimum cm perch/bird	18
Nests	7 laying hens per nest or in case of common nest 120 cm ² /laying hen
Stocking density and minimum surface for outdoor area Minimum m ² per bird of the outdoor area	4

4. Fattening poultry *Gallus gallus*:

Stocking density and minimum surface for indoor area Stocking density per m ² of usable area of the indoor area of the poultry house	21 kg liveweight/m ²
Perches or raised sitting levels or both	Any combination of perches or raised sitting levels or both providing minimum 5 cm perch/bird or minimum 25 cm ² raised sitting level/bird
Stocking density and minimum surface for outdoor area for fixed houses Minimum m ² per bird of the outdoor area	4
Stocking density and minimum surface for outdoor area for mobile houses Minimum m ² per bird of the outdoor area	2,5

5. Fattening poultry *Gallus gallus*: capons and poulardes:

Stocking density and minimum surface for indoor area Stocking density per m ² of usable area of the indoor area of the poultry house	21 kg liveweight/m ²
Perches or raised sitting levels or both	Any combination of perches or raised sitting levels or both providing minimum 5 cm perch/bird or minimum 25 cm ² raised sitting level/bird
Stocking density and minimum surface for outdoor area Minimum m ² per bird of the outdoor area	4

6. Fattening poultry other than *Gallus gallus*: Turkeys *Meleagris gallopavo* marketed whole for roasting or intended for cutting up:

Stocking density and minimum surface for indoor area Stocking density per m ² of usable area of the indoor area of the poultry house	21 kg liveweight/m ²
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Perches or raised sitting levels or both	Any combination of perches or raised sitting levels or both providing minimum 10 cm perch/bird or minimum 100 cm ² raised sitting level/bird
Stocking density and minimum surface for outdoor area Minimum m ² per bird of the outdoor area	10

7. Fattening poultry other than *Gallus gallus*: Geese *Anser anser domesticus*:

Stocking density and minimum surface for indoor area Stocking density per m ² of usable area of the indoor area of the poultry house	21 kg liveweight/m ²
Stocking density and minimum surface for outdoor area Minimum m ² per bird of the outdoor area	15

8. Fattening poultry other than *Gallus gallus*: Peking Ducks *Anas platyrhynchos domesticus*, Muscovy Ducks *Cairina moschata* and hybrids and Mulard Ducks *Cairina moschata* × *Anas platyrhynchos*:

Stocking density and minimum surface for indoor area Stocking density per m ² of usable area of the indoor area of the poultry house	21 kg liveweight/m ²
Stocking density and minimum surface for outdoor area Minimum m ² per bird of the outdoor area	4,5

9. Fattening poultry other than *Gallus gallus*: Guinea fowls *Numida meleagris f. domestica*:

Stocking density and minimum surface for indoor area Stocking density per m ² of usable area of the indoor area of the poultry house.	21 kg liveweight/m ²
Perches or raised sitting levels or both	Any combination of perches or raised sitting levels or both providing minimum 5 cm perch/bird or minimum 25 cm ² raised sitting level/bird
Stocking density and minimum surface for outdoor area Minimum m ² /bird of the outdoor area	4

▼ B**Part V: Stocking density and minimum surface for indoor and outdoor areas for rabbits as referred to in Article 18**

1. For indoor area

	Indoor area (net area usable per animal excluding platforms m²/head) for the rest area Fixed housing	Indoor area (net area usable per animal excluding platforms m²/head) for the rest area Mobile housing
Nursing does with kits until weaning	0,6 m ² /doe with kits if doe liveweight is below 6 kg 0,72 m ² /doe with kits if doe liveweight is above 6 kg	0,6 m ² /doe with kits if doe liveweight is below 6 kg 0,72 m ² /doe with kits if doe liveweight is above 6 kg
Pregnant does and reproductive female rabbits	0,5 m ² /pregnant doe or reproductive female if liveweight is below 6 kg 0,62 m ² /pregnant doe or reproductive female if liveweight is above 6 kg	0,5 m ² /pregnant doe or reproductive female if liveweight is below 6 kg 0,62 m ² /pregnant doe or reproductive female if liveweight is above 6 kg
Fattening rabbits from weaning to slaughter Replacement rabbits (end of fattening to 6 months)	0,2	0,15
Adult bucks	0,6 1 if buck receiving does for mating	0,6 1 if buck receiving does for mating

2. For outdoor area

	Outdoor area (outdoor run with vegetation preferably pasture) (net area usable per animal excluding platforms m²/head) Fixed housing	Outdoor area (net area usable per animal excluding platforms m²/head) Mobile housing
Nursing does with kits until weaning	2,5 m ² /doe with kits	2,5 m ² /doe with kits
Pregnant does/Reproductive females	2,5	2,5
Fattening rabbits from weaning to slaughter Replacement rabbits (end of fattening to 6 months)	0,5	0,4
Adult bucks	2,5	2,5



