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Brussels, 12/05/2009

The new implementing rules draft for organic aquaculture, version April 30, 2009

Dear Mr. J.F. Hulot,

The Standing Committee on Organic Farming will vote this week on the COM proposal for implementing rules on organic aquaculture. This step could be **a milestone** in the development of the organic sector in the EU and therefore you and the Member States **carry a high responsibility**.

In this context we **appreciate** that **some substantial concerns** expressed in our previous positions and letters can be **found in the latest COM proposal**. However, we recognize that there are certain **tendencies** to make the aquaculture implementing rules close **to conventional production practices**. The IFOAM EU Group strongly opposes this tendency and trials **as the credibility of the whole organic movement and sector is at risk**. Consumers expect an added value when buying an organic product and therefore they need to trust EU legislation.

Therefore, as pointed out in previous communication, it has to be ensured that the **final aquaculture proposal to be voted on is in line with the principles of organic farming** as outlined in the organic regulation (EC) 834/2007.

We consider the following points as crucial to be amended to the current COM proposal to make the regulation a success:

1. Permissible fishmeal/-oil sources

This is a most crucial issue for credibility of organic aquaculture, particularly in the debate with environmental NGOs about best environmental practice. The current draft is not "state of the art" in this regard, but would permit any "sustainable" source of fishmeal if the other choices in the priority list are not available without limit, furthermore also products from conventional aquaculture with all the risk of e.g. antibiotics residues. It is important to absolutely minimize

“fishing for fishmeal” and to abandon conventional aquaculture trimmings.

Therefore, the following priorities must be kept:

1. Feed for carnivorous aquatic animals shall be sourced with the following priorities, [also valid for Restrictions in Annex V 2.2]:

(a) organic feed products of aquatic origin, as whole, unprocessed or as trimmings etc.

(b) fish meal and fish oil and ingredients of fish origin derived from trimmings of wild fish already caught for human consumption in certified sustainable fisheries

(c) fish meal and fish oil and ingredients of fish origin derived from trimmings of wild fish already caught for human consumption.

(d) fish meal and fish oil and ingredients of fish origin are fed only to carnivorous aquatic animals and are not sourced from conventional aquaculture products or from any kind of fishmeal fishery.

2. To help the feed industry for the transition to this regulation an exception to 1.d) until 31 December 2014 is accepted: If feed mentioned under paragraph 1. is not available sufficiently, fishmeal and fish oil and ingredients of fish origin derived from other wild sources may be used up to a 30% of the daily ration. Documentary evidence has to be fulfilled.

3. The feed ration may comprise a maximum of 60% organic plant products and not more than 50% of protein and oil/fat from aquaculture animals and ingredients thereof.

2. Positive list of substances

We appreciate that the positive list of substances that are permitted for disinfection and routine treatment of aquatic animals has been mostly adjusted as to IFOAM proposals. Therefore no further additional substances should be added. However, copper sulfate (the anti-fouling agent most commonly used in conventional aquaculture, but prohibited by most organic certification programs) is still allowed until 2015. This appears inadequate and therefore we urge to

Delete “copper sulfate” from the lists in 2.1 and 2.3.

3. Eyestalk ablation

Eyestalk ablation in female shrimp (for triggering reproduction) must be seen as a cruel practice. However, it is not possible yet to produce shrimp larvae (particularly Black Tiger shrimp) completely without this practice. Therefore, we insist that the requirement for a non-ablated breeding program (as in the previous draft) must be kept.

Insert: "Eyestalk ablation) of female Penaeid shrimp is permitted on a maximum of 75% of breeding stock until 2013. A minimum of 25% are to be spawned without ablation as part of a breeding programme."

4. Stocking densities

We appreciate that the proposed upper stocking densities have been significantly decreased in the current draft. However, there is one case where the density is still far too high and not in line with state-of-the-art in organic aquaculture, which is for shrimp farming. It has to be taken into account that shrimp are omnivorous animals and their culture parameters must be compared to e.g. carp (carp: 1,000 kg/ha/year in the current draft, shrimp: 2,400 kg x 2 cycles = 4,800 kg/ha/year !). The consequence is, most of all, a drastically increased need for external feed, combined with nutrients runoff and deterioration of health status in the ponds. **IFOAM accredited certifiers propose a density of not more than 1,600 kg/ha/year, therefore we urge to at least reduce the density.**

For detailed densities see IFOAM EU position from

5. Parasites treatment

Area-wide parasite treatments are currently included when calculating the number of permitted medical treatments.

We propose to amend the wording as follows:

"The use of allopathic treatments is limited to two courses of treatment per year (one per year where the production cycle is less than 12 months), with the exception of compulsory eradication schemes not differentiating between individual farms but concerning a whole area, vaccinations, and anesthetic procedures."

6. Seaweed

The current draft requires a "once-off" estimation of seaweed biomass at the outset of operation. For a sustainable management, however, a "yearly follow-up estimate" is indispensable.

Change "~~For seaweed harvesting a once-off biomass estimate shall be undertaken at the outset~~" into "For seaweed harvesting a yearly follow-up biomass estimate shall be undertaken".

7. Astaxanthin

Astaxanthin (a carotenoid and provitamine), is a widely accepted feed additive in organic aquaculture feed. The current wording is not describing precisely the permitted sources of this substance (natural sources, not derivatives, and not organic sources should also be natural sources). This may also lead to not have to list Astaxanthin as a "colorant".

Proposal for a wording:

"Astaxanthin fed by natural sources and primarily certified organic sources, such as organic crustacean shells may be used in the feed ration for salmon and trout within the limit of their physiological needs. If certified organic sources are not available other natural sources of astaxanthin may be used."

Non aquaculture issues

Assessing the aquaculture draft we recognised two other issues of importance. It took us by surprise in recognising that in the COM proposal two non-aquaculture issues are hidden:

- page 10, A 6 e, 3.a) amending 889/21(2) - by taking up protein sources in the 20%-rule
- page 26, Annex, 1 b: indoor area for pigs: amending Ann III of 889

We think it is not a good practice to put new topics on the table and mixing it with other content proposals. We consider it as important that new issues are discussed and that stakeholder get the chance to comment on it. The process on stakeholder involvement was several time discussed by the advisory group on organic farming.

We regret this lack of transparency in this procedure and expect the European Commission to inform and consult the sector in time about proposed changes. As this has not happened we urge to separate it from the aquaculture issue and not to put it for vote.

Kind regards



Marco Schlüter
Director

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