

# Procedure file

Basic information	
CNS - Consultation procedure Regulation	1996/0205(CNS) Procedure completed
Livestock production: organic production of agricultural products, indication on foodstuffs (Regul. 2092/91/EEC)	
See also <a href="#">1999/2511(RSP)</a>	
Subject 3.10.05 Livestock products, in general	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>AGRI</b> Agriculture and Rural Development		03/09/1996
		ARE <a href="#">MAYER Christine</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>JURI</b> Legal Affairs, Citizens' Rights		19/12/1996
		PSE <a href="#">GEBHARDT Evelyne</a>	
Council of the European Union	<b>ENVI</b> Environment, Public Health and Consumer Protection		25/09/1996
		V <a href="#">TAMINO Gianni</a>	
	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2199</a>	19/07/1999
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2190</a>	14/06/1999
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2151</a>	14/12/1998

Key events			
26/07/1996	Legislative proposal published	COM(1996)0366	Summary
16/09/1996	Committee referral announced in Parliament		
22/04/1997	Vote in committee		Summary
22/04/1997	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A4-0156/1997</a>	
13/05/1997	Debate in Parliament		Summary
14/05/1997	Decision by Parliament	T4-0230/1997	Summary
09/01/1998	Modified legislative proposal published	COM(1997)0747	Summary
14/12/1998	Debate in Council	<a href="#">2151</a>	

19/07/1999	Act adopted by Council after consultation of Parliament		
19/07/1999	End of procedure in Parliament		
24/08/1999	Final act published in Official Journal		

### Technical information

Procedure reference	1996/0205(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	See also <a href="#">1999/2511(RSP)</a>
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	AGRI/4/08230

### Documentation gateway

Legislative proposal	<a href="#">COM(1996)0366</a> <a href="#">OJ C 293 05.10.1996, p. 0023</a>	26/07/1996	EC	Summary
Economic and Social Committee: opinion, report	<a href="#">CES0234/1997</a> <a href="#">OJ C 133 28.04.1997, p. 0029</a>	26/02/1997	ESC	Summary
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A4-0156/1997</a> <a href="#">OJ C 167 02.06.1997, p. 0003</a>	22/04/1997	EP	
Text adopted by Parliament, 1st reading/single reading	T4-0230/1997 <a href="#">OJ C 167 02.06.1997, p. 0045-0055</a>	14/05/1997	EP	Summary
Modified legislative proposal	COM(1997)0747 <a href="#">OJ C 061 26.02.1998, p. 0006</a>	09/01/1998	EC	Summary
Follow-up document	<a href="#">COM(2007)0083</a>	06/03/2007	EC	Summary

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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### Final act

[Regulation 1999/1804](#)  
[OJ L 222 24.08.1999, p. 0001](#) Summary

## Livestock production: organic production of agricultural products, indication on foodstuffs (Regul. 2092/91/EEC)

**OBJECTIVE:** the object of the proposal is to supplement Regulation (EEC) No 2092/91 by laying down harmonized rules on organic production of agricultural products and special provisions specific to livestock production as regards inspection. **SUBSTANCE:** the proposal lays down general principles for organic livestock farming, covering: - recognition of the interdependence between stock farming the soil with a view to ensuring responsible management of effluents and favouring feed produced on the holding; - consideration for the welfare of the livestock, in particular by eschewing systematic mutilation and eliminating stress during transport and slaughter; - choice of breeds which are adapted to local conditions, search for biological diversity, and the use of natural service; - obligation to manage the whole livestock production unit in accordance with the principles of organic production. The proposal also lays down specific rules for the various types of stock farming

concerning: - the origin of the animals, - the rules for conversion from conventional to organic stock farming, - animal feed, - animal-health treatment and care, - animal housing and living environment. Finally, it lays down special provisions specific to livestock production as regards inspection (livestock records). ?

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Whilst the Committee welcomes the Commission proposal to frame common rules on organic animal production, it nevertheless feels that the rules are too general and imprecise, and as such, are likely to weaken the legal impact of the regulation. It therefore suggests that the regulation and its annexes should confine themselves to establishing clearly-defined minimum requirements for organic production. Attention should also be paid to the large regional variations within the EU regarding natural conditions and climate, and national exceptions should be allowed as long as they do not lead to distortion of competition. Organic production is growing, following an increase in demand. The Committee therefore feels it is necessary to boost consumer confidence and ensure that all citizens have access to reasonably-priced organic fare. ?