ANNEX II

DETAILED RULES WITH RESPECT TO THE STOCKING DENSITY AND THE SPECIFIC CHARACTERISTICS OF PRODUCTION SYSTEMS AND CONTAINMENT SYSTEMS FOR AQUACULTURE ANIMALS AS REFERRED TO IN ARTICLE 22

Part I: Salmonids in fresh water

Brown trout (*Salmo trutta*) – Rainbow trout (*Oncorhynchus mykiss*) – American brook trout (*Salvelinus fontinalis*) – Salmon (*Salmo salar*) – Arctic charr (*Salvelinus alpinus*) – Grayling (*Thymallus thymallus*) – American lake trout (or grey trout) (*Salvelinus namaycush*) – Huchen (*Hucho hucho*)

Production systems	Ongrowing farm systems must be fed from open systems. The flow rate must ensure a minimum of 60 % oxygen saturation for stock and must ensure their comfort and the elimination of farming effluent.
Maximum stocking density	Salmonid species not listed below 15 kg/m ³ Salmon 20 kg/m ³ Brown trout and Rainbow trout 25 kg/m ³ Arctic charr 25 kg/m ³

Part II: Salmonids in sea water

Salmon (*Salmo salar*), Brown trout (*Salmo trutta*) – Rainbow trout (*Oncorhynchus mykiss*)

Maximum stocking density	10 kg/m ³ in net pens
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Part III: Cod (*Gadus morhua*) and other Gadidae, sea bass (*Dicentrarchus labrax*), sea bream (*Sparus aurata*), meagre (*Argyrosomus regius*), turbot (*Psetta maxima* [= *Scophthalmus maximus*]), red porgy (*Pagrus pagrus* [= *Sparus pagrus*]), red drum (*Sciaenops ocellatus*) and other Sparidae, and spinefeet (*Siganus spp.*)

Production systems	In open water containment systems (net pens/ cages) with minimum sea current speed to provide optimum fish welfare or in open systems on land.
Maximum stocking density	For fish other than turbot: 15 kg/m ³ For turbot: 25 kg/m ²

▼ B**Part IV: Sea bass, sea bream, meagre, mullets (*Liza*, *Mugil*) and eel (*Anguilla spp.*) in earth ponds of tidal areas and costal lagoons**

Containment system	Traditional salt pans transformed into aquaculture production units and similar earth ponds in tidal areas
Production systems	There must be adequate renewal of water to ensure the welfare of the species. At least 50 % of the dikes must have plant cover Wetland based depuration ponds required.
Maximum stocking density	4 kg/m ³

Part V: Sturgeon in fresh waterSpecies concerned: *Acipenser* family

Production systems	Water flow in each rearing unit must be sufficient to ensure animal welfare. Effluent water to be of equivalent quality to incoming water.
Maximum stocking density	30 kg/m ³

Part VI: Fish in inland watersSpecies concerned: Carp family (*Cyprinidae*) and other associated species in the context of polyculture, including perch, pike, catfish, coregonids, sturgeon.Perch (*Perca fluviatilis*) in monoculture

Production systems	In fishponds which must be fully drained periodically and in lakes. Lakes must be devoted exclusively to organic production, including the growing of crops on dry areas. The fishery capture area must be equipped with a clean water inlet and of a size to provide optimal comfort for the fish. The fish must be stored in clean water after harvest. Areas of natural vegetation must be maintained around inland water units as a buffer zone for external land areas not involved in the farming operation in accordance with the rules of organic aquaculture. For grow-out 'polyculture' must be used on condition that the criteria laid down in the present specifications for the other species of lakes fish are duly adhered to.
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Maximum stocking density	The total production of species is limited to 1 500 kg of fish per hectare per year (provided as farming yield due to specific characteristic of the production system).
Maximum stocking density only for perch in monoculture	20 kg/m ³

Part VII: Penaeid shrimps and freshwater prawns (*Macrobrachium spp.*)

Production systems	Location to be in sterile clay areas to minimise environmental impact of pond construction. Ponds to be built with the natural pre-existing clay.
Maximum stocking density	Seeding: maximum 22 post larvae/m ² Maximum instantaneous biomass: 240 g/m ²

Part VIII: Crayfish

Species concerned: *Astacus astacus*.

