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EAER Ordinance on Organic Farming

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

The Federal Department of Economic Affairs, Education and Research (EAER)¹, on the basis of Articles 11 paragraph 2, 12 paragraph 2, 13 paragraph 3^{bis}, 15 paragraph 2, 16a paragraphs 1–4, 16h, 16k paragraphs 1 and 2^{bis}, 16n paragraph 1, 17 paragraph 2, 23 paragraph 1, 23a paragraph 1, 30d paragraph 3 and 33a paragraph 3 of the Organic Farming Ordinance of 22 September 1997², in agreement with the Federal Department of Home Affairs (FDFA),³ ordains:

Section 1 General Provisions⁴

Art. 1⁵ Plant protection products

The plant protection products authorised for uses in organic farming and the special directions for their use are in accordance with Annex 1.

Art. 2 Fertilisers⁶

The fertilisers and equivalent products in accordance with Annex 2 shall be authorised in organic farming.

AS 1997 2519

¹ The name of this administrative unit was amended in application of Art. 16 para. 3 of the Publication Ordinance of 17 Nov. 2004 (AS 2004 4937) on 1 Jan. 2013. This amendment has been made throughout the text.

² SR 910.18

³ Amended by No I of the EAER O of 18 Oct. 2017, in force since 1 Jan. 2018 (AS 2017 6349).

⁴ Inserted by No I of the EAER O of 7 Nov. 2001, in force since 1 Jan. 2002 (AS 2002 228).

⁵ Amended by No I of the EAER O of 1 Sept. 2016, in force since 1 Oct. 2016 (AS 2016 3183).

⁶ Term in accordance with No I of the EAER O of 13 March 2001, in force since 1 April 2001 (AS 2001 1322). This amendment has been made throughout the text.

Art. 3⁷ Use of products and substances under Article 16j paragraph 2 letter b and c of the Organic Farming Ordinance in processing foodstuffs

¹ The following may be used for processing foodstuffs, with the exception of yeast and wine:⁸

- a.⁹ products and substances in accordance with Annex 3;
- b. preparations made from micro-organisms and enzymes, which are normally used in the production of foodstuffs; enzymes, which are to be used as food additives, must be listed in Annex 3 Section A;
- c.¹⁰ Products and substances in accordance with Article 2 paragraph 1 letter b and c of the FDHA Flavourings Ordinance of 16 December 2016¹¹ which are listed as «natural flavouring substances» or «flavouring preparations» under Article 10 of the Flavourings Ordinance;
- d. drinking water and salts (mainly of sodium or potassium chloride), which are generally used in food processing;
- e.¹² minerals, including trace elements, vitamins, amino acids and other micro-nutrients:
 - 1. in foodstuffs, provided their use is required when placing products on the market in accordance with the foodstuffs legislation, with the exception of dietary supplements under the FDHA Ordinance of 16 December 2016¹³ on Dietary Supplements,
 - 2. in foodstuffs intended for persons with special dietary requirements in accordance with Article 2 letters a–c of the FDHA Ordinance of 16 December 2016¹⁴ on Foodstuffs for Persons with Special Dietary Requirements (SDRO), provided their use is permitted under the SDRO.

² For the assessment for the purposes of Article 18 paragraph 1 letter b of the Organic Farming Ordinance:

- a. food additives in accordance with Annex 3 Section A, which are marked with an asterisk in the column for the additive code, shall be included as ingredients of agricultural origin;

⁷ Amended by No I of the EAER O of 18 Nov. 2009, in force since 1 Jan. 2010 (AS **2009** 6337).

⁸ Amended by No I of the EAER O of 31 Oct. 2012, in force since 1 Jan. 2013 (AS **2012** 6357).

⁹ Amended by No I of the EAER O of 31 Oct. 2012, in force since 1 Jan. 2013 (AS **2012** 6357).

¹⁰ Amended by No I of the EAER O of 18 Oct. 2017, in force since 1 Jan. 2018 (AS **2017** 6349).

¹¹ SR **817.022.41**

¹² Amended by No I of the EAER O of 23 Oct. 2019, in force since 1 Jan. 2020 (AS **2019** 3591).

¹³ SR **817.022.14**

¹⁴ SR **817.022.104**

- b. preparations and substances in accordance with paragraph 1 (b–e) and substances in accordance with Annex 3 Section A, which are not marked with an asterisk in the column for the additive code, shall not be included as ingredients of agricultural origin.

³ This applies without prejudice to the provisions of the legislation on foodstuffs.

Art. 3a¹⁵ Use of products and substances under Article 16j paragraph 2 letter b and c of the Organic Farming Ordinance in the processing of yeast

¹ The following substances may be used for the production, preparation and formulation of organic yeast:¹⁶

- a.¹⁷ substances in accordance with Annex 3a;
- b. products and substances in accordance with Article 3 paragraph 1 letter b and d.

² The addition of up to 5 per cent of non-organic yeast extract or autolysed yeast, calculated as dry mass, shall be permitted for the production of organic yeast, if it can be proved that no organically produced yeast extract or autolysed yeast is available.

Art. 3b¹⁸ Use of products and substances in accordance with Article 16j paragraph 2 letter b and c of the Organic Farming Ordinance in the production of wine

Products and substances in accordance with Annex V Part D of Implementing Regulation (EU) 2021/1165¹⁹ may be used for the production of wine.

Art. 3c²⁰ Oenological practices and processes and restrictions thereon

Oenological practices and processes in accordance with Annex II Part VI number 3 of Regulation (EU) 2018/848 as amended by Annex 3b are permitted.