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The Committee adopted the report by Christine BARTHET-MAYER (ERA, F) on application of the Council Regulation (1991) on organic production of agricultural products to livestock production. The Commission text was an indication of Parliament's increased political role following the BSE crisis. The crisis showed the need for a comprehensive review of quality inspection systems especially with regard to animal products and rules on organic livestock farming, as well as new protection and guarantee policy for consumers inside and outside the EU. Organic livestock production comes under the umbrella of sustainable agriculture and ensures a balance between soil, crops and livestock with the aim of: \* protecting and increasing the production capacity of agricultural land; \* producing high-quality organic foodstuffs without residues that cause pollution; \* increasing use of renewable energy and products in the production process; \* maintaining biodiversity (in livestock, crops and the environment around farms). The committee argued that the regulation should allow Member States the possibility to apply rules that took account of distinctive aspects of national farming. It also proposed amendments or additions with regard to: - improvements in product inspection and the independence and powers of the inspection bodies; - a ban on the use of genetically modified organisms in farming and living virus vaccines; - rearing densities and standards for animal feeding stuffs; - processed products of organic farming and financial resources needed to make inspections effective. At the end of a particularly difficult vote, in view of the number of amendments (about 400), Mrs BARTHET-MAYER said she was pleased that most of the compromise amendments had been adopted. Nevertheless she was sorry that the amendment on increasing funds for the management and inspection of all crop and animal livestock production had not been adopted, especially as amendments enhancing labelling with a European logo associated with inspections carried out by independently approved bodies had been adopted. She also deplored the fact that the amendment on poultry rearing sheds had been accepted since it removed all references to minimum standards on density. This was inconsistent as limits on rearing densities had been adopted for the pig, beef and veal sectors. It was difficult to imagine that organic production could be combined with intensive farming. ?

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Recalling that organic agriculture accounted for 1% of all farming production and that, in ten years, the areas farmed in this way had increased tenfold, the rapporteur wanted organic agriculture to be firmly encouraged. She considered that the amendments made resulted in a regulation which was more thorough on controls and more flexible in facilitating conversion from traditional farming to organic agriculture. The amendments should also prevent any competition distortion between Member States. Finally, the rapporteur stressed the importance of the amendment ensuring an improved definition of controls and a ban on genetic manipulation. Commissioner Fischler firstly stated his support for the ban on using genetically modified organisms in production. He felt that the GMO concept should be more clearly defined. He therefore accepted Amendments No 8, 24, 26 and 28. On the other hand, he regarded Amendments Nos 13, 14, 35, 36, 41, 52, 63, 73 and 112 as superfluous given that the ban on GMOs was already mentioned in the recitals and in certain articles. He accepted Amendments Nos 64, 97 and 99. As for the legal basis, the Commissioner defended Article 43 of the Treaty because the regulation was concerned with promoting organic production and not health measures. Furthermore, the provisions on organic crops had been adopted based on Article 43. Mr Fischler was also able to accept other amendments, particularly those on labelling and control (but not until a later stage). As regards the use of an EU logo, the Commission agreed with the idea but considered the deadline of 1 January 1998 to be unrealistic. However, the Commission was firmly against Amendment No 32 which proposed using an administrative logo for products from third countries as the Member States would not be able to permanently control the production standards in third countries. Finally, the Commissioner accepted the following amendments: Nos 5, 6, 9, 10, 11, 16, 19, 22, 27, 34, 47, 48, 49, 55, 56, 60, 62, 66, 67, 69 to 72, 74, 75, 82, 88, 93, 94, 111, 116, 119, 124 and 125 which made technical or wording improvements. He rejected Amendments Nos 1, 4, 12, 15, 17, 18, 25, 33, 38, 40, 41, 46, 51, 54, 57, 61, 65, 77 to 80, 85, 90, 95, 96, 98, 100, 102, 105 to 109, 114, 115, 118 and 120 to 122.

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In adopting the report by Mrs Marie-Christine BARTHET-MAYER (ARE, F), the European Parliament endorsed the Commission's proposals on the monitoring of the quality of the organic production of agricultural foodstuffs. The report emphasizes the need to encourage sustainable agriculture, based on a land-plant-livestock balance, preserving biodiversity, ensuring high quality and increasingly using renewable energies. It calls for the regulation to enable the Member States to apply specific rules that take account of the particular features of their agricultural

sector. On the other hand, it proposes that various modifications or additions should be made, especially as regards the following aspects: - greater opportunities for monitoring products and increased independence and powers for the monitoring bodies; - improvement of labelling: presentation by the Commission, by 1 January 1998, of a European logo linked to the monitoring carried out by an inspection authority accredited by an independent organization; - prohibition of the use of GMOs (genetically modified organisms) and of viral live vaccines in organic agriculture; - prevention of distortions of competition that might occur among the Member States. ?

