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► **BCOMMISSION DELEGATED REGULATION (EU) 2020/2146**

欧盟委员会委托法规 (EU) 2020/2146

of 24 September 2020

2020 年 9 月 24 日

supplementing Regulation (EU) 2018/848 of the European Parliament and of the Council as regards exceptional production rules in organic production  
补充欧洲议会和理事会法规 (EU) 2018/848 关于有机生产中的特别生产规则

[\(Text with EEA relevance\)](#)

[\(具有欧洲经济区相关性的文本\)](#)

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**补充欧洲议会和理事会法规 (EU) 2018/848 关于有机生产中的特别生产规则**

(Text with EEA relevance)

(与欧洲经济区相关的内容)

## Article 1 文章 1

### Recognition of catastrophic circumstances

#### 承认灾难性情况

1. For the purposes of the exceptional production rules referred to in Article 22(1) of Regulation (EU) 2018/848, in order for a situation to qualify as catastrophic circumstances deriving from an 'adverse climatic event', 'animal diseases', an 'environmental incident', a 'natural disaster' or a 'catastrophic event', as well as any comparable situation, it shall be recognised as catastrophic circumstances by a formal decision issued by the Member State in which the situation occurs.

1. 根据《欧盟条例》(EU) 2018/848 第 22 (1) 条所述的特别生产规则, 为了使某种情况符合由“不利气候事件”、“动物疾病”、“环境事故”、“自然灾害”或“灾难性事件”引起的“灾难性情况”, 以及任何类似情况, 应由发生该情况成员国正式作出的决定将其认定为灾难性情况。

2. Depending on whether the catastrophic circumstances affect a specific area or an individual operator, the formal decision issued under paragraph 1 shall refer to the area or operator concerned.

2. 根据灾难性情况是否影响特定区域或个别运营商, 根据第 1 款发布的正式决定应涉及相关区域或运营商。

## Article 2 文章 2

### Conditions for derogations

#### 豁免条件

1. Following the formal decision referred to in Article 1, the competent authorities may, upon identification of the operators affected in the area concerned or upon request from the individual operator concerned, grant the relevant derogations set out in Article 3 and the conditions related thereto, provided that those derogations and conditions apply:

1. 根据第 1 条所述正式决定, 在确定受影响区域内的运营商或应相关运营商的要求后, 有权机关可授予第 3 条规定的相关豁免以及与此相关的条件, 前提是这些豁免和条件适用:

(a) for a limited period and no longer than necessary, and in no case longer than 12 months, to continue or recommence organic production as carried out before the date of application of those derogations;

在有限的时间内，且不超过必要的期限，在任何情况下不超过 12 个月，继续或恢复在那些豁免措施申请日期之前进行的有机生产；

(b) in relation to specifically affected types of production or, where relevant, land parcels; and

关于具体受影响的生产品类或，如适用，土地地块；

(c) to all relevant organic operators affected in the area concerned or only to the individual operator concerned, as the case may be.

致受相关区域影响的有机操作者或仅致相关个别操作者，视情况而定。

2. The application of the derogations referred to in paragraph 1 shall be without prejudice to the validity of the certificates referred to in Article 35 of Regulation (EU) 2018/848 during the period where the derogations apply, provided that the operator or operators concerned fulfil the conditions under which derogations were granted.

2.在适用第 1 段所述的豁免期间，只要相关运营商满足豁免授予的条件，豁免的适用不应损害《欧盟条例》(EU) 2018/848 第 35 条所述证书的有效性。

### Article 3 文章 3

#### **Specific derogations from Regulation (EU) 2018/848**

##### **具体从 (欧盟) 2018/848 号法规中的豁免**

1. By way of derogation from point 1.8.1 of Part I of Annex II to Regulation (EU) 2018/848, for the production of plants and plant products other than plant reproductive material, non-organic plant reproductive material may be used when the use of organic or in conversion plant reproductive material is not possible, provided that point 1.8.5.3 of Part I of that Annex and, where appropriate, the requirements set out in point 1.7 of Part I of that Annex are complied with.

1. 根据欧盟法规 (EU) 2018/848 附件 II 第一部分第 1.8.1 点的豁免，对于生产除植物繁殖材料以外的植物和植物产品，当使用有机或转化植物繁殖材料不可行时，可以使用非有机植物繁殖材料，前提是遵守该附件第一部分第 1.8.5.3 点以及，如适用，该附件第一部分第 1.7 点规定的各项要求。

2. By way of derogation from point 1.3.1 of Part II of Annex II to Regulation (EU) 2018/848, the herd or flock may be renewed or reconstituted with non-organic animals in the case of high mortality of animals and when organically reared animals are not available, provided that the respective conversion periods specified in point 1.2.2 of Part II of that Annex II are complied with.

2. 根据欧盟法规 (EU) 2018/848 附件 II 第二部分第 1.3.1 点的豁免, 在动物高死亡率且有机饲养的动物不可用的情况下, 牲畜群或羊群可以使用非有机动物进行更新或重建, 前提是遵守该附件 II 第二部分第 1.2.2 点规定的相应转换期。

The first subparagraph shall apply *mutatis mutandis* to the production of bees and other insects.

第一条第一款的规定应适用于蜜蜂和其他昆虫的生产, 如有必要, 应作相应修改。

3. By way of derogation from point 1.4.1(b) of Part II of Annex II to Regulation (EU) 2018/848, livestock may be fed with non-organic feed instead of organic or in-conversion feed, when feed production is lost or restrictions are imposed.

3. 根据欧盟法规 (EU) 2018/848 附件 II 第二部分第 1.4.1(b)点的豁免, 在饲料生产丢失或实施限制的情况下, 牲畜可以用非有机饲料代替有机或转换期饲料。

4. By way of derogation from points 1.4.2.1, 1.6.3 and 1.6.4 of Part II of Annex II to Regulation (EU) 2018/848, when the production unit of livestock is affected, the grazing on organic land, the stocking density in buildings and minimum surfaces for indoor and outdoor areas as laid down in an implementing act adopted pursuant to Article 14(3) of that Regulation may be adapted.

4. 根据对《欧盟条例》(EU) 2018/848 附件 II 第二部分第 1.4.2.1 点、1.6.3 点和 1.6.4 点的豁免, 当牲畜生产单位受到影响时, 根据该条例第 14(3)条通过的执行法案规定的有机土地放牧、建筑物内的饲养密度以及室内外最小面积可以进行调整。

5. By way of derogation from point 1.9.1.1(f) of Part II of Annex II to Regulation (EU) 2018/848, when feed production is lost or when restrictions are imposed, the percentage of the dry matter consisting of roughage, fresh or dried fodder, or silage in daily rations may be reduced, provided that the animal's nutritional requirements at the various stages of its development are met.

5. 根据欧盟法规 (EU) 2018/848 附件 II 第二部分第 1.9.1.1(f)点的豁免, 当饲料生产损失或实施限制时, 在日粮中粗饲料、新鲜或干草料或青贮饲料的干物质比例可以降低, 前提是满足动物在其发育各个阶段的营养需求。

6. By way of derogation from point 1.9.6.2(b) of Part II of Annex II to Regulation (EU) 2018/848, where the survival of the colony is endangered for other reasons than climatic conditions, bee colonies may be fed with organic honey, organic pollen, organic sugar syrups, or organic sugar.

6. 根据《欧盟条例》(EU) 2018/848 附件 II 第二部分第 1.9.6.2 (b) 点的豁免, 如果蜂群因气候条件以外的其他原因而生存受到威胁, 可以喂食有机蜂蜜、有机花粉、有机糖浆或有机糖。

7. By way of derogation from points 1.9.6.5(a) and (c) of Part II of Annex II to Regulation (EU) 2018/848, where the survival of the colony is endangered, bee colonies may be moved to areas not respecting the provisions for the placing of the apiaries.

7.根据《欧盟条例》(EU) 2018/848 附件 II 第二部分第 1.9.6.5 款 (a) 和 (c) 的例外规定, 在殖民地生存受到威胁的情况下, 蜜蜂群体可以迁移到不遵守蜂箱放置规定的地区。

8. By way of derogation from point 3.1.2.1(a) of Part III of Annex II to Regulation (EU) 2018/848, aquaculture stock may be renewed or reconstituted with non-organic aquaculture animals in case of high mortality of aquaculture animals and when organically reared animals are not available, provided that the latter two thirds of the duration of the production cycle are managed under organic management.

8.根据《欧盟条例》(EU) 2018/848 附件 II 第三部分第 3.1.2.1 (a) 点的豁免, 在养殖动物死亡率高且有机饲养的动物不可用的情况下, 可以使用非有机养殖动物更新或重建水产养殖种群, 前提是生产周期的最后三分之二时间在有机管理下进行。

9. By way of derogation from the implementing act adopted pursuant to Article 24(9) of Regulation (EU) 2018/848 and establishing in particular the conditions for use of products and substances authorised in organic production, sulphur dioxide may be used in the making of products of the wine sector, up to the maximum content set out in Part B of Annex I to Delegated Regulation (EU) 2019/934 when the sanitary status of organic grapes obliges the winemaker to use more sulphur dioxide than in previous years to obtain a comparable final product.

9.根据《欧盟条例》(EU) 2018/848 第 24(9)条通过的执行条例, 特别是规定了有机生产中授权产品和物质的适用条件, 在有机葡萄的卫生状况要求酿酒师比往年使用更多二氧化硫以获得可比最终产品时, 二氧化硫可用于葡萄酒行业的制品制造, 含量不得超过《欧盟条例》(EU) 2019/934 委托法规附件 I 第二部分规定的最大含量。

#### *Article 4 文章 4*

### **Monitoring and reporting**

#### **监控和报告**

1. Member States shall immediately inform the Commission and the other Member States on the derogations granted by their competent authorities pursuant to this Regulation via a computer system made available by the Commission that enables the electronic exchange of documents and information.

1. 成员国应立即通过委员会提供的计算机系统，该系统允许电子交换文件和信息，通知委员会和其他成员国其主管当局根据本法规授予的豁免。

2. Any operator to whom the granted derogations apply shall keep documentary evidence relating to the granted derogations as well as documentary evidence on the use of those derogations during the period where those derogations apply.

2. 任何适用已授予豁免的运营商应保留与已授予豁免相关的文件证据，以及在这些豁免适用期间使用这些豁免的文件证据。

3. The competent authorities, or where appropriate, the control authorities or control bodies of the Member States, shall verify the compliance of the operators with the conditions of the granted derogations.

3. 有权当局，或根据情况，成员国控制当局或控制机构，应核实运营商是否符合已授予的豁免条件。

#### *Article 5 第五条*

#### **Entry into force and application**

##### **生效和适用**

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

本法规自公布于欧盟官方公报之日起第二十天生效。

It shall apply from 1 January 2022.

自 2022 年 1 月 1 日起适用。

This Regulation shall be binding in its entirety and directly applicable in all Member States.

本法规应在其全部内容上对所有成员国具有约束力，并直接适用于所有成员国。

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