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Note from European Commission DG AGRI:

Please note that these guidelines are out of date and refer to EU legislation 2381/94 that has been repealed

These were used as a background document for the discussions of EGTOP [in 2013]

ESPP comment: This 2381/94 Regulation used exactly the same wording "factory farming origin prohibited" as in the current Organic Farming Regulations which have replaced it. See reference to this 1995 document in a 2020 European Commission answer to the European Parliament ([1/7/2020](#)).



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels,

**Guidelines for the use of livestock excrements in organic farming
(Annex II, part A, to Regulation (EEC) No 2092/91)**

1. Introduction

Commission Regulation (EC) No 2381/94¹ contains a number of amendments to Annex II, part A, concerning products authorised exceptionally for use in soil conditioning and fertilisation in organic farming. The purpose of the amendments is to delete certain products from the Annex and to define requirements relating to the origin, packaging and composition and use conditions of some products. The latter category of amendments applies to livestock excrements which are a much used source of fertilisers in organic farming. The aim of this paper is to set out conditions for the use of these products² bearing in mind the conventional type of livestock farming from which they are obtained.

2. Basic rules

The main aim of (Regulation (EC) No 2381/94), adopted by the Commission following the discussions in the Standing Committee on Organic Farming at its meeting on 14 September 1994, is to rule out the use of livestock excrements from farms where factory farming (intensive husbandry) is carried on mainly on account of its intensive nature and because of the presence in such effluents of undesirable residues.

Excrements obtained from all other categories of livestock holding are permitted.

- (a) In this context the Regulation imposes no restrictions on the use of excrements from extensive holdings.

As a rule by-products obtained from these holdings, based chiefly on the use of fodder and grazing, can be considered to present a small risk of undesirable residues.

On top of that, the method of recovering the excrements (in principle a mixture of straw and animal manure in farm buildings) entails a certain amount of deterioration of the organic matter.

- (b) For categories other than extensive livestock rearing, appropriate treatment is required, either composting of solid excrements or fermentation and/or dilution of liquid effluents.

3. Definitions

3.1 Excrements from extensive husbandry

- (a) Productions covered by Regulation (EEC) n 2328/91.³

* Extensive husbandry is defined in Regulation (EEC) No 2328/91 on improving the efficiency of agricultural structures, as amended by Regulation (EEC) No 3669/93 of 22 December 1993.

¹ OJ No L 255, 1.10.1994, p 84

² Farmyard manure; dried farmyard manure and dehydrated poultry manure; composted animal excrements, including poultry manure and composted farmyard manure; liquid animal excrements (slurry, urine, etc.)

³ OJ No L 218, 6.8.1991, p. 1

Article 6 (5) of Regulation (EEC) 2328/91 and Article 1(4)(c) of Regulation (EEC) 3669/93⁴ lays down the conditions for the grant of aid for investments in extensive beef-cattle enterprises for which the target is not to exceed two livestock units (LU) per hectare of forage area in 1996 at the latest (maximum stocking rates of 3 LU/ha and 2.5 LU/ha are permitted for 1994 and 1995 respectively).

* The LU conversion table below is given in Annex I to Regulation (EEC) No 2328/91.

– Bulls, cows and other bovine animals over two years, equines over six months	1 LU
– Bovine animals from six months to two years	0,5 LU
– Sheep	0,15 LU
– Goats	0,15 LU

(b) Productions not covered by Regulation (EEC) No 2328/91.

Given that there is at this stage no standard definition at Community level for the productions not covered by Regulation (EEC) No 2328/91, the Member States keep a primary role in defining the concept of extensive husbandry for the purposes of the implementation of the provisions in Annex IIA. However, the following could be regarded as indicative for this type of livestock rearing:

- poultry for meat production: the requirements laid down for "free range", "traditional free range" and "free range - total freedom" in Annex IV (c), (d) and (e) of Regulation (EEC) No 1538/91;
- poultry for egg production : the requirements laid down for "free range eggs" and "semi-intensive eggs" in Annex II(a) and (b) of Regulation (EEC) No 1274/91 (see annex to this document);
- pigs: free range with a concentration of maximum 10 sows or 17 fattening pigs/ha.

3.2 Excrements from factory farming

Given that there is at this stage no standard definition in the Community for livestock rearing of this type, Member States keep a primary role in defining the concept of factory farming for the purposes of the implementation of the provisions in annex IIA. However the following two elements, simultaneously applied, could be regarded as indicative for this type of livestock rearing:

- (a) systems where stock are predominantly not allowed to turn freely through 360 or where they are predominantly in the dark or are predominantly kept without bedding and including in particular :
- poultry and other battery systems;

⁴ OJ No L 338, 31.12.1993, p. 26

- broiler units with stocking rates over 25 kg/m²; and
- (b) where rearing is conducted separately from any other farming activity on a holding. This type of rearing is carried on in structures that have no farmland intended for the cultivation of crops on which effluents can be spread.

3.3 Authorised excrements

In the light of the two definitions above, livestock excrements from the majority of holdings in the European Union could be used after appropriate composting of solid excrements or treatment (of liquid excrements).

4. Requirement to compost or treat liquid effluents

- (a) The purpose of composting is to convert organic matter (of animal or plant origin) into humus by a lively biological metabolisation under aerobic conditions (e.g. aerobic fermentation).

The parameters influencing successful composting depend on the nature of the materials for decomposition and weather conditions (in particular temperature and humidity).

For these reasons, composting techniques can be adapted to take account of local requirements in each Member State.

- (b) The treatment of liquid excrements must be adapted to weather and soil conditions proper to each Member State or regions thereof.

Different and appropriate treatment techniques can be applied, such as, for example, a fermentation stage, aeration, soil injection. These techniques aim to reduce nitrogen losses in the air and/or to lower nutrients solubility in water and/or lower nutrients migration in the soil.

5. The role of supervisory bodies

- (a) The requirement "Need to be recognised by the inspection body or inspection authority" implies that the preceding authorisation of the inspection body or authority is necessary if an enterprise is to use livestock excrements from conventional farming. Authorisation will normally be granted each year after it has been established that no or not sufficient organic fertilisers are available on the holding or in the surrounding area. The supervisory body will have to be notified of the origin of the excrements and of the livestock species.
- (b) In the case of products for which composting or appropriate treatment are prescribed (liquid excrements), it will be the responsibility of the inspection body or authority to verify each year that the techniques applied are acceptable. Moreover, Member States may provide for a detailed definition of recommended procedures.
- (c) Member States can involve inspection bodies and/or authorities in defining, in the absence of definitions at Community level, the concepts of extensive husbandry for productions other than those defined in Regulation (EEC) No 2328/91 and of factory farming, taking into account local conditions.