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Brussels
11 October 2021

DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES
Maritime Policy and Blue Economy
Blue Economy Sectors, Aquaculture and Maritime Spatial Planning
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT
Directorate B. Quality, Research & Innovation, Outreach

Subject: **Clarifications on the FEAP/COPA COGECA Position Paper about *achieving the expectations set by the Green Deal on organic aquaculture production.***
Ref ARES(2021)5808350 – 23/09/2021

Dear Mr. Felix Leinemann and Ms. Panichi Elena,

Following your letter dated 23-September, in which you requested us certain clarifications on our Position paper about organic aquaculture, please find below explanations on the two specific issues:

1. About the “inconsistencies and un-clarities in the EU organic rules for aquaculture”:

1.1. Availability of juveniles. For many years the unavailability of organic juveniles has been an unsolvable problem. Despite clear advice from FEAP and IFOAM the new legislation was approved as follows:

(a) organic aquaculture shall be based on the rearing of young stock originating from organic broodstock and organic production units; By way of derogation from point (a), Member States may authorise the introduction for on-growing purposes on an organic production unit of a maximum of 50 % of non-organic juveniles of species that were not developed as organic in the Union by 1 January 2022, provided that at least the latter two-thirds of the duration of the production cycle are managed under organic management. Such derogation may be granted for a maximum period of two years and shall not be renewable.

This is an example of legislation that does not take into consideration the challenges of starting an organic broodstock or fry production. If a fish farmer can get 50% it generally gets 100 %. It is more often a question of finding none or all. Moreover,

what does it mean with a “species not developed as organic by January 2022”? This text carries uncertainty. No aquaculture undertaking can initiate an organic business if it cannot be certain to stock the necessary supply of juveniles every year.

- 1.2. Control of parasites. In other organic species, farmers are allowed to treat the animals when infected with parasites. This is still not the case for organic fish, bringing uncertainty into the business. The FEAP is aware that the original purpose of the legislation was to face Atlantic salmon sea lice, but many other parasites are also a problem in organic fish farming.
- 1.3. Recirculation Aquaculture Systems. Organic aquaculture legislation does not allow for the use of closed recirculation systems (RAS) for on-growing fish. But the definition of RAS is vague. An EGTOP report must be looked into to understand the limitation of RAS (reuse of water versus RAS). And this EGTOP report itself does not make much sense. There is a limitation of max 70 % recirculation, but it is unclear how this should be calculated (per pond? per farm? etc). No undertaking will invest in a new modern organic business if the rules are unclear and it risks getting the certification rejected by any FVO inspection.
- 1.4. Feed. The new Organic legislation requires that the feed fraction derived from aquatic animals (even trimmings) must originate from organic aquaculture or from fisheries that have been certified as sustainable under a scheme recognised by the competent authority in line with the principles laid down in Regulation (EU) No 1380/2013. Both are very difficult to achieve.

2. On the “different interpretation between Member States and certification bodies”:

- 2.1. Several of the above-mentioned situations drive differences in interpretation between Member States, between auditing bodies, and even between personnel of the auditing bodies, e.g., on how are RAS defined, on when an extra supply of non-organic fry is allowed, etc.
- 2.2. Use of astaxanthin in fish feed for salmonids (Reg. 2021/1165). Astaxanthin is only allowed “in the feed ration for salmon and trout within the limit of their physiological needs”. But nobody knows what the physiological need is, leading to a limit of 20 ppm in one country while the limit is 100 ppm in others. The result is unfair competition when selling on the same common market.
- 2.3. Differences in interpretation of the organic rules occur between individual auditors, or auditing bodies in different jurisdictions, even if all are recognised by the “EU organic standard” and they provide organic certifications. These differences happen, for example, on the definition of a juvenile, or in the criteria about the use of recirculation systems (RAS) in juvenile production.
- 2.4. Member state’s regulatory bodies overseeing the application of the organic standards are sometimes actively involved in checking their application, but in other cases, they disengage and rely on the criteria of the auditing bodies in the country.

Other comments on obstacles to the growth of EU organic aquaculture:

- a. The widespread difficulties that hinder the creation of new fish farms in the European Union, or the enlargement of existing ones, also affect the growth of organic aquaculture. The underlying reasons being those rightly identified by the European Commission in the *Strategic guidelines for a more sustainable and competitive EU aquaculture for the period 2021 to 2030*.
- b. In central Europe freshwater fish farming (like in Poland) it is not clear if a set of ponds within an aquaculture company can be certified separately as organic and the rules to define it. In this production environment, the severe losses due to predatory

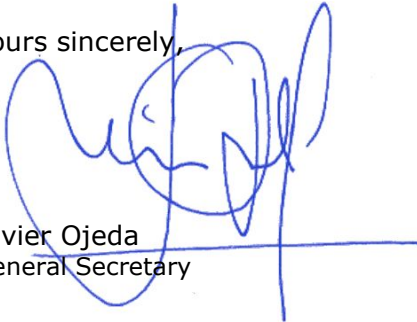
birds can impact the organic stocks ready for placing on the market and hence on the viability of the whole company, as it is not possible to use non-organic stock to replace the lost fish.

- c. In other countries, like Denmark, it is the strict environmental legal framework the one blocking the creation of new organic sea farms, even if the good market and consumer demand exist for the organic fish.

We stay available for holding a meeting at your earliest convenience to further clarify these issues.

We appreciate your efforts to pursue the growth of EU organic aquaculture alongside the rest of the types of aquaculture.

Yours sincerely,



Javier Ojeda
General Secretary