

Codex Committee on Food Labelling (42nd Session)

Rome, Italy, 21-24 October 2014

European Union Comments on

Agenda Item 4:

Proposed Draft amendments to the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods: Organic aquaculture (Part B - CL 2013/15-FL)

*European Union Competence
European Union Vote*

The European Union (EU) would like to submit the following comments:

General Comments

- The EU believes that the Proposed Draft Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods: Organic aquaculture, as presented in Appendix V of the report of the 41st Session of the CCFL, is a good basis for finalising discussions on this agenda point at the next session of this committee.
- The EU believes that precedence should be given to reaching agreement on the text of the proposed revision of the Guidelines before concluding on the contents of the tables listing substances approved for fertilizing and conditioning ponds and substances for cleaning and disinfecting which are currently in square brackets.

Specific Comments

Section 2: Description and definitions

- The EU supports the removal of square brackets around the definition of aquaculture and the associated footnote in Section 2.2.
- In Section 2.2, the EU proposes to include in the text the definition of “locally grown species”, which is necessary to better rule the origin of animals in section B2.9:

"Locally grown aquatic species means both aquatic species which are grown within their natural range and those aquatic species which though outside their natural range, have been grown in commercial practice in an area and have adapted to the local environment and management conditions without, well documented, adverse effects on habitats or on native species."

- The new definition of 'Clean water' together with the text in paragraph B2.11 requiring that aquaculture animals be provided with clean water could have the unintended consequence of disqualifying the production of organic bivalve molluscs under the Guidelines. For example, toxic plankton may be absent 99% of the time but become present on occasions due to harmful algal blooms. The EU considers that as water quality is already covered in general in B2.1, which refers to Sections 6 and 7 of the Code of Practice for fish and fishery products (CAC/RCP 52-2003) and more specifically in paragraph B2.5. It is therefore not necessary to refer to it again in B2.11. Section 7.2 of the Code of Practice covers the classification and monitoring of bivalve molluscs growing areas.

The EU therefore suggests the following change to the text of the second line of Section B2.11 and remove the new definition of 'Clean water':

*"The aquatic animals should be provided with ~~clean water~~ water **having** with a flow rate and temperature which meets ..."*

If the definition is not removed it should be altered to state that in the case of bivalve molluscs, Section 7.2 of the Code of Practice applies and that the definition is without prejudice to this.

- With regard to the definition of 'closed recirculation system' in Section 2.2, the EU supports the use of a modified version of Option 2, including a clear reference to the use of external energy inputs to stabilize the environment for the aquaculture animals:

"Closed recirculation system means a type of enclosed unit (on land or a vessel) containment system, with very limited and managed barrier-connection to open waters, depending on permanent external energy input to stabilize the environment for the aquaculture animals and to pump/circulate the water, and including a system to treat the effluent water to enable its reuse."

The defining features of closed recirculation systems include the filtering and reuse of water, the presence of enclosed unit containment systems and the stabilisation of the environment (water temperature, oxygen content, etc.) for the farmed animals, using external energy inputs. Recirculation always needs external energy inputs, therefore this specification in option 2 is not considered sufficient to ensure a clear definition of closed recirculation systems without the suggested changes.

Annex 1

- In Section A2, the EU suggests to add a new point 1 bis with the same sentence referred to in section B2.2:

*1 bis. **"The biodiversity of the aquatic environment and the quality of the surrounding water should be maintained."***

- In Section B2.7, the EU suggests to remove the words "where necessary", because a buffer zone is always needed in order to justify a difference between organic and conventional.

- Concerning Section B2.8, the EU strongly disagrees on the exclusion of the conversion period for certain types of containment systems. A conversion period should always be applied. The EU asks for the deletion of the current paragraph and to replace it with the previously proposed version of this paragraph:

"The conversion period should in general be at least one year. In cases where the water has been drained and the facility cleaned and disinfected, a shorter period of six months may apply. In the case of non-enclosed marine aquatic locations a shorter period of three months may apply provided that cages (net pens) have not been treated with prohibited antifoulants and there are no other sources of exposure to prohibited substances. During the conversion period the stock should not be subject to treatments or exposed to products which are not permitted for the production of organic foods."

- In Section B2.9, the EU proposes to include the obligation to choose locally grown species, as this is one of requisites to have a sustainable and natural production. The EU proposes the following modification of this Section: "~~Breeds adapted to local conditions~~ **Locally grown species** shall be chosen."
- In Section B2.10, the EU does not support the use of exogenous releasing hormones for species that cannot spawn naturally in captivity. The prohibition of the use of hormones is a basic principle of organic farming.
- In Section B2.12, the EU supports the removal of square brackets around the phrase '*and in general be lower than used in conventional farming*', as this is one clear way of distinguishing organic from conventional aquaculture and can lead to more favourable health outcomes for the species concerned.
- In Section B2.14, with regard to closed recirculation systems, the EU supports the text of Option 1, provided that the revised Option 2 is accepted in the definition of closed recirculation systems in Section 2.2. The farming in enclosed units, the higher density which is required to make close circulation systems viable and the need for external energy inputs to ensure the right conditions for the animals can be seen by consumers as factory farming and not fulfilling their expectations.
- In Section B2.15, the EU supports the removal of square brackets around the phrase '*artificial hybridization and use of single sex strains are prohibited*' at the end of the sentence concerning Breeding.
- The EU believes that the text of Section B2.16 on nutrition is a good basis for an agreed text and therefore agrees on the removal of the square brackets for this section.
- For the same reason stated above, the EU proposes the following modification of Section B2.21: "Hormones treatment ~~should~~ **shall** not be used".

Annex 2

- Regarding the tables which have been maintained in square brackets, the EU can agree to the utilization of the structured review process described in paragraph 12 of the Foreword for substances which may appear to be controversial.
- However, as regard Table 2C, which includes the list of substances to be used for pest and disease control, the EU asks to postpone the discussion at a later stage in the step procedure when an agreement on the text of the Guidelines is reached (see point 2 of the General Comments).

The EU is concerned about the listing of "rotenone" as a chemical for use in organic aquaculture. This substance should not be authorized. The EU, in collaboration with the European Food Safety Authority (EFSA), is undergoing its second review of active substances approved for use in Plant Protection Products. As a result, some changes were made to the list of plant protection products which are authorised for use in organic production in the European Union (Implementing Regulation (EU) No. 354/2014). A number of plant protection products have been removed from the list of accepted plant protection products, including rotenone extracted from *Derris* spp. and *Lonchocarpus* spp. and *Terphrosia* spp., due to its high toxicity for fish, humans and the environment.