Maximum stocking density	For small-sized crayfish (< 20 mm): 100 individuals per m ² . For crayfish of intermediate size (20-50 mm): 30 individuals per m ² . For adult crayfish (> 50 mm): 5 individuals per m ² provided that adequate hiding places are available.
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Part IX: Molluscs and echinoderms

Production systems	Long-lines, rafts, bottom culture, net bags, cages, trays, lantern nets, bouchot poles and other containment systems. For mussel cultivation on rafts the number of drop-ropes must not exceed one per square meter of surface area. The maximum drop-rope length must not exceed 20 metres. Thinning-out of drop-ropes must not take place during the production cycle, however drop ropes may be subdivided without increasing the stocking density.
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Part X: Tropical fresh water fish: milkfish (*Chanos chanos*), tilapia (*Oreochromis spp.*), siamese catfish (*Pangasius spp.*)

Production systems	Ponds and net cages
Maximum stocking density	Pangasius: 10 kg/m ³ Oreochromis: 20 kg/m ³



ANNEX III

INFORMATION TO BE PROVIDED BY MEMBER STATES AS REFERRED TO IN ARTICLE 25

Part I: Information from the database referred to in Article 26(1) and the systems referred to in Article 26(2) and, where applicable, in Article 26(3) of Regulation (EU) 2018/848

1. The information concerning the availability of organic and in-conversion plant reproductive material, excluding seedlings but including seed potatoes, for each specific category saved in the database referred to in Article 26(1) or in the systems referred to Article 26(2)(a) of Regulation (EU) 2018/848 shall include the following:

- scientific and common name (common and Latin name);
- variety or heterogeneous material denomination;
- in-conversion quantity available as estimated by operators (total number of units or seed weight);
- organic quantity available as estimated by operators (total number of units or seed weight);
- number of operators who uploaded information pursuant to Article 26(2) of Regulation (EU) 2018/848 on a voluntary basis.

For the purposes of this point, ‘seedling’ means a young plant originating from seed and not from cutting.

2. The information concerning the availability of organic aquaculture juveniles for each species saved in the systems referred to in point (c) of Article 26(2) of Regulation (EU) 2018/848 shall include the following:

- species and genus (common and Latin name);
- breeds and strains when applicable;
- life stage (such as eggs, fry, juveniles) as available for sale as organic;
- quantity available as estimated by operators;
- health status in line with Council Directive 2006/88/EC ⁽¹⁾;
- number of operators who uploaded information pursuant to Article 26(2) of Regulation (EU) 2018/848 on a voluntary basis.

3. The information concerning the availability of organic animals for each species saved in the systems referred to in point (b) of Article 26(2) of Regulation (EU) 2018/848 shall include the following:

- species and genus (common and Latin name);
- breeds and strains;
- production purposes: meat, milk, dual purpose or breeding;
- life stage: adults or young animals (i.e bovine animals < 6 months, bovine adult);

⁽¹⁾ Council Directive 2006/88/EC of 24 October 2006 on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals (OJ L 328, 24.11.2006, p. 14).

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- quantity (total number of animals) available as estimated by operators;
 - health status in line with animal health horizontal rules
 - number of operators who uploaded information pursuant to Article 26(2) of Regulation (EU) 2018/848 on a voluntary basis.
4. Where relevant, the information concerning the availability of organic breeds and strains adapted to organic production for species as referred to Article 26(3) of Regulation (EU) 2018/848 shall include the following:
- species and genus (common and Latin name);
 - breeds and strains;
 - production purposes: meat, milk, dual purpose or breeding;
 - quantity (total number of animals) available as estimated by operators;
 - health status in line with animal health horizontal rules;
 - number of operators who uploaded information pursuant to Article 26(3) of Regulation (EU) 2018/848 on a voluntary basis.
5. Where relevant, the information concerning the availability of organic pullets as referred to in Article 26(3) of Regulation (EU) 2018/848 shall include the following:
- species and genus (common and Latin name);
 - breeds and strains
 - production purposes: meat, eggs, dual purpose or breeding;
 - quantity (total number of animals) available as estimated by operators;
 - rearing system (indicate whether multi-tiers);
 - health status in line with animal health horizontal rules;
 - number of operators who uploaded information pursuant to Article 26(3) of Regulation (EU) 2018/848 on a voluntary basis.

Part II: Information concerning the derogations granted in accordance with point 1.8.5 of Part I of Annex II to Regulation (EU) 2018/848 and points 1.3.4.3 and 1.3.4.4 of Part II of that Annex

1. The information on the derogations granted in accordance with point 1.8.5 of Part I of Annex II to Regulation (EU) 2018/848 shall include:
- scientific and common name (common and Latin name);
 - variety;
 - number of derogations and total weight of seeds or number of plants derogated;

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- justifications for the derogation: whether for research, lack of suitable variety, conservation purpose or other reasons;
 - where applicable, as regards derogations for other reasons than research purpose, the list of species for which no derogation is granted, as they are sufficiently available in organic form.
2. For each conventional livestock species (bovine, equine, ovine, caprine, porcine and cervine animals, rabbits, poultry), the information on the derogations granted in accordance with points 1.3.4.3 and 1.3.4.4 of Part II of Annex II to Regulation (EU) 2018/848 shall include:
- scientific and common name (common and Latin name i.e. species and genus);
 - breeds and strains;
 - production purposes: meat, milk, eggs, dual purpose or breeding;
 - number of derogations and total number of animals derogated;
 - justifications for the derogation: whether lack of suitable animals or other reasons.