



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate B – Sustainability  
**The Director**

Brussels  
LB/sf/agri.b.4(2022)4274041

Dear Mr [REDACTED],

I would like to thank you for your email of 24 March<sup>1</sup> highlighting the difficulties faced by the organic egg sector due to Russia’s invasion of Ukraine and its consequences on the feed market, in particular that of cereals, in terms of prices and availability. Please accept my apologies for the late reply.

In your email, you ask the Commission to take action along the three following lines:

- the removal of the age of 30 weeks to define young poultry in relation with the derogation to feed organic poultry with non-organic protein feed in case of the non-availability of organic protein feed;
- the possibility to use derogations to feed organic poultry with non-organic feed under “Catastrophic Circumstances”;
- the need to support financially the organic egg industry to mitigate the effects of Russia’s invasion of Ukraine.

Regarding the first point, the term “young poultry” should be understood as referring to the specific needs of young birds for certain amino acids for their growth. First, point 1.9.4.2(c) of Part II of Annex II to Regulation (EU) 2018/848 refers to “young poultry” in the context of a possible derogation from the use of non-organic protein feed in poultry feed. Second, while Regulation (EU) 2018/848 does not define the term “young poultry”, as regards the production of *Gallus gallus* poultry, the definition can be deduced from the reference to Article 3, point (29), of Regulation (EU) 2018/848, which defines “pullets” as “young animals of the *Gallus gallus* species that are of an age of less than 18 weeks”.

Concerning your second point, the services of the Commission have examined in the TRACES database the data on consignments of organic feed entering the EU in January, February, March and April 2022 originating from Ukraine, Russia and Kazakhstan and compared them with the same data for 2021 and 2020; these data show a clear disruption of the supply, in particular for sunflower seeds. However, the services of the Commission are fully aware that these data do not provide an accurate picture of the situation regarding the availability of organic feed at Member State level, due, among others, to

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<sup>1</sup> Ares(2022)2178631

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intra-community trade; from discussions with the Member States at the Organic Production Committee, it appears that in certain Member States, the lack of availability of organic protein feed affects the production of organic egg producers.

In accordance with Article 22 (1) (b) and (c) of Regulation (EU) 2018/848 on organic production, the Commission intends to adopt a delegated act to derogate from the organic production rules in order to allow under certain conditions, the use of non-organic protein feed for older poultry<sup>2</sup> such as laying hens in those Member States that have recognised the lack of availability of organic protein feed due to Russia's invasion of Ukraine as catastrophic circumstances.

Finally, the Commission has defined a range of short-term and medium-term actions to enhance global food security and to support farmers and consumers in the EU against the background of rising food prices and input costs, such as energy and fertilisers, in order to mitigate the negative impact of Russia's invasion of Ukraine<sup>3</sup>; these will be complemented by an exceptional measure funded by the European Agricultural Fund for Rural Development (EAFRD)<sup>4</sup>.

The present opinion is provided on the basis of the facts as set out in your email of 24 March 2022 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 faithfully,



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<sup>2</sup> Poultry that are not covered by the derogations provided for in points 1.9.3.1(c) and 1.9.4.2(c) of Part II of Annex II to Regulation (EU) 2018/848 allowing to feed up to 5 % of non-organic protein feed to young animals.

<sup>3</sup> [Global food security and EU farmers and consumers \(europa.eu\)](https://europa.eu)

<sup>4</sup> [Increased support for EU farmers \(europa.eu\)](https://europa.eu)