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The proposal fully or partially incorporates 64 amendments adopted by Parliament at first reading. In particular the Commission accepted the amendments aiming for a general prohibition of the use of genetically modified organisms and products derived therefrom in the production and processing of organic products. This was in line with the views the Commission received on this question from most of the Member States as well as from the directly concerned professional organizations. ?

## Livestock production: organic production of agricultural products, indication on foodstuffs (Regul. 2092/91/EEC)

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**PURPOSE :** to supplement Regulation 2092/91/EEC by establishing rules on organic production and agricultural products and indications referring thereto on agricultural products on foodstuffs to include livestock production. **COMMUNITY MEASURE :** Council Regulation 1804/1999/EC supplementing Regulation 2092/91/EEC on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs to include livestock production. **CONTENTS :** this Regulation lays down harmonised rules (production, labelling and inspection) in the sector which take account of the increasing growth in the interests of producers and consumers alike. It aims to eliminate the sources of uncertainty both for existing producers and for those who are starting this activity, as well as the problems which hamper the free movement of goods. In order to maintain consumers' confidence in organic production, genetically modified foods and products derived from these organisms must not be used in products which are labelled as being organically produced. Moreover, livestock production is fundamental to the organisation of agricultural production on organic-production holdings insofar as it provides the necessary organic matter and nutrients for cultivated land and accordingly contributes towards soil improvement and the development of sustainable agriculture. **ENTRY INTO FORCE :** this Regulation will apply from the 24/08/2001, with the exception of the ban on using genetically modified organisms which will apply with immediate effect.?

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According to Council Regulation (EEC) No 2092/91 on organic production of agricultural products, the

Commission must prepare a report to Council on the implementation of several derogations for organic livestock, namely:

- tethering of cattle in buildings from before 24 August 2000;
- different livestock housing requirements in buildings from before 24 August 1999, namely on access of waterfowls to swimming water, on poultry housing conditions, flock sizes and access to outdoor area of poultry as well as on access to open-air runs and pasture for mammals and on the size of indoor and outdoor space of housing.

These derogations are to run out on 31 December 2010. There is no legal requirement for a revision before that date.

In order to obtain data for the preparation of this report, all Member States and several European non-Member States were asked to complete two questionnaires. 20 Member States as well as Bulgaria, Norway and Switzerland responded to one or both of the questionnaires.

**Tethering of cattle:** quite a number of Member States find the phasing out of the derogation allowing the tethering of cattle by 31 December 2010, problematic and demand a prolongation of at least five years. Mainly climatic (regions with long winter housing), geographical, structural and economic arguments have been put forward. The detrimental effects noticed in tethering systems include: claw and leg health problems (lack of exercise); problems with calving; cattle become too wild after release from tethering. The positive effects of tethering systems include: no dehorning; less stress for lower ranking animals (no competition for feed, resting place etc.); more intensive observation, allowing for preventive action; and less claw problems.

Arguments used for prolongation requests include:

a) geographic constraints:

- mountain areas;
- lack of straw in mountains;

b) structural constraints:

- lack of additional land and/or placed inside villages;
- landscape preservation;
- more time for new Member States to ensure development.

c) economic constraints:

- redemption period for the investment in the stable;

- rural development programs 2007?2013 (5 year commitment needed, farmers might discontinue organic farming without derogations);

- poorly developed markets lead to reduced possibilities to valorise organic meat and thus invest in stables;

- small farms not profitable to rebuild/invest.

France wants unlimited prolongation for tethering for a maximum of 6 months per year also in new buildings, under certain conditions regarding access to exercise area. Portugal opposes any further derogation.

**Other derogations:** despite their currently widespread use, few Member States require prolongations of the derogations on access of waterfowls to swimming water, on poultry housing conditions, flock sizes and access to outdoor area of poultry. Various Member States demand a prolongation of the derogations on access to open-air runs and pasture for mammals as well as on the size of indoor and outdoor space. It was argued that more time was needed for new Member States as it is the farms with old stables converting. In addition, for rural development programs 2007?2013, a 5 year commitment was needed, and farmers might discontinue organic farming without derogations.