



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B. Quality, Research & Innovation, Outreach
The Director

Brussels,
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Thank you for your e-mail of 9 April 2019 (Int. Ref. ARES(2019)2512208) in which you requested clarification on the use of recirculation aquaculture systems in organic salmon production. In particular, you ask whether closed recirculation aquaculture systems are allowed in the smolts production, considering that the nursery includes up to smoltification.

I would recall as you cite in your e-mail the definition of nursery as provided for by Article 2 of Regulation (EC) No 889/2008 as amended¹ : “*m) ‘nursery’ means a place where an intermediate farming system, between the hatchery and grow-out stages is applied. The nursery stage is completed within the first third of the production cycle with the exception of species undergoing a smoltification process;*”

The definition of nursery does not exclude those species undergoing a smoltification process but rather specifies that the duration of the nursery stage in case of species undergoing smoltification process may be longer than the first third of the production cycle. Therefore, smoltification is part of the nursery stage.

In accordance with Article 25(g) of the same above-mentioned regulation: “*1. Closed recirculation aquaculture animal production facilities are prohibited, with the exception of hatcheries and nurseries or for the production of species used for organic feed organisms.*” Hence, it can be concluded that the smoltification process can occur in closed recirculation aquaculture systems.

Finally, I would also recall the general aquaculture husbandry rules laid down by Article 25f of Regulation (EC) No 889/2008 and in particular its paragraph (3) which lays down: “*The design and construction of aquatic containment systems shall provide flow rates*

¹ Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control (OJ L 250, 18.9.2008, p. 1–84), as amended by Commission Regulation (EC) No 710/2009 (OJ L 204, 6.8.2009, p. 15-27).

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and physiochemical parameters that safeguard the animals' health and welfare and provide for their behavioural needs.”

The present opinion is provided on the basis of the facts as set out in your e-mail of 9 April 2019 and expresses the view of the Commission services and does not commit the European Commission. In the event of a dispute involving Union law it is, under the Treaty on the Functioning of the European Union, ultimately for the European Court of Justice to provide a definitive interpretation of the applicable Union law.

Yours sincerely,



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