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Ordinance on Organic Farming and the Labelling of Organically Produced Products and Foodstuffs¹ (Organic Farming Ordinance)

of 22 September 1997 (Status as of 1 January 2022)

The Swiss Federal Council,

on the basis of Articles 14 paragraph 1 letter a, 15 and 177 of the Agriculture Act of 29 April 1998² (AgricA),
of Article 13 paragraph 1 letter d of the Foodstuffs Act of 20 June 2014³
and pursuant to the Federal Act of 6 October 1995⁴ on Technical Barriers to Trade, (TBA),⁵

ordains:

Chapter 1 General Provisions

Art. 1⁶ Scope

¹ This Ordinance applies to the labelling of the following products as organic products:

- a. unprocessed agricultural crop and livestock products and production animals;
- b. processed agricultural crop and livestock products intended for human consumption, prepared essentially from ingredients of plant and/or animal origin;
- c.⁷ feed materials⁸, compound feedingstuffs and feedingstuffs not covered under letter a. and which are used for the feeding of production animals.

AS 1997 2498

¹ Amended by No I of the O of 23 Aug. 2000, in force since 1 Jan. 2001 (AS 2000 2491).

² SR 910.1

³ SR 817.0

⁴ SR 946.51

⁵ Amended by No I of the O of 18 Oct. 2017, in force since 1 Jan. 2018 (AS 2017 6083).

⁶ Amended by No I of the O of 23 Aug. 2000, in force since 1 Jan. 2001 (AS 2000 2491).

⁷ Amended by No I of the O of 30 Oct. 2002, in force since 1 Jan. 2003 (AS 2002 3731).

⁸ Term in accordance with No I of the O of 31 Oct. 2012, in force since 1 Jan. 2013 (AS 2012 6353). This amendment has been made throughout the text.

² It also applies to yeasts used for foodstuffs or animal feedingstuffs.⁹

³ It does not apply to insects as defined in the foodstuffs legislation and to products from hunting, fishing and aquaculture.¹⁰

Art. 2¹¹ Labelling

¹ Products under Article 1 may be labelled as organic products if they are produced or imported, prepared and marketed in accordance with this Ordinance.

² The following indications, their translations in all national languages or usual indications taken from them (such as bio-, eco-) shall be used for the labelling of organic products:

- a. German: biologisch, ökologisch;
- b. French: biologique;
- c. Italian: biologico;
- d. Romansh: biologic.¹²

³ The Federal Department of Economic Affairs, Education and Research (EAER)¹³ may prescribe a mark which can be used voluntarily for the labelling of products which comply with the provisions of this Ordinance. It may prescribe a special mark for products which are produced in Switzerland.

⁴ Labelling, advertising material or commercial documents for products which have not been produced in accordance with this Ordinance may not suggest that such products have been produced organically unless such indications do not relate to the agricultural products in the foodstuffs or feedingstuffs or clearly have no connection with the method of production.¹⁴

⁵ The labelling may only be used if compliance with the requirements for production, preparation, import, export, storage and marketing of the products has been certified.¹⁵

^{5bis} The following do not require certification:

- a. the preparation of products of organic origin at the point of sale, provided that no comparable conventionally-prepared products are prepared in the same production unit and the prepared products are delivered to the consumers solely at the point of sale;
- b. the preparation of foodstuffs and dishes in restaurant and catering facilities;

⁹ Amended by No I of the O of 18 Nov. 2009, in force since 1 Jan. 2010 (AS **2009** 6317).

¹⁰ Inserted by No I of the O of 18 Nov. 2009 (AS **2009** 6317). Amended by No I of the O of 18 Oct. 2017, in force since 1 Jan. 2018 (AS **2017** 6083).

¹¹ Amended by No I of the O of 23 Aug. 2000, in force since 1 Jan. 2001 (AS **2000** 2491).

¹² Amended by No I of the O of 10 Nov. 2004, in force since 1 Jan. 2005 (AS **2004** 4891).

¹³ The name of this administrative unit was modified pursuant to Art. 16 para. 3 of the Publications Ordinance of 17 Nov. 2004 (AS **2004** 4937) on 1 Jan. 2013. This modification has been made throughout the text.

¹⁴ Amended by No I of the O of 26 Nov. 2003, in force since 1 Jan. 2004 (AS **2003** 5347).

¹⁵ Amended by No I of the O of 12 Nov. 2008, in force since 1 Jan. 2009 (AS **2008** 5823).

- c. the storage and marketing of products packaged ready for sale and labelled which are intended solely for Switzerland, provided they do not undergo further preparation before delivery to consumers;
- d. the preparation of certified semi-finished products at the point of sale, provided that no further ingredients are required;
- e.¹⁶ the portioning of openly sold foodstuffs in front of the customer;
- f.¹⁷ the slaughter of animals in slaughterhouses;
- g.¹⁸ internal trade with animals of the bovine species.¹⁹

⁶ Trade marks with indications in accordance with paragraphs 2 and 4 may only be used if the product was produced in accordance with this Ordinance.²⁰

Art. 3 Principles²¹

The production, preparation and marketing of organic products is governed by the following principles:²²

- a. Natural cycles and processes are taken into consideration.
- b. The use of synthetic agrochemicals and ingredients is avoided.
- c.²³ The following may not be used in foodstuffs or feedingstuffs or as foodstuffs, feedingstuffs, technical aids, plant protection products, fertilisers, soil conditioners, plant propagating material, microorganisms or animals:
 - 1. genetically modified organisms;
 - 2. products that have been produced from genetically modified organisms;
 - 3. products that have been produced by genetically modified organisms.
- d. The products are not treated with ionizing radiation and no irradiated products are used.
- e.²⁴ The number of production animals must be adjusted in accordance with the holding's own or rented agricultural acreage suitable for the use of farmyard manure.
- f.²⁵ Throughout their whole life on organic holdings, production animals are kept in accordance with the requirements of this Ordinance and are fed with feedingstuffs which have been produced in accordance with this Ordinance.

¹⁶ Amended by No I of the O of 14 Nov. 2007, in force since 1 Jan. 2008 (AS **2007** 6181).

¹⁷ Inserted by No I of the O of 14 Nov. 2007, in force since 1 Jan. 2008 (AS **2007** 6181).

¹⁸ Inserted by No I of the O of 14 Nov. 2007, in force since 1 Jan. 2008 (AS **2007** 6181).

¹⁹ Inserted by No I of the O of 10 Nov. 2004, in force since 1 Jan. 2005 (AS **2004** 4891).

²⁰ See however Art. 39g below.

²¹ Amended by No I of the O of 23 Aug. 2000, in force since 1 Jan. 2001 (AS **2000** 2491).

²² Amended by No I of the O of 18 Nov. 2009, in force since 1 Jan. 2010 (AS **2009** 6317).

²³ Amended by Annex No I of the O of 27 May 2020, in force since 1 July 2020 (AS **2020** 2229).

²⁴ Inserted by No I of the O of 23 Aug. 2000, in force since 1 Jan. 2001 (AS **2000** 2491).

²⁵ Inserted by No I of the O of 23 Aug. 2000, in force since 1 Jan. 2001 (AS **2000** 2491).

g.²⁶ The provisions of the Animal Protection Act of 9 March 1978²⁷, Waters Protection Act of 24 January 1991²⁸, Environmental Protection Act of 7 October 1983²⁹ and the Federal Act of 1 July 1966³⁰ on Nature and Cultural Heritage Act which are relevant for agricultural production are complied with.

Art. 4 Definitions

In this Ordinance:

- a.³¹ products means agricultural crop and livestock products, and foodstuffs prepared essentially from such products;
- b. organic production means production carried out in accordance with Article 3 and Chapter 2;
- c.³² preparation means the operations of preserving and/or processing agricultural products, including the slaughter and cutting of livestock products, and also packaging and/or alterations made to the labelling concerning the presentation of the organic production method of the fresh, preserved and/or processed products;
- d. marketing means holding for sale, selling or any other form of placing on the market, and delivery of a product;
- e.³³ secondary products of genetically modified organisms means substances which are produced from or by genetically modified organisms but which do not contain genetically modified organisms;
- f.³⁴ inspection dossier means all information and documentation relevant to the inspection and certification of an operator.

Art. 5³⁵ Organic holdings

¹ In this Ordinance, organic holdings are:

- a. holdings as defined in Articles 6 of the Agriculture Terminology Ordinance of 7 December 1998³⁶ (AgricTermO) where production is carried out in accordance with the requirements laid down in this Ordinance;

²⁶ Inserted by No I of the O of 8 Nov. 2006, in force since 1 Jan. 2007 (AS **2006** 4831).

²⁷ [AS **1981** 562; **1991** 2345; **1995** 1469 Art. 59 No 1; **2003** 4181, 4803 Annex No 3; **2003** 4181; **2006** 2197 Annex No 45. AS **2008** 2965 Art. 43]. See now: the FA of 16 Dec. 2005 (SR **455**).

²⁸ SR **814.20**

²⁹ SR **814.01**

³⁰ SR **451**

³¹ Amended by No I of the O of 23 Aug. 2000, in force since 1 Jan. 2001 (AS **2000** 2491).

³² Amended by No I of the O of 23 Aug. 2000, in force since 1 Jan. 2001 (AS **2000** 2491).

³³ Inserted by No I of the O of 23 Aug. 2000, in force since 1 Jan. 2001 (AS **2000** 2491).

³⁴ Inserted by No I of the O of 29 Oct. 2014, in force since 1 Jan. 2015 (AS **2014** 3969).

³⁵ Amended by No I of the O of 18 Oct. 2017, in force since 1 Jan. 2018 (AS **2017** 6083).

³⁶ SR **910.91**

- b. summer pasture holdings as defined in Article 9 AgricTermO, where production is carried out in accordance with the requirements laid down in this Ordinance;
- c. operators that are not holdings as defined in Article 6 AgricTermO and which produce land-dependent products from plant or livestock production, where production is carried out in accordance with the requirements laid down in this Ordinance.

² Operators that are not holdings as defined in Article 6 AgricTermO and which produce non-land-dependent products where production is carried out in accordance with the requirements laid down in this Ordinance are deemed equivalent to organic holdings.

Chapter 2 Requirements for Organic Production

Section 1 General Provisions

Art. 6 Principle of total organic production

Organic farming methods must be used throughout the entire organic holding.

Art. 7³⁷ Exceptions to the principle of total organic production

¹ Areas where permanent crops are not grown organically is permitted on an organic holding provided that proof of ecological performance in accordance with Articles 11–25 of the Direct Payments Ordinance of 23 October 2013³⁸ (DPO) is provided for these areas.³⁹

² Areas where permanent crops are grown organically is permitted on a non-organic holding provided that proof of ecological performance in accordance with Articles 11–25 of the DPO is provided for the part of the holding which is not farmed organically.⁴⁰

³ Areas where permanent crops are grown in accordance with paragraphs 1 and 2 must remain the same for a minimum of five years.

⁴ Production of a permanent crop described in letters a–i of Article 22 paragraph 1 of the Agriculture Terminology Ordinance of 7 December 1998⁴¹ on a holding must be either totally organic or totally non-organic.

⁵ The certification body may on application recognise a production facility in a non-organic agricultural holding as an independent organic holding if the production facility:

³⁷ Amended by No I of the O of 29 Oct. 2014, in force since 1 Jan. 2015 (AS **2014** 3969).

³⁸ SR **910.13**

³⁹ Amended by Annex 9 No 14 of the Direct Payments Ordinance of 23 Oct. 2013, in force since 1 Jan. 2014 (AS **2013** 4145).

⁴⁰ Amended by Annex 9 No 14 of the Direct Payments Ordinance of 23 Oct. 2013, in force since 1 Jan. 2014 (AS **2013** 4145).

⁴¹ SR **910.91**