¹⁵ Inserted by No I of the EAER O of 18 Nov. 2009, in force since 1 Jan. 2010 (AS 2009 6337).

¹⁶ Amended by No I of the EAER O of 31 Oct. 2012, in force since 1 Jan. 2013 (AS 2012 6357).

¹⁷ Amended by No I of the EAER O of 31 Oct. 2012, in force since 1 Jan. 2013 (AS 2012 6357).

¹⁸ Inserted by No I of the EAER O of 31 Oct. 2012 (AS 2012 6357). Amended by No I of the EAER O of 3 Nov. 2020, in force since 1 Jan. 2022 (AS 2021 683).

¹⁹ Commission Implementing Regulation (EU) 2021/1165 of 15 July 2021 authorising certain products and substances for use in organic production and establishing their lists, OJ L 253 of 16.7.2021, p. 45–47.

²⁰ Inserted by No I of the EAER O of 31 Oct. 2012 (AS 2012 6357). Amended by No I of the EAER O of 3 Nov. 2020, in force since 1 Jan. 2022 (AS 2021 683).

Art. 4²¹**Art. 4a²²****Art. 4a^{bis} 23** Species-related requirements for organic stockfarming

¹ The provisions in accordance with Annex 5 apply with regard to the species-related requirements for organic stockfarming.

² The requirements regarding outdoor runs and outdoor climate areas together with other rules for housing the various livestock species are in accordance with Annex 6.

Art. 4a^{ter} 24 Prohibited animal feed additives, technical aids and processing methods

¹ The following animal feed additives and technical aids shall be prohibited:

- a. genetically modified organisms (GMO);
- b. antimicrobial growth promoters;
- c. additives to prevent coccidiosis and histomoniasis;
- d. amino acids and their salts and similar products;
- e. non-protein nitrogen compounds (NPN-compounds);
- f. substances and production methods which could be misleading with regard to the actual quality of the product.

² Where no natural sources are available, chemically synthesised additives which are essential for a required ration composition shall be permitted.

³ Extraction with organic solvents except for ethanol, hydrogenation and refining by a chemical process shall be prohibited.

Art. 4b²⁵ Use of animal feed materials and animal feed additives

¹ Only the following shall be used in the processing of organic animal feedingstuffs and in the feeding of animals which are kept in accordance with the requirements of this Ordinance:

- a. organic animal feed materials;

²¹ Repealed by No I of the EAER O of 11 Nov. 2020, with effect from 1. Jan. 2021 (AS **2020** 5461).

²² Inserted by No I of the EAER O of 18 Oct. 2017, (AS **2017** 6349). Repealed by No of the EAER O of 11 Nov. 2020, with effect from 1 Jan. 2021 (AS **2020** 5461).

²³ Originally Art. 4a. Inserted by No I of the EAER O of 23 Aug. 2000, in force since 1 Jan. 2001 (AS **2000** 2508).

²⁴ Originally Art. 4a^{bis}. Inserted by No I of the EAER O of 31 Oct. 2012, in force since 1 Jan. 2013 (AS **2012** 6357).

²⁵ Inserted by No I of the EAER O of 23 Aug. 2000 (AS **2000** 2508). Amended by No I of the EAER O of 31 Oct. 2012, in force since 1 Jan. 2013 (AS **2012** 6357).

- b. animal feed materials and animal feed additives in accordance with Annex 7 Section A 1 and Section B;
- c. non-organic animal feed materials in accordance with Annex 7 Section A 2, provided they were not manufactured or prepared with chemical solvents;
- d. non-organic spices, herbs and molasses provided that:
 - 1. they are not available in organic form,
 - 2. they were produced or prepared without chemical solvents, and
 - 3. their use is limited to 1 per cent of the feed ration of a particular species, calculated annually as a percentage of the dry matter of the feedingstuff of agricultural origin;
- e. organic animal feed materials of animal origin;
- f. sustainable fishery products, provided that:
 - 1. they were produced or prepared without chemical solvents,
 - 2. their use is restricted to non-plant-eaters, and
 - 3. the use of fish protein hydrolysate is restricted to young animals;
- g. salt in the form of sea salt or raw rock salt.

² This applies without prejudice to the provisions of the Ordinance on Animal Feeding stuffs of 26 October 2011²⁶.

Art. 4c²⁷ Cleaning agents and disinfectants

The cleaning agents and disinfectants in accordance with Annex 8 shall be authorised for use in organic stockfarming.

Art. 4d²⁸

Art. 4e²⁹ Transmission of data by the certification bodies

¹ Data concerning the previous year shall be transmitted to the Federal Office for Agriculture (FOAG) by 31 January each year.

² The certification bodies must use the standard forms in accordance with Annex 12 of this Ordinance for transmission of the annual report data referred to in Article 30d paragraph 3 of the Organic Farming Ordinance. The competent cantonal food inspection agency may ask the certification bodies for the annual report on the operators in its canton.

²⁶ SR 916.307

²⁷ Inserted by No I of the EAER O of 23 Aug. 2000, in force since 1 Jan. 2001 (AS 2000 2508).

²⁸ Inserted by No I of the EAER O of 18 Nov. 2009 (AS 2009 6337). Repealed by No I of the EAER O of 27 Oct. 2010, with effect from 1 Jan. 2011 (AS 2010 5863).

²⁹ Inserted by No I of the EAER O of 29 Oct. 2014, in force since 1 Jan. 2015 (AS 2014 3979).