



Brussels, **XXX**
[...](2021) **XXX** draft

ANNEX

ANNEX

to

**COMMISSION DELEGATED REGULATION (EU) .../...
of XXX**

**amending Annexes II and III to Regulation (EU) 2018/848 of the European Parliament
and of the Council as regards specific requirements for the production, use and
packaging of non-organic, in-conversion and organic seedlings**

ANNEX

Annexes II and III to Regulation (EU) 2018/848 are amended as follows:

(1) Part I of Annex II is amended as follows:

(a) point 1.8.5.1 is amended as follows:

(i) the following paragraph is inserted after the first paragraph:

‘In addition, in case of a lack of availability of organic seedlings to be planted as plant reproductive material, “in-conversion seedlings”, marketed in compliance with Article 10(4), second subparagraph, point (a), may be used when grown as follows:

(a) through a cultivation cycle from seeds to final seedling lasting at least 12 months on a land parcel that, during that same period, has complied with a conversion period of at least 12 months; or

(b) in containers if covered by the derogation referred to in point 1.4, provided that the seedlings have originated from in-conversion seeds, harvested from a plant grown on a land parcel that has complied with a conversion period of at least 12 months.’;

(ii) in the existing second paragraph, ‘1.8.5.7’ is replaced by ‘1.8.5.8’;

(b) in point 1.8.5.2, third paragraph, ‘1.8.5.3, 1.8.5.4 and 1.8.5.5’ is replaced by ‘1.8.5.3, 1.8.5.4, 1.8.5.5 and 1.8.5.8’;

(c) the following point 1.8.5.8 is inserted:

‘1.8.5.8. Competent authorities shall not authorise the use of non-organic seedlings in the case of seedlings of species that have a cultivation cycle completed in one growing season, from transplantation of the seedling to the first harvest of products.

However, by way of derogation from points 1.8.1 and 1.8.2, for species with a cultivation cycle completed in one growing season, the competent authorities may exceptionally authorise the use of non-organic seeds for the production of suitable seedlings for organic production when neither organic nor in-conversion seedlings are available in sufficient quantity or quality, provided that the following conditions are met:

(a) the non-organic seeds used comply with point 1.8.5.3;

(b) the seedlings are grown in compliance with all other relevant organic plant production requirements;

(c) the authorisation is in compliance with the relevant conditions set out in point 1.8.5.1 and points 1.8.5.4 to 1.8.5.7.’;

(2) in point 2.1 of Annex III, the following point 2.1.4 is added:

‘2.1.4. For seedlings that are produced in order to be used under an exceptional authorisation in compliance with conditions laid down in point 1.8.5.8 of Part I of Annex II, the label on the packaging may include the following indication: “may be used in organic production”.’