

Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control

TITLE II

RULES ON PRODUCTION, PROCESSING, PACKAGING, TRANSPORT AND STORAGE OF ORGANIC PRODUCTS

CHAPTER 2

Livestock production

Section 1

Origin of animals

Article 8

Origin of organic animals

1 In the choice of breeds or strains, account shall be taken of the capacity of animals to adapt to local conditions, their vitality and their resistance to disease. In addition, breeds or strains of animals shall be selected to avoid specific diseases or health problems associated with some breeds or strains used in intensive production, such as porcine stress syndrome, PSE Syndrome (pale-soft-exudative), sudden death, spontaneous abortion and difficult births requiring caesarean operations. Preference is to be given to indigenous breeds and strains.

2 For bees, preference shall be given to the use of *Apis mellifera* and their local ecotypes.

Article 9

Origin of non-organic animals

1 In accordance with Article 14(1)(a)(ii) of Regulation (EC) No 834/2007, non-organic animals may be brought onto a holding for breeding purposes, only when organic animals are not available in sufficient number and subject to the conditions provided for in paragraphs 2 to 5 of this Article.

2 Non-organic young mammals, when a herd or flock is constituted for the first time, shall be reared in accordance with the organic production rules immediately after they are weaned. Moreover, the following restrictions shall apply at the date on which the animals enter the herd:

- a buffalo, calves and foals shall be less than six months old;
- b lambs and kids shall be less than 60 days old;
- c piglets shall weigh less than 35 kg.

3 Non-organic adult male and nulliparous female mammals, for the renewal of a herd or flock, shall be reared subsequently in accordance with the organic production rules. Moreover, the number of female mammals is subject to the following restrictions per year:

- a up to a maximum of 10 % of adult equine or bovine, including *bubalus* and bison species, livestock and 20 % of the adult porcine, ovine and caprine livestock, as female animals;
- b for units with less than 10 equine or bovine animals, or with less than five porcine, ovine or caprine animals any renewal as mentioned above shall be limited to a maximum of one animal per year.

This provision of this paragraph will be reviewed in 2012 with a view to phase it out.

4 The percentages referred to in paragraph 3 may be increased up to 40 %, subject to prior authorisation by the competent authority, in the following special cases:

- a when a major extension to the farm is undertaken;
- b when a breed is changed;
- c when a new livestock specialisation is initiated;
- d when breeds are in danger of being lost to farming as laid down in Annex IV to Commission Regulation (EC) No 1974/2006⁽¹⁾ and in that case animals of those breeds must not necessarily be nulliparous.

5 For the renovation of apiaries, 10 % per year of the queen bees and swarms may be replaced by non-organic queen bees and swarms in the organic production unit provided that the queen bees and swarms are placed in hives with combs or comb foundations coming from organic production units.

(1) OJ L 368, 23.12.2006, p. 15.