

Defra Guidance Document – New Organic Feed Rules

The Regulation on feed ([Regulation 505/2012](#)) introduces new requirements regarding organic feed for herbivores and monogastrics by amending Regulation (EC) No 889/2008. Feed for aquaculture animals is not affected by the amendments.

For the avoidance of doubt, operators are reminded that the EU Organic Regulations must be complied with in addition to any other relevant EU or national legal requirements on feed.

Products Covered

Feed for organic monogastric animals and herbivore feed.

Regional sourcing

Herbivores:

Article 19(1) increases the minimum requirement of on-farm feed or, if this is not feasible, regional feed (i.e. *'produced in cooperation with other organic farms in the same region'*) to 60% of the total feed.

Pigs and poultry:

Article 19(2) introduces a requirement for a minimum of 20% of feed to be from the farm unit or, if this is not feasible, to be regionally sourced (i.e. *'produced in the same region in cooperation with other organic farms or feed business operators'*).

The aim is to move monogastric feed production towards the requirement at **Article 14(1)(d) of Regulation 834/2007**; that feed should be sourced primarily from the holding or other holdings in the same region. There is no intention to change Defra's view of a region being a climatic zone where similar crop types are grown rather than a geographic, political or straight line distance measure.

Non-organic feed

In cases where organic feed ingredients are not available, the amending Regulation requires that non-organic feed materials may only be used in the following circumstances:

- Where they are produced or prepared without the use of chemical solvents; and
- In the case of pigs and poultry, a maximum of 5% of non-organic protein feed may be used calculated annually (or over the life of the animal where this is less than a year) as a percentage of dry matter of feed from agricultural origin for the years 2012, 2013 and 2014 (as provided for by the amended **Article 43**); or
- Where they have been authorised by the Competent Authority (Defra in the UK) for a limited period due to "catastrophic circumstances" resulting in loss of availability of organic feed (as provided for by **Article 47(c)** of Regulation 889/2008);

In addition, the use of non-organic spices, herbs and molasses is allowed up to 1% of the feed ration of a given species calculated annually (or over the life of an animal where this is less than a year) as a percentage of dry matter of feed from agricultural origin.

Fishmeal – mussel meal

The new **Article 22(c)** provides for the use of organic feed materials of animal origin. This includes fishmeal and mussel meal from organic aquaculture production.

The new **Article 22(e)** provides that products from sustainable fisheries may be fed to non-herbivores if they are produced or prepared without chemical solvents and provided that fish protein hydrolysate is only fed to young animals and aquaculture animals. The term “young animals” is not defined, although the intention is that protein hydrolysate should be fed at the early stage of life when the additional nutrition this offers is required.

For the purposes of this Regulation the term “sustainable fisheries” is defined as follows:

“sustainable exploitation’ means the exploitation of a stock in such a way that the future exploitation of the stock will not be prejudiced and that it does not have a negative impact on the marine eco-systems”.

This definition includes fisheries under a control system such as the Common Fisheries Policy of the European Union.

The Regulation does not allow for the use of products from non-organic aquaculture production (save for the restricted use permitted by **Article 22(a)**) but only from fisheries.

Labelling, Sales Descriptions and Indications

The amended wording of **Article 59** clarifies that trademarks and sales descriptions may only refer to organic production where all ingredients of plant or animal origin are organic and where at least 95% of the product’s dry matter is composed of such ingredients.

For example, the trademarks and sales descriptions of feeds containing non-organic fishmeal cannot refer to organic production because it contains ingredients of non-organic animal origin. However, it may bear the statement at **Article 60(2)** which confirms their suitability for use by organic operators. Feeds containing over 5% mineral input will also be limited to the **Article 60(2)** statement.

The amended wording of **Article 60** provides that all its requirements are in addition to the need to comply with the relevant provisions for feed production in **Regulation 834/2007** and **Regulation 889/2008**.

The amended **Article 60(1)** provides that the term “organic” and the organic logo may be used on processed feed provided that:

- the processed feed complies with the provisions of Regulation 834/2007 and Regulation 889/2008; and
- all ingredients of plant or animal origin are organic; and
- at least 95% of the product’s dry matter is composed of such ingredients.

Where processed feed complies with the provisions of Regulation 834/2007 and Regulation 889/2008 but contains ingredients of plant or animal origin that are not organic or more than 5% of the products dry matter is not organic agricultural products the feed may not be

labelled as organic or display the organic logo. However, it may display the statement *'may be used in organic production in accordance with Regulations (EC) No 834/2007 and (EC) No 889/2008'* in order to show the feed's suitability for use by organic operators (**Article 60(2)**).

Feed containing non-organic fishmeal should thus only bear the indication shown at **Article 60(2)**. This is also the case for feed containing over 5% of dry matter that is not organic agricultural products e.g. feed containing 10% minerals, even where all other ingredients are organic. Note that calcareous marine shells are classified as a mineral input.

Requirements under **Article 59** and **Article 60(1)** with regard to 95% are worded differently but both mean much the same thing – i.e. for a product to be labelled, described or trademarked as “organic” 95% of the dry matter must be organic agricultural products.

There is a subtle difference in that “ingredients of plant or animal origin” could include calcareous marine shells if of organic origin. However, for most practical purposes, the difference is marginal and feeds with less than 95% organic agricultural products (or containing any non-organic agricultural products) would have to be labelled under **Article 60(2)** and could not be labelled with other terms, trademarks or sales descriptions mentioning organic.

Date of Regulation coming into force

The provisions in Article 43 allowing for use of up to 5% non-organic protein feeds apply retrospectively from 1 January 2012. This is in order to ensure that operators will not have been acting outside of the Regulation during the period between 1 January 2012 and the date provided for in Article 3 of the amending Regulation as the previous Article 43 covers the period 1 January 2009 to 31 December 2011.

The rest of the provisions relating to feed came into force on 16 June.

Transitional provisions

There are no specific transition rules provided by this amending Regulation. Measures should be taken to ensure compliance at the earliest opportunity. Defra supports the sensible use of resources and minimisation of waste; therefore existing packaging that is not fully compliant with the amended wording of the Regulation may be supported by documentation (ideally in the form of adherent labels) that follows the new requirements. Using up existing stocks of processed feed which comply with the current EU Regulations is also acceptable.

Annexes V and VI of Regulation 889/2008

There is no longer a listing of all feed materials that may be used by organic operators so the sections of Annex V covering feed of plant or animal origin have been removed. All agricultural feed materials of plant or animal origin allowed under general legislation may be used in their organic form. Due to the changes in this annex the “Green List” of non-organic materials will no longer be required.

Annex V, 1 now lists those materials of mineral origin that may be used whilst Annex V, 2 lists other feed materials including yeasts.

Annex VI has also been reorganised. It now shows technological additives at point 1. This includes preservatives. The conditions for use for various acids used in silage-making have now been removed in order to avoid confusion as to their availability for other uses. There is still a separate section for other silage additives, enzymes, yeast and bacteria, for use when weather conditions do not allow for adequate fermentation.

Synthetic vitamins may be used for monogastric and aquaculture animals; there is still a restriction to only allow vitamins A, D and E for ruminants if in synthetic form. Synthetic vitamins may only be used if identical to vitamins derived from agricultural products.

Legislation

Commission Regulation (EU) No 505/2012 can be found at:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:154:0012:0019:EN:PDF